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# Gender inequality by design: does successful implementation of childcare policy deliver gender-just outcomes?

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## ABSTRACT

The intractability of complex forms of gender inequality and the normalisation of gender equality policies on public policy agendas continue to challenge feminist research and activism concerned with gender-just outcomes. Through integrative multi-level analysis of policy design-implementation-outcomes building on the feminist policy implementation framework, this article illuminates how dominant discursive framing supports divergent policy approaches by different actors within state-institutional sites. Based on a decade of childcare policy implementation in Poland, the analysis shows that a shared family well-being frame is deployed by political actors to design and implement contrasting models for childcare. These have profound implications for the attainment of gender-just outcomes by sometimes challenging, but more frequently, reconstituting gender hierarchies. The policy design-implementation-outcome lens highlights the centrality of gender throughout the policy process and thus helps account for the persistence of inequalities through their construction and re-construction. It also suggests that, politically, the policy effort can be deployed towards alternative processes and policies, and thus towards the attainment of gender-just outcomes.

## KEYWORDS

Childcare policy; gender justice; design-implementation-outcomes; Poland

## Introduction

Analysing public policy implementation, situated within design and outcomes and attentive to actors, institutions and framing, contributes to debates on the role of the state in the process of social change. Feminists share this concern. Feminist scholarship and activism regard the state – conceptualised as governments, parliaments, laws and policies – as a powerful actor advancing or blocking the attainment of gender equality and social justice. Consequently, feminist engagements with the state, whilst fraught with difficulties, strive to influence public policy towards achieving gender-just societies. Integral to these efforts is the problematic of care, a long-standing feminist concern because of its role in gendering societies and shaping complex inequalities. As such, care policy has profoundly transformative potential.

Decades of a dynamic feminist-state relationship have brought a commitment to and normalisation of gender equality across world's regions (Inglehart & Norris, 2003;

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Jenson, 2015; Mazur, 2017) and various policy tools have been adopted, including gender mainstreaming applying to all aspects of policy making. Yet, gender inequalities persist, in different forms and to different degrees, everywhere. The puzzle of the gap between the prominence of gender policies and the persistence of gender inequality continues to animate feminist analysis. Recent turn to gender policies after their adoption promises to identify the reasons for the poor attainment of gender equality on-the-ground (Engeli & Mazur, 2018; Mazur, 2017; Pincus, 2009). Policy studies facilitate this. Confronting policy making through the ‘front’ and ‘back’ ends, they expose policy as contested (Howlett, 2018; Howlett, Ramesh, & Perl, 2009). Gender analysis similarly highlights policy arenas as anything but straightforward. Particularly, the political and uneven nature of implementation suggests that failures result from the way in which prior policy decisions are put into practice. However, effective implementation of a gender policy might deter, rather than boost, efforts towards gender-just social outcomes. I demonstrate this through analysing childcare policy in Poland, where it has become prominent and successful, and so implementation per se cannot account for stalling progress towards gender transformation.

My overarching concern lies in understanding the relationship between a seemingly ‘good’ and successfully implemented policy and a ‘bad’ outcome. The main questions I seek to address are: To what extent can successful childcare policy implementation contribute towards the attainment of gender equality and social justice? How do political contingencies and shifting perspectives of actors, institutions, and their discursive frames affect policy design, implementation, and outcomes? What is the role of the interaction between design, implementation, and outcomes for the attainment of gender equality and social justice? I address these questions through placing care at the centre of analytical and policy concerns with equality. In the next section, I outline my multi-level analytical approach to gender equality and social justice by (a) relating policy implementation to its design and outcomes, (b) theorising care’s role in gendering societies and de-gendering strategies and (c) operationalising care policy criteria towards gender justice. In the subsequent section, these theoretical and methodological insights guide my empirical analysis of a decade of reforms to childcare services, leave regulations and benefit systems in Poland. Building on feminist politics of implementation framework, the study shows that the considerable childcare provision investment realised through different fiscal, regulatory and organisational measures, advances divergent (gendering or de-gendering) objectives. In the conclusion, I argue that understanding gender inequalities and their persistence requires attention to the policy process throughout its cycle, including its articulations vis-à-vis a transformative feminist agenda.

## **Towards gender equality and social justice through care policy**

### ***Situating implementation between design and outcomes***

Examination of policies after their adoption has been identified as vital to advance our understanding of why, despite increased profile of gender on policy agendas of nation-states and supranational organisations, the results on-the-ground remain so frustratingly poor (Engeli & Mazur, 2018; Mazur, 2017; Pincus, 2009). Policy implementation studies

facilitate this task. Engaged with the ‘back-end’ of policy making, they challenge the view that policy decisions are turned into unambiguous technical procedures, with any contestations occurring at earlier stages (Béland & Ridde, 2016; Howlett, 2018; Howlett et al., 2009). Work on the implementation of gender policies, especially gender mainstreaming, similarly demonstrates their political character (Daly, 2005; Kantola & Lombardo, 2017; Mazur & Pollack, 2009; Woodward, 2003). The feminist politics of implementation framework promises to illuminate this problematic investigating implementation instruments (policy outputs), processes (interaction of actors with unequal power and conflicting goals) and outcomes (gendered transformation) (Engeli & Mazur, 2018; Pincus, 2009).

However, this framework is currently animated in and for Western post-industrial settings (Mazur, 2017) and implicitly assumes stable equality goals. These conditions are not met in other contexts, including in Poland (Inglot, 2008; Plomien, 2010; Szelewa, 2019). Nevertheless, it should be possible to study progress engaging implementation lens where long-term commitment to gender equality cannot be taken for granted. Furthermore, the political and uneven character of gender policy implementation suggests that lack-of-progress stems from activities of putting into practice earlier policy decisions. It is feasible, though, that effective implementation of gender policy, like childcare, prevents rather than promotes efforts to achieve gender-just society.

