

ORIGINAL ARTICLE

# Examining the contemporary challenges of ‘sub-state’ welfare development: The case of the nascent ‘rights-based’ benefits system in Wales

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## Abstract

This study explores the challenges associated with sub-state welfare development in Wales, one of the constituent nations of the United Kingdom. It examines the Welsh Government's stated aim of creating a coherent and compassionate Welsh Benefits System (WBS) based on human rights and equality. The analysis reveals a broad array of Welsh Government-administered benefits yet argues that the current WBS is fragmented and arcane, with limited uptake. It shows the discursive ideological underpinnings of devolved benefits and how a distinctive body of law compels Welsh Ministers to uphold rights in benefits delivery in ways that contrast to elsewhere in the United Kingdom. We argue, the effectiveness of current moves towards a rights-based WBS will depend on overcoming formidable challenges. These include systemic reforms to integrate dozens of separate benefits currently administered by numerous different Welsh Government departments and public bodies, budgetary constraints, political will and intergovernmental agreement between the Welsh and UK Governments.

## KEYWORDS

benefits, devolution, governance, social welfare, support-in-kind, Wales

## INTRODUCTION

Sub-state welfare development can be challenging in pluri-national countries with contrasting politics, cultures and power asymmetries in governance arrangements for member nations (Pearce, 2025; Pearce & Lagana, 2022; Tarrant, 2023). Here we contribute to the literature on state decentralisation and liberal welfare regimes (Béland & Lecours, 2006; Daigneault et al., 2021). We examine the case of Wales, one of the constituent nations of the United Kingdom, following devolution in

1998/1999 when, along with Scotland and Northern Ireland, elected legislatures were (re-)created. The devolved governments are responsible for many aspects of public policy. Specifically, we consider the contemporary development of the Welsh Benefits System (WBS). The present focus on Wales as an example of state decentralisation (or devolution) has wider, international relevance to welfare studies for recent decades have seen a ‘global transference of power, authority and resources to subnational levels of government’ (Rodríguez-Pose & Gill, 2003, p. 334). As Faguet (2013, p. 2) observes, it ‘is

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one of the most important reforms of the past generation, both in terms of the number of countries affected and the potentially deep implications for the nature and quality of governance'. In turn, this matters on several counts. It tells us whether devolution contributes to the general erosion of social protection (Pierson, 1995) or presents opportunities for expansion (Lieberman & Shaw, 2000). In line with the competitive theory of federalism (Dawson & Robinson, 1963), it also tells us whether devolution promotes greater interregional variation in social programmes (Costa-Font, 2010) or leads to sub-state welfare convergence. In addition, it furthers understanding of evolving modes of social citizenship in multi-level systems. In sum, it is an appropriate locus of enquiry centring on, what Ferrera (2005, p. 3) describes as, 'the new spatial politics of social protection'. It is needed to address what Pearce & Lagana (2022, p. 547) cogently refer to as, 'a scalar fallacy pervasive in international welfare studies [and the ...] academic and policy literature's frequent characterisation of the United Kingdom as a single Liberal welfare regime'.

Accordingly, the analysis addresses the following research questions: (1) What types of devolved benefits does the Welsh Government currently administer and how do they relate to benefits elsewhere in the United Kingdom? (2) What are the discursive underpinnings of current Welsh Government aspirations for a 'coherent and compassionate Welsh Benefits System [WBS] ... based upon respect for fundamental human rights and equality?'<sup>1</sup> (3) What is the body of law on equality and human rights applying in Wales, how is it shaped by Welsh laws and, what are its implications for the nascent WBS? (4) What are the challenges and prospects for achieving this revised and, potentially, expanded WBS?

A comparatively high proportion of the population in Wales is subject to poverty (see below). Yet, whilst Scotland received additional powers over welfare benefits in 2016,<sup>2</sup> the same is not true of Wales. In response, recent years have seen growing attention to Welsh benefits. In 2018, a Committee of *Senedd Cymru*/the Welsh Parliament<sup>3</sup> twice recommended examination of devolving further benefits. It was then the subject of two inquiries—by *Senedd Cymru*'s Local Government Committee (2019) and the House of Commons' Welsh Affairs Committee (2021). In response, the Welsh First Minister said, 'my

view is that we ought to explore the devolution of administration [of benefits]'.<sup>4</sup> Subsequently, the 2021 Government Cooperation Agreement between Welsh Labour and Plaid Cymru included the commitment to, 'Support the devolution of the administration of welfare and explore the necessary infrastructure required to prepare for it' (Welsh Government, 2021, p. 10).<sup>5</sup> Finally, in 2024, the Welsh Government confirmed that its goal was: 'A person-centred, compassionate, and consistent approach to the design and delivery of Welsh benefits, underpinned by the Welsh Benefits Charter principles' (Welsh Government, 2024b, p. 2). In particular, 'the long-term aim for the programme is for an individual to access their financial entitlements in a simplified way ... People will be able to tell their story once to receive what they are entitled to, rather than provide duplicate information and evidence numerous times' (Welsh Government, 2024b, p. 2).

By examining these developments this study delineates the challenges associated with sub-state welfare development in multi-nation states with a strong tradition of centralised administration (Drakeford, 2006, 2007; Pearce, 2025; Pearce & Lagana, 2022; Tarrant, 2023). In research design terms, the following constitutes an extreme case study (Zietsman & Clement, 1997) in sub-state welfare state development. It is extreme because in comparison to other sub-state and regional welfare regimes (like Scotland and Quebec) which retained key aspects of law and policy-making capabilities when incorporated into union or federal states, Wales effectively lost these in the political union of the nations that became Britain. Although dubbed Acts of Union, the 16th-century statutes that legally and constitutionally joined Wales with England may be seen as Acts of incorporation (Davies, 1990; see in particular Lambert, 1999). In contrast to the later Scottish experience, their intention was to sweep away pre-existing Welsh law and governance structures and replace them with those of England. If, historically, sub-state and regional welfare regimes are viewed as a continuum—with those retaining significant law and policy-making capacity after modern federal or union state formation at one end of the spectrum and those that effectively lost such capabilities at the other, Wales might be regarded as close to a 'zero-base' example—because of the completeness of English conquest (Rawlings, 1998).<sup>6</sup> Given this, the current Welsh Government promise of creating a coherent and

<sup>1</sup><https://www.gov.wales/sites/default/files/publications/2024-02/welsh-benefits-charter.pdf>.

<sup>2</sup><https://commonslibrary.parliament.uk/research-briefings/cdp-2018-0073/>.

<sup>3</sup>Hitherto, *Cynulliad Cenedlaethol Cymru*/National Assembly for Wales. The name change was effected in 2020 to reflect increased constitutional powers.

<sup>4</sup><https://record.assembly.wales/Plenary/5417>.

<sup>5</sup><https://www.gov.wales/co-operation-agreement-2021>.

<sup>6</sup>It should be noted that from 1964 to 1999 the Welsh Office—a territorial ministry of the UK government, led to an increase in Welsh focused policymaking.

compassionate WBS is a striking historical counter-narrative. As the following discussion reveals, it is one that faces formidable challenges given the nearly five centuries of government and public administration determined by Westminster. It also corrects a contemporary misconception that benefits are not devolved (e.g., ‘Wales now has a powerful parliament and government with full control of public services ... [yet] policing, justice and welfare are controlled by Westminster’, Institute of Government, 2025).<sup>7</sup> The reality is that, whilst the majority of social security benefits in Wales continue to be administered by the UK Government’s Department for Work and Pensions (DWP), as will be explained, the past-quarter century has seen the emergence of an extensive and growing array of devolved welfare benefits funded by the Welsh Government.

In summary, the intention here is to address the dearth of studies on this topic and offer an initial, systemic outline of the nascent WBS—to map its parameters, consider what it entails, how it operates, its legal and discursive underpinnings, how it compares to developments in the other UK nations and assess the challenges the current government faces in seeking to implement its promise of creating a coherent WBS.

At this juncture, it is germane to consider how devolved Welsh Benefits relate to benefits in the other nations in the United Kingdom. There are two main types: (1) ‘standalone’ Welsh Benefits—those that apply solely to citizens of Wales and eligibility, terms and funding are the responsibility of the Welsh Government (e.g., Childcare Offer for Wales, Home Buy—Wales, Welsh Government Housing Support Grants (HSGs) and, maximum bus fares of £1.00 for 16- to 21-year-olds on buses across Wales) and (2) Welsh benefits that ‘top-up’ DWP benefits (e.g., Welsh Government makes additional payments or support available to citizens in Wales who qualify for a UK Government DWP benefit that, depending on the underpinning law, applies to citizens in either England and Wales, Great Britain or the United Kingdom (e.g., under the Welsh Government’s Strategy for Unpaid Carers,<sup>8</sup> carers in receipt of the DWP’s Carers Allowance,<sup>9</sup> are eligible for direct payments of up to £500 to pay for food and household items. In-kind support services, such as counselling, financial advice, well-being and peer support are also available).<sup>10</sup> As the following analysis shows, in the case of

‘standalone’ devolved Welsh benefits, that is, those that apply solely to Wales and are the responsibility of the Welsh Government, there are often parallel policies that apply in one or more other UK nations. Crucially, in terms of welfare citizenship in nominally unitary states, the terms/level of support and eligibility for receiving such benefits varies significantly between the different UK nations, as set by the Welsh, Scottish, Westminster governments, as well as the Northern Ireland Executive—see Table 1). It is also the case that if the Westminster government decides to cut benefits related to what were previously Welsh ‘top-up’ benefits to England and Wales, GB or UK benefits, these may then become standalone Welsh benefits (as may prove to be the case regarding Winter Fuel Payments, following the UK Government’s 2024 announcement that it will end the pre-existing policy. Over recent years, Welsh Government has made periodic winter fuel payments to specified groups in Wales).

The following analysis reveals that to date, Welsh benefits have been fragmented and somewhat arcane, meaning some have had limited uptake. Current developments are significant in promising an integrated benefits system. Yet its future effectiveness in tackling poverty will depend on overcoming key challenges discussed below. The remainder of this paper is structured thus: next we set out the research context, followed by a summary of the research methodology. The analysis section addresses the research questions. First, we consider what types of devolved benefits the Welsh Government presently administers and how they relate to policy elsewhere in the United Kingdom. Second, we explore the discursive underpinnings of current Welsh Government aspirations for rights-based WBS. Third, we outline the legal duties applying in Wales on equality and human rights and their implications for the WBS. Lastly, we examine the challenges and prospects associated with contemporary moves to integrate, and potentially expand a rights-based WBS and reflect on the findings and their significance.

## RESEARCH CONTEXT

As noted, in Wales social security benefits (e.g., Universal Credit, Jobseeker’s Allowance etc.) are administered by the UK Government’s DWP. Yet, as the following analysis reveals, in relation to devolved functions (as set out in Sections 107 and 108A of, and Schedules 7A and 7B, the Government of Wales Act 2006), the Welsh Government

<sup>7</sup><https://www.instituteforgovernment.org.uk/our-work/topics/devolution/wales>.

<sup>8</sup><https://www.gov.wales/strategy-unpaid-carers-delivery-plan-annual-report-01-december-2021-31-december-2022-summary-html>.

