# Diversity in local government

April 2019





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# Diversity in local government

April 2019



# **About the Committee**

The Committee was established on 28 June 2016. Its remit can be found at: <a href="https://www.assembly.wales/SeneddCommunities">www.assembly.wales/SeneddCommunities</a>

#### Committee Chair:



**John Griffiths AM**Welsh Labour
Newport East

## Current Committee membership:



**Mohammad Asghar AM**Welsh Conservatives
South Wales East



**Gareth Bennett AM**UKIP Wales
South Wales Central



**Huw Irranca-Davies AM**Welsh Labour
Ogmore



**Mark Isherwood AM**Welsh Conservatives
North Wales



**Carwyn Jones AM**Welsh Labour
Bridgend



**Jenny Rathbone AM**Welsh Labour
Cardiff Central



**Leanne Wood AM**Plaid Cymru
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The following Members were also members of the Committee during this inquiry.



**Jayne Bryant AM**Welsh Labour
Newport West



**Siân Gwenllian AM** Plaid Cymru Arfon



**Jack Sargeant AM**Welsh Labour
Alyn and Deeside



**Bethan Sayed AM**Plaid Cymru
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# Chair's foreword

Local government in Wales delivers a range of important services to our communities including education and social services. It is charged with understanding the needs of local residents and providing for them. The more representative of the people they serve the better equipped our councillors to carry out their duties and responsibilities.

Unfortunately women, black and minority ethnic communities, individuals with disabilities, LGBT people, the young and those with lower incomes are markedly under represented. Thus their particular experience, views and concerns have too weak a voice.

Work has taken place seeking to remedy this well recognised and long standing inequality. Schemes, programmes and action have initiated from Welsh Government, WLGA, local authorities, equality groups and political parties but without sufficient progress.

Later this year we expect the Local Government Bill to be introduced to the Assembly, providing an opportunity to address these issues. This committee inquiry will help inform that legislation and aid our scrutiny. We have sought to understand the importance of diversity, barriers that hold it back and examples of how they may be overcome.

Our recommendations include the potential of new technology, political awareness education in schools and job share; better support and training; dealing with social media; better data on candidates and schemes and programmes.

John Griffiths AM Chair

# Recommendations

<b>Recommendation 1.</b> We recommend that the Welsh Government, in its
forthcoming local government bill, includes provisions to relax the restrictions on
members' remote attendance and voting at formal council meetings set out in
the Local Government (Wales) Measure 2011 to enable local authorities to trial the
use of video communication methodsPage 15
Recommendation 2. We recommend that the Welsh Government works with
the Welsh Local Government Association to identify three local authority areas to
trial the use of video communication methods to facilitate participation by
remote attendance at council meetingsPage 15
<b>Recommendation 3.</b> We recommend that the Welsh Government promotes
expanding job sharing opportunities between two individuals for executive
members of local authorities, as has been undertaken successfully in Swansea
CouncilPage 22
Recommendation 4. We recommend that the Welsh Government explore the
feasibility of enabling job sharing between two individuals for non-executive
members of local authorities and include provisions to enable this in its
forthcoming local government billPage 22
<b>Recommendation 5.</b> We recommend that the Welsh Government evaluates the
work being done by the Welsh Local Government Association to raise awareness
among public sector organisations of the benefits of employees undertaking civic
duties. Should such an evaluation prove that this work is successful, consideration
should be given to how it could be rolled out to private sector businesses.
Page 26
Recommendation 6. We recommend that the Welsh Government and the
Welsh Local Government Association start work on a positive campaign to
increase diversity among candidates standing for local government elections by
summer 2019Page 30
Recommendation 7. We recommend that the Welsh Government updates its
statutory guidance on training and development to specify that support for
members on maintaining a positive work / life balance should be included in the
Daga 77

