

RED Project Briefing: Policy Analysis

1

Distinct policy spaces



Devolution has created distinct policy spaces for race equality in Scotland and Wales within a shared UK-wide legal framework. Country-specific timelines show policy as a layered process, including laws, strategies, reporting, evidence, delivery, accountability and practitioner support.

2

Belonging and national identity



In both devolved jurisdictions, race equality policy connects with civic, plural and anti-racist accounts of national belonging, especially through education, heritage, public memory and sanctuary.

3

Racial literacy



Cumulative and co-produced racial literacy is visible in different policy repositories, including Scotland's anti-racist vocabulary and Wales's embedding of anti-racism into governance mechanisms.

4

Inclusion is not transformation



A recurring limitation is the gap between civic inclusion and structural transformation. Policies may place racialised minorities within the national 'we', but this does not automatically change institutional power, resources or outcomes.

5

From aspiration to implementation



The project's swim lane shows policy as a layered process: from constitutional authority, to statutory duties, to implementation infrastructure, to later strategies and action plans. The strongest trajectories link duties, targets, resources, monitoring, data, accountability and practitioner guidance.



RED examines how race equality has evolved across the UK since devolution, and what these developments reveal about the changing relationship between race, policy, governance and national belonging



Devolution and Policy Governance

Despite nearly thirty years of devolution, there is still no systematic account of how the UK's shared race-equality architecture has been developed differently across devolved settings, or what these differences mean for addressing racial disparities and recognising racial diversity.

This briefing shares policy analysis showing that both Scotland and Wales have used devolution to create space for civic, plural and anti-racist accounts of national belonging. Both jurisdictions also show a shift from race equality as compliance towards anti-racism as institutional transformation. At the same time, race and nation often remain split across different policy registers. Constitutional statutes define institutions, authority and political community, while race appears mainly through equality duties, strategies, implementation documents and reporting.

Policy studies suggest that progress is strongest where constitutional authority enables institutional action; where legal duties are translated into practice through accountability, funding, monitoring and performance management; and where public institutions have the capacity to implement change. Conversely, policy is more limited where these layers remain disconnected, where civic inclusion is not accompanied by structural transformation, or where ambition is not matched by implementation capacity (3, 4, 5, 6). In the timelines, this intermediate layer is visible in country-specific sequences rather than single headline documents. A central contextual point is that devolution has produced a thicker governance infrastructure made up of four main layers.

First, constitutional enabling legislation defines devolved competence, institutional authority and the territorial shape of political community. Second, UK-wide equality architecture supplies the common anti-discrimination baseline (1, 2). Third, secondary legislation operationalises duties, reporting requirements, commencement and enforcement (7, 8, 9). Fourth, a denser strategic and policy repertoire — frameworks, action plans, mainstreaming reports, curriculum materials and delivery mechanisms — gives substantive content to equality, belonging and historical narrative.

The UK-level timeline provides the baseline against which devolved divergence becomes visible. At the UK/Great Britain level, the post-Macpherson period produced the core statutory architecture of race-equality governance: the Race Relations (Amendment) Act 2000, the Race Relations Act 1976 statutory and specific duties, and later the Equality Act 2010 and specific duties regulations.

This sequence established a shared anti-discrimination and public-sector equality framework across Great Britain, but the timeline also shows that, after the consolidation of the Equality Act, UK-level development becomes more unevenly distributed rather than a sustained race-specific legislative programme.

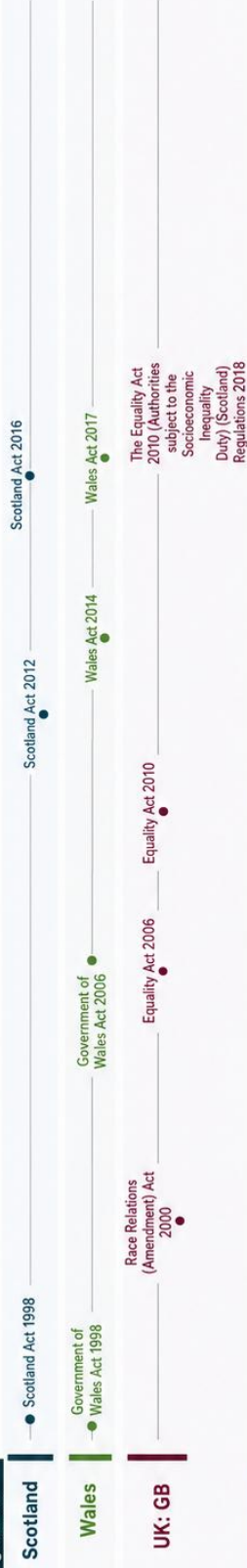
The devolved story shows how governments can share common legal foundations while developing distinctive political vocabularies of equality and national identity. The strongest policy trajectories are those in which constitutional authority, equality duties, civic narratives and anti-racist commitments are connected to institutional action. The weakest are those in which these layers remain parallel: where inclusion is narrated but not resourced, where legal duties exist without strong accountability, or where anti-racist ambition is not supported by implementation capacity (4, 6, 10).