These difficulties can be overcome by studying implementation together with policy processes at the ‘front-end’ (Howlett, 2018). Analysing the interaction between theoretically distinct, but politically linked, dimensions, where policy design and implementation together produce particular outcomes, yields relevant insights. Exploring successful childcare policy implementation in Poland, I demonstrate such an analysis to be instructive. First, situating implementation within design and outcomes allows assessing the role of implementation in achieving outcomes, what is being put in place (instead), and the context within which this is occurring. This helps adjudicate whether (non) attainment of gender justice emanates from (non)implementation of gender policy and/or other factors, including political contingencies and the interaction among actors, institutions, and discursive frames. Second, the integrative design-implementation-outcomes approach facilitates combining different levels of analysis – immediate concerns regarding particular policy with overarching concerns regarding broader societal objectives. Such multiple-level analysis helps identify whether given policy has been implemented successfully or failed according to its intrinsic objectives (Howlett, Ramesh, & Wu, 2015; McConnell, 2010) and can be distinguished analytically from succeeding or failing in the overarching goal. That is, how does particular policy translate into the process of social change? Specifically, gender policies can be designed to be more or less transformative and put into practice more or less effectively because of the constellation of individual and collective actors, state institutional sites, and discursive frames rallying for or against gender-just progress.

### ***Centring care in gendering societies and de-gendering strategies***

Gender-just equality, as goal and process, entails transformation of gender relations and other axes of power in bringing about equality of outcomes. Appropriate public policy is crucial in this endeavour, as states shape hierarchical gender norms and practices (Bacchi, 2017; Elson, 1998; Ferree, 2010; Franzway, Court, & Connell, 1989; Orloff,

1996). Any systematic patterns of unequal outcomes point to structural barriers producing inequalities (Phillips, 2004) and realising equality mandates these barriers to be dismantled. Feminist research and activism have contributed towards this objective, but despite significant gains across political, economic and cultural spheres, inequality persists and is reconstituted in new ways. For instance, although the European Union's approach to gender has been lauded as 'one of the most progressive' (Pollack & Hafner-Burton, 2000, p. 452) and 'in the vanguard' (Rubery, 2015a) owing to extensive gender-specific social and employment policies,<sup>1</sup> European societies remain unequal (Perrons & Plomien, 2010).

Paid work is case in point. Women's employment reached an all-time high in 2017, but gender gaps persist and precarity is more prominent among women, who are more likely to hold involuntary part-time, temporary or zero-hour contracts (European Commission (EC), 2018a). Caring responsibilities influence total work time and its division into paid and unpaid hours. Among couples with young children, women's average weekly hours are split into 32 paid and 39 unpaid work, whereas men's total effort is lower and reversed into 41 and 19 h, respectively (EC, 2018b). Additionally, lone mothers' employment is lower than partnered mothers' and lone fathers' (EC 2018a), indicating more severe barriers to work-care balance. Gendered employment patterns lead to women's substantially lower hourly (16%) and pension (40%) incomes (EC, 2018a; Bettio, Tinios, Betti, Gagliardi, & Georgiadis, 2012).

Gender inequalities largely derive from the production-reproduction nexus and the interdependency between care provision and labour market participation. Visions to overcome inequality emphasise either care or employment in strategies towards gender justice. Equity perspectives accept care's gendered character and promote differentiated citizenship upholding women's distinct social position through valuing feminised work in the private sphere. Conversely, equality standpoints underestimate care's gendered properties demanding citizenship rights for women through their incorporation into the public sphere, that is, rights derived from the masculine citizen-worker norm. However, there is a tension between supporting women as carers or as workers as neither brings gender justice. Feminist scholars warn that pursuing difference stigmatises deviation from the citizen-worker norm, while pursuing sameness denies citizenship to those who cannot attain this norm (Fraser, 1997; Lombardo, 2003; Pateman, 1989; Phillips, 1999; Scott, 1988). Transformative proposals tackling this dilemma (Fraser, 1997; Gornick & Meyers, 2008; Rubery, 2015b) promote gender-justice projects centring *both* care and employment and involving the nexus and the interdependency itself.

In principle, reconciliation of work and care policies are appropriate for addressing the production-reproduction conflict because, as the name suggests, they are capable of attending to employment and family spheres simultaneously. This capability is not, however, automatically realised. The tri-policy package of care services, working-time and leave regulations, and cash transfers, can be combined in ways that entrench the bifurcated difference or sameness approach and not deliver gender transformation. Indeed, in the EU reconciliation policies have served employment and economic

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<sup>1</sup>The debate over EU gender equality record problematises its content, significance and implementation, but the EU has developed many meaningful social and gender policies, institutions and other resources.

growth objectives instead (Jenson, 2015; Lewis, 2006; Stratigaki, 2004), or reduced gender inequalities at the expense of class inequalities (Cooke, 2011; Korpi, Ferrarini, & Englund, 2013; Mandel & Semyonov, 2006). Consequently, despite decades of gender policies, incontrovertible progress in gender justice cannot be claimed – gender inequality is reconstituted rather than resolved.