Recommendation 8. We recommend that the Welsh Government makes i	t clear
to local authorities that members should not be required to publish their ho	ome
addresses on the authority's websiteP	age 34
<b>Recommendation 9.</b> We recommend that the Welsh Government, in partnership with the Welsh Local Government Association and the Electoral Commission, urgently addresses deficiencies in guidance for elected	
representatives, candidates and prospective candidates on what does and does not constitute acceptable behaviour on social mediaP	
<b>Recommendation 10.</b> We recommend that the Welsh Government and local authorities review the robustness of support mechanisms for members experiencing online abuse, harassment or bullying and implement changes strengthen this support	to
<b>Recommendation 11.</b> We condemn the action of social media companies is dealing with online abuse and recommend that the Welsh Government presented UK Government to ensure strong and robust legislation to tackle social readuse	esses media
<b>Recommendation 12.</b> We recommend that the Welsh Government seeks to ensure consistency in the implementation of local authorities' codes on construction of seeks to ensure guidance on their enforcement	duct
<b>Recommendation 13.</b> We recommend that the Welsh Government encour local authorities to adopt a consistent approach to reporting on the care allowance claimed by councillors, by reporting this on a collective basis per allowance rather than detailing each allowance claimed by individual mem	bers.
<b>Recommendation 14.</b> We recommend that the Welsh Government require authorities to collect information on the number of current councillors eligible claim the care allowance and how many do so	ole to
<b>Recommendation 15.</b> We recommend that the Welsh Government comma review of all publicly funded mentoring programmes to assess their effectiveness, including value for moneyPa	
<b>Recommendation 16.</b> We recommend that the Welsh Government, following evaluation of publicly funded programmes, looks at the possibility of establist a national leadership programme, building on the experience of Chwarae Te Women's Equality Network and others to encourage more people from underepresented groups standing for election	shing eg ler-

<b>Recommendation 17.</b> We recommend that in the forthcoming local gover bill, the Welsh Government includes provisions to roll out an adequate level political education across schools in Wales. Young people from the ages of 15 should receive this education, particularly should proposals to extend vot rights to 16 and 17 year olds be implemented. This programme of political awareness should be accompanied by clear lesson plans to empower teach deliver the lessons	l of 14 and ting ners to
<b>Recommendation 18.</b> We endorse the recommendation made by ERS Cylthat a national mock election for young people which should be held at the time as Assembly elections. We recommend that the Welsh Government considers how this can be implemented	e same
<b>Recommendation 19.</b> We recommend that as a matter of priority, the Wel Government establishes an Access to Elected Office fund in Wales to assist disabled individuals run for elected office. The possibility of extending such to support other under-represented groups should also be explored	a fund
<b>Recommendation 20.</b> We recommend that the Welsh Government make representation to the UK Government in favour of extending the Sunset Clathe Sex Discrimination (Election Candidates) Act 2002 be extended to 2050 allow the continuation of all-women shortlists	ause in O to
<b>Recommendation 21.</b> We recommend that the Welsh Government make representations to the UK Government regarding the enactment of Section the Equality Act 2010	
<b>Recommendation 22.</b> We recommend that the Welsh Government assess effectiveness of the provisions in the Local Government (Wales) Measure 20 relation to data collection, and in relation to other candidate data that could collected within the current devolution framework.	11 in Id be

# 1. Background

1. A report by an expert group on diversity in local government, established by the Welsh Government - On Balance: Diversifying Democracy in Local Government in Wales¹ published in 2014 noted that it is:

"vital that the people which make decisions on our behalf [..] are in tune with and representative of their local communities. Unfortunately, when taken as a whole, this is clearly not the case currently for local government in Wales."

2. It found that the profile of councillors in Wales is still predominantly white, male with an average age of about 60:

"The under-representation of women in political life generally, and local government in particular, has been highlighted as the biggest issue confronting those seeking a council chamber which reflects its electorate [...] there is worrying research suggesting that women are more likely than men to drop out of politics permanently if they lose their seats or decide not to stand again. This could suggest that they are put off by a male dominated organisation, with its associated adversarial style of debate."