Across this infrastructure, race and nation appear in different registers. Nation is most explicit in constitutional legislation, through the language of institutions, competence, permanence and political community. Race is more explicit in equality instruments, implementation duties, strategy documents, curriculum policy and anti-racist action plans. The relationship between race and nation therefore emerges across layers of law, regulation, strategy and policy, rather than through any single constitutional text.

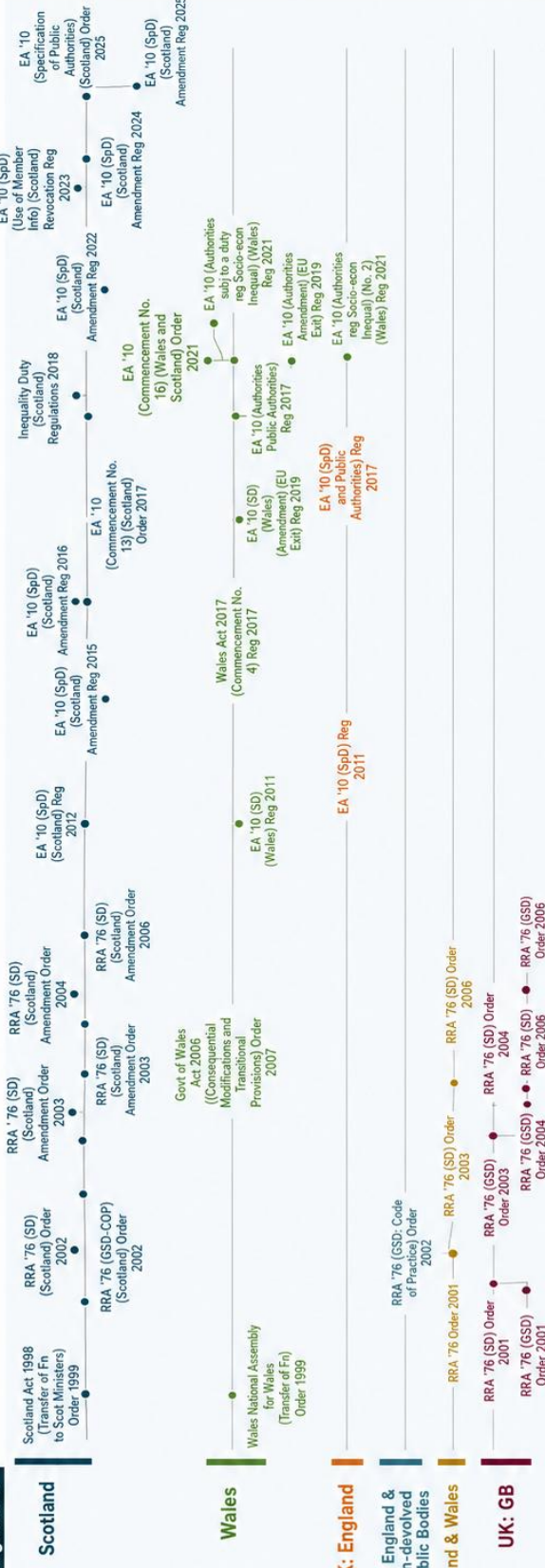
The briefing includes selected migration-related policy developments because they are important sites where devolved governments narrate civic inclusion, plural membership and national community. This is to recognise that refugee and sanctuary frameworks can shape the public language of belonging, while being mindful not to conflate migration policy with race-equality policy.