Care, policy and practice, is implicated in this process. A long-standing feminist issue, care is prominent in gendering social relations, and in producing, sustaining and challenging inequalities. Care's provision, while contextually varied, displays three common features: most of it is unpaid, most of it is performed by women (paid and unpaid) and it is one of the fastest-growing employment sectors across the OECD (Himmelweit & Plomien, 2014). Moving care to the paid economy is not simply emancipatory, partly because its underpinning logics – public good versus profit making – differ. The public sector can ensure better quality and working conditions than the private sector, necessitating the expansion of public investment in care for an equality-promoting project (Himmelweit, 2007). When commodification of care occurs without state investment and within status-differentiating gender-, migration- and labour-market regimes, the expanding private care industry (households and firms) employs precarious workforce – exploiting gender, race, ethnicity, class and geopolitical inequalities (Anderson, 2007; Bettio & Plantenga, 2004; Lutz, 2008; Parreñas, 2001; Spehar, 2015; Williams, 2012). Inequalities are thus transferred among regions, households and women. To contribute to gender and social justice, then, care policy and practice must consider intersecting inequalities and commit to the pursuit of inclusive equality in line with transformative feminist politics challenging multiple power hierarchies (Engeli & Mazur, 2018; Lombardo, Meier, & Verloo, 2009). Attaining gender equality requires a broad-spectrum transformation of social relations through care.

### ***Operationalising care policy design-implementation-outcomes***

Understanding the relationship between public policy and feminist objectives of transforming gender relations via care demands developing empirical and theoretical knowledge of politically contingent power dynamics among actors operating within state-institutional contexts. To do so, my case study of Poland deploys a multiple-level analysis of childcare reforms and their transformative potential. I draw inferences analysing wide-ranging data, including state-generated documents and reports, statistical sources, proceedings from national and EU-level events and public debates.<sup>2</sup> The relevant players comprise policy champions within governments, employers, trade unions, experts and NGOs. Negotiating governance sites and established gender norms, actors are enabled or constrained to change 'the way things are done', including by mobilising the institution of the family and framing it discursively to pursue their divergent gendered goals.

To advance gender-just equality, care policy must encourage redistribution of care: from unpaid to paid work, from market to state and from women to men (Himmelweit & Plomien, 2014). I operationalise these criteria in the extent to which:

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<sup>2</sup>Additionally, I draw on more than a decade of my research and participation in knowledge exchange events with Member States facilitated by the European Commission.

- care provision receives adequate public investment in ways that are horizontally and vertically redistributive, prioritising those with greater care needs;
- women are supported in employment in ways that advance all women's economic independence, reducing inequalities across socio-economic groups;
- men are supported in care work in ways that develop their caring roles, encouraging reallocation of time from paid to unpaid work.

I apply these criteria to care services, leaves for parents and guardians and cash benefits and taxes for families with children. Gender regime debates note the equality enhancing potential of childcare services (Michel & Mahon, 2002). When subsidised, services relieve parents from unpaid care to pursue employment, create jobs, ease families' financial burden vis-à-vis market provided care and further class- and location-based inclusion. Debates on care leaves are more ambiguous, but appropriately designed, leaves secure time to care while safeguarding employment. Paid leave for mothers of about 20 weeks encourages employment and minimally affects high-skilled wages and segregation (Akgunduz & Plantenga, 2012), while fathers' quota and high wage-replacement facilitate uptake (Dearing, 2016; Smith & Williams, 2007). Finally, cash-for-care benefits undermine the work-care relationship in gender and class terms by disincentivising employment, especially among low-income women (Duvander & Ellingsæter, 2016; Ungerson & Yeandle, 2007). Appropriately packaged and put in practice, care provision measures can contribute towards gender-just society.

Turning to implementation, it is analytically held together through stages in which issues are framed, formulated and translated into concrete instruments, and assessed against measures stretching beyond programmatic and partisan politics. To construct my approach, I utilise policy studies frameworks regarding design (Howlett & Lejano, 2012), implementation (Howlett, 2018) and success and failure (Capano & Woo, 2018; Howlett et al., 2015; McConnell, 2010). I analyse care policy design-implementation-outcomes through the lens of policy success, varying for each policy strand and ranging from success, through partial success, to failure:

- design: whether the policy is adequately resourced, appropriately constructed (containing task-relevant instruments), subject to accountability and scrutiny (through reporting and evaluation), visible (widely publicised);
- implementation: whether the policy has been put into practice, deployed in an appropriate timeframe (neither delayed nor rushed), sustained (throughout policy issue duration), effective in substantially meeting desired objectives;
- outcome: whether the policy contributes to the overall objective of gender transformation, as above.

The combined criteria on gender-just care policy and on policy success, summarised and applied in Table 1 in the final section of this article, guide my analysis of childcare policy. Focus on childcare is appropriate for examining gender-progress because of care's centrality to equality and childcare's prominence on government agendas. Unpaid care for children is greater and more strongly gendered than for adults (Miranda, 2011) and generally follows predictable patterns, regarding intensive and extensive need for carers' time and specialist skill. Taken together, attention to the



**Table 1.** Key aspects of care policy design-implementation-outcomes success.

Category	Design	Implementation	Gender-just Outcomes
Success criteria	Adequately resourced Appropriately constructed Accountable Visible	Operationalised Timely Sustained/-able Discernibly effective	Redistributive of resources and responsibilities between: - market and state - unpaid and paid work - women and men - rich/privileged and poor/marginalised
	S/F	S	F
Services - nurseries - preschools	Nurseries: - inadequate resourcing - inappropriate construction - poor visibility	√	- limited shift to paid sector - private provision/market logic - partial facilitation of women's employment - high nursery costs prohibitive for low-income families
Leaves - maternity - paternity - parental - childcare	Paternity: - inadequate resourcing - inappropriate construction	√	- limited provision for fathers - mother-bias limiting equality in employment - disincentivising low-income women's employment
Cash - 500+ - new parental leave benefit	- inappropriate construction - accountability	√ (sustainability assessment suspended due to policy's newness)	- maternalist bias - lack of vertical redistribution (despite child poverty reduction) - employment disincentives for low-income women

Notes: S = success; F = failure; SF = mixed success and failure  
Cells identify key dimensions of unmet criteria.

design and implementation of childcare policy can illuminate the re/constitution of the production-reproduction nexus and its potential for achieving gender justice. Governments shape this process through services provision, leave regulations and taxes and benefits. Combined, a model of care in practice sustains, reproduces or challenges gender as a structure of inequality.