- **3.** The under-representation of women in local government is only part of a wider diversity issue. Increasing representation among younger people, those from different socio-economic backgrounds, individuals from BAME and LGBT community and individuals with disabilities remains a significant challenge.
- **4.** The report by the expert group made a number of recommendations for all stakeholders (Welsh Government, Local Government, Welsh Local Government Association (WLGA) and political parties), providing an action plan and timings for taking the work forward.
- **5.** The Welsh Government, as part of its response to the recommendations established the Diversity in Democracy programme, which ran from 2014 to 2017. The aim was to increase the diversity of individuals standing for election to local government through a number of measures. They included:
  - providing mentoring support for future candidates;

On Balance: Diversifying Democracy in Local Covernment in Wales, March 2014

- publicity campaigns to raise the profile of the work of local government and its members; and
- an exit interview scheme with councillors standing down at elections to determine the reasons for their decision.
- **6.** A number of other organisations run schemes to encourage greater diversity of people standing for local elections, including Chwarae Teg, Women's Equality Network (WEN) Wales and Ethnic Minorities and Youth Support Network (EYST) among others.
- 7. We agreed to undertake this inquiry on diversity in local government, in advance of the proposed local government bill, which we expect to be introduced by the Welsh Government later in 2019. As part of our work, we wanted to shine a light on examples of good practice and innovative solutions that would help increase the diversity of elected representatives in local government. The terms of reference for the inquiry were to:
  - understand the importance of diversity among local councillors, including the effect on public engagement, debate and decision making;
  - understand key barriers to attracting a more diverse pool of candidates for local government elections;
  - explore areas of innovation and good practice that may help increase diversity in local government;
  - explore the potential impact of the proposals in the Welsh Government's Green Paper, Strengthening Local Government to increasing diversity in Council chambers.
- **8.** In addition to the recommendations we make in this report, the evidence we heard will directly influence our scrutiny of the forthcoming local government bill.

# Engaging and gathering evidence

**9.** From 4 June to 10 September 2018 we ran a public consultation. We received 27 responses from a range of organisations and from individuals. Details of those who provided oral evidence and who responded to our consultation are available as annexes to this report. In addition, we conducted two online surveys, one aimed at gathering views from the general public and the other to gather views from local councillors who are currently in public office. Committee Members also

undertook visits to Cardiff Council, Ceredigion Council and Gwynedd Council to gather evidence directly from councillors from those and neighbouring authorities. We heard oral evidence from the Minister for Local Government and Housing (the Minister) on 9 January 2019.

10. We would like to thank all those who have contributed to our work.

# 2. Practical solutions

One of the key challenges faced by those standing for local elections, is maintaining a balance between campaigning, their public duties, and their private lives.

11. We heard first hand from councillors across Wales about the pressures placed on local representatives and candidates, in balancing the responsibilities of their private lives, such as a job or care arrangements, with their public ones. This chapter explores some of practical solutions we heard could be implemented in order to alleviate some of the pressures on councillors.

### 2. 1. Technology

- 12. Evidence presented to the inquiry suggested that technology, particularly the use of messaging services such as Skype, could provide a practical method of increasing the diversity of elected members. Whilst provisions in the Local Government (Wales) Measure 2011 (the 2011 Measure) allow local authorities to facilitate the use of remote attendance, we heard that the provision as it stands is too restrictive. We heard that using technology could encourage those who may wish to stand for election, who feel that this is incompatible with other commitments, such as work or caring responsibilities.
- 13. Providing councillors with a system that allows individuals to attend formal council meetings and vote remotely could help individuals who work full or part-time to join meetings during the working day without leaving their work. It could also benefit councillors in rural authorities to join meetings that they might not otherwise have been able to attend.
- 14. The Head of Policy at the WLGA explained the current restrictions within the 2011 Measure around remote attendance, and the potential benefits of enhancing the role of technology to facilitate attendance at council meetings:

"The intention was very positive, in that it allowed members, potentially, to dive into a meeting from home, and potentially use Skype.

Unfortunately, Skype wouldn't be allowed through the law as it stands.

We've had discussions with the Welsh Government, and they're likely to relax it. So, a number of authorities do use Skype for informal meetings—if members are unable to get in to the council chamber, they can just use Skype and have a conversation with officers or

colleagues, and so on. But, in terms of the formal meetings, the Measure is quite strict in terms of how that can be run. So, hopefully, we should get a more relaxed environment that will allow meetings to be held remotely, particularly in areas like Powys—obviously, large geographical areas, rural areas. So, potentially, you could have different members in different parts of the county, all participating in the same meeting."<sup>2</sup>

**15.** The Deputy Chief Executive of One Voice Wales echoed this message in relation to town and community councils:

"a number of councils in Wales have said, 'We've got some members who can't make it sometimes because they're working away, so can they take part in the meetings via Skype?' The answer is that that facility does not apply to community and town councils at the moment. My understanding is that it is discretionary in unitary authorities, so that may be something that could be considered in ongoing legislation."