Racial Equality in Legislation Since Devolution

Primary legislation



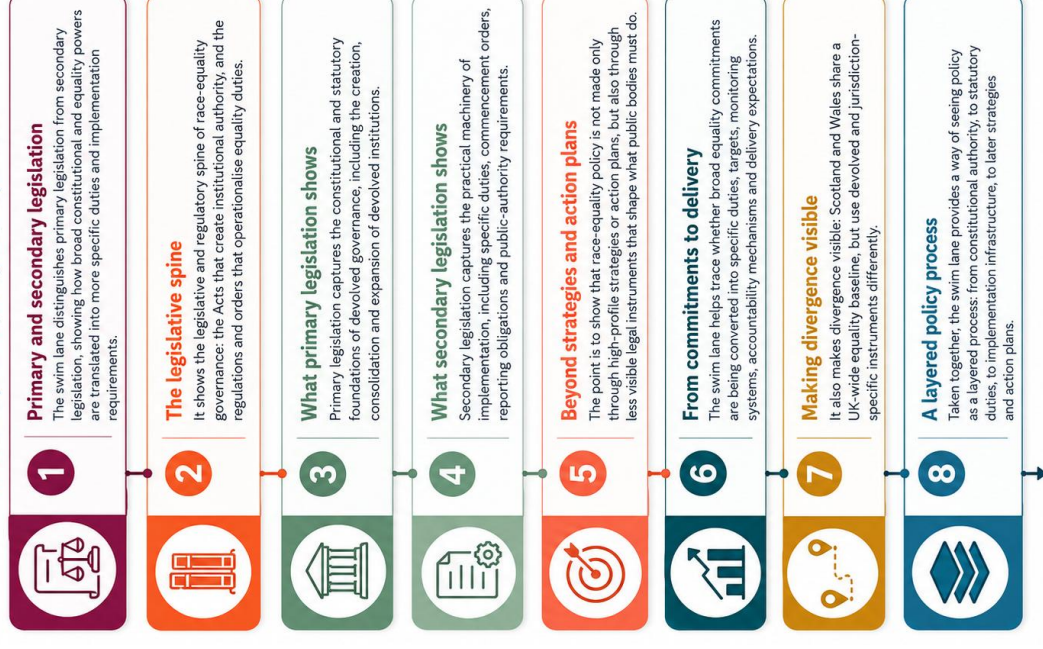
Secondary legislation



RRA '76 = Race Relations Act 1976; EA '10 = Equality Act 2010; SpD = Special Duties; SD = Statutory Duties; GDS = General Statutory Duty; Reg = Regulation; Fn = Functions; Socio-econ = Socio-economic; Inequal = Inequalities

How to Read the Swim Lane

A vertical key to interpreting the policy timeline.



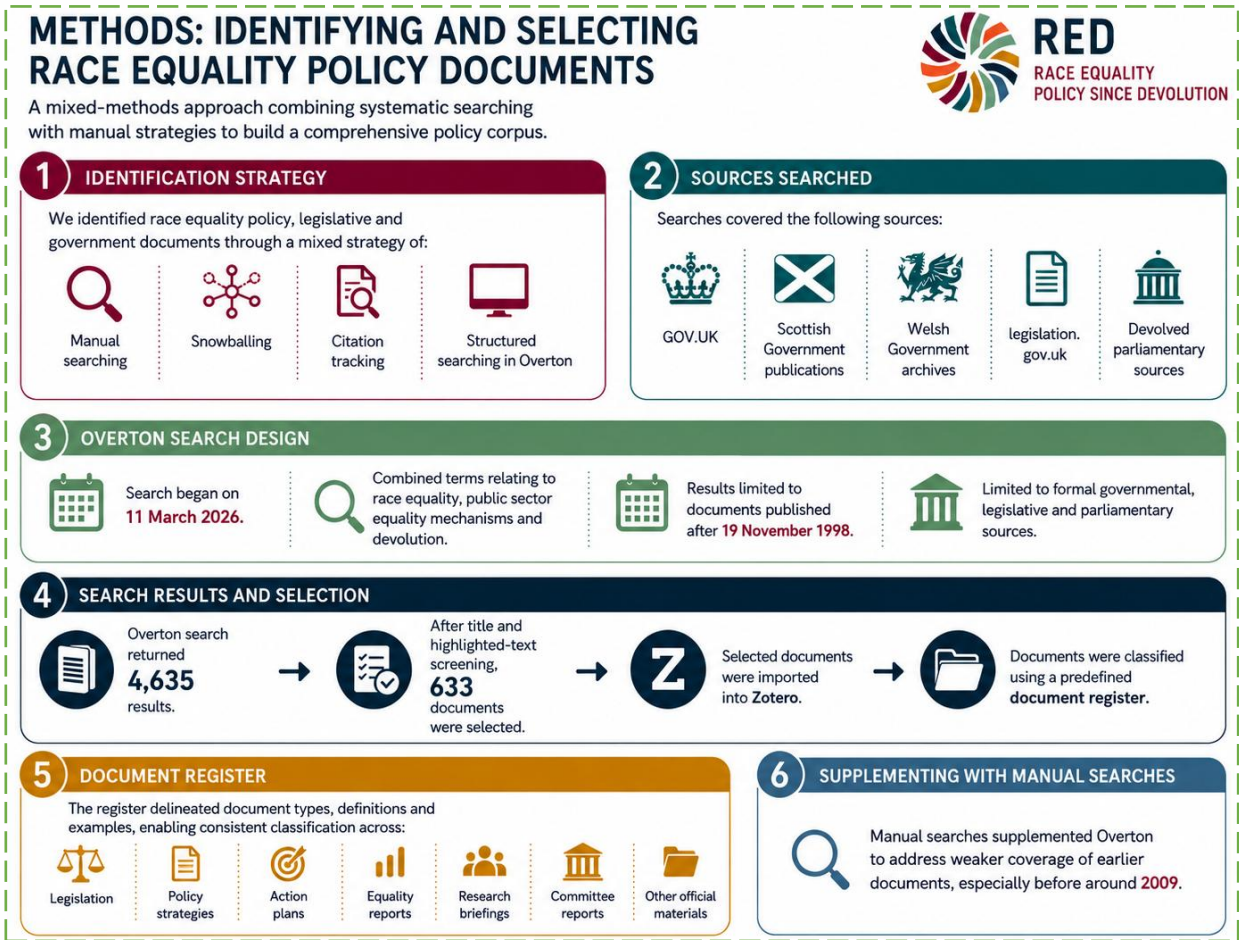
Scotland: Constitutional Nationhood and Civic Anti-Racism