## **Childcare policy in Poland 2007–2017: challenging and endorsing gender relations**

### ***Gender, care and the emergence of family policy in post-socialist Poland***

Contemporary Poland is characterised by a care-employment tension of relatively low women's employment rates and very low fertility rates (EC, 2018a; Kotowska, Józwiak, Matysiak, & Baranowska, 2008; Kurowska & Słotwińska-Roslanowska, 2013). Childcare provision has become an important arena for the renegotiation of the Polish gender regime (Glass & Fodor, 2007; Ingot, 2008; Plomien, 2010; Szelewa, 2019). Yet, emerging from the socialist bifurcated model of gender relations – equality based in the public sphere of production and full-time employment principle for men and women *combined with* difference based in the domestic sphere of reproduction and the norm of women's responsibility for unpaid housework and care – the gendered nature of care has gone unchallenged. The socialist state constructed women as workers-carers. It facilitated women's employment as employer and service provider, but also maintained

maternalism through, for example, leaves associated with motherhood and statutory retirement age at 60 (5 years earlier than for men). Men, on the other hand, were constructed as care-free workers. Consequently, gestures towards the production-reproduction nexus have not delivered equality of outcomes. Although women's labour force participation was accommodated, the gender division of labour within and between paid and unpaid work continued to exist.

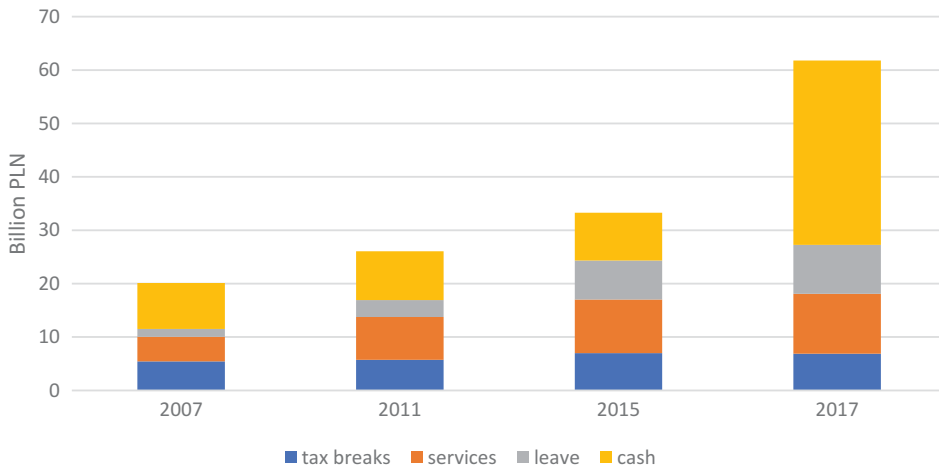
Post-socialist transformations democratised the political and liberalised the economic spheres, but in the process, the gendered conflict between unpaid-care and paid-employment has become more, not less, severe. The state significantly cut back support for women as workers-carers and did not recast the roles of men. Securing well-being was shifted onto individuals and households, while market restructuring deteriorated the conditions for doing so (Kotowska et al., 2008; Plomien, 2006; Saxonberg & Szelewa, 2007). Reforms of maternity leave and labour code regulations veered between employment and maternalist logic according to left- or right-leaning governments in power (Plomien, 2010; Sobocinski, 2016). While constitutive of gender, the enacted policies went largely unacknowledged as gendered and the default association of care provision with women was not displaced.

Since the mid-2000s partisan politics intensified care ideals debates, presenting an opportunity to renegotiate gender relations. To understand the extent to which this has been accomplished, I analyse four successive administrations<sup>3</sup> following the centre-left government overseeing Poland's EU accession, all of which have advanced family policy, including childcare. Whilst all signify political shifts to the right, the period still encompasses changing constellations of individual and collective actors with partisan politics giving platform to diverging interests framed through 'family well-being'. Starting with the PiS-led coalition (2005–2007), its politics fostered socially conservative, nationalist and populist values, state-interventionism and support for Poland's membership of the EU. Its aversion to gender-equality politics was expressed through, for example, the closure of the government office for *equal status of women and men* set up in 2001. PiS developed a family policy package strengthening maternal care, which, in the end, was not implemented as the government was voted out of office. The following two governments (2007–2011 and 2011–2015) comprised the PO-PSL coalition, promoting socio-liberal values combined with market liberalism and strong pro-EU outlook. More receptive to gender, the government re-established the equalities office with *equal treatment* designation, revamped family policy proposed by its predecessor and developed new initiatives complementing the Polish President's office plans. In this period, family policy gained an unprecedented attention of policy makers and public, alike. From 2015 government power shifted to PiS again, with stronger nationalist, interventionist and Eurosceptic politics. The equalities office was reorganised with a new title *for civil society and equal treatment*, with gender equality objectives losing ground in favour of the traditional family.

From wide-ranging support for families, three areas in particular – childcare services, leave arrangements and benefits for families with children – have been reformed in the decade since 2007. The discursive elevation of the family is reflected in public expenditure, notable because of Poland's history of neglecting this area and the context of austerity pursued elsewhere. Although comparisons are methodologically constrained, an upward spending

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<sup>3</sup>PiS (Prawo i Sprawiedliwość); PO (Platforma Obywatelska); PSL (Polskie Stronnictwo Ludowe).