**16.** One councillor who responded to our survey highlighted the need to modernise local government meeting arrangements:

"we do need to drag local government into the 21st century and enable ICT to be utilised so councillors can participate via email, text etc rather than have to attend meetings in person. On occasion we drag people from all parts of our area for a meeting which might last 10 mins or less."

17. This is a view supported by the Electoral Reform Society (ERS Cymru), with its Director stating:

"I think that things like Skype, in particular for council meetings could really encourage those who have caring responsibilities and those from a rural background." 5

<sup>&</sup>lt;sup>2</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 11

<sup>&</sup>lt;sup>3</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 29

<sup>&</sup>lt;sup>4</sup> ELGC(5)-32-18 paper 5, Inquiry into Diversity in Local Government – survey analysis

<sup>&</sup>lt;sup>5</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 170

- **18.** However, she stated that technology is not a panacea, and this "alone won't necessarily encourage vast amounts of more diverse candidates or elected members to step forward".6
- **19.** In her evidence, the Minister recognised the potential benefits that enhancing the use of technology could bring:

"One of the things we're very interested in doing is allowing electronic participation in meetings, for example, so if you are an employer, your employee can go to a room in your building for an hour, and doesn't have to travel for 45 minutes each side of the meeting and all the rest of it—you know, you can actually participate electronically. There's no reason why we can't assist with---. And especially as we have, geographically, very large councils in Wales, where the travelling is a significant part of what takes up the time. So, I'm very keen to look at how we can help councils have more innovative practices in their meetings, both in time and in how they construct the meeting, to allow the participation of a wider group of people."

#### Our view

- **20.** We recognise that the many council meetings councillors are required to attend involves significant time commitment. We believe all options should be explored to use technology to ease the pressure on elected representatives particularly those with other obligations. We acknowledge that there are restrictions around formal meetings within the 2011 Measure and local authorities' own standing orders. Another potential issue is the reliability of broadband connectivity in some areas of Wales, which is still relatively poor. However, we believe this should not act as a barrier to deploying technology to facilitate remote attendance at meetings by councillors.
- **21.** We would encourage trialling the use of video communication methods, such as Skype, at three local authorities across Wales to enable remote attendance at council meetings, to allow trials to take place in an urban authority, a rural authority and an authority within the south Wales valleys. The Welsh Government should ensure that current restrictions on remote attendance should

<sup>&</sup>lt;sup>6</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 170

<sup>&</sup>lt;sup>7</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 9 January 2019, paragraph 247

be relaxed, and that the designated local authorities receive appropriate funding to facilitate such a trial.

**Recommendation 1.** We recommend that the Welsh Government, in its forthcoming local government bill, includes provisions to relax the restrictions on members' remote attendance and voting at formal council meetings set out in the Local Government (Wales) Measure 2011 to enable local authorities to trial the use of video communication methods.

**Recommendation 2.** We recommend that the Welsh Government works with the Welsh Local Government Association to identify three local authority areas to trial the use of video communication methods to facilitate participation by remote attendance at council meetings.

#### 2. 2. Timing of council meetings

- 22. According to our survey responses, another significant element that impacts on diversity is the timing of council meetings. This can be restrictive for some, particularly for those in employment and / or those with caring responsibilities. As one councillor who responded to our survey noted, "it's almost impossible to be a councillor and work full-time".8 The timetable for Council business may also discourage young people from standing, particularly if meetings are held in the day.
- **23.** How authorities arrange their business is a matter for councillors themselves, and is set out in the 2011 Measure, which requires local authorities to canvass members' preferred option for timing of meetings. The Welsh Government's statutory guidance notes the following:

"It is neither practical nor desirable for the Welsh Government to prescribe the times and frequency of meetings of the full council, committees and sub-committees as these are matters for each local authority to consider in individual circumstances. However, it is important that local authorities do not simply continue to hold their meetings at the same time as they always have done simply out of inertia. What may have been tradition or an arrangement which suited the previous generation of councillors will not necessarily serve the interests of the new intake.