<sup>9</sup><https://www.gov.uk/carers-allowance>.

<sup>10</sup><https://www.carersuk.org/wales/help-and-advice/financial-support/money-matters-hub/benefits-and-welsh-uk-government-support/#:~:text=On%20June%2C%20Welsh%20Government,the%20Carers%20Trust%20Wales%20website.>

text=On%20June%2C%20Welsh%20Government,the%20Carers%20Trust%20Wales%20website.

TABLE 1 Contextualised summary of Welsh Government administered benefits 2021–2026.

Policy area/ target group	Contextualised details of Welsh Government administered benefits <sup>1</sup>	Nature of support: direct payment (DP)/support-in- kind (SK)/loan
Income support	Discretionary Assistance Fund: Emergency Assistance Payment (EAP) <sup>2</sup> (Parallel policies exist in other UK nations; eligibility and terms vary, e.g., the Scottish Government extends Crisis Grants, <sup>3</sup> the Northern Ireland Executive offers Discretionary Support or Short-Term Benefit Advances, <sup>4</sup> in England government provides its version of EAP. <sup>5</sup> Terms and eligibility criteria vary according to nation.)	DP
	Discretionary Assistance Fund: Individual Assistance Payment (IAP) <sup>6</sup> (see above)	DP
	Cost of Living Support Scheme <sup>7</sup> (The Welsh Govt. package includes £152 m to provide a £150 cost of living payment to eligible households and £25 m to provide discretionary support for other purposes related to living costs. Parallel schemes apply in the other UK nations, e.g., in England, the Household Support Fund (April 2025 to 31 March 2026) provides support to eligible households.) <sup>8</sup>	DP
	Basic income for care leavers. <sup>9</sup> (Pilot 2022–2024, discontinued) (Wales only: a basic universal income scheme for care leavers aged 18+ across Wales. It provided recipients with a monthly payment of £1600 (taxed at source, £1280, after-tax) for 24 months.)	DP
Education	Welsh Government Learning Grant <sup>10</sup> (Further Education) (Wales) Scheme 2024 (In Wales, Learning Grant is to help with the costs of further education, £1500 p. a, for those age 19+. Parallel schemes apply in the other UK nations, eligibility and terms vary, e.g., In Scotland Further Education Bursaries are available.) <sup>11</sup>	DP
	Education Maintenance Allowance <sup>12</sup> (EMAs are available in N. Ireland & Scotland, not England.) <sup>13</sup>	DP
	Free School Breakfasts (Enabled in law c.2013 in Wales. In England roll out of policy commenced 2025, <sup>14</sup> and 2025–2026 in Scotland.) <sup>15</sup>	SK
	School Essentials Grant 2024–2025 <sup>16</sup> (School Clothing Grant available in Scotland <sup>17</sup> and N. Ireland.) <sup>18</sup>	DP
Employment/ skills	Jobs Growth Wales+ programme <sup>19</sup> (Jobs Growth Wales + is a training and development programme for 16- to 19-year-olds that gives you the skills, qualifications and experience to get a job or further training. Parallel schemes apply in the other UK nations, eligibility and terms vary, e.g., Opportunities for All, the Scottish Government's commitment to learning or training for all 16- to 19-year-olds.) <sup>20</sup>	DP
	ReAct+ <sup>21</sup> (This can be seen as a Welsh 'top-up' policy to central govt. benefits. Parallel schemes apply in some other UK nations, e.g., Partnership Action for Continuing Employment (PACE) is the Scottish Government's initiative for responding to redundancy situations. <sup>22</sup> Whereas in Northern Ireland, <sup>23</sup> England (and Wales) mainly rely on Universal Credit—a Central govt. DWP general policy of income support.) <sup>24</sup>	DP
	Personal Learning Account (PLAs) <sup>25</sup> (In Wales, PLAs provide support for eligible individuals to gain higher level skills which will enable them to access a wider range of job opportunities and/or gain employment at a higher level within priority sector. Parallel schemes apply in some other UK nations, e.g., UK Government response to the In Work Progression Commission <sup>26</sup> and 'Skills Development Scotland'.) <sup>27</sup>	DP
Housing/ homelessness	Care & Repair Cymru <sup>28</sup> (Similar Schemes available in England, <sup>29</sup> Scotland, <sup>30</sup> & N. Ireland.) <sup>31</sup>	DP
	Housing Support Grant <sup>32</sup>	DP

TABLE 1 (Continued)

Policy area/ target group	Contextualised details of Welsh Government administered benefits <sup>1</sup>	Nature of support: direct payment (DP)/support-in- kind (SK)/loan
	<i>(Parallel schemes apply in the other UK nations, eligibility and terms vary, e.g., Discretionary Housing Payments available in Scotland,<sup>33</sup> N. Ireland,<sup>34</sup> and England.)<sup>35</sup></i>	
	Shared Ownership—Wales <i>(Parallel schemes apply in the other UK nations, e.g., Help to Buy &amp; shared ownership schemes apply in Scotland, N. Ireland &amp; England.)<sup>36</sup></i>	Loan
	Help to Buy—Wales <sup>37</sup> <i>(See above)</i>	Loan
	Home Buy—Wales <sup>38</sup> <i>(See above)</i>	Loan
	Warm Homes Programme <sup>39</sup>	DP
	Winter Fuel Support Scheme <sup>40</sup> <i>(In 2024/25 UK Government announced cancellation of winter fuel payments. Welsh Government has made standalone<sup>41</sup> (non-DWP) payments in Wales.<sup>42</sup> Pension Age Winter Heating Payment available from Scottish Government.)<sup>43</sup></i>	DP
	Help to Stay—Wales <sup>44</sup>	Loan
	Nest Cymru <sup>45</sup>	SK
	Green Homes Wales <sup>46</sup> <i>(Parallel home energy efficiency improvement grants available in other UK nations, e.g., Warmer Homes Scotland Scheme.)<sup>47</sup></i>	DP
Travel	My Travel Pass <sup>48</sup> <i>(Parallel concessionary benefits apply in Northern Ireland, Scotland and England—eligibility and terms vary between nations).<sup>49</sup> (As of 2025, 16- to 21-year-olds are eligible to travel on buses across Wales for a maximum fare of £1.)</i>	SK
Local government	Council Tax Reduction Scheme (CTRS) <sup>50</sup> <i>(CTRS also applies in Scotland and England<sup>51</sup>—terms/eligibility determined by respective govts. N. Ireland has a separate system.)<sup>52</sup></i>	SK
Health	Universal Free prescriptions (UFP) <sup>53</sup> <i>(Free Prescriptions are only available to specified groups in England—young &amp; older people etc.<sup>54</sup> UFP apply in Scotland<sup>55</sup> and N. Ireland.)<sup>56</sup></i>	SK
	Free dental care for all up to 25 years of age <sup>57</sup> <i>(In other jurisdictions in UK T &amp; C vary, age qualification can be up to 18 years.)<sup>58</sup></i>	SK
Social care	Strategy for Unpaid Carers <sup>59</sup> <i>(Inter alia, in Wales, Welsh Government makes ‘top-up’ payments to the DWP England and Wales payments.<sup>60</sup> Carers of adults or disabled children receive grants of up to £500 to pay for food, household items and electronic items. Under its standalone policy the Scottish Government makes direct benefit payments to around 120,000 unpaid carers.<sup>61</sup> In Northern Ireland there is also a separate policy.)<sup>62</sup></i>	DP
Childcare	Childcare Offer for Wales <sup>63</sup> <i>(In Wales parents can claim &gt;30 h of early years education and childcare a week (for children 3–4 years at £6.00 per hour, plus a £10.80 daily rate for food) for up to 48 weeks of the year. Parallel policies apply in the other nations—terms and eligibility vary, e.g., in Scotland 3- to 5-year-olds can get 22 h a week (if used all year) of funded early learning and childcare a year.)<sup>64</sup></i>	DP
Disabled people	DFGs-disabled facilities grants <sup>65</sup> <i>(In Wales, DFGs for disabled &amp; older people to repair, adapt and maintain their homes, allowing them to live more independently. In 2022–2023, the average state funding per Disabled Facilities Grant was £8900. Parallel schemes operate in the other UK nations,<sup>66</sup> terms and eligibility vary.)<sup>67</sup></i>	DP

(Continues)

TABLE 1 (Continued)

Policy area/ target group	Contextualised details of Welsh Government administered benefits <sup>1</sup>	Nature of support: direct payment (DP)/support-in- kind (SK)/loan
Refugees and asylum seekers	<p>Refugee Well Housing Project</p> <p><i>(In Wales, the Welsh Government-funded ‘Refugee—Well Housing Project’ offers advice and support to refugees during the 56-day ‘move on’ period.<sup>68</sup> Both Wales—‘Nation of Sanctuary’<sup>69</sup> and Scotland—‘New Scots’<sup>70</sup>—have national strategies of support for refugees and asylum seekers. In England support—payments and housing may be available whilst asylum decisions are awaited.<sup>71</sup> In all nations policy is constrained by the UK-wide no recourse to public funds (NRPF) condition. ‘Those who do not have permission to be in the United Kingdom and require it will also have no recourse to public funds. The NRPF condition means you will not be able to claim most benefits, tax credits or housing assistance that are paid by the state.’)<sup>72</sup></i></p> <p>Welcome Ticket free public transport scheme</p> <p><i>(The Welsh Government funded ‘Welcome Ticket’ free public transport policy for refugees &amp; asylum seekers has funded over 1 million journeys.<sup>73</sup>)</i></p>	<p>SK</p> <p>SK</p>

<sup>1</sup>Solely applies to Wales, unless otherwise stated—see commentary in italics below.

<sup>2</sup><https://www.gov.wales/discretionary-assistance-fund-daf>.

<sup>3</sup><https://www.mygov.scot/scottish-welfare-fund/crisis-grants>.

<sup>4</sup><https://www.nidirect.gov.uk/contacts/finance-support-service-times-crisis-and-need#:~:text=If%20you%20have%20a%20financial,mental%20illness%20or%20difficulty%20communicating>.

<sup>5</sup>[https://assets.publishing.service.gov.uk/media/5dd3ff0240f0b606e72c2dfc/Emergency\\_financial\\_assistance.pdf](https://assets.publishing.service.gov.uk/media/5dd3ff0240f0b606e72c2dfc/Emergency_financial_assistance.pdf).

<sup>6</sup><https://www.gov.wales/discretionary-assistance-fund-daf>.

<sup>7</sup><https://www.gov.wales/cost-living-support-scheme-guide-local-authorities.html>.

<sup>8</sup><https://www.gov.uk/government/publications/household-support-fund-guidance-for-local-councils/1-april-2025-to-31-march-2026-household-support-fund-guidance-for-county-councils-and-unitary-authorities-in-england#types-of-support-and-eligible-spend>.

<sup>9</sup><https://www.gov.wales/basic-income-pilot-care-leavers-overview-scheme#101980>.

<sup>10</sup><https://www.gov.wales/welsh-government-learning-grant-further-education-wales-scheme-2024>.

<sup>11</sup><https://www.studentinformation.gov.scot/students/further-education/bursary>.

<sup>12</sup><https://www.gov.wales/education-maintenance-allowance-wales-scheme-2024-2025>.