In Scotland, the constitutional register of nationhood is established through the Scotland Act 1998, which restored a Scottish Parliament with legislative competence in non-reserved areas (11). The Race Relations Act 1976 (Statutory Duties) (Scotland) Amendment Order 2003 (13), meanwhile, translated race equality into anti-discrimination obligations, equality of opportunity, good relations between racial groups, race-equality schemes, monitoring requirements and duties on Scottish Ministers.

Race thus becomes visible in policy through equality instruments and their Scottish implementation, though it is worth noting that, in the immediate post-devolution period, Scottish parliamentarians linked race equality to the legitimacy of the new political settlement itself, describing incoming duties as a “step change” for Scotland’s Black and ethnic minority communities (14). The Scotland timeline is important here because it records the surrounding scaffolding: the Race Duties Orders and amendments from 2002–2006, the Specific Duties Regulations and later amendments from 2012–2025, the Race Equality Scheme 2008–11, Mainstreaming Reports, the Equality Evidence Strategy 2017–2021, Race Equality Action Plan reports, and later data-improvement and delivery-plan materials.

These developments represent an important form of policy strength. Race equality was not only named as an abstract value; it was translated into devolved institutional obligations, monitoring practices and administrative expectations. Scotland’s early post-devolution settlement therefore linked race equality to the credibility of devolved public authority, while the Scotland Act 2012 (12) deepened institutional self-description, renaming the Scottish Executive as the Scottish Government, and promoted nationhood as institutional authority, public recognition and legislative capacity rather than ethnicity or culture.

Duties and strategies do not, by themselves, guarantee deep institutional change. Scotland’s race-equality archive shows recurring difficulties around implementation, accountability, data quality, leadership, resourcing and the translation of commitments into measurable outcomes. In this respect, a broader pattern shows that declaratory statements and statutory frameworks can coexist with limited institutional follow-through (3, 5, 15). The timeline helps distinguish policy density from policy impact through the accumulation of duties, mainstreaming reports, evidence reviews, REAP reporting, equality outcomes and data-improvement programmes.



Civic belonging: the 2016 Race Equality Framework

The Race Equality Framework for Scotland 2016–2030 (16) marked a significant step in placing minority ethnic communities explicitly inside the national "we". It stated an ambition to extend "Scotland's broad solidarity" by demonstrating the integral role and belongingness of minority ethnic communities in Scotland. It tied this directly to Scotland's National Outcome: "We take pride in a strong, fair and inclusive national identity." Multi-generational minority ethnic presence, recent migration and future generations are all made part of the national story.



This is strong policy at the level of civic incorporation because it anchors race equality in the official story Scotland tells about itself. The Framework also gives race equality a broader institutional and civic meaning by linking the “fostering good relations” element of the Public Sector Equality Duty to community cohesion, policing, hate-crime reporting and public safety. Its limitation is that civic recognition, on its own, does not amount to structural transformation. For that, the Framework depends on strong delivery mechanisms, resources and accountability systems capable of translating belonging into institutional change (17, 18, 19).