All local authorities should review the times at which meetings are held at least once in every term, preferably shortly after the new council is

<sup>&</sup>lt;sup>8</sup> ELGC(5)-32-18 paper 5, Inquiry into Diversity in Local Government – survey analysis

elected. The rule of thumb should be that meetings will be held at times, intervals and locations which are convenient to its members and as far as is practicable have regard to equality and diversity issues."

- **24.** Local authorities are expected to consider whether daytime or evening meetings are preferred and whether particular times cause difficulties for councillors with particular characteristics, such as age, gender, religion, care responsibilities or being in employment.<sup>10</sup>
- **25.** We heard that there is no perfect time for council meetings. The Head of Democratic Services at Conwy County Borough Council referred to "a mix of responses" from councillors on their preferences. Councillors who work may prefer early evening meetings, while those with children may prefer daytime meetings to coincide with childcare. Members who are older or retired may prefer daytime meetings, particularly in rural counties where councillors may be required to travel longer distances.
- **26.** During our visit to Ceredigion Council we heard that it held most of its meetings in the day, which according to the Council's written evidence is "reviewed twice during each administration term". Participants in the Ceredigion discussion group noted that "older" members tend to opt for daytime working, and since the profile of the Council is predominantly older, this is unlikely to change. Daytime meetings can nevertheless be beneficial for others, including people with children. Some noted that their children are in school during the day, and that early evening meetings clash with children coming home from school, going to clubs and teatime.
- 27. The Minister noted that local authorities:

"need to think much more carefully about when they have their meetings, because I think that a large number of principal councils in Wales have their meetings in the middle of the afternoon or at 4

<sup>&</sup>lt;sup>9</sup> Welsh Government, Statutory Guidance from the Local Government Measure 2011, June 2012, paragraphs 1.9 and 1.10

<sup>&</sup>lt;sup>10</sup> Welsh Government, Statutory Guidance from the Local Government Measure 2011, June 2012, paragraph 1.12

<sup>&</sup>lt;sup>11</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 64

<sup>&</sup>lt;sup>12</sup> Written evidence, DLG 03, Ceredigion County Council

o'clock, which are not excellent times for anyone with any kind of job or caring responsibility and so it puts people off."13

#### Our view

28. We acknowledge that it is not possible to arrange council meetings at a time that is convenient for all. It is right and proper that councils regularly assess the preferences of members in terms of meeting times, and whilst timings will not always be convenient for each elected member, it should be incumbent on the council to make every effort to enable those councillors who may find it difficult to attend.

## 2. 3. Job sharing

- **29.** We were told that allowing councillors to job-share with another member is a practical way of increasing the diversity of councillors standing for office. This could make the role of a councillor more accessible and appealing to those who otherwise would be unable to commit to the role.
- **30.** The Director of ERS Cymru voiced concern that job sharing should not be seen as an option only available to women:

"It's being talked about at the moment as something for only women, and I think there's a risk that there's almost a perception that could develop that it's something that women can do and men have the fulltime jobs, if that makes sense.

I think there's a real risk. It's something that should definitely be described as available to all, rather than just for jobs for the girls."14

#### Executive members

31. There was support among witnesses for introducing job sharing arrangements for executive roles, including the WLGA who cited the example of Swansea Council where a Cabinet role is already shared between two executive members. Despite being supportive of the principle, Councillor Debbie Wilcox, Leader of the WLGA, noted a "slight anomaly" in current legislation in relation to

<sup>&</sup>lt;sup>13</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 9 January 2019, paragraph 246

<sup>&</sup>lt;sup>14</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraphs 174 - 176

<sup>&</sup>lt;sup>15</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 17

the size of local authority cabinets and the number of senior salaries payable - Section 11(8) of the Local Government Act 2000 (as amended) states that the number of executive members may not exceed 10. She doubted whether greater job sharing between executive members would have a significant impact on attracting a wider range of candidates:

"Job sharing is unlikely to have a significant impact on prospective councillors. Aspiring to be a cabinet member may not be on many people's minds at the time of election. But it would have a positive impact on councillors who might be prospective cabinet members, because the flexibility may allow them to consider a role, and, actually, it would have a positive impression, generally, on councils, and it would help us towards our drive to be equal opportunity organisations." <sup>16</sup>

