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Working paper

Toolkit for undertaking a Receiver-Doer-Judge critical policy analysis framework of public and social services: policy grid for participation, empowerment and capacity to aspire.



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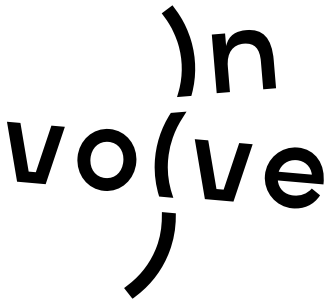


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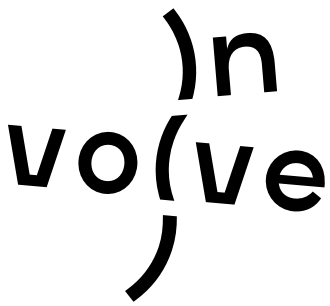
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Toolkit for undertaking a Receiver-Doer-Judge critical policy analysis framework of public and social services: policy grid for participation, empowerment and capacity to aspire.

Introduction and overview

INVOLVE's Receiver, Doer, Judge approach aims to both better understand and transform how public and social services impact on inequality, participation and trust, by focusing on the key concepts of participation, empowerment, and capacity to aspire of marginalised groups within public and social policy. This toolkit draws on critical feminist social theory and critical policy analysis, to develop an intersectional and participatory co-produced policy analysis framework. This enables a bespoke Receiver Doer Judge policy analysis of public policies relating to services impacting on marginalised groups. It focuses on how public policies and public services deal with conditionality and inequality, capacity to aspire, participation, and empowerment.

We draw on a number of critical policy theories, frameworks and methods which enable us to develop an RDJ based policy analysis. We draw on feminist critical policy theory (Fraser) and critical policy analysis frameworks (developed in relation to participation, intersectionality, rights and trauma-informed approaches). In order to ensure marginalised groups have power and voice within policy, to influence and change policies, we need to understand policies. To allow this change, we need to be clear on how current policies are not working and how they could work better. Involve puts questions and concerns of social justice, exclusion, inequalities, democracy and empowerment central to its research therefore, a critical policy analysis approach is most appropriate.

Our framework is produced into a policy analysis grid which can enable a country-specific policy analysis of the inclusiveness in public and social services of different disadvantaged and underrepresented groups, and how they enable vulnerable individuals and groups facing multiple inequalities to realise their aspirations, and to be heard through an approach that is rooted within a co-production participatory approach itself. This is developed to enable INVOLVE's Receiver, Doer, Judge framework as a policy analysis approach.

The toolkit that is part of the EU-funded INVOLVE project is focused on the relationship between democracy and inequalities. The policies relate to public services for vulnerable groups in health, education, employment and housing, across eight European countries. The co-produced critical policy analysis aims to improve our understanding of public and social policies and services and their impact on trust and participation in relation to the public and social services they are investigating, with a particular focus on the equality and participation of vulnerable people in public and social services and policymaking, through co-production, participation and empowerment of marginalised and disadvantaged groups within policy analysis and policy making.

The aim of this policy analysis is not only to co-create new knowledge and understanding of policies and their impacts and outcomes, but also co-create policy transformation through development of new/reformed policies and public/social service practice, participation, empowerment, and capacity to aspire, address inequalities and enhance trust. The key questions we want to ask are, does policy (at European, national and local levels) address and consider participation, empowerment and ‘capacity to aspire’ of marginalised groups we are working with? If it does, how does it do this? How does it conceptualise and describe the social issue (‘the problem’)? What ways should policy address these? We investigate how states and institutions enable vulnerable individuals and groups facing multiple inequalities to be included in the development of policy. We identify five key areas within the RDJ framework that we believe require a particular focus in a critical policy analysis of public/social services and policy: policy development and problematisation, participation, conditionality, aspiration, empowerment, and voice. The toolkit/policy grid therefore, puts the analysis of individuals capacity of voice (to voice their concerns and opinions) within the policy process, as a central concern.