<sup>13</sup><https://www.gov.uk/education-maintenance-allowance-ema>.

<sup>14</sup><https://educationhub.blog.gov.uk/2025/04/free-breakfast-club-roll-out-everything-you-need-to-know/>.

<sup>15</sup><https://www.gov.scot/news/bright-start-breakfasts/>.

<sup>16</sup><https://www.gov.wales/school-essentials-grant-help-school-costs>.

<sup>17</sup><https://www.mygov.scot/clothing-grants#:~:text=You%20may%20be%20able%20to,child%20of%20secondary%20school%20age>.

<sup>18</sup><https://www.gov.uk/school-uniform>.

<sup>19</sup><https://workingwales.gov.wales/jobs-growth-wales-plus>.

<sup>20</sup><https://www.gov.scot/publications/opportunities-supporting-young-people-participate-post-16-learning-training-work/>.

<sup>21</sup><https://businesswales.gov.wales/skillsgateway/recruitment-support/react>.

<sup>22</sup><https://www.employabilityinscotland.com/employability-services/pace/>.

<sup>23</sup><https://www.nidirect.gov.uk/articles/redundancy-and-benefits>.

<sup>24</sup><https://www.gov.uk/universal-credit>.

<sup>25</sup><https://careerswales.gov.wales/courses-and-training/funding-your-studies/personal-learning-accounts>.

<sup>26</sup><https://www.gov.uk/government/publications/helping-people-secure-stay-and-succeed-in-higher-quality-higher-paying-jobs/helping-people-secure-stay-and-succeed-in-higher-quality-higher-paying-jobs#:~:text=More%20information%20is%20available%20at%20www.nationalcareers.service.gov.uk%20and,900%20via%20webchat%20and%20in%20the%20community>.

<sup>27</sup><https://www.skillsdevelopmentscotland.co.uk/media/pq5fwkcb/digital-economy-skills-action-plan.pdf#:~:text=Developed%20with%20partners%20working%20across,all%20Scotland's%20people%20and%20place>.

<sup>28</sup><https://www.gov.wales/home-adaptations-supporting-safer-independent-living>.

<sup>29</sup><https://www.gov.uk/disabled-facilities-grants>.

<sup>30</sup><https://www.mygov.scot/discretionary-housing-payment>.

<sup>31</sup><https://www.nidirect.gov.uk/articles/getting-help-home-improvement-costs>.

<sup>32</sup><https://www.gov.wales/sites/default/files/publications/2024-02/housing-support-grant-practice-guidance.pdf>.

<sup>33</sup><https://www.mygov.scot/discretionary-housing-payment>.

<sup>34</sup><https://www.nihe.gov.uk/housing-help/housing-benefit/more-help-with-paying-your-housing-costs>.

<sup>35</sup><https://www.gov.uk/government/publications/claiming-discretionary-housing-payments/claiming-discretionary-housing-payments>.

<sup>36</sup><https://www.gov.uk/shared-ownership-scheme> <https://www.mygov.scot/shared-ownership> and <https://www.nidirect.gov.uk/articles/co-ownership>.

<sup>37</sup><https://www.gov.wales/help-buy-home-schemes>.

<sup>38</sup><https://www.gov.wales/help-buy-home-schemes>.

<sup>39</sup><https://www.gov.wales/help-buy-home-schemes>.

- <sup>40</sup>[https://www.gov.wales/sites/default/files/publications/2022-02/cold-weather-resilience-plan\\_0.pdf](https://www.gov.wales/sites/default/files/publications/2022-02/cold-weather-resilience-plan_0.pdf).
- <sup>41</sup><https://www.gov.wales/extra-support-disadvantaged-households-winter>.
- <sup>42</sup>[https://www.gov.wales/sites/default/files/publications/2022-02/cold-weather-resilience-plan\\_0.pdf](https://www.gov.wales/sites/default/files/publications/2022-02/cold-weather-resilience-plan_0.pdf) and <https://www.gov.wales/extra-support-disadvantaged-households-winter>.
- <sup>43</sup><https://www.mygov.scot/winter-fuel-payment-in-scotland>.
- <sup>44</sup><https://www.gov.wales/sites/default/files/pdf-versions/2023/11/2/1699352490/help-stay-wales-guidance-applicants.pdf>.
- <sup>45</sup><https://www.gov.wales/get-free-home-energy-efficiency-improvements-nest/eligibility>.
- <sup>46</sup><https://www.gov.wales/written-statement-green-homes-wales-scheme>.
- <sup>47</sup><https://www.mygov.scot/energy-saving-funding>.
- <sup>48</sup><https://www.bbc.co.uk/news/articles/cvg1w1d1levo>.
- <sup>49</sup><https://www.gov.uk/apply-for-disabled-bus-pass>.
- <sup>50</sup><https://www.gov.wales/council-tax-discounts-and-reduction/low-income-households>.
- <sup>51</sup><https://www.gov.uk/apply-council-tax-reduction>.
- <sup>52</sup><https://www.nidirect.gov.uk/rates-help>.
- <sup>53</sup><https://www.gov.wales/free-prescriptions>.
- <sup>54</sup>[https://www.nhs.uk/help-nhs-prescription-costs/free-nhs-prescriptions#:~:text=You're%20entitled%20to%20free%20NHS%20prescriptions%20if,time%20education.%20\\*%20Aged%2060%20or%20over](https://www.nhs.uk/help-nhs-prescription-costs/free-nhs-prescriptions#:~:text=You're%20entitled%20to%20free%20NHS%20prescriptions%20if,time%20education.%20*%20Aged%2060%20or%20over).
- <sup>55</sup><https://www.nhs.uk/inform.scot/care-support-and-rights/nhs-services/pharmacy/prescription-charges-and-exemptions/#:~:text=Prescriptions%20in%20Scotland%20are%20free,dispensed%20for%20free%20in%20Scotland>.
- <sup>56</sup><https://www.nidirect.gov.uk/articles/help-health-costs>.
- <sup>57</sup><https://www.gov.wales/nhs-dental-charges-and-exemptions>.
- <sup>58</sup><https://www.nhs.uk/nhs-services/dentists/how-much-will-i-pay-for-nhs-dental-treatment/>.
- <sup>59</sup><https://www.gov.wales/strategy-unpaid-carers-delivery-plan-annual-report-01-december-2021-31-december-2022-summary.html>.
- <sup>60</sup><https://www.gov.uk/carers-allowance#:~:text=You%20could%20get%20%C2%A383.30,for%20more%20than%20one%20person>.
- <sup>61</sup><https://www.gov.scot/policies/social-care/unpaid-carers/#benefits>.
- <sup>62</sup><https://www.nidirect.gov.uk/articles/carers-allowance#toc-0>.
- <sup>63</sup><https://www.gov.wales/childcare-offer-for-wales-campaign>.
- <sup>64</sup><https://www.mygov.scot/childcare-costs-help/funded-early-learning-and-childcare>.
- <sup>65</sup><https://www.gov.wales/sites/default/files/pdf-versions/2024/4/4/1714033845/assistance-housing-improvement-april-2022-march-2023.pdf>.
- <sup>66</sup><https://www.gov.uk/disabled-facilities-grants>.
- <sup>67</sup><https://www.gov.scot/publications/funding-adaptations-home-guide-homeowners/>.
- <sup>68</sup>When refugees receive a decision on their asylum claim, they are given a short period to “move on” from asylum accommodation and find somewhere else to live. They are highly vulnerable at this time and at risk of becoming homeless. Under the Tory Sunak Westminster government, the statutory move on period in Wales and England was extended in late 2024 to 56 days.
- <sup>69</sup>[https://www.gov.wales/sites/default/files/publications/2019-03/nation-of-sanctuary-refugee-and-asylum-seeker-plan\\_0.pdf](https://www.gov.wales/sites/default/files/publications/2019-03/nation-of-sanctuary-refugee-and-asylum-seeker-plan_0.pdf).
- <sup>70</sup><https://scottishrefugeecouncil.org.uk/new-scots-plan-for-2024-2026-to-be-rolled-out/#:~:text=The%20New%20Scots%20Refugee%20Integration,ensure%20services%20are%20co%20ordinated>.
- <sup>71</sup><https://www.gov.uk/asylum-support>.
- <sup>72</sup><https://www.gov.uk/government/publications/public-funds--2/public-funds>.
- <sup>73</sup><https://www.gov.wales/written-statement-welcome-ticket>.

can extend *additional* benefits to citizens in Wales (i.e., depending on the policy area and related legislation, in other words going beyond the legal base requirements for England and Wales, Great Britain or the United Kingdom)—either in the form of ‘support-in-kind’ or grants/direct payments. These welfare measures operate in parallel to DWP benefits. Whilst a full exposition of devolved governance in Wales is beyond the present purposes (see, e.g., Torrance, 2024), devolved benefits are funded by the UK Treasury block grant to the Welsh Government, shaped by the Barnett Formula (see following discussion). As noted, there is an evident need for comprehensive welfare support in Wales. Recent data (2022–2023) show 16% of all adults are materially deprived, including 19% of working-age adults and 4% of pensioners, along with 9% of children (Welsh Government, 2024a, p. 3, see also 2024c).<sup>11</sup>

The political context in Wales is highly distinctive and a standout international example of single party

dominance in a liberal democracy. It is characterised by majority support for the Left-of-centre Welsh Labour Party. This has shaped the development of the WBS. Since 1922, Welsh Labour<sup>12</sup> has been the largest single party elected from Welsh seats in Westminster elections, and since 1999, it has formed every devolved government (sometimes working with Plaid Cymru or the Welsh Liberal Democrats) (Chaney, 2014; Hopkin et al., 2001). Formed in 1925, as *Plaid Genedlaethol Cymru* [National Party of Wales] or, latterly, *Plaid Cymru* [the Party of Wales] is a left of centre civic nationalist party that strives to uphold and promote Welsh social, economic and cultural interests. Over recent years it has embraced the political goal of an independent Wales (see Wyn

<sup>11</sup><https://www.gov.wales/poverty-and-deprivation-national-survey-wales-april-2022-march-2023.html>.

<sup>12</sup>In earlier years, pre-devolution, the ‘Labour Party’—variably of Great Britain, occasionally the UK.

Jones, 2008). It is not just Plaid Cymru's political vision that Welsh Labour contrasts with, in 2002, then First Minister Rhodri Morgan alluded to 'ideological fault-lines in the approaches to social welfare' between the values of the Labour governments in Wales and Westminster, respectively, famously dubbing it 'Clear Red Water' (Morgan, 2002, unpaginated). Such a division is again evident (circa 2025) between the UK Labour Party Government of Keir Starmer and Welsh Labour's First Minister Eluned Morgan. The latter has repeatedly opposed the UK Government's welfare cuts (announced 2024–2025) and accused the Labour administration at Westminster of a 'lack of respect for devolution'.<sup>13</sup>

As noted, recent years have seen growing attention to devolution and welfare benefits. In 2016 there were indications the UK Government might devolve Attendance Allowance (a benefit for people aged 65+ who need help caring for themselves because of a disability). This prompted civil society calls for the Welsh Government to prepare for further devolution of benefits (Bevan Foundation & Wales Local Government Association, 2016). In the wake of successive parliamentary inquiries, the Welsh Government's Minister for Social Justice said, 'The creation of a coherent Welsh Benefits System has been a long-term ambition for the Welsh Government and other key stakeholders to ensure that people in Wales are claiming all the financial support to which they are entitled' (Welsh Government, 2024b, p. 3).