The New Scots Refugee Integration Strategy 2018–2022 (20) develops a parallel civic-nationhood project. Its foreword presents refugees as “assets” who, in rebuilding their lives, help to make Scotland stronger, more compassionate and more successful as a nation. Integration is defined as a long-term, two-way process of inclusion, while refugees’ backgrounds, cultures, ambitions, experience and skills are to be recognised and celebrated.

This is another example of policy strength as civic narration. Refugees are not framed merely as service users or administrative burdens, but as contributors to the national community. Belonging is pursued through participation, mutual adaptation and recognition of plural identities, diverging from narrower or more transactional models of refugee settlement. Yet here also, civic recognition must be matched by institutional capacity.

A strategy that narrates refugees as national contributors may still be constrained by reserved immigration powers, uneven local provision, housing pressures, welfare constraints and short-term funding. Its strength therefore lies primarily in its civic and symbolic architecture; its transformative potential depends on how far that architecture is resourced and embedded across public services (5, 21).

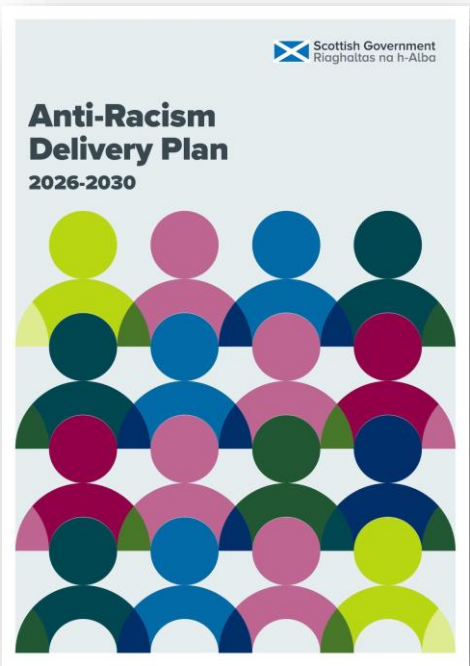
Structural anti-racism and post-colonial education

Scotland's anti-racism policy vocabulary develops through the 2016 Race Equality Framework and the 2017–2021 Race Equality Action Plan, and becomes more structurally explicit from 2021 onward. The Race Equality Immediate Priorities Plan (22) states that it is not enough simply to “not be racist” and calls for an actively anti-racist approach in everything government does. It defines anti-racism as requiring institutional culture change and recognises racism as a structural issue.

This represents a significant conceptual policy shift. Scottish race-equality policy moves from inclusion and equality towards active anti-racism, structural racism and institutional change. The Plan also proposes curricular change that names Scotland's historical role in empire, colonialism and transatlantic slavery, and how that history manifests in the present.

Education Scotland's anti-racist education resources (23, 24) extend this framework, arguing that learners should understand all of Scotland's history, including empire, colonialism and transatlantic slavery, and that Scotland's colonial past shapes learners' current everyday lives.

More recent governance materials envisage a decolonised curriculum with race-cognisant resources (24, 25, 26, 27, 28). Here, post-colonial perspectives are most explicit in education policy and curriculum reform. Scottish history is narrated through empire, colonialism, transatlantic slavery and their contemporary effects. This is one of the strongest areas of Scottish policy development because it connects anti-racism to the remaking of national memory.



The limitation is that opportunities for being attentive to empire, colonialism and their contemporary legacies remain concentrated in curriculum and education governance rather than fully embedded across the constitutional, economic, legal and administrative machinery of the state. Scotland's trajectory therefore shows substantial strength in agenda-setting, vocabulary change and curriculum reform, but weaker evidence of system-wide accountability and enforcement (6, 26).

Race Equality Immediate Priorities Plan

September 2021



Wales: Future Generations, Anti-Racism and Decolonising Public Memory

In Wales, the split between constitutional nationhood and administrative race equality is especially visible. Nationhood is mobilised through the creation and consolidation of Welsh institutions under the Government of Wales Acts 1998 and 2006 (29, 30), the development of Welsh law-making powers, and the Wales Act 2017's provisions on permanence and legislative consent (31). The Wales Act 2017 recognised the National Assembly for Wales and Welsh Government as a permanent part of the United Kingdom's constitutional arrangements, abolishable only through a referendum in Wales, and placed the Sewel convention on a statutory footing (31). These provisions do nation-building work by framing Wales as a durable political community with its own democratic authority and legal and political distinctiveness.