We developed a critical policy analysis framework which enables the exploration of the voices of those typically not heard in traditional policy contexts and processes. It allows us to understand whether or not (and if so, how) institutions enable vulnerable individuals and groups facing multiple inequalities to be included in the development and implementation of policy. We ask how has the process of engaging in an intersectionality-based policy analysis transformed in terms of relations and structures of power and inequality, ways in engaging in policy development work, implementation and evaluation, broader conceptualisations, and effects of power asymmetry in the everyday world.

Involve and RDJ: examining the inclusiveness of public services

In closely examining the very core of the contemporary European welfare state, its public and social services, INVOLVE addresses a critically understudied area in trust and participation research. The project will realise this objective by investigating how the experience of vulnerability and societal inequalities affect citizens’ trust and participation in four public service areas essential to the successful inclusion and social mobility of vulnerable people, namely employment, housing, (mental) health, and (adult) education.

The purpose of this research is to identify the complex relation between social inequalities, trust and participation. It further investigates how public services may positively or negatively impact this relationship in the sense of breaking or reinforcing the vicious circle between social disadvantage, distrust and low participation. It is exploring how public services implement the various aspects of the RDJ framework and how this application impacts their beneficiaries’ capacity to aspire and capability for voice, as well as their trust in institutions and degree of participation in the economy, polity and society at large. It is investigating the degree to which the dimensions of RDJ, capacity to aspire and capability for voice are implemented within

public services. It analyses public and social policies, and the ability and the opportunities for vulnerable groups to participate in the services under study and policy-making in general, and reasons for trust/participation.

This is aimed to understand the way in which services are delivered, their organisation and functioning, and provides structural data to support the analysis of people's lived experiences. It also provides the background information to understand the national and European public and social policies in which the services are embedded.

The RDJ framework is at the core of the theoretical and methodological approach of INVOLVE. In the RDJ framework, people are viewed as “receivers”, as “doers” and as “judges”. Bovin and Laruffa (2018) argue that human beings are seen as receivers (i.e. vulnerable beings in need of support), doers (i.e. actors able to contribute to society) and judges (i.e. political beings with aspirations, values and desires). (2018)

Within the RDJ framework we analyse the inclusiveness of different disadvantaged and underrepresented groups in public and social services. The RDJ framework conceptualizes people as democratic citizens and political actors who should have a voice in policymaking. (Laruffa & Hearne, 2023)

In recent decades, participation has moved into the foreground of social policy and administration, with governments increasingly accepting the need to engage citizens in public decision-making and public services.

Various forms of public participation and user and community ‘co-production’ exist in public services (Loeffler and Bovaird, 2017). There is increasing interest in forms of co-production that go beyond traditional inclusion (Bovaird, 2007). Simmons and Birchall (2005) highlight that “models of service-user participation have derived from citizenship or consumerist agendas, neither of which has achieved the structural reforms important for the most marginalised social work clients”.

The RDJ approach similarly highlights that it is not enough just to be included in policy, but to have impact over decisions made. Certain forms of participation promoted by the state can be conceptualized as tokenistic, patronizing, and even manipulative (Arnstein 1969). This danger is entailed when participation remains formal, i.e. when participation is promoted without redistributing power. (Laruffa & Hearne, 2023). It is not sufficient to just increase the generosity of social policies: what is also needed is ‘social empowerment’, i.e. processes of democratization of social policymaking that effectively redistribute power in society, making welfare institutions increasingly accountable and responsive to citizens, including marginalized ones. (Laruffa & Hearne, 2023) The RDJ framework believes individual aspirations and wishes should be taken seriously when designing and implementing a public policy. (Bovin & Laruffa, 2018) The policy grid asks for evidence on the promotion of individual goals or individual’s ‘capacity to aspire’. Public policy should empower individuals and create a sense of agency for individuals. This, in turn, will lead to greater political trust, deepening democracy through social empowerment.