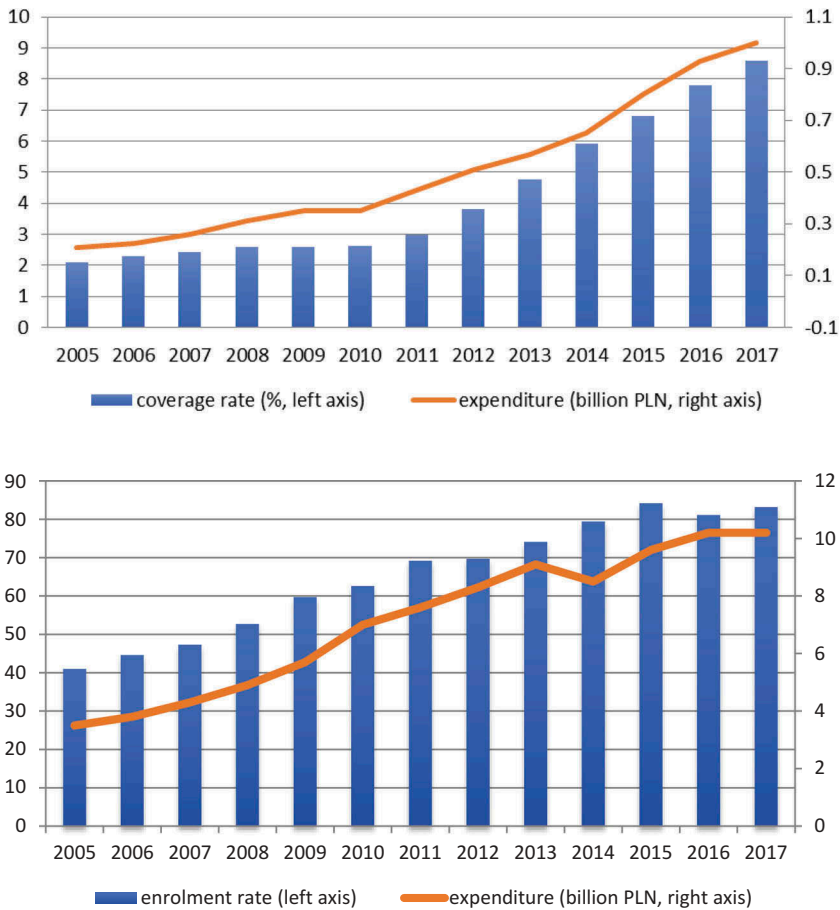
**Figure 1.** Public expenditure on tax-breaks, services, leaves and cash, 2007–2017.

Sources: Based on GUS (RS 2009–2016; OiW 2008–2017; PSiODiR 2012–2016); *Ministerstwo Finansów (MF)*, 2008–2017; MRPiPS (2017) Note: services include 0–3 nursery and 3 + preschool; leave includes: maternity, paternity and parental leave benefits; cash includes: family benefits and supplements, attendance/nursing benefits, one-off baby bonus, new parental leave benefit (non-social insurance system), alimony fund, child-raising benefit (500+).

trend is clear. Eurostat reports family and children expenditure (excluding tax credits) up to 1.4 per cent of GDP until 2015 and 2.5 per cent in 2016 (EC, 2018c); the OECD estimates total spending on families at up to 1.8 per cent of GDP before 2012, rising to 3.11 per cent in 2016 (Magda, Kielczewska, & Brandt, 2018; Organisation for Economic Cooperation and Development (OECD, 2018)); finally the Polish government figures (including tax credits) reach 2.4 per cent of GDP for 2013–2015 and 3.5 per cent in 2016 (MPiPS 2015 NPR; MRPiPS, 2017). The relative significance of care provision methods shifted too (see Figure 1). Setting aside child tax-breaks, comparison of the three care strands in the final year of each government shows that cash dominated in three out of four, reaching 63 per cent in 2017 – the largest absolute and proportional rise. Services claimed the most resources, 38 per cent, in 2015, when also expenditure on leave doubled relative to 2011, while cash transfers declined. Taken together, the reforms altered the context in which decisions about paid and unpaid labour take place by redistributing resources and incentivising particular care arrangements. Policy details presented below, illuminate their equity or equality emphasis and their potential for transforming gendered social hierarchies in pursuit of equality of outcomes.

### **Care provision: services**

Provision of childcare in Poland has been low and EU targets, to achieve by 2010 at least 33 per cent coverage for children under three and 90 per cent for children between three and school age, remain unattained (see Figure 2). Particularly underdeveloped in rural areas, their systematic reduction has only been reversed from 2007. Provision is regulated centrally, but local self-governments at the municipal level (*gmina*) are responsible for delivery, with financing shared with the central level. Reforms to services introduced flexible forms of provision, deregulated certain standards and strengthened resourcing for municipalities via increased expenditure.



**Figure 2.** Coverage rate and expenditure in nurseries (0–3) and preschools (3–5), 2005–2017.

Sources: Upper panel coverage rates based on BDL 2018; expenditure RM (2012–2017), MPiPS (2016), MRPiPS (2017); lower panel: Główny Urząd Statystyczny (GUS, 2005–2018). Note: Nurseries (0–3) upper panel, including from 2012 also children’s clubs; preschools (3–5) lower panel.

Specifically, new forms of provision were legislated (Dz.U., 2007) for children between 3 and 5 and commitments to universal access were motivated by equalising education opportunities. Reduced institutional barriers and associated costs meant that new care forms were less demanding to establish than standard preschools. Particularly popular among market providers and in rural areas, they help fill care gaps – between the first and second year of functioning, the number of places tripled covering almost 8 per cent of pre-schoolers (Swianiewicz & Łukomska, 2010). For under 3-years old, greater flexibility was similarly achieved by adding children’s clubs, day minders and nannies to existing nursery provision. Simplifications of locale requirements, staff qualifications, staff-to-child ratios and activating or civil (non-standard) employment contracts resulted in greater supply and range of providers. The so-called nursery act (*ustawa żłobkowa*) (Dz.U., 2011) radically shifted infant-care logic and liberalisation was accompanied by transferring responsibilities from the Health Ministry to the Ministry of Labour and Social Policy. This meant that nurseries were rearticulated from exceptional specialist health units to

ordinary community provision. Legislators motivated the reform as assisting parents with childcare and labour market participation, promoting equality between women and men and tackling low fertility (Ministerstwo Pracy i Polityki Społecznej (MPiPS, 2009)).