## METHODOLOGY

This case study draws on analysis of Welsh public policy and legislative documents. It is informed by the literature on policy discourse analysis (DeLeon, 1998; Edelman, 1988; Fischer, 2003). This is an ideational or 'interpretative approach that places an emphasis on the language of policy documents in order to examine the underpinning ideas' (Chaney, 2011, p. 433). Based on document and discourse analysis (Neuendorf, 2018; Rapley, 2018), our methodology aligns with ideational approaches to understanding welfare state change (Béland, 2005; Blyth, 2002; McBeth et al., 2007; Stiller, 2010; Taylor-Gooby, 2005) in the context of governance transitions (Henman & Fenger, 2006; Oosterlynck et al., 2013). It enables the study of policy aims and implementation.

<sup>13</sup>'Morgan 'yn barod i herio' polisiau sy'n niweidio Cymru' ['Morgan is ready to challenge policies that harm Wales'], <https://www.bbc.co.uk/cymrufyw/erthyglau/cly8m157lk7o>, 6 May 2025 and 'Eluned Morgan: Diffyg parch wedi bod at ddatganoli' ['Eluned Morgan: there's been a lack of respect for devolution'], 7 May 2025, <https://www.bbc.co.uk/cymrufyw/erthyglau/cj9e97plmz1o>.

TABLE 2 The corpus of documents analysed.

Document type	% of corpus	Example
Govt Policy Document	56	Welsh Government (2024a) Welsh Benefits Charter
Legislation	9	School Standards and Organisation (Wales) Act 2013
Grey Literature	21	Carers UK (2024) Money Matters: Benefits—UK and Welsh Government Supports
Parliamentary Proceedings	7	Proceedings of the Welsh Parliament, Member Debate under Standing Order 11.21 (iv): Universal Basic Income (UBI) 30 September 2020
Parliamentary Briefing Documents	7	House of Commons Library (2018) Scottish Welfare Powers

A corpus of 120 documents was assembled. It had four components: policy documents, parliamentary proceedings and reports, the grey literature of non governmental organisations (NGOs) and legislation (Table 2). The documents were identified using keyword/Boolean searches (inter alia, 'benefits', 'allowance', 'grant', 'financial support') on government and parliamentary websites. The corpus (estimated at 1000+ pages) was subject to repeated, detailed reading and identification of key developments and themes.

Attention was also given to the use of language in the policy documents to understand the way that the distinctive electoral politics of Wales has shaped sub-state welfare development. Drawing on the work of Goffman (1974), the corpus was annotated to reveal the way that policy ideas were framed (see Table 3). In other words, a technique that looks beyond the minutiae of policy delivery to focus on the key signifiers in the texts to understand the normative vision expressed in policies. As noted, this discourse-based approach aligns with ideational approaches to understanding welfare state change (Béland, 2007; Carstensen, 2011; Steensland, 2008) with a focus on the language to reveal the factors driving and frustrating moves to introduce policy change (McBeth et al., 2007). As the following discussion reveals, the drivers include tackling stigma, advancing empowerment, promoting independence and upholding citizens' rights. The challenges identified include tackling deep-set socio-economic inequalities, addressing a current implementation gap, securing better intergovernmental relations, overcoming limitations to the constitutional powers of the Welsh Government and legislature and fiscal considerations.

TABLE 3 Key tropes in the Welsh benefits policy discourse.

Trope	Policy example
Tackling stigma	Free school meals—‘Schools all over Wales are introducing cashless systems as a way of ending the stigma some children face at meal times’ (Welsh Government, 2016, p. 2). <sup>1</sup>
Independence	‘It is important that practitioners understand the needs of these families and can make strong links with other community and refugee organisations who work with refugee and asylum seeker families to ensure a package of support can be offered which promotes social inclusion, independence and wellbeing’ (Welsh Government, 2017, p. 25).
Participation/co- production	‘The principles of co-production and empowerment should be central to all services which are commissioned through Families First’ (Welsh Government, 2017, p. 4).
Empowerment	‘Award criteria can now include crucial elements to support service delivery (not just price) such as ... the involvement and empowerment of users’ (Welsh Government, 2017, p. 5).
Rights	‘New rights for unpaid carers which are ... The right to well-being—your local authority, local health board and Welsh Ministers must promote the well-being of people who need care and support and carers who need support’—Charter for unpaid carers (Welsh Government, 2022, p. 4).
Equality	‘Section 20 of the Equality Act 2010 (“The 2010 Act”) requires service providers to take reasonable steps to ensure that all people with protected characteristics are not put at a substantial disadvantage compared to other people when accessing services’ (Welsh Government, 2019b, p. 8).
Pro-action	‘...an inclusive system which ... identifies and removes the barriers that prevent people from claiming their entitlements and proactively helps people to access the financial support they are entitled to’ (Welsh Government, 2024b, p. 14).
Mitigating UK Government welfare reforms	[we have...] ‘commissioned a programme of research to analyse the impact of the UK Government’s welfare reforms in Wales, with the aim of providing evidence to assist with policy decisions. [this has...] already been used to help target the Welsh Government’s efforts to mitigate (where possible) any negative implications of welfare reform, and to continue to prioritise resources to reduce poverty in Wales’ (Welsh Government, 2013, p. 4). we will ‘Promote financial inclusion for refugees and asylum seekers to avoid destitution ... [and] continue to monitor and seek to mitigate the worst effects of UK Government welfare reforms’ (Welsh Government, 2024a, p. 4). <sup>2</sup>

<sup>1</sup><https://www.gov.wales/kirsty-casts-keen-eye-schools-cashless-scheme>.<sup>2</sup><https://www.gov.wales/sites/default/files/publications/2024-02/progress-report-update-january-2024.pdf>.

## ANALYSIS

### What types of devolved benefits does the Welsh Government currently administer and how do they relate to policy elsewhere in the United Kingdom?

In this section, a succinct overview is presented of the types of benefits currently administered by the Welsh Government. It is ordered by policy area. Table 1 sets out how they relate to benefits elsewhere in the United Kingdom. In the final section of this paper (see Section 4.4) we offer critical reflection on the efficacy of the benefits outlined below.

Current Welsh benefits span many devolved functions. As noted, there are two main types: (1) ‘standalone’ Welsh Benefits—those that apply solely to citizens of Wales and eligibility, terms and funding are the responsibility of the Welsh Government and (2) Welsh benefits

that ‘top-up’ DWP benefits (e.g., Welsh Government makes additional payments or support available to citizens in Wales who qualify for a UK Government DWP benefit that, depending on the underpinning law, applies to citizens in either England and Wales, Great Britain or the United Kingdom). In the case of the first category, standalone benefits, as with governments elsewhere, party politics and public finances may lead to welfare expansion or contraction depending on the circumstances of the day. Thus, successive Welsh Governments may introduce (and withdraw) benefits as they feel appropriate in any devolved policy field without recourse to the UK’s other legislatures (the Reserved Powers Model in the Wales Act 2017 allows the Senedd to make laws on matters that are not reserved to the UK Parliament).<sup>14</sup>

<sup>14</sup><https://senedd.wales/how-we-work/our-role/powers/>.

## Income support

The Welsh Government provides emergency income support with two types of direct payments: Emergency Assistance Payments (EAP) (to help pay for essential costs, such as food, gas, electricity, clothing and emergency travel if applicants are experiencing extreme financial hardship) and Individual Assistance Payments (IAP) to help applicants (– or someone they care for) live independently in their home.<sup>15</sup> During the first 6 months of the pandemic, 52,517 EAPs were made, worth £3,247,373.<sup>16</sup>

Recent years have seen growing political interest in a Universal Basic Income. Bidadanure (2019, p. 481) notes it is a radical policy and that over recent years ‘UBI experiments have been conducted in countries as different as Kenya, Finland, Namibia, India and Canada’. The devolved context in the United Kingdom continues this trend. In Scotland, the Scottish Government has said it ‘is committed to commencing work in the current Parliament to provide a [Minimum Income Guarantee] MIG for all, incorporating the idea of basic services, such as childcare or the NHS’.<sup>17</sup> In Wales, in 2020, Members of the *Senedd* voted in favour of a backbench motion calling for a UBI trial.<sup>18</sup> In response, during 2022–2023 the Welsh Government trialled a basic universal income scheme for care leavers aged 18+. It provided recipients with a monthly payment of £1600 (taxed at source) for 24 months.<sup>19</sup> However, the Welsh Government decided not to continue the scheme on cost grounds, noting a £5 million overspend on the pilot.<sup>20</sup>

## Education

In education, a raft of benefits is available, including learning grants. For example, under the Further Education Wales Scheme 2024,<sup>21</sup> full-time students aged 19+ years receive grants of up to £1500 a year. As in Scotland and Northern Ireland (albeit with contrasting terms and conditions), the devolved Welsh administration in Wales

provides Education Maintenance Allowances (these are not available in England). This provides a weekly payment of £40 for eligible 16- to 18-year-olds to help with the costs of further education.<sup>22</sup> Whilst in higher education, eligible first-time undergraduates are able to apply for a package of support to help fund their day-to-day living costs during term time, regardless of where in the United Kingdom they choose to study (Welsh Government, 2025).<sup>23</sup> The majority of student support is means-tested, yet with a universal ‘devolved top-up’. Full-time undergraduates studying in the academic year 2025 to 2026 are eligible for up to £15,415 a year towards their living costs, and eligible full-time students will also receive a grant of at least £1000 regardless of household income (Welsh Government, 2025).<sup>24</sup>

Devolved benefits also apply to compulsory phase education. Under the School Essentials Grant 2024–2025, lower-income families with children up to year 11 get £125 per learner.<sup>25</sup> The Welsh Government’s aspiration for universal benefits is reflected in its policy of free breakfasts for all pupils in primary schools. First introduced in September 2004, local authorities are under a legal duty<sup>26</sup> to ensure breakfasts are provided free of charge.

## Employment and skills

In relation to employment and skills, the Welsh Government’s policy ‘A Young Persons’ Guarantee: Work, education or training offer for all under 25s’<sup>27</sup> sets out a range of benefits. Some are paid to employers. As the guidance explains, ‘When you employ a young person via the Jobs Growth Wales+ programme, we’ll pay up to 50 percent of each young person’s employment costs at the National Minimum Wage for the first six months’.<sup>28</sup> It is complemented by ReAct+, a policy that pays employers up to £4000 for the first 12 months to help cover the wages of those aged 20+ who have been affected by redundancy in the last 6 months and/or are disabled.<sup>29</sup>

<sup>15</sup><https://www.gov.wales/discretionary-assistance-fund-daf>.

<sup>16</sup><https://www.gov.wales/sites/default/files/statistics-and-research/2020-08/summary-data-about-coronavirus-covid-19-and-the-response-to-it-10-august-2020-283.pdf>.

<sup>17</sup><https://consult.gov.scot/social-security/minimum-income-guarantee/>.

<sup>18</sup><https://record.senedd.wales/Plenary/6568#A60623>.