While there is a significant literature and comparative welfare research on the receiver dimension in regard to public/social services, there is much less research and analysis of the doer and judge dimensions. In particular, there is a lacuna in relation to understanding how public services can (and could/should) incorporate the judge dimension and the capacity to aspire.

Public policy and policy analysis

Marshall defines public policy as responses to ‘problems’ that are identified by those who hold power (1999). Policies can be defined as the regulations, laws or legislation that a public authority, passes in a response to an issue. Pal (2010) defines a policy as a public response to a problem. According to Hankivsky, O. (Ed.). (2012), a public policy can be understood as “a guide to action, a plan, a framework, [or] a course of action or inaction designed to deal with problems” (Pal, 2001, p. 5). In general, public policy is seen as an output from governments, namely “what public officials, within government, and by extension the citizens they represent, choose to do or not to do about public problems” (Kraft & Furlong, 2009, p. 5).

Policy analysis is defined as a process of inquiry aimed at developing and critically assessing information to understand and improve public policies, including both assessing, and being part of, the policy making process (Vogal & Henstra, 2015). Policy analysis investigates the content of the policy, the policy design, the definition of the issue and the policy formulation, as well as its adoption and implementation.

Traditional policy analysis and policy making has adopted a scientific ‘problem-solving’ approach. Howlett (2010: p. 9) describes this as including analysis of the ‘policy cycle’, with its stages of “problem recognition”, “proposal of solution”, “selection of solution”, “putting solution into effect” and “monitoring results”. The OECD (2015) similarly identified five stages in the policy including: identification of policy priorities, drafting policies, the implementation of policies, providing feedback on how public services work, and evaluating the impact of policies.

These traditional approaches however, focus only on one aspect of the policy, rather than considering the context of the policy, the values that are reflected in the policy and how different groups may be affected differently by the policy.

Fowler (2004) provides a more comprehensive definition of public policy describing it as “the dynamic and value-laden process through which a political system defines a public problem. It includes a government’s expressed intentions and official enactments as well as its consistent patterns of activity and inactivity” (p. 5). Further, Simon (2009) highlights that public policy is not only an observed phenomenon of what governments do or choose not to do, it also has a normative component because it raises questions about what governments ought or ought not to do. Public policy thus reflects the type of ‘social contract’ that is envisioned for society, including “the written and unwritten agreement that we continually rewrite stating what we want to do for each other collectively and what we want other members of society to do for us as individuals” (Simon, 2009, pp. 1-2). Policy then, is the totality of public response (the government’s expressed intentions and official enactments, as well as its consistent patterns of activity and inactivity).

What is policy discourse?

Discourse is a focus on the socio-cultural and political debates and contexts in which language and interaction occur on a given policy or social problem (Lupton 1992).

Three key areas are important to consider in policy discourse: conversation analysis which focuses on details of conversation and interaction on a given policy. Linguistic analysis which explores the language used and discourse which is generally concerned with societal discourse and the socio-cultural context to the policy. (Shaw, 2020)

A policy-as-discourse approach accepts the moral and ethical values behind research and the formulation of policies. (Shaw, 2020) This is important to the INVOLVE project because it allows us to explore how

social “problems” became constructed, excluded or ignored, and investigate who was/ was not able to contribute to the policy-making process and subsequent interpretation.

What types of policy?