**32.** The Director of ERS Cymru supported greater job sharing opportunities, again referring to the arrangements in Swansea Council as a successful example:

"The fact that job sharing is already happening at a cabinet level in Wales, and is apparently quite successful for the individuals involved I think is really promising. I think there's a huge scope for job sharing to be used in Welsh politics. There are, I think, things that need to be put in place to ensure that it's done in a robust way, so a good agreement with the members themselves, making sure that everything's clear." 17

**33.** The Minister noted that job sharing could also apply to council leaders and confirmed that the forthcoming local government bill would include provisions aimed at making the role of councillor "more attractive," including "the ability to job share for executive members and leaders of councils" in order to widen executive member and leader roles to people who are unable to work full-time. She went on to say that sharing cabinet positions would not result in increasing the size of cabinets:

<sup>&</sup>lt;sup>16</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 17

<sup>&</sup>lt;sup>17</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 173

<sup>&</sup>lt;sup>18</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 9 January 2019, paragraph 119

"It would have to be within the frame of 'It's not an opportunity to increase the size of your cabinet.' So, each post is discreet, but it could be filled by people sharing it in terms of hours and so on."

19

#### Non-executive members

**34.** We also explored with witnesses their views on the potential of extending job sharing to non-executive council members. Some witnesses supported this concept, with the Director of ERS Cymru noting:

"there's a huge scope for job sharing to be used in Welsh politics...If you're talking about actual council members sharing a role, or Assembly members, if here, I think it needs to be put to the electorate that it is a joint position."<sup>20</sup>

- **35.** Some of the practical challenges expressed around job-sharing for non-executive members included:
  - if one of the two members resign.
  - if one of the two members switch party.<sup>21</sup>
- **36.** In response to questions on allowing two people who want to job share putting themselves forward for election, the Director of ERS Cymru stated her belief that it would be "a sign of a healthy democracy" adding:

"I think a lot of voters would actually recognise that as something realistic, that might suit them as well. So, I think almost that we need to lead by example and trial these things, and then maybe we can see more people with caring responsibilities, with different career options, stepping forward into the political arena."<sup>22</sup>

<sup>&</sup>lt;sup>19</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 9 January 2019, paragraph 225

<sup>&</sup>lt;sup>20</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 173

<sup>&</sup>lt;sup>21</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 145

<sup>&</sup>lt;sup>22</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 178

**37.** The Director of Women's Equality Network Wales (WEN Wales), whilst acknowledging the need to resolve practical difficulties, also supported greater job sharing for elected representatives:

"As long as people understand it's one job, as in it's one role, it's the same cost to the taxpayer, it's equally divided—when one person stands down, it's—. You know, if one person decides to stand down, they both have to stand down; it's a complete job share. I think it really should be looked at both for the Assembly, although I know legislation would need to change, but I don't think we should shy away from it, and I think in county council elections it would be a really good way of getting more diverse candidates. It kind of leads on to, 'Well, how about the pay? Does the pay need to change?' But I do think job sharing should be a possibility, and it should definitely be something we should be pushing for."<sup>23</sup>

- **38.** Mixed views were expressed by the representatives of political parties who gave evidence. Whilst noting that practical issues would need to be overcome, the Chair of Welsh Labour's Organisation Committee<sup>24</sup> and the Chief Executive of Plaid Cymru<sup>25</sup> supported the principle. Conversely, the Boundary Review Director for the Conservative Party was of the view that the practical issues were too numerous.<sup>26</sup>
- **39.** Whilst noting informal arrangements exist for sharing responsibilities between councillors (between members from the same party in multi-member wards), the WLGA expressed caution around establishing job sharing as the norm for non executive members. Of particular concern is the time-consuming nature of the local councillor role, and the need for flexibility, with the WLGA noting that councillors often work more than the three days a week they are recompensed for.

<sup>&</sup>lt;sup>23</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 35

<sup>&</sup>lt;sup>24</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 145

<sup>&</sup>lt;sup>25</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 149

<sup>&</sup>lt;sup>26</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 147

- **40.** Councillor Debbie Wilcox believed that it "would pose perhaps more difficulty" than job sharing between executive members referred to, but conceded it could be an area for development.<sup>27</sup>
- **41.** Potential risks in extending job-share for non-executive councillors were expressed by the Minister, particularly in relation to councillors working longer hours:

"I very much fear that, if you do that, what you will actually get is two people working full time, so two people working full time for one salary. Because I don't know how you would restrict the call on the councillors' time for both of them.