<sup>19</sup><https://www.gov.wales/basic-income-pilot-care-leavers-overview-scheme#101980>.

<sup>20</sup><https://www.walesonline.co.uk/news/politics/wales-not-continue-paying-care-27990859>.

<sup>21</sup><https://www.gov.wales/welsh-government-learning-grant-further-education-wales-scheme-2024>.

<sup>22</sup><https://www.gov.wales/education-maintenance-allowance-wales-scheme-2024-2025>.

<sup>23</sup><https://www.gov.wales/student-finance-higher-education>.

<sup>24</sup><https://www.gov.wales/student-finance/full-time-undergraduates>.

<sup>25</sup><https://www.gov.wales/school-essentials-grant-help-school-costs>.

<sup>26</sup><https://www.legislation.gov.uk/anaw/2013/1/contents>.

<sup>27</sup><https://businesswales.gov.wales/skillsgateway/young-persons-guarantee>.

<sup>28</sup><https://businesswales.gov.wales/skillsgateway/jobs-growth-wales-plus>.

<sup>29</sup><https://businesswales.gov.wales/skillsgateway/recruitment-support/react>.

## Housing

In addition, the Welsh Government currently offers three types of financial support to help those on low incomes buy their own home. ‘Shared Ownership Wales’ allows eligible applicants (inter alia, a combined annual household income under £60,000) to buy an initial share of 25%–75% of a property, with rent paid on the remaining share. For low-income first-time buyers and home movers, ‘Help to Buy Wales’ provides a shared equity loan scheme for homes. Lastly, ‘Home Buy Wales’ is an equity loan scheme of between 30% and 50% for those who meet specific criteria (e.g., they are not adequately housed or can no longer afford to occupy their current home).<sup>30</sup> Furthermore, since 2019, the HSG is an early intervention grant programme designed to prevent people from becoming homeless by stabilising their housing situation, or helping potentially homeless people to find and keep accommodation.<sup>31</sup>

As part of devolved benefits to tackle fuel poverty, a pilot scheme was also introduced in 2020–2021 to provide emergency assistance payments of up to £175 to purchase oil and liquefied gas for off-grid households. Similarly, the Winter Fuel Support Scheme for 2021–2022 provided a total of £38 million to support households with their energy costs. It was a devolved ‘top-up benefit’, one-off payments of £100 were made to households where one member was in receipt of certain DWP welfare benefits.<sup>32</sup> More recently, in 2024, the Welsh Government supported 29,000 individuals with £200 crisis fuel vouchers (Welsh Government, 2024d, p. 3).<sup>33</sup>

## Transport

The Welsh Government-funded ‘My Travel Pass’ scheme offers all aged 16–21 a 30% discount on bus travel, as well as free bus travel for disabled people,<sup>34</sup> those aged 60+ and injured service personnel.<sup>35</sup> In 2025, it was announced 16- to 21-year-olds would be able to travel on buses across Wales for a maximum fare of £1.<sup>36</sup> Further

devolved benefits include funding to those on low incomes attending NHS Wales hospitals and facilities,<sup>37</sup> a travel grant for qualifying Welsh students to cover the extra travel costs if they are studying abroad, and health-care students on placements elsewhere in the United Kingdom.<sup>38</sup> However, recent research has found limited awareness of these benefits, 72% young people surveyed were not aware of the discounts on offer to them.<sup>39</sup>

## Local government

In 2024, 101,563 pensioner and 157,122 working-age households were in receipt of the Welsh Government administered Council Tax Reduction Scheme. It extends support worth £301 million, with 214,434 of the poorest households paying no Council Tax at all (Welsh Government, 2024e).<sup>40</sup> Further benefits stem from the Welsh Government’s Cost-of-Living Support Scheme, including a £150 cost of living payment to eligible households (administered by local authorities) (Welsh Government, 2024f).<sup>41</sup>

## Health

The NHS Welsh introduced free prescriptions for 16- to 25-year-olds in 2001. This has been extended as a universal benefit to all ages since 2007 (a similar policy operates in Scotland. In England a £9.90 charge applies to each prescription item).<sup>42</sup> Policy on free dental care also reflects the Welsh Government ambitions towards welfare expansion. It is more inclusive (up to 25 years of age)<sup>43</sup> than in some other UK jurisdictions (up to 18 years).<sup>44</sup>

<sup>30</sup><https://www.gov.wales/help-buy-home-schemes>.

<sup>31</sup><https://www.gov.wales/sites/default/files/publications/2024-02/housing-support-grant-practice-guidance.pdf>.

<sup>32</sup>[https://www.gov.wales/sites/default/files/publications/2022-02/cold-weather-resilience-plan\\_0.pdf](https://www.gov.wales/sites/default/files/publications/2022-02/cold-weather-resilience-plan_0.pdf).

<sup>33</sup><https://www.gov.wales/extra-support-disadvantaged-households-winter>.

<sup>34</sup>[https://www.gov.wales/sites/default/files/publications/2019-06/concessionary-bus-travel-scheme-guidance\\_1.pdf](https://www.gov.wales/sites/default/files/publications/2019-06/concessionary-bus-travel-scheme-guidance_1.pdf).

<sup>35</sup><https://www.gov.wales/apply-bus-pass#:~:text=Youth%20discounted%20bus%20travel,the%20cost%20of%20bus%20travel>.

<sup>36</sup><https://www.bbc.co.uk/news/articles/cvg1w1d1levo>.

<sup>37</sup><https://www.gov.wales/get-help-nhs-travel-costs>.

<sup>38</sup><https://www.studentfinancewales.co.uk/undergraduate-finance/full-time/tuition-fee-and-living-cost-students/what-s-available/extra-help-for-students-studying-abroad/>.

<sup>39</sup><https://research.senedd.wales/research-articles/free-public-transport-for-young-people-just-the-ticket/#:~:text=In%20Wales%2C%20the%2016%2D21%20MyTravelPass%20gives%20holders,offers%20a%20number%20of%20discounts%20and%20railcards>.

<sup>40</sup><https://www.gov.wales/council-tax-discounts-and-reduction>.

<sup>41</sup><https://www.gov.wales/cost-living-support-scheme-guide-local-authorities.html>.

<sup>42</sup><https://www.nhs.uk/nhs-services/prescriptions/nhs-prescription-charges/>.

<sup>43</sup><https://www.gov.wales/nhs-dental-charges-and-exemptions>.

<sup>44</sup><https://www.nhs.uk/nhs-services/dentists/how-much-will-i-pay-for-nhs-dental-treatment/>.

## Social care

Earlier analysis of adult social care policy cogently highlights ‘the difficulties inherent in [Welsh Government’s attempts at] superimposing new principles on inherited [i.e., pre-devolution] policy narratives and mechanisms’ (Tarrant, 2023, p. 676). Lately, there has been further divergence from Westminster with Welsh Government’s Strategy for Unpaid Carers.<sup>45</sup> Initially set up during the pandemic, it is a devolved ‘top-up’ benefit. Carers in receipt of the DWP’s Carers Allowance,<sup>46</sup> are eligible for direct payments of up to £500 to pay for food and household items. In-kind support services, such as counselling, financial advice, well-being and peer support are also available.<sup>47</sup> Since January 2022, £42M has been allocated under the policy, with a further £9 million allocated for respite provision (under the Short Breaks Fund, Welsh Government, 2023, p. 3). Carers are also eligible for support in kind with up to a 50% Council Tax discount.<sup>48</sup>

## Childcare

Under ‘The Childcare Offer for Wales’,<sup>49</sup> parents can claim up to 30 hours of early years education and childcare a week (for children 3–4 years at £6.00 per hour, plus a £10.80 daily rate for food) for up to 48 weeks of the year.<sup>50</sup> In addition, Welsh Government has introduced support-in-kind with 100% small business rates relief for registered childcare premises.<sup>51</sup>

## Refugees and asylum seekers

Delivered by a third sector partner organisation, the Welsh Government-funded ‘Refugee—Well Housing Project’ offers advice and support to refugees during the

56-day ‘move on’ period.<sup>52</sup> In addition, refugees and asylum seekers (RAS) benefit from the ‘Welcome Ticket’ free public transport policy introduced in 2022. Current data show over 1 million journeys have been undertaken under this scheme.<sup>53</sup> As a direct rebuttal to the former Tory Westminster Governments’ No Recourse to Public Funds regulations,<sup>54</sup> RAS are also eligible for direct benefit payments under Welsh Government’s Discretionary Assistance Fund (see above).

## What are the discursive underpinnings of current Welsh Government aspirations for a ‘coherent and compassionate WBS that is based upon respect for fundamental human rights and equality’?

Earlier studies have highlighted the discursive framing of social policy in Wales (Bransbury, 2004; Chaney, 2013). In the 1990s, proponents of devolution alluded to Wales’s ‘radical and libertarian socialist instincts’ and ‘an inheritance unmistakably rooted in decentralised libertarian community socialist values of solidarity, social justice and co-operation’ (Hain, 1999, p. 4). This was reflected in the publication of a ‘Bill of Citizenship Rights’ at the end of the first term of devolved governance, a document that drew together the set of new rights that had been created since devolution. As Chaney & Drakeford (2004, p. 125) explain, ‘In describing these initiatives as “universal”, [then First Secretary Rhodri] Morgan also clearly implied a contrast with the approach taken in Westminster. These were “citizenship” rights, he argued, because they were unconditional ... Universal, free at the point of use.’ Morgan concluded, ‘the actions of the Welsh Assembly Government clearly owe more to the traditions of Titmuss, Tawney, Beveridge and Bevan than those of Hayek and Friedman’.

Against this historical backdrop, tackling *stigma* emerges as a key trope in the current benefits discourse (Table 3). Welfare stigma refers to ‘the negative socio-physiological consequences or “psychic costs” of being on welfare’ (Besley & Coate, 1992, p. 167). Earlier structural analysis has highlighted stigma as ‘an administrative technique’ (Pinker, 1970, p. 16), constituting ‘the

<sup>45</sup><https://www.gov.wales/strategy-unpaid-carers-delivery-plan-annual-report-01-december-2021-31-december-2022-summary.html>.

<sup>46</sup><https://www.gov.uk/carers-allowance>.

<sup>47</sup><https://www.carersuk.org/wales/help-and-advice/financial-support/money-matters-hub/benefits-and-welsh-uk-government-support/#:~:text=On%20June%2C%20Welsh%20Government,the%20Carers%20Trust%20Wales%20website.>

<sup>48</sup><https://www.gov.wales/council-tax-discounts-and-reduction/carers>.

<sup>49</sup><https://www.gov.wales/childcare-offer-for-wales-campaign>.

<sup>50</sup><https://www.gov.wales/written-statement-review-childcare-offer-wales-hourly-rate-and-continued-support-flying-start>.

<sup>51</sup><https://www.gov.wales/written-statement-making-100-small-business-rates-relief-registered-childcare-premises-permanent#:~:text=Making%20100%25%20rates%20relief%20for,now%20and%20into%20the%20future.>

<sup>52</sup>When refugees receive a decision on their asylum claim, they are given a short period to “move on” from asylum accommodation and find somewhere else to live. They are highly vulnerable at this time and at risk of becoming homeless. Under the Tory Sunak Westminster government, the statutory move on period in Wales and England was extended in late 2024 to 56 days.