Increase of resources for formal care produced results (see [Figure 2](#)). In nominal terms, spending on preschools is tenfold<sup>4</sup> of nurseries', although spending on the latter accelerated more, tripling within a decade. Institutionally, the local-central rebalancing of responsibilities has proven important. The central budget covers 80 per cent of nursery costs (up from 50), provision or subsidies by employers became tax deductible and the state budget covers nannies' social insurance contributions. The reforms improved coverage from 2.4 to 8.6 per cent over the decade to 2017, rather modest success in light of unmet targets and lack of provision in 70 per cent of municipalities (MRPiPS, 2017). Public spending also benefited preschools. During the 2000s, *gminas* covered over 85 per cent of current (non-capital) costs, the remainder being met by parents, EU funds and the government (Swianiewicz & Łukomska, 2010). *Gminas* also subsidised non-public providers with up to 75 per cent for standard and 40 per cent for other forms of provision. To achieve at least 90 per cent coverage by 2020, fees cannot exceed 1 PLN (EUR 0.25) per hour above the statutorily free 5-h-day, and *gminas* are compensated for fees lost (Dz.U., 2013). Overall, services for pre-schoolers, more than for infants, encourage de-gendering by redistributing resources and responsibilities, but with considerable challenges remaining unresolved (as summarised in [Table 1](#)).

### Care provision: leaves

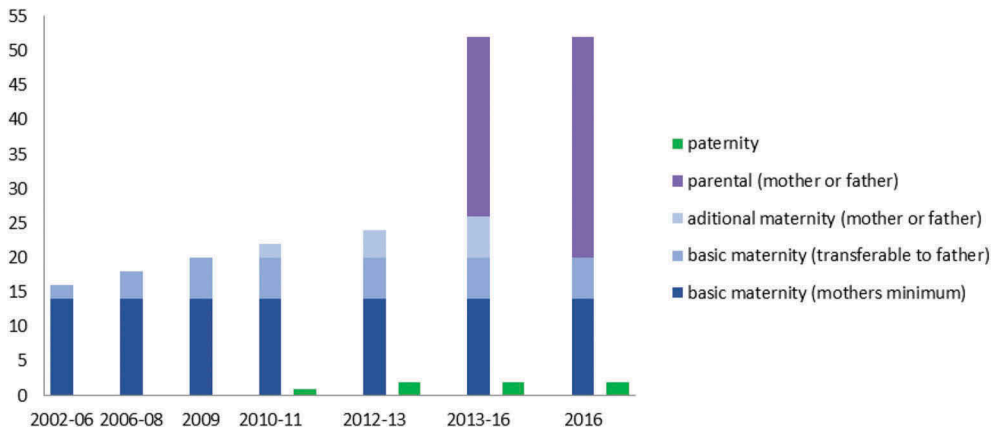
Reforms to maternity leave length above the 14-week minimum standard has become a trademark of alternating post-socialist governments. From 2010, the leave system was more fundamentally made-over by changing paid maternity, establishing paid parental (*rodzicielski*) and paid paternity (*ojcowski*) leaves (see [Figure 3](#)), and adjusting unpaid childcare (*wychowawczy*) leave.

Effectively, from 2016 parents are entitled to 52 weeks of paid leave: 20 weeks maternity and 32 weeks parental leave. Mothers must take a 14-week minimum, the remainder being transferrable to the father.<sup>5</sup> Either parent can avail of the 32-week parental leave, dividable into blocks, taken by parents separately or together, combinable with part-time employment. There are two wage replacement options. One is to receive 100 per cent for maternity and the first 6 weeks of parental leave, and then 60 per cent for the remainder. Another is to opt for 52 weeks of maternity and parental leave replaced at 80 per cent from the start (Zakład Ubezpieczeń Społecznych (ZUS, 2016a)). Regardless of the option and whether mothers or fathers use it, the payment is called maternity allowance. This paid parental leave must be distinguished from the long-standing unpaid childcare leave,<sup>6</sup> briefly described below. Finally, paternity leave was introduced in 2010 when employed fathers gained first one, then 2 weeks. It is

<sup>4</sup>Spending in 2017 is 10.2 for preschools and 1.02 for nurseries, in billion PLN (MRPiPS, 2017 Przegląd).

<sup>5</sup>Called *urlop tacierzyński* (daddy leave), differs from non-transferrable *urlop ojcowski* (paternity leave) introduced in 2010; only unused portion of maternity can be transferred to the father.

<sup>6</sup>The system included paid maternity (*macierzyński*) introduced in 1924, ranging between 16 and 26 weeks; and from 1968 up to 3-year unpaid childcare leave (*wychowawczy*), which before 2013 was the parental leave.