For our definition of policy we have collated a broad range of policy types including policy, legislation, laws, regulations, institutional structures, policy proposals. Policy as discourse also includes media statements, press releases from politicians or departments, policy proposals from NGOs etc. We have created this table (Table 1) to provide an overview of policy types to enable the RDJ Critical Policy Analysis

Table 1 Policy types for RDJ Critical Policy Analysis

| |
|---|
| <p>Policy examples:</p> <ul style="list-style-type: none">• Public policies (National policy plans (e.g. national education plan)• Laws/legislation/legal frameworks/regulation• Media statements on the issue by policy makers and politicians• Debates/discussions on the issue in national parliament or local councils (statements made by policy makers and politicians), including at relevant national/regional/local policy committees (e.g. housing, employment, health, education)• Civil society/NGO reports, alternative policy proposals, research, media statements, presentations to public bodies on the issue• Rights bodies/Ombudsman monitoring reports and media statements• Local service delivery policy e.g. a local training centre policy of inclusion.• national education plan, specific legislation enacting a social policy, a social policy for specific area, legislation outlining anti-discrimination in access to public services, public services guides.• administrative rules; programmes• Implementation plans to tackle discrimination within public services• Institutional engagement of vulnerable group e.g. local community forum, municipal structures |
|---|

Critical Policy Analysis

There is increasing emphasis in social policy research on the necessity of going beyond traditional pluralist policy analysis to put questions of social justice, exclusion and inequalities as central to its analysis. There is a long standing critical policy analysis scholarship which highlights the contestable nature of problem definition, research findings, and arguments for solutions. Such ‘critical policy analysis’ approaches are most in line with the research methodology and approach adopted by INVOLVE. Critical policy analysis asks, for example, which stakeholder groups were represented in the construction of policy texts, and who was excluded? And whose interests was the policy intended to serve? Fischer et al outline that, ‘critical policy studies seeks to identify and examine existing commitments against normative criteria such as social justice, democracy and empowerment.’

Diem (2014) identify five fundamental concerns of critical policy theorists which we highlight as providing an important foundation for developing INVOLVES’s policy analysis framework.

1. The difference between the rhetoric of the policy and the reality of policy in practice need to be examined.
2. The policy’s roots and how they emerged. What issues was the policy intended to solve?
3. The distribution of power, resources, and knowledge in policy creation and implementation.

4. The effect of the policy on equality and privilege. How might a policy enforce or reproduce social inequality?
5. Policy ‘resistors’ (non-dominant groups who resist processes of domination and oppression), activism, and use of participatory methods to employ agency to get policy change.

Critical policy analysis aims to influence practice and policy. It is focused not only on theoretical change but on real change as well (Diem, 2014).

We are also informed by a feminist intersectionality approach where gender, race, ethnicity, class, sexuality, and other systems of inequality across the ideological, political, and economic domains of society must be considered. (Hankivsky & Cormier, 2009; Hawkesworth, 1994; Hoefler, 2022; Collins & Bilge, 2016) An intersectional approach is grounded in lived experience and has the potential to produce more accurate and useful information for making change and, in the process, helping to ensure that “existing efforts do not inadvertently disadvantage or harm any particular individual or community, or alternatively be complicit in the empowerment of another” (Rummens, 2004, p. 4)

A feminist intersectional policy analysis asks deliberate questions about how relationships of power have and have not been considered in policy and decision-making processes.

Nancy Fraser’s Social Justice Framework provides a leading feminist intersectional critical theory framework. Fraser outlines three dimensions to achieving social justice: redistribution, recognition and, most importantly, representation. Fraser interrogates the politics of policy framing which is concerned with the question of the ‘who’ – who has power, who has voice?

We also draw on a human rights-based approach to strengthen the concept of citizenship which is central to the RDJ framework. The rights based approach is focused on including individuals in advocating for their rights. It entails supporting the rights-holders in claiming their rights. (Morten et al., 2014) This is closely linked to the ‘Doer’ element of the RDJ framework where citizens are empowered to become active themselves in advocacy. Those individually affected become active in demanding their right - the resource poor citizen who is transformed from being a (passive) recipient of assistance to being an (active) rights-holder who can put forward demands. According to Morten et al, (2018) three human rights principles play particularly important roles in its implementation: participation and inclusion, non-discrimination and equality, and accountability.