<sup>53</sup><https://www.gov.wales/written-statement-welcome-ticket>.

<sup>54</sup><https://www.gov.uk/government/publications/public-funds--2/public-funds>.

commonest form of violence in democratic societies’ (Pinker, 1970, p. 17). As Bolton et al. (2022, p. 632) explain, welfare stigma can be seen as ‘imposed by design, not by accident ... [it] demonstrates a distancing of welfare from its post-war Beveridgian collectivist ideals ... [and] offers a structural mode of understanding welfare stigma as “stigma power” (Tyler, 2020) that has deep connections with welfare residualisation’. The present analysis of the political discourse around a new WBS shows key awareness of the need to avoid structurally created welfare stigma. For example, in 2023, the *Senedd* Equality and Social Justice Committee (, 2023, p. 15) called for Welsh Government to ‘Ensure services are delivered to children and young people with dignity and respect and challenge the stigma of poverty’. In response, the government has promised its programme to streamline the WBS will be one where ‘barriers such as stigma are considered and removed as far as possible’ (Welsh Government, 2025, p. 3). A parallel framing in the discourse also refers repeatedly to government and service providers taking the initiative and being *proactive* in providing benefits. For example, they must, ‘Proactively identify people who are in, or at risk of being in, fuel poverty to ensure our support will benefit people living on lower incomes’ (Welsh Government, 2021, p. 3). Yet full details of how stigma avoidance and state pro-action will be applied are lacking. Although the profile afforded to stigma in the discourse—and the aim of a ‘one-stop’ integrated approach to meeting claimants’ needs might be seen to augur well, much will depend on future implementation. In this regard the fragmented and arcane nature of many post-1999 Welsh benefits seen to date is a cause for concern over future delivery of the current government vision for a new WBS.

*Independence* is a further core framing in the discourse. The wider literature points to how welfare can undermine individuals’ independence. For New Right critics in the United Kingdom and elsewhere this is often flipped to the argument social welfare fosters dependence on the state, sometimes linked to spurious arguments about ‘featherbedding’ (Bochel, 2011; Green, 1998). The prevailing WBS discourse is not reflective of this. Instead, it draws on the language often associated with welfare and the social model of disability (Barnes & Mercer, 2004). Allied to this, the discourse also alludes to *empowerment*. For example, ‘Raising awareness of rights can empower unpaid carers to take control and recognise when their rights are being compromised’ (Welsh Government, 2022, p. 4). Accordingly, the rhetorical emphasis is on individual autonomy, empowerment, independent living and avoiding socio-economic and cultural oppression and constraints. For example, ‘Care leavers have a right to be supported as they develop into

independent young adults ... Basic income is a direct investment in this cohort of young people, giving them the space to thrive whilst securing their basic needs’<sup>55</sup> and, ‘A Wales where nobody is homeless and everyone has a safe home where they can flourish and live a fulfilled, active and independent life’ (Welsh Government, 2024g, p. 5). As ever, full details on how this normative principle will be operationalised are lacking. Despite this shortcoming, the present analysis identifying this aspect of the Welsh Government’s vision for a WBS provides a needed benchmark or criterion that future evaluative study may assess in terms of devolved welfare delivery.

In addition, the WBS discourse emphasises the *participation/co-production* of groups targeted in the benefits system. As Frederiksen and Grubb (2023, p. 501) explain, ‘Coproduction is becoming a key strategy for developing and innovating public services across most welfare states (Voorberg & Tummers, 2015), not least through the increased involvement of volunteers in the delivery of public welfare services through community coproduction ... [It] is thought to increase participation, efficiency and quality in public services’. However, they proceed to warn, ‘research suggests that in cross-sector collaboration, coproducers experience ambivalence regarding the practical benefits, costs and potential of coproduction, hence reducing mutual commitment’ (Evers & Brandsen, 2016; Kleinhans, 2017). Again, the WBS rhetoric is lacking full details on how co-production will be applied. Notably, there is a dearth of information on conflict resolution and mediation if claimants and officials hold different views. As the following example suggests, it raises the prospect of future difficulties that, presumably, will fall on the desk of the Welsh Public Services Ombudsman. ‘The right to have your voice heard and have control over decisions about your support—during your assessment your local authority must ask you what matters to you as a carer or a young carer’ (Welsh Government, 2022, p. 4).

As the foregoing suggests, *rights* are a central reoccurring trope in the discourse (their legal foundations will be discussed below). For example, in 2023 the Minister for Social Justice Jane Hutt MS told *Senedd Cymru*, ‘We will ... ensure that Welsh benefits are delivered in a compassionate manner, based on rights and entitlements’<sup>56</sup> and, ‘The commitments within the Welsh Benefits Charter are necessary for a coherent and compassionate Welsh Benefits System that is based upon respect for fundamental human rights’ (Welsh Government, 2024b, p. 4). In

<sup>55</sup><https://www.gov.wales/basic-income-pilot-care-leavers-overview-scheme#101980>.

<sup>56</sup><https://record.assembly.wales/Plenary/13487#A82102>.

addition, *equality* is a core framing. For example, ‘an inclusive system which demonstrates fairness and equality in the delivery of Welsh benefits and grants to ensure dignity and respect in the treatment of individuals without discrimination’ (Welsh Government, 2024b, p. 3). The contemporary Welsh Government policy discourse does not expand on the relationship between human rights, equality and compassion. For this we need to look to Welsh Labour’s thinking in the second term of devolved governance. As Drakeford (2006, pp. 555–556) explains, ‘Equality means reaching out hardest to those who are hardest to reach ... cater[ing] not just for those who can help themselves, but for those who need that extra bridge between their own circumstances and what only a dedicated public service can provide’. However, in contrast to the earlier framings in the WBS discourse (independence, coproduction etc.), with rights and equality we are on more solid ground. The reason for this is explained in detail in the following section of this paper on the body of law on equality and human rights applying in Wales, and its implications for the nascent WBS. In short, as will be explained, the nascent WBS is subject to a distinctive body of law that in significant respects differs to and/or offers specific legal remedies to plaintiffs. In contrast to the other rhetorical flourishes of the WBS discourse, it is an example of what has been dubbed a ‘hard policy enforcement mechanism’ (Parsons, 1996, p. 541).

An additional trope in the Welsh Government discourse is seeking to mitigate the negative impact of UK Government welfare reforms. This aligns with a burgeoning body of work charting, what Taylor-Gooby (2016, p. 712) describes as, ‘a neo-liberal long-term project, facilitated by Brexit, of reducing the proportion of national resources going to all recipients of social spending’. He explains, ‘The 2010 Conservative-led coalition and 2015 Conservative governments in the UK use social policy to exacerbate and embed social divisions as part of a project to achieve permanent cuts in welfare state spending’. In March 2025, the UK Labour Government under Keir Starmer continued in this vein by proposing welfare cuts designed to save £5 billion per year by 2030.<sup>57</sup> In terms of policy rhetoric at least, the Welsh Government’s devolved benefits contrast with Westminster’s approach and are articulated in terms of universalism, and where possible eschewing means testing. This finding supports Pearce and Lagana’s (2022, p. 547) earlier work that concluded ‘the devolved nations [are] taking a different approach to Westminster, partially eschewing the market and incorporating collectivism and co-production’. Examples, of this trope in the policy discourse include Welsh

Government’s analysis of the impact on Wales of the post-2010 Tory UK Governments’ welfare reforms that concluded: ‘Overall, these changes are regressive, with the largest impacts being felt by people on the lowest incomes ... This is especially the case for lone parents in Wales’ (Welsh Government, 2019a, p. 9).<sup>58</sup> A further example is Welsh Government’s rebuttal of the No Recourse to Public Funds policy<sup>59</sup> promulgated by Tory Westminster governments. For example, we will ‘Promote financial inclusion for refugees and asylum seekers to avoid destitution ... [and] continue to monitor and seek to mitigate the worst effects of UK Government welfare reforms’ (Welsh Government, 2024h, p. 4).<sup>60</sup> Overall, as the foregoing suggests, many the framings in the WBS discourse are revealed to be invocations of attractive normative principles. Yet, all too often the discourse is short on the means by which they will be implemented. This remains an ongoing concern. As noted, the potential exceptions are framings around equality and human rights. Attention now turns to whether there are grounds for greater optimism that these tropes will be embedded in the promised new benefits system.

### **What is the body of law on equality and human rights applying in Wales, how is it shaped by Welsh laws and what are its implications for the nascent WBS?**

The legal underpinnings of current aspirations for a WBS based upon respect for fundamental human rights and equality stem from a mixture of statutes. Some were passed by Westminster and apply to England and Wales, Great Britain or the United Kingdom. Others stem from Welsh law. The latter has two components, constitutional law (the powers of the *Senedd* and Welsh Government) and Welsh enactments passed by *Senedd* and Welsh Government. As shall be seen, all these elements shape the emerging benefits system. Under constitutional law, the latest devolution statute—the Government of Wales Act [GOWA] (2006—as amended),<sup>61</sup> places two key duties on present and future Welsh Governments. Section 81 requires Welsh Ministers, in the exercise of all their functions (including extending welfare benefits), to comply with the Human Rights Act 1998. Whilst

<sup>58</sup><https://www.gov.wales/sites/default/files/publications/2019-03/impact-of-welfare-reform-on-households-in-wales.pdf>.

<sup>59</sup><https://www.gov.uk/government/publications/public-funds/public-funds-accessible#:~:text=The%20no%20recourse%20to%20public,their%20intention%20to%20settle%20here.>

<sup>60</sup><https://www.gov.wales/sites/default/files/publications/2024-02/progress-report-update-january-2024.pdf>.

<sup>61</sup><https://www.legislation.gov.uk/ukpga/2006/32/data.pdf>.

<sup>57</sup><https://www.bbc.co.uk/news/articles/c89y30nel59o>.

Section 77 says, ‘The Welsh Ministers must make appropriate arrangements with a view to securing that their functions are exercised with due regard to the principle that there should be equality of opportunity for all people’. This is a singular duty, as in requiring equality *for all*, it is broader than the ‘protected characteristics’ ‘exercise of public functions duty’ in the Great Britain-wide Equality Act (2010).<sup>62</sup>

A notable feature of Welsh law relevant to the development of a WBS is its incorporation of international human rights treaties (in contrast to some other UK polities). In a number of cases, these exceed the legal duties on public service providers found elsewhere in the United Kingdom. Examples include the Social Services and Well-being (Wales) Act (2014)<sup>63</sup> which requires government ministers and public service providers to have due regard to the United Nations’ Principles for Older Persons,<sup>64</sup> the Convention on the Rights of the Child (CRC) and the Convention on the Rights of Persons with Disabilities.<sup>65</sup> Furthermore, the Rights of Children and Young Persons (Wales) Measure (2011)<sup>66</sup> places Welsh Ministers (and all devolved public service providers) under a general duty to have due regard to the United Nations Convention on the Rights of the Child (CRC) (similar law applies in Scotland, but not England). A further distinctive strand of the legal framework (again, it applies in Scotland but does not apply in England and Northern Ireland, see Meers, 2025) was enacted in Wales in 2021 under the provisions of the Equality Act 2010.<sup>67</sup> It requires relevant public bodies, including Welsh Ministers, to have due regard to the need to reduce inequalities of outcome which result from socio-economic disadvantage when making strategic decisions.<sup>68</sup> In addition, the Future Generations and Well-being (Wales) Act (2015)<sup>69</sup> requires that all policies and public service delivery address the needs and well-being of present and future (i.e., unborn) generations in relation to seven well-being goals (to create a Wales that is: prosperous, healthier, resilient, globally responsible, more equal and has a vibrant culture, thriving Welsh language and cohesive communities).