Race appears in Welsh legal materials principally through institutional equality governance. Section 120 of the Government of Wales Act 1998 required arrangements to secure due regard to equality of opportunity; section 77 of the 2006 Act carried that duty forward and added reporting requirements (29, 30). The Well-being of Future Generations (Wales) Act 2015 (32) provides a distinctive statutory architecture through which questions of identity, diversity and anti-racism can be mainstreamed. It frames Wales simultaneously as culturally rooted and outward-looking, through goals including "A Wales of vibrant culture and thriving Welsh language" and "A globally responsible Wales" (32).

This creates a procedural and ethical architecture into which anti-racist and post-colonial policy can be inserted. Its strength lies in making long-term public value, cultural identity and global responsibility part of the machinery of governance. Its limitation is that these broad goals require translation into specific anti-racist duties, targets, resources and accountability systems if they are to move beyond ethical aspiration (33, 34, 35).

The Wales timeline names the intermediate instruments through which such translation is attempted: the 2011 Welsh Specific Duties, 2021 Socio-economic Inequality Regulations, equality annual reports, impact assessments for the Childcare Funding Bill and Child Poverty Strategy, the Equality, Race and Disability Evidence Units Strategy and the 2024 Anti-racist Wales Action Plan update.

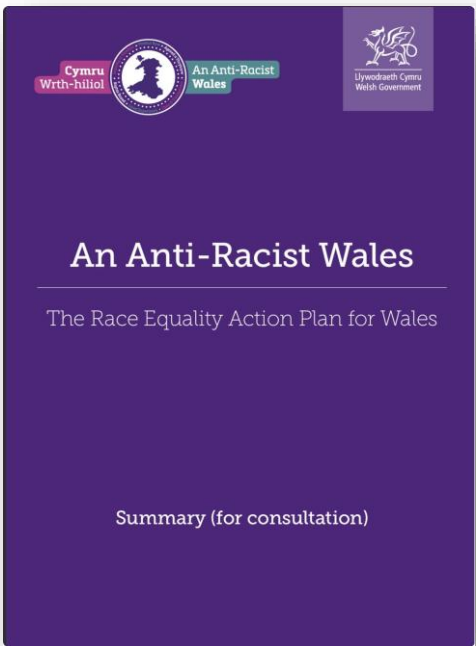
Nation of Sanctuary

From 2018–2019, Welsh Government refugee policy increasingly describes Wales as a "Nation of Sanctuary" (36), committing to support refugees and asylum seekers to make a full contribution to Welsh society and add to the diversity of Welsh communities. This is a civic identity script connecting Welsh belonging to home, contribution and plural membership. As with New Scots, this is strong policy at the level of civic inclusion and national narration. It makes sanctuary part of the official language of Welsh identity and embeds plural membership within a devolved account of national community.

Its limitation is similar: sanctuary as a civic ideal may exceed the administrative powers, resources and delivery infrastructures available to devolved government. The policy is strongest as an identity-making and agenda-setting intervention, and more limited where it relies on implementation across constrained or uneven service systems. The timeline helps keep this distinction visible by placing sanctuary narration beside adjacent delivery and support materials, including community cohesion delivery planning, equality and human rights annual reporting, the Strategic Equality and Human Rights Plan 2025–2029, and 2026 community cohesion principles for practitioners.

Anti-racist Wales Action Plan

The Anti-racist Wales Action Plan (37, 38) marks a more structurally ambitious phase of Welsh race-equality governance. Its vision is Wales as an anti-racist nation (37, 38). It defines anti-racism as actively identifying and eradicating the systems, structures and processes that produce racially differential outcomes for ethnic minority groups (37, 38). Crucially, it links national identity to systems change, accountability and lived experience and is among the most developed examples of policy ambition in the devolved race equality archive. Specifically, it moves beyond civic inclusion by proposing to change the institutions and processes that shape unequal outcomes, linking Wales as a nation to the practical transformation of governance.

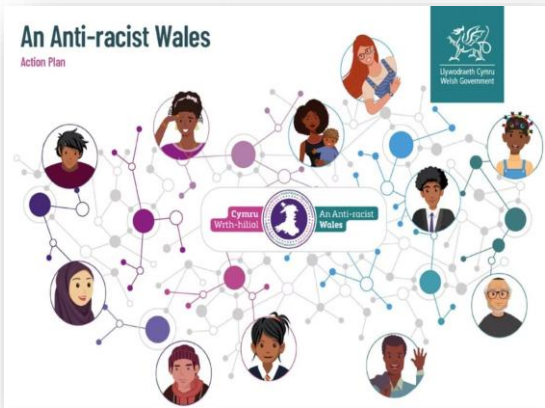


The clearest sign of policy strength comes in the 2024 update (39), which embeds anti-racist requirements into funding, governance and performance management through remit letters, award letters and grant conditions. This marks a shift from aspiration to accountability: anti-racism becomes a condition attached to institutional behaviour and public funding (4, 6, 40). The Wales timeline shows this as part of a wider delivery chain, including consultation, equality reporting, evidence-unit strategy, summit reporting and practitioner-facing community cohesion materials.