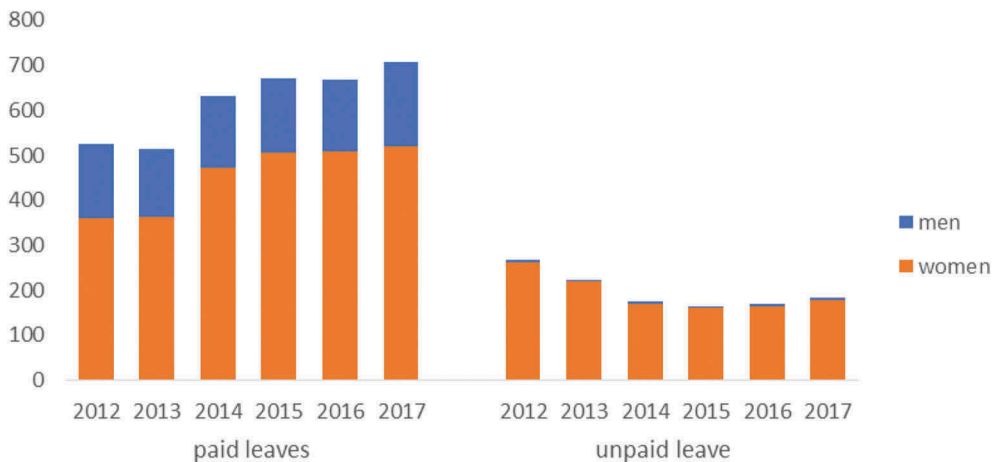


**Figure 3.** Paid maternity, paternity and parental leave entitlements (weeks), 2002–2016.

Source: Dz.U. (1998).21.94 and INFOR <http://www.infor.pl/wskazniki/prawo-pracy-i-ubezpieczen-spoecznych/urlopy/126,873,Wymiar-urlopu-macierzynskiego.html> Note: Values applicable to one-child-birth, multiple-child-birth carries longer entitlement; for 2002–2008 entitlement for the first child, subsequent births carrying longer entitlement.

independent of mother’s employment, can be taken at the same time as maternity, is not transferrable, and comes with 100 per cent wage replacement.

The care leave reform, framed to facilitate reconciliation of work and family and remove barriers to women’s employment, represents a doubling of investment from nearly 3 billion PLN in 2010 to over 7 by 2015 (see Figure 1) and allowance recipients (maternity, parental and paternity) increased accordingly, primarily among mothers (see Figure 4). Fathers receiving allowance do so mainly through the increasingly popular earmarked paternity. Comprehensive comparison is restricted, but in small companies (up to 20 employees) the uptake of paternity doubled from 17,200 in 2010 to



**Figure 4.** Paid and unpaid leave uptake (thousands), 2012–2017.

Sources: ZUS (2018a) for paid leave data; unpaid leave data from ZUS (2018b). Note: Paid leave based on number of recipients of maternity allowance for periods of maternity, parental, paternity leave. Unpaid leave based on number of insured persons registered by ZUS for whom health insurance contributions were made for period of childcare leave.

34,600 in 2015 (ZUS 2016b). The total uptake (small and large companies) reached 174,000 in 2017. Contrasted with under 5000 fathers taking parental leave, the importance of a designated paid instrument is clear. Pre-legislation debates considered the possibility of designating 1-month leave (following maternity) for the second parent, but the view that policy cannot force cultural change did not shift. For mothers, the situation is different, over 400,000 use parental leave (ZUS, 2018a) confirming that practically parental leave acts as extension of maternity.

The long-established childcare leave<sup>7</sup> is unpaid, except means-tested benefits. It is 36-month long, each parent has an individual right to 1-month, leave can be taken together or separately, and combined with employment. The new paid parental leave (and services expansion) made this childcare leave practically irrelevant. Yet, the legislators transposed the EU Parental Leave Directive, with its provision for more equal sharing between mothers and fathers through individual entitlement, into this and not paid leave. Accordingly, the uptake is feminised – only 2 per cent of parents on leave are men (ZUS, 2018b). So, whilst the individual right and flexibility make it more feasible for fathers to take, it is of no redistributive consequence. The leave system overhaul increased overall generosity, but did not rebalance care-work responsibilities between mothers and fathers, thus falling short in advancing de-gendering objectives (see Table 1).

### **Care provision: cash and benefits**

Financial support to families consists of two main pillars: benefits and taxation. Except for 2007 adjustments of child tax credits improving their redistributive features towards low-income families (Myck, Kundera, Najszub, & Oczkowska, 2014), there have not been substantial changes in the family tax system. Throughout post-socialism, the benefit system sanctioned state intervention only when family resources failed. This paradigm evolved to support families with children, first to raise fertility rates and second to lift children out of poverty. Two significant measures are relevant. One is the new parental leave benefit (*świadczenie rodzicielskie*) which extends the paid leave principle to parents who do not qualify for it through employment – people who are unemployed, holding non-standard contracts, students or persons insured in the agricultural system. The level of payment is 1000 PLN per month over the child's first year, independent of family income. The more substantial, however, and more controversial, reform regarding care-related cash benefits is the flagship policy of the PiS-led government 'Rodzina 500+' (Family 500+) (Dz. U. 2016).

The scheme consists of 500 PLN monthly transfer for every second and subsequent child under 18 years of age, regardless of income; one-child families face a means-test of per-capita net income of 800 PLN (1200 PLN if the child has disability), fully withdrawn above the threshold (MRPiPS, 2017). The transfer does not affect means-tested family benefit eligibility and contributes to lowering income inequality, relative and child poverty (Brzezinski & Najszub, 2016; Goraus & Inchauste, 2016). Opposition parties raised objections regarding the fiscal sustainability of the measure, costed in 2017 at over 23 billion PLN, whereas other cash benefits combined amount to

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<sup>7</sup>Childcare leave can carry a means-tested supplement to family allowance and is included in 'cash' expenditure in Figure 1, but I discuss it with leaves to convey its changed status vis-à-vis the new paid parental leave.