The implications of the foregoing rights and duties for a WBS is they give citizens legal redress in the Welsh courts for any breach by government and public bodies in relation to the devolved benefit system. As noted, some laws (e.g., equality of opportunity for *all people*, GOWA, 2006, s. 77) are broader in scope than elsewhere in the United Kingdom, whilst others apply in Wales and Scotland but not in England (e.g., the socio-economic duty under the Equality Act 2010). In addition to the courts, in Wales, compliance with this distinctive legal framework is also undertaken by a series of devolved statutory commissioners’ offices and tribunals. These include the Children’s Commissioner for Wales,<sup>70</sup> Older People’s Commissioner,<sup>71</sup> Future Generations Commissioner,<sup>72</sup> Welsh Language Commissioner<sup>73</sup> and Public Services Ombudsman for Wales,<sup>74</sup> as well as the Education Tribunal,<sup>75</sup> Adjudication Panel for Wales,<sup>76</sup> Mental Health Review Tribunal,<sup>77</sup> Residential Property Tribunal Wales<sup>78</sup> and Welsh Language Tribunal.<sup>79</sup>

## What are the challenges and prospects associated with contemporary moves to deliver—and potentially expand, a streamlined, rights-based WBS?

### Current challenges

Presently (2025–2026), the Welsh Government is implementing phase one of streamlining user access to three Welsh benefits: the Council Tax Reduction Scheme, Free School Meals and the Schools Essentials Grant. A Streamlining Welsh Benefits Steering Group was set up in 2024 to oversee six workstreams and, all local authorities (municipal governments) have signed the Welsh Benefits Charter that underpins the reforms. However, a key concern is whether sufficient resources and staffing are being allocated to deliver the scale of the reforms required. Our analysis identifies over 30 current devolved benefits (Table 1). In addition, claimant data management will also present major challenges to integrate devolved benefits across areas like health, social care, housing, education and travel. It will require a step

<sup>62</sup><https://www.legislation.gov.uk/ukpga/2010/15/contents>.

<sup>63</sup><https://www.gov.wales/charter-unpaid-carers-html>.

<sup>64</sup><https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-principles-older-persons>.

<sup>65</sup><https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>.

<sup>66</sup><https://www.legislation.gov.uk/mwa/2011/2/contents>.

<sup>67</sup><https://www.legislation.gov.uk/ukpga/2010/15/contents>.

<sup>68</sup>See Equality Act 2010 (Commencement No. 15) (Wales) Order 2021, <https://www.legislation.gov.uk/wsi/2021/298/contents/made>.

<sup>69</sup><https://www.legislation.gov.uk/anaw/2015/2/contents>.

<sup>70</sup><https://www.childcomwales.org.uk/>.

<sup>71</sup><https://olderpeople.wales/>.

<sup>72</sup><https://www.futuregenerations.wales/>.

<sup>73</sup><https://www.welshlanguagecommissioner.wales/>.

<sup>74</sup><https://www.ombudsman.wales/>.

<sup>75</sup><https://www.gov.wales/education-tribunal-wales>.

<sup>76</sup><https://www.gov.wales/adjudication-panel-wales>.

<sup>77</sup><https://www.gov.wales/mental-health-review-tribunal-wales>.

<sup>78</sup><https://www.gov.wales/residential-property-tribunal-wales>.

<sup>79</sup><https://www.gov.wales/welsh-language-tribunal>.

change in current practice with more efficient and systematised data sharing across Welsh Government departments, devolved agencies and local authorities.

Political volatility poses a further threat to the proposed WBS. An international literature charts how systemic welfare reforms can be de-railed by shifts in electoral support for governing parties (Kwon & Lim, 2023; Manow et al., 2018). Wales is no exception; current opinion polling suggests a rise in support for Plaid Cymru and the Right-Wing Reform Party ahead of Welsh Senedd elections in 2026.<sup>80</sup> Welsh Labour will need to secure a working majority in the Senedd in order to see through the reforms. It is also the case that a number of senior party figures have said they will step down at the next elections. This raises questions about continuity and future ownership and oversight of the WBS plans. In particular, whether Welsh Labour has the political will to continue the reforms through the next parliamentary term.

A further challenge is funding the cost of the likely increase in benefit uptake through the new integrated system. Current devolved benefits are funded from the UK Treasury block grant under the flawed Barnett Formula. As Tudor (2023, p. 4) explains, ‘For devolved services, the Barnett Formula aims to give each country the same pounds-per-person change in funding as the equivalent UK Government spending. For example, if spending on education in England increased by £100 per person, the devolved administrations’ funding would increase by £100 per person. However, the devolved administrations can choose how they spend their funding’ (See also King & Eiser, 2016). At present, the Welsh Government’s reluctance to use its income tax varying powers ( $\pm 10\%$ ),<sup>81</sup> means increased Welsh benefits uptake will place significant further demands on the Treasury block grant. In future this may also limit the number of devolved Welsh benefits topping up DWP entitlements and, means-testing may become more common in the WBS, replacing some of the universal entitlements that have emerged over the past quarter century. Brexit has also had an impact, for as the earlier 2008 Welsh Genesis benefit programme of supporting people to get back into work shows,<sup>82</sup> European Union structural funds were an additional source of funding for devolved social welfare

benefits in Wales that have been lost following exit from the EU.<sup>83</sup>

A burgeoning literature underlines the centrality of public awareness in shaping benefit uptake (Berg et al., 2022; Milton et al., 2015). We identify it as a further major challenge in developing the WBS. London-centric mass media reporting of politics and policymaking tends to overshadow devolved developments (see, e.g., BBC Trust, 2008, p. 7). Notwithstanding the work of advice agencies, such as Advice Link Cymru,<sup>84</sup> a growing body of research confirms limited public awareness of existing devolved benefits. For example, one study found ‘Awareness of the Additional Support Grant (ASG) among providers was relatively low ... Around two-thirds (67 per cent) of providers had never heard of it’ (Ni Luanagh, et al., 2024, p. 5). Another found, ‘30 per cent of those surveyed were unaware of the Council Tax Reduction Scheme, with this figure rising to 75 per cent in the case of the Discretionary Assistance Fund and Pupil Development Grant’ (Wales Expert Group on the Cost-of-Living Crisis, 2023, p. 8). It continued, ‘These low levels of take-up are explained by a combination of factors including a lack of awareness, the complexity involved in applying for grants and allowances, and stigma associated with taking support’ (see also Marrin et al., 2015).<sup>85</sup>

A further challenge is improving communication and cooperation between the Westminster and the Welsh Governments. This is typified by Welsh Government’s winter fuel payment which reached 256,000 families. The Welsh Social Justice Minister explained how this ‘required much work with DWP and HMRC [Revenue and Customs] to ensure that the grant reached families without offsetting benefit reductions’ (i.e., led to cuts in recipients’ DWP benefits) (Independent Commission on the Constitutional Future of Wales, 2023, p. 5).<sup>86</sup>

Existing international welfare analysis points to the challenge of overcoming implementation gaps in realising a rights-based delivery of benefits (Yan et al., 2025). This resonates with our analysis. A series of reports by statutory regulators raise concerns and shortcomings, notably in realising the key ideational tropes in successive Welsh Governments’ policy discourse (see Table 2). For example, a joint report by the Children’s

<sup>80</sup><https://yougov.co.uk/politics/articles/52116-first-yougov-voting-intention-in-wales-since-2024-general-election-shows-collapse-in-labour-support>.

<sup>81</sup>Albeit, it has acted to give itself the option of future reforms, <https://www.gov.wales/welsh-tax-acts-etc-power-to-modify-act-2022-integrated-impact-assessment-html>.

<sup>82</sup><https://www.gov.wales/sites/default/files/statistics-and-research/2019-07/141202-evaluation-genesis-cymru-wales-2-en.pdf>.

<sup>83</sup>Albeit, the current (2025) Westminster administration has promised to devolve the equivalent aid from the UK Treasury (official details awaited), <https://www.bbc.co.uk/news/uk-wales-politics-64917965>.

<sup>84</sup><https://www.citizensadvice.org.uk/wales/about-us/information/advicelink-cymru/>.

<sup>85</sup><https://www.gov.wales/sites/default/files/publications/2023-09/report-of-the-wales-expert-group-on-the-cost-of-living-crisis.pdf>.

<sup>86</sup><https://www.gov.wales/sites/default/files/publications/2024-01/independent-commission-on-the-constitutional-future-of-wales-welfare-subgroup-report.pdf>.

Commissioners of Northern Ireland, Scotland and Wales to the United Nations Committee on the Rights of the Child (2022, p. 34) said of Welsh Government childcare policy, ‘Whilst these advances are welcomed, further steps are needed to ensure the inclusivity of children from non-working families in the childcare offer’. It continued, ‘In Wales, child poverty rates have increased in recent years ... These figures are the highest of any UK jurisdiction ... recent welcome developments include the further extension of [free] school holiday food ... However, as Children’s Commissioner for Wales has called for repeatedly, initiatives should be implemented through a child poverty delivery plan with measurable outcomes’ (Children’s Commissioners of Northern Ireland, Scotland and Wales, 2022, p. 46). In addition, the Older People’s Commissioner for Wales concluded that ‘80,000 older people in Wales do not receive the Pension Credit they are entitled to. This means that over £200 million is left unclaimed in the UK Treasury ... [we call] on the Welsh Government and local government to deliver urgent action to significantly increase the number of older people in Wales receiving Pension Credit’ (Older People’s Commissioner for Wales, 2023, p. 4). It continued, ‘Stigma, embarrassment and suspicion ... some older people feel a sense of shame, embarrassment or stigma around seeking support’ (Older People’s Commissioner for Wales, 2023, p. 7). Moreover, in its latest assessment, the Equality and Human Rights Commission (EHRC, 2023, p. 8) referred to ‘educational attainment for disabled learners in Wales is falling behind England and Scotland. Poverty remains a persistent problem’. It continued, based on a rolling average ‘28% of children were in poverty between 2020 and 2022. There is no directly comparable figure for adults, but 21% of working-age people, 18% of pensioners and 21% of people of all ages were also in poverty during this period’ (EHRC, 2023, p. 41). Moreover, it alluded to ‘Several reviews, including our housing inquiry (EHRC, 2018) and an Audit Wales report (Audit Wales, 2018), highlighted the challenges and complexities of securing housing adaptations to support disabled people to live independently’ (EHRC, 2023, p. 117). In her latest report the Public Services Ombudsman for Wales referred to care provision and other services. She concluded, ‘We have seen numerous complaints about public bodies failing to make reasonable adjustments for individuals with disabilities. Duties under the Equality Act apply to all public bodies and ensuring these duties are met, including ensuring reasonable adjustments are in place, when necessary, should be fundamental to the work that is undertaken’ (Public Services Ombudsman for Wales, 2025, p. 7).