Our approach is also informed by trauma-informed frameworks which understand that marginalisation and discrimination can lead to experiences of trauma and all policies should be developed with understanding, knowledge and an empathic approach for the populations it affects. We are mindful that INVOLVE is working in partnership with vulnerable populations each with different sets of circumstances and needs. As researchers we have an obligation to ensure that participants feel supported and are not re-traumatised when sharing their experiences with us. Thus, our own processes of co-production must be trauma-informed.

RDJ Critical Policy Analysis Framework and Grid

The RDJ critical policy analysis framework (Figure 2) includes the four key areas of the policy process – design, content, implementation and monitoring. It investigates these policy processes using a co-production approach. It then applies these through the RDJ frame to assess the policies in areas of Receiver

(problematization, inequality, and silences). Problematization is most relevant to the policy design process while inequality and silences are assessed in policy content and implementation. The Doer includes conditionality and capacity to aspire, assessed in policy content and implementation processes. And, finally the Judge concept considers participation, empowerment/voice, and alternatives, and which are assessed and relevant to all four parts of the policy process. The key areas/themes our RDJ critical analysis framework seeks to cover are set out in the Table 2 below. These frames are used then to develop the detailed *RDJ Critical Policy Analysis Grid*, in Table 3 below.

Table 2 RDJ Critical Policy Analysis Framework

| | | <i>Policy design</i> | <i>Policy content</i> | <i>Policy implementation</i> | <i>Policy monitoring/Evaluation</i> |
|-----------------|-----------------|---|--|------------------------------|-------------------------------------|
| <i>Critical</i> | <i>Receiver</i> | <i>Problematization</i> | <i>Inequality</i> <i>Silences</i> | | |
| | <i>Doer</i> | | <i>Capacity to aspire</i> <i>Conditionality</i> | | |
| | <i>Judge</i> | <i>Participation</i> <i>Empowerment (collective capability for voice)</i> <i>Alternatives</i> | | | |

We now explain the key concepts and related questions that are developed in the framework and grid. The grid begins with an analysis of policy background, context and overview, with a focus on policy privileges and influences – who made the policy? What is the trajectory of the policy? How did the policy change over time? What processes were involved? This involves examining the roots and development of policy, including how policies emerge, what problems they are intended to solve, the processes involved, how it changed and developed over time, and how they reinforce dominant culture.

We then set out the different aspects of policy analysis within the Receiver, Doer and Judge dimensions. Within the Receiver dimension, it applies the concept of problematization at the core of this analysis: What are the deep-seated presuppositions or assumptions (conceptual logics) that underlie the policy representation of the “problem” (problem representation) (See Bacchi 2009; Bacchi & Goodwin, 2016) If we step back and reflect, even defining the problem, even describing the social issue such as inequality as a ‘problem’, is a normative value laden conceptualisation of a socially constructed phenomenon.

So we ask, how has this representation of the “problem” come about? How are marginalised groups conceptualised or described in policy? What values are reflected in the policy? This involves “unpacking the assumptions,” exploring the foundational ideas “underpinning the policy,” or “unpacking the sense making” of policy discourse, in order to reveal assumptions (ideologies/values) that underpin policy priorities. In discourse analysis we ask what language is used to describe the target marginalised group – what key words and phrases that describe the issue/problem and the group (not just in policy but in media, parliament statements etc).

Importantly this also asks, where are the silences, by looking at, what policy says and doesn’t say, looking at how problems and solutions are defined and not defined, what voices are included and not included, and looking for voices on the margin.

We then investigate evidence in policy in relation to inequalities. What does policy say about intersectional inequalities? It then includes an interrogation of the policy process, the difference between policy rhetoric and practiced reality, that space between policy development and implementation.

Our framework/policy grid also asks how policy treats the issue of conditionality, and asks what the rules and limits are to receiving a service/support, and what are values expressed in these approaches. These are the conditions set out by the policy in order to qualify for welfare or a public service. This also helps us to understand how the “problem” and marginalised groups are represented, conceived and ‘problematized’ by government or other institutional powers.