The strength of the Action Plan depends on sustained political leadership, institutional capacity, meaningful involvement of racialised communities, reliable data and durable accountability mechanisms. Without these, even structurally ambitious policy can become overextended, symbolic or unevenly implemented. Compared with many earlier race-equality strategies, however, the Welsh approach more clearly attempts to close the gap between commitment and implementation (5, 41, 42, 43).

Decolonising public memory

The Anti-racist Wales Action Plan’s historical narrative goal (37, 38, 39) seeks a balanced, authentic and decolonised account of the past. It includes concrete action to review and decolonise public spaces and collections connected to slavery and colonialism, acknowledge the harm done, and reframe their legacy. The 2024 update retains and extends this emphasis across museums, heritage and public commemoration (39).



This is a strong example of policy as public memory work on empire, slavery and colonialism. It moves beyond generic diversity language and explicitly addresses the material and symbolic legacies of colonialism, slavery and racial hierarchy. It treats museums, monuments, collections and public spaces as part of the governance of national identity (27, 28).

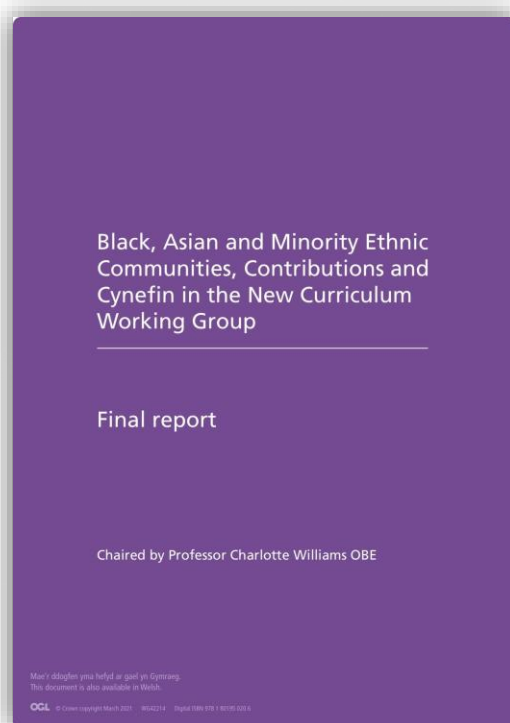
Curriculum, cynefin and the story of Wales

Wales's education reforms represent a second powerful identity-making lever, institutionalising who is included in “the story of Wales”. The Curriculum for Wales requires learners to encounter the story of Wales alongside the story of the wider world, and to understand the complex, pluralistic and diverse nature of societies, including the stories of Black, Asian and Minority Ethnic people (44). The Williams Working Group gives this a more explicitly postcolonial form (45, 46), recommending professional development materials, including a narrative guide to Wales's role in British colonialism and a narrative guide to the history of racism and anti-racism in Wales.



A related limitation is that cultural and public-memory reform may remain concentrated in heritage, museums and curriculum unless it is connected to wider systems of institutional accountability. Public commemoration matters, but it does not automatically change housing, employment, policing, education outcomes, health inequalities or resource distribution. The strength of this policy area therefore depends on whether symbolic and cultural transformation is connected to institutional accountability across the wider public sector.

Its strongest identity claim — that ethnic diversity is not a threat to Wales but part of its historical character — makes explicit that national identity is both an object of policy and a cultural inheritance. This is significant because it challenges exclusionary accounts of belonging and places racial and ethnic diversity within the formation of Wales itself.



The implementation challenge is that curriculum reform depends on teacher training, resources, institutional confidence, assessment practices and sustained implementation. As in Scotland, education is a central site for postcolonial policy development, but its wider impact depends on whether curricular change is connected to broader institutional transformation (3, 5, 15). The Wales timeline captures the enabling work around curriculum change, including the Working Group final report, annual implementation reporting and curriculum clarification materials, showing how identity claims are translated into professional development, guidance and classroom-facing policy.