11.4 billion PLN (see [Figure 1](#)). ‘500+’ is decisively popular, although over half the population expect its discontinuation due to resources (CBOS, 2016). Another controversy concerns the income threshold for the first child but none for families with more than one child, even if they are well-off – by design omitting some low-income earners, especially lone mothers. More progressive design would entirely eliminate extreme child poverty or extreme poverty among all households at a fraction of the cost (12.4% and 46%, respectively) (Brzezinski & Najsztub, 2016), releasing resources for other socially redistributive and gender-just programmes.

A related contention is the benefit’s implications for women’s employment. Disincentives have been estimated to concentrate in non-urban areas, among women with one or two children, those living in couples more so than lone parents, and for lower-educated women (Myck, 2016). Modelling families with children aged 0–3 demonstrates strong disincentives among parents in the lowest income quintiles, especially lone mothers and coupled mothers with low-earning partners (Bargu & Morgandi, 2018). Early empirical study of eligible mothers confirms negative predictions, where employment withdrawal is most pronounced among mothers with lowest education levels (Magda et al., 2018). Introduction of ‘500+’ incentivises male breadwinning and countervails wider trends of economic growth, rising employment and wages and falling unemployment, fuelling thus not only gendered, but also socially polarised employment and care profiles – a sharp contrast to a transformative feminist agenda (summarised in [Table 1](#)).

## **Discussion and conclusion: successful childcare policy implementation and its limitations**

The gender equality and implementation literature identifies problems of putting gender policy into practice (Engeli & Mazur, 2018; Lombardo & Mergaert, 2013; Mazur, 2017; Pincus, 2009; Spehar, 2018), taking the presence of gender equality policy as given. But the analysis of childcare policy presented here highlights the continued political and partisan relevance of legitimating gender justice for all levels and all stages of the policy making process. In political contexts where actors contest meanings and wrestle over the same policy arenas to achieve conflicting goals, studying policy implementation cannot be separated from its design and its immediate and ultimate outcomes. All Polish parties in power in the decade to 2017 politicised childcare by raising it to the top of the public agenda, intensifying legislative activities across modes of provision and increasing financial resources for their implementation. While effective implementation advances specific programmatic objectives, the particular policy design makes gender outcomes at the societal level ambiguous.

As analysed in the previous section and summarised in [Table 1](#), policies on care services, leaves and benefits can be judged as implemented successfully through a set of fiscal, regulatory and organisational instruments. By and large, they were put in practice in a timely manner, for a period reflecting the needs with which the measures engage, and producing attributable effects in line with intended policy goals. However, successful implementation does not automatically lead to desirable, socially progressive, gender-just outcomes, owing to crucial shortcomings in policy design. The intense activity in childcare was only rarely framed as a gender equality



issue. Consequently, tensions and contradictions emerged. Services only partially advance de-gendering, as provision for infants remains inadequately resourced and inappropriately constructed regarding coverage, accessibility, affordability, and introducing nanny and day-minder arrangements. The seemingly gender 'neutral' parental leaves actually produce gendered uptake, because their specific resourcing and construction does not incentivise meaningful participation of fathers. Finally, cash benefits are constructed in ways in which gender interacts with class – generating positive (if partial) immediate results regarding child poverty, but negative long-term implications for women's economic autonomy. The relatively high cost of '500+' raises questions about adequate funding for other, more socially progressive goals. Each administration's packaging of childcare provision illuminates design flaws of their strategies. Additional government spending did not effectively combine with a transformative feminist agenda – gender equal outcomes could not be advanced because successful implementation was not accompanied by appropriate design.

Political actors and institutions consistently utilised the dominant family frame carried through all governments in power, but filled it with different equality or equity promoting content. The liberal PO-led government identified raising fertility and supporting parents as the strategic goal of its reforms. This rationalisation included a social investment logic through widening access to early childhood education, reconciliation of care with employment for women through developing care infrastructure and active ageing through lessening early-retirement pressures. Explicit commitments to gender equality, including statements like the 'promotion of equality between women and men in family and employment' (MPiPS 2009, p. 19), were infrequent in their discourse, and did not expand into transformative politics. State actors aligned with employers' maternalist stance, reinforcing the institution of the family through the prism of gendered responsibilities for care, with short paternity and no specific provision for fathers in parental leave being testament to this. With the conservative PiS-led government assuming power from 2015, the discursive frame of the family as the state's utmost priority continued. However, its content more consistently emphasised traditional roles and promised to 'protect Poland from a demographic catastrophe' by changing the family model '2 + 1 to at least 2 + 2, although dreaming of 2 + 3' (Ministerstwo Rodziny, Pracy i Polityki Społecznej (MRPiPS, 2016)), while the impact assessment of '500+' anticipated falling women's labour supply (MRPiPS, 2015). The regressive implications for gender and class inequalities, affecting groups with already low employment rates and incomes, are undeniable.

Consequently, analysing policies with a view to design-implementation-outcomes draws attention to the interaction between actors, institutions and discursive frames. Childcare policy in Poland has attained high status discursively, legislatively and budget-wise, and was successfully put in practice by actors of rival political orientations. Yet, the seemingly 'good' and successfully implemented measures do not bode well for 'good' outcomes. Actors shared the dominant discursive framing, but developed divergent approaches so that the substantial effort has been marshalled towards different objectives. The package of childcare provision reforms in Poland entrenches gender inequality through the interaction of design, implementation and outcomes. There are analytical and practical implications of this. Analytically, systematic research engaging

with changing constellations of actors, institutions and dominant discursive frames can more clearly and decidedly point to the relative weight of these factors. Practically, there is scope for state and non-state actors to utilise the available ideational and material resources for alternative policy, thus aiming to transform unequal gender social relations – pursuing gender equality by implementing a gender-just design. Either can contribute to moving beyond the ‘good policy’ – ‘bad outcome’ dichotomy in theory and in practice.

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No potential conflict of interest was reported by the author.

## Notes on contributor

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