With regard to the Doer dimension, its focus is to assess if policy considers or develops any components of the capacity of marginalised groups (as individuals) to aspire.

The question of voice and power is central to the RDJ framework and grid outlined and is particularly central to the Judge dimension of the framework. It includes analysis of who has power and voice in the policy process, who is missing, what is the policy relating to the participation of vulnerable populations, the effectiveness of complaints mechanisms and capacity to empower individuals from vulnerable groups. Was there inclusion/participation of the vulnerable group at any step in this policy process/cycle? If so – what form did it take? And importantly, we ask what is the stated policy rationale for participation? Is there different understandings/representations of participation in policy?

Finally we assess evidence of alternatives and policy resistance. What evidence is there of alternative policies (produced e.g. by civil society groups, or advocated in the media by politicians, or people affected themselves).

Through the policy co-production processes we aim to co-construct alternative policy responses and solutions specifically aimed at social and structural change that reduce inequities and promote social justice.

| Policy | Policy name Policy content and context/policy privileges | Identify 1-2 specific policies in the thematic domain under consideration |
|-----------------|---|---|
| Receiver | Problematization | <ul style="list-style-type: none"> • Policy type/detail overview/scale /aims/history/policy actors • The policy's roots and how they emerged • Policy privileges: Who/how made/makes the policy? |
| | Intersectional inequalities | <ul style="list-style-type: none"> • Policy content/discourse: Definition of the 'problem'/'social issue' (framing/narratives/discourse)- how does policy define the 'problem' (issues) - what issue did/does policy 'intend' to solve? (Identify how the issue is presented/discussed in media/political debate -parliament (discourse analysis) • Values (ideologies) in policy (narratives, discourses) – what interests are reflected? • Policy silences • Policy definition of 'solutions' (responses) |
| | Policy adoption and implementation | <ul style="list-style-type: none"> • Does the policy aim to address specific needs of your vulnerable group(s)? How? • Does it seek to address intersectional inequalities • Does it take a trauma informed approach, if so, how? • Does it use a human rights approach – if so, how? |
| | Conditionality | <ul style="list-style-type: none"> • Difference between the rhetoric of the policy and the reality of policy in practice • Policy responses (compliance and non-compliance) |
| | Capacity to aspire | <ul style="list-style-type: none"> • What are rules and limits to receive service/support (conditionality) (policy rationale) |
| Doer | Capacity to aspire | <ul style="list-style-type: none"> • What kinds of agency/activities supported • Evidence of promotion of individual 'capacity to aspire' (promotion of individual's goals) |
| Judge | Participation in policy (voice/power/individual & collective) | <ul style="list-style-type: none"> • Inclusion/Participation of vulnerable group (s) <ul style="list-style-type: none"> ○ in policy making (formation, design and development) ○ in policy implementation/outcome (delivery) ○ in evaluation (monitoring/checking public services) • Evidence of co-production • Evidence of participation leading to policy change? (policy influence) • What is the stated policy rationale for participation |
| | Voice (individual capability for voice) | <ul style="list-style-type: none"> • Are there real and effective complaints mechanisms in the provision of public services • Access to justice and rights mechanisms (claiming rights?) |
| | Empowerment/action | <ul style="list-style-type: none"> • Is there resourcing and support of participation – to overcome barriers and inequalities • Any aim/reference to the role of the policy in: <ul style="list-style-type: none"> ○ Civic empowerment /democracy (involvement in civic/political activity/trust/active citizenship) ○ Agency and advocacy |
| | Collective capability to aspire and voice | <ul style="list-style-type: none"> • Policy alternatives (alternative definitions of the problem and solutions) |