Comparative Findings

Advances

First, Scotland and Wales have used devolution to create space for civic, plural and anti-racist accounts of national belonging. Scotland does this through the Race Equality Framework, New Scots, anti-racist education and the language of structural racism (16, 20, 22, 23, 24). Wales does this through Nation of Sanctuary, the Well-being of Future Generations framework, the Anti-racist Wales Action Plan, curriculum reform and decolonising public memory (32, 36, 37, 38, 39, 44, 45).

Second, both jurisdictions show a shift from race equality as compliance towards anti-racism as institutional transformation, with more recent policy naming structural racism, colonial histories and the need to change institutional systems.

Third, education and cultural heritage have become key sites where postcolonial perspectives are institutionalised, especially through curriculum reform, professional development, public history and public memory.

Fourth, Wales shows a notable move from aspiration to accountability by embedding anti-racist requirements into funding, remit letters, award letters and performance management (39).

Fifth, these developments reflect different devolved journeys and a growing racial literacy in public policy, often built through sustained civil society challenge and expertise, including from CRER in Scotland, Race Equality First in Wales and the Runnymede Trust across the UK.

Challenges

First, race and nation often sit in separate policy registers: constitutional statutes define institutions and political community, while race appears mainly through equality duties, strategies and reporting. The timelines make this separation visible across the legal, regulatory and policy archive.

Second, civic inclusion does not automatically produce structural change. Policies that place minority ethnic communities, refugees or migrants within the national “we” matter, but their impact depends on whether they alter power, resources, data systems, accountability and delivery (17, 18, 47).

Third, engagement with historical legacy is strongest in education, curriculum, museums, heritage and public memory, but less visible in constitutional law, economic policy, housing, policing, health and wider administrative governance.

Fourth, Scotland appears especially strong in civic framing, structural vocabulary and curriculum reform, while Wales appears further advanced in embedding anti-racist commitments into governance, funding and performance structures.

Finally, both jurisdictions face the challenge of turning policy into practice. Strong race-equality governance requires leadership, resources, high-quality data, lived expertise, monitoring, public accountability and community scrutiny (3, 4, 5, 48).

Key Recommendations

Taken together, the Scottish and Welsh materials show that devolved race-equality governance is strongest where civic inclusion, anti-racist ambition and institutional accountability are brought together.

The following recommendations draw from the comparative strengths and limitations identified across the policy archive.

1



Read race equality across the full policy archive

Policy analysis should move beyond headline strategies and action plans to include constitutional statutes, equality duties, regulations, implementation plans, curriculum reform, heritage governance, evidence systems, funding arrangements and accountability reviews. This wider archive shows how race, nation and policy are connected unevenly but relationally across devolved governance.

2



Connect civic belonging to structural change

Scotland and Wales have both created institutional space for civic, plural and anti-racist accounts of national belonging. The next step is to ensure that these accounts move beyond recognition and are translated into changes in institutional power, resources, data systems, delivery practices and public accountability.

3



Treat anti-racism as a governance commitment

Race-equality policy should be assessed by whether anti-racist commitments are embedded into governance structures. This means linking strategies to duties, targets, monitoring systems, funding conditions, remit letters, performance management, guidance and practitioner support.

4



Strengthen implementation and accountability

The recurring challenge is turning policy into practice. Strong race-equality governance requires leadership, resourcing, high-quality data, lived expertise, transparent reporting, independent scrutiny and mechanisms through which communities can shape and scrutinise institutional behaviour.

5



Support civil society as policy infrastructure

Civil society organisations and practitioners have played a key role in building racial literacy, sustaining challenge and shaping devolved policy agendas. This expertise should be recognised as part of the infrastructure of race-equality governance, with stable support for participation, scrutiny, co-production and community-led evidence.

6



Make divergence analytically visible

Scotland and Wales share a UK-wide equality baseline, but they use devolved and jurisdiction-specific instruments differently. Comparative research should therefore trace how each jurisdiction converts broad equality commitments into specific duties, monitoring systems, delivery expectations and accountability mechanisms.

7



Use education and heritage as sites of institutional change

Education, curriculum reform, museums, public memory and cultural heritage have become key sites where post-colonial and anti-racist perspectives are being institutionalised. These areas should be treated as central to race-equality governance, rather than as peripheral cultural policy.



Concluding recommendation

The clearest test of policy strength is whether civic, plural and anti-racist accounts of national belonging are converted into accountable institutional change. Devolved race-equality governance should therefore be assessed not by the presence of commitments alone, but by the extent to which those commitments are resourced, monitored, enforceable, co-produced and embedded across institutions.

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