## Future prospects

Writing over a decade ago, Lodge and Trench (2014, p. 42) concluded, ‘the devolved role in welfare should involve both devolution of specific benefits and the power to supplement existing benefits over and above the UK floor. The existing benefits most suitable for devolution are those which involve interaction or overlap with devolved policy functions’. They continued, ‘it is now hard to see a rationale for maintaining them at UK level, and strong reasons for devolved governments to deal with these matters instead’. However, despite such calls, significant transfer of DWP benefits to Wales has not happened.

More recently, there has been growing attention to the form and functioning of the WBS. *Senedd Cymru’s* 2019 Local Government Committee Inquiry (LGC, 2019) recommended devolved administration of payment flexibilities within DWP Universal Credit, Housing Benefit and sickness and disability benefits, as well as exploratory work on devolving other benefits like cold weather payments and Attendance Allowance. The Committee’s argument was that this would better align these benefits with Welsh policies and laws. In his response, the First Minister spoke of ‘the commitment of this Welsh Government to the social union and the important role that a UK-wide social security system plays in meeting significant challenges’ and ‘the need for Wales to proceed with caution when considering the devolution of social security’ (Welsh Government, 2022, p. 8).<sup>87</sup> He continued, ‘It is crucial that we explore this further to ensure that the social security safety net is there for all and particularly that in furthering any discussions on this matter with the UK Government that we establish a clear set of principles for social security, that we assess the implications for the devolution settlement, and that any funding transfers and negotiations are informed by a good, sound evidence base’.

Subsequently, the Welsh Affairs Committee’s Inquiry Report (Welsh Affairs Committee, 2021, para 160) concluded, ‘that attitudes to the idea of devolving welfare vary significantly ... during the course of the inquiry many experts noted the potential merits of being able to deliver benefits in a way that is tailored to the demography of Wales’. It continued, ‘as a first step, the UK-Welsh Government Inter-Ministerial Advisory Board on Social Security should undertake an assessment of the potential merits of devolving the administration of the same benefits to Wales as have been devolved to Scotland’ (Welsh Affairs Committee, 2022, para 161). Yet Westminster’s response was dismissive, ‘The UK government has no

<sup>87</sup><https://senedd.wales/media/n2mpzlrn/gen-ld12913-e.pdf>.

intention to devolve social security to the Welsh Government' (UK Government, 2022, p. 4). More recently, the Independent Commission on the Constitutional Future of Wales offered mixed conclusions. Its public opinion data found that a majority of those polled believed the Welsh Government and *Senedd Cymru*, rather than Westminster, should be responsible for social welfare (Independent Commission on the Constitutional Future of Wales, 2024, p. 10).

In response, the longstanding attitude of key figures in Welsh Labour has been caution, as illustrated in its 2016 manifesto, 'We will resist attempts by the UK Government to transfer Attendance Allowance to the Welsh Government and instead fight hard to protect it at the current rate' (Welsh Labour Party, 2016, p. 9). Despite, subsequently saying in 2019, 'we ought to explore the devolution of administration [of benefits]',<sup>88</sup> then First Minister Mark Drakeford MS reiterated mistrust of Westminster. He told the *Senedd*, 'there is a history, isn't there [?], that we're all familiar with—for example, in the forced devolution of council tax benefit, where we took on the administration, but the UK Government badly short-changed us in terms of the amount of money required for the benefit itself, and nothing at all to pay for administration'.<sup>89</sup> Subsequently, in 2020, the Deputy Minister Hannah Blythyn MS told the *Senedd*, 'now does not appear to be the best time, both in terms of available resource and availability of evidence, to consider fully long-term changes to social security'.<sup>90</sup> Early indications are that the Starmer-led Labour UK Government is in no hurry to devolve DWP benefits to Wales. Looking ahead, the Welsh Government's future attitude towards devolution of DWP benefits will to a large degree depend on replacing the current a population-based Barnett Formula with a needs-sensitive mechanism. As earlier analysis (Ifan & Siôn, 2019, p. 9) has shown, if the benefits currently devolved to Scotland<sup>91</sup> had been devolved to Wales in 2011–2012, under the Barnett Formula the net 'losses' of welfare devolution would have amounted to £8 million a year on average to 2018. However, 'if the method of funding welfare agreed for Scotland been in

place (the Indexed Per Capita method), the Welsh Government would have been substantially better off ... £132 million in 2017–18'.

## CONCLUSION

In comparison to other sub-state and regional welfare regimes which retained key aspects of law and policy-making capabilities when incorporated into union or federal states, Wales effectively lost these in the political union of the nations that became Britain. In the wake of devolution and the Welsh Government's 2024 announcement of reforms to create a coherent and compassionate WBS based on human rights and equality, this study constitutes an extreme case study of the challenges associated with contemporary sub-state welfare development in multi-nation states with a strong tradition of centralised administration. Our aim was to offer an initial, systemic outline of the nascent sub-state benefits system in Wales, map its parameters, its legal and discursive underpinnings, set out how existing benefits compare to developments in the other UK nations, and as noted, assess the challenges of creating a coherent rights-based sub-state benefits system.

In terms of the operation of this sub-state welfare system, our analysis shows that Welsh Governments may introduce (and withdraw) benefits as they feel appropriate in any devolved policy field. Our findings show current Welsh benefits are extensive and span many devolved functions, including health, housing, social services, transport, education and skills. There are two main types: (1) 'standalone' Welsh Benefits—those that apply solely to citizens of Wales and eligibility, terms and funding are the responsibility of the Welsh Government and (2) Welsh benefits that 'top-up' Westminster benefits. It is argued that current moves towards an integrated benefits system are significant because they promise a more efficient, joined-up mode of welfare delivery, based on the better alignment of demographics, devolved policy, law and majority electoral support for socialist/civic nationalist principles. Together, these factors can be seen as part of the emergence of what Tarrant (2023, p. 677) insightfully describes as a 'Welsh welfare state'.

Our analysis shows the key framings in the policy discourse around the creation of a WBS include tackling stigma, independence, participation/co-production, empowerment and pro-action. Yet we find a key flaw in the discourse is that many framings are little more than rhetorical flourishes. Details as to how these principles will be applied to the promised WBS reforms are often incomplete or absent. In contrast, it is with the tropes of rights and equality that we are on more solid ground.

<sup>88</sup>*The Record*, Senedd Cymru, January 15, 2019, para 188 [time 14.55], <https://record.assembly.wales/Plenary/5417#C155522>.

<sup>89</sup>*The Record*, Senedd Cymru, January 15, 2019, para 188 [time 14.55], <https://record.assembly.wales/Plenary/5417#C155522>.

<sup>90</sup><https://business.senedd.wales/documents/s101387/Updated%20Welsh%20Government%20response%20to%20the%20Committee%20report%2020%20May%202020.pdf>.

<sup>91</sup>Personal Independence Payment and Disability Living Allowance, Attendance Allowance, Carer's Allowance, Winter Fuel Payment, Industrial Injuries Disablement Allowance, Cold Weather Payment, Severe Disablement Allowance, Discretionary Housing Payment, and Sure Start Maternity Grants.

The reason is a distinctive body of law on equality and human rights that applies in Wales; one that differs from other UK jurisdictions. If applied effectively, this has the potential to have a progressive impact on future benefits delivery.

Whilst this may auger well, our analysis also raises manifold issues and challenges in realising the current government aim of an integrated rights-based benefits system. A key concern is insufficient resources and staffing being allocated to deliver the scale of the reforms required. Our analysis identified over 30 current devolved benefits. Yet present pilot work is being undertaken on just three. A step change in current practice is also urgently needed with more efficient and systematised data sharing across Welsh Government departments, devolved agencies and local authorities. Political volatility poses a further threat. Current opinion polling suggests a rising support for Plaid Cymru and the Right-Wing Reform Party ahead of Welsh Senedd elections in 2026. Furthermore, after extended careers, a number of senior government figures have said they will step down at the next elections. This raises questions about continuity and future ownership and oversight of the WBS plans and whether there will be the political will to continue the reforms through the next parliamentary term.

Other challenges include funding the cost of the likely increase in benefit uptake through the new integrated system. The Welsh Government's reluctance to use its income tax varying powers means increased Welsh benefits uptake will place significant further demands on the Treasury block grant. In future, this may also limit the number of devolved Welsh benefits topping up DWP entitlements, and means-testing may become more common in the WBS, replacing some of the universal entitlements that have emerged over the past quarter century.

A burgeoning literature underlines the centrality of public awareness in shaping benefit uptake (Berg et al., 2022; Milton et al., 2015). We identify it as a further major challenge in developing the WBS. Currently, there is limited public awareness of existing devolved benefits. In addition, the present system is fragmented; there is excessive complexity involved in applying for the different grants and allowances administered by a raft of different government departments and public bodies.

A further challenge is improving communication and cooperation between the Westminster and the Welsh Governments. This is typified by the Welsh Government's winter fuel payment that required protracted discussions with DWP and HM Revenue and Customs to ensure that the grant reached families without offsetting benefit reductions.

Existing international welfare analysis points to the challenge of overcoming implementation gaps in realising a rights-based delivery of benefits (Yan et al., 2025).

This resonates with our analysis. We chart how a series of reports by statutory regulators raise concerns and shortcomings in upholding equality and human rights in devolved services. The government's aim of a rights-based WBS will require civil society watchfulness and mobilisation, as well as effective statutory regulation, to ensure rights-based benefit delivery.

Finally, our analysis suggests that present prospects for further devolution of welfare benefits powers to Wales appear limited. Over the past decade there has been growing attention to the form and functioning of the WBS. *Senedd Cymru's* 2019 LGC (2019) recommended devolved administration of a range of benefits currently controlled by Westminster. Subsequently, the House of Commons Welsh Affairs Committee's Inquiry Report (Welsh Affairs Committee, 2021, para 160) concluded, 'many experts noted the potential merits of being able to deliver benefits in a way that is tailored to the demography of Wales'. It called for 'an assessment of the potential merits of devolving the administration of the same benefits to Wales as have been devolved to Scotland' (Welsh Affairs Committee, 2022, para 161). Yet Westminster's response was dismissive, 'The UK Government has no intention to devolve social security to the Welsh Government' (UK Government, 2022, p. 4).

Whether the WBS will be expanded by future transfer of DWP benefits is unknown. As noted, in the short term at least, it seems unlikely. In part, this is due to a history of mistrust and a lack of political will by veto players at Westminster and the Welsh Government's justifiable concern that any funding mechanism associated with further devolution is deprivation sensitive and needs rather than population based. However, arguments about further devolution of benefits to enhance fiscal accountability and better align the administration of welfare with devolved policy and law in Wales remain powerful and may ultimately prevail.

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## CONFLICT OF INTEREST STATEMENT

The author declares no conflicts of interest.

## DATA AVAILABILITY STATEMENT

All data in this study are publicly available documents – see references and endnotes.

## ETHICS STATEMENT

Ethical approval has been received from the Cardiff University Ethics Committee Ref. SREC/3417, 12 October 2020.

## CONSENT TO PARTICIPATE

This study is based on secondary data analysis.

## CONSENT FOR PUBLICATION

This study is based on secondary data analysis.

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