Table 3 RDJ Critical Policy Analysis Grid

RDJ Critical Policy Analysis methodology

The RDJ Critical Policy Analysis methodology developed by Involve, builds upon the Participatory Action Human Rights Capability Approach (PAHRCA) to research which is a methodological framework which brings together participatory, human rights and capability theory into one research approach (Hearne and Murphy, 2019). The RDJ critical policy analysis research aims to involve people directly affected by the research, allowing them to participate and to empower them to understand and challenge the structures that cause their marginalisation and oppression in a process of co-production of knowledge and action. We include this co-production of knowledge and action as central to our critical policy analysis framework. We are undertaking policy analysis in each country (and at a European level) in relation to the policy areas identified as affecting/relating our target groups. We are focusing on policies which are directly related to the vulnerable population or impacted by it, or which are aiming to somehow involve the target group in public services.

The steps within Involve's RDJ critical policy analysis methodology are set out below (see Figure 1).

The first step is in this process was the co-production (between academic partners and civil society partners) of the RDJ critical policy analysis framework, grid and methodology.

The second step is undertaking a co-produced country specific policy analysis (applying the RDJ critical policy analysis framework) of one or two specific areas of policies affecting the project's vulnerable group. This is undertaken by the country teams and involves desk research. This step includes applying the RDJ critical policy analysis framework (set out below) to one or two of the key policies which relate to services that impact your vulnerable group within the two areas you are focusing on (Education, Employment, Health, Housing) and/or a general policy that relates to your marginalised group on participation and capacity to aspire/empowerment. Key policies would be those which influence your vulnerable population most. They might be policies directly targeting your vulnerable population or they may be general policies which have a wider negative or positive impact in the fields of housing, health, employment or education. This includes policy relating to social inclusion of vulnerable groups including general anti-poverty policies, initiatives, dialogues, participation, human rights bodies' and participatory panels.

The third step involves policy analysis co-produced with the vulnerable group. This is where the findings of the initial co-produced desk based research is presented to the focus groups. The vulnerable participants then are engaged with it and asked if this reflects their reality and understanding of policy, and we gather their experience and views.

The final step is policy action which includes cross talks. The policy action can take multiple forms, from policy proposals to public advocacy.

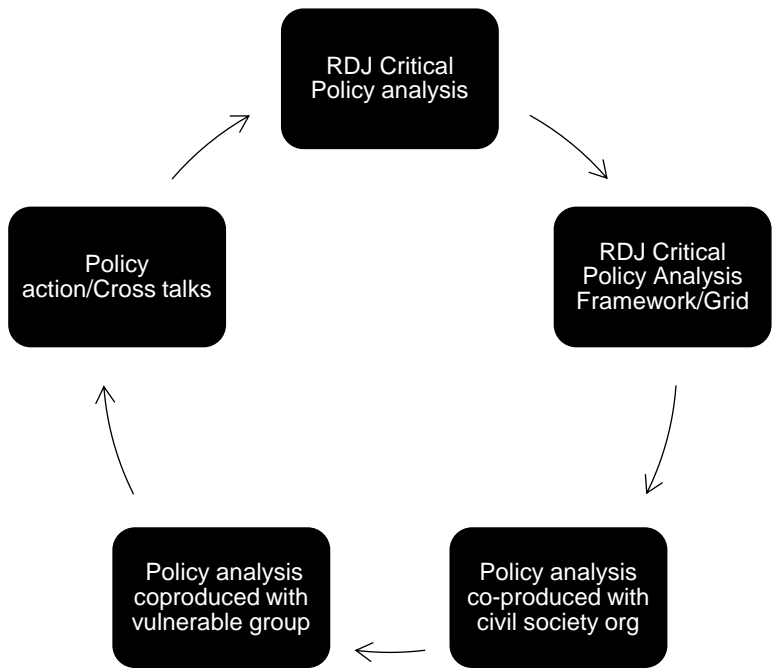


Figure 1 RDJ Critical Policy analysis methodology

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