I fear that what you will end up with is two people, both working full time, for half the pay."<sup>28</sup>

**42.** Despite her caution, the Minister noted:

"there are a number of things to think about before we go for job share at election. I don't think those barriers exist for doing the job share at the point of appointment inside the council, and we are very keen to push that forward with some dispatch."<sup>29</sup>

#### Our view

**43.** We believe there is potential for sharing councillor roles to enable individuals who would otherwise be unable commit wholly to the role. This could lead to a wider range of people undertaking these roles. We acknowledge that such arrangements would require clear parameters as to the role and responsibilities of both members and clear communication with the electorate to ensure accountability and transparency.

**44.** We commend the approach taken by Swansea Council by being the first local authority in Wales to divide an executive position between two members. Following on from this successful precedent, we would like to encourage all local

<sup>&</sup>lt;sup>27</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 19

<sup>&</sup>lt;sup>28</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 9 January 2019, paragraph 229

<sup>&</sup>lt;sup>29</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 9 January 2019, paragraph 237

authorities in Wales to consider this approach to enhance the diversity and increase the breadth of experience and skills in their own cabinets.

- **45.** We realise that decisions on the composition of cabinets should be made by individual local authorities, but believe each should have the ability to share some executive positions should they wish to do so. We therefore welcome the Minister's commitment to including provisions to enable this in the forthcoming local government bill. Such provisions should make it clear that where a position is shared, the salary is also shared between the post-holders and how this aligns with restrictions on the size of cabinets.
- **46.** We acknowledge that support for job sharing for non-executive members was mixed. We are aware that the legislative restrictions and logistical concerns are greater than those for sharing executive roles, however we believe these are not insurmountable and merit investigation by the Welsh Government in preparation for its forthcoming local government bill.

**Recommendation 3.** We recommend that the Welsh Government promotes expanding job sharing opportunities between two individuals for executive members of local authorities, as has been undertaken successfully in Swansea Council

**Recommendation 4.** We recommend that the Welsh Government explore the feasibility of enabling job sharing between two individuals for non-executive members of local authorities and include provisions to enable this in its forthcoming local government bill.

# 2. 4. Role of employers

- **47.** The Employment Rights Act 1996 makes provision for the right to time off for public duties. <u>Section 50</u> states that an employer must permit an employee who is a member of a local authority time off during the employee's working hours for the purpose of performing the duties of their office.
- **48.** The evidence received did not suggest that employers are a particular barrier to people standing for election. The Head of Policy at the WLGA referred to statistics from the Welsh Government's survey of councillors which stated that among current county councillors in Wales, around 35% are in full-time employment, 14% in part-time employment and 16% are self-employed. He also referred to evidence collected through the WLGA's survey of councillors who stood down at the last election, stating that:

"very few people mentioned that their employers were a hindrance to their role as a councillor...the feedback we have is that employers are supportive."<sup>30</sup>

**49.** Despite this, he also said that employers can refuse requests for time off work to do activities such as being a councillor if it becomes onerous, and that:

"A significant number of councillors are having to juggle their employed role and their council role, and sometimes they have to take time off work and sometimes they have to work very flexibly." <sup>31</sup>

**50.** The Chair of Welsh Labour's Organisation Committee noted that the days where employers saw the provision of public duty as a civic duty have gone, and that there's a "big job" to do to encourage employers to give their employees the opportunity to stand:

"We're missing so many opportunities for people to have so many skills that we could use, not just in local government, but in all sorts of different spheres."<sup>32</sup>

**51.** The WLGA's Head of Policy told us that supporting and encouraging businesses to understand the benefits of their employees becoming councillors was important, adding:

"Where their members of staff become councillors, it's incredibly good in terms of personal development, professional development potentially, and there's a clear demonstration of businesses' corporate social responsibility and commitment to the community."<sup>33</sup>

**52.** The Chief Executive of Chwarae Teg, herself a former councillor, also noted a lack of understanding of the role of a councillor, and the benefits to both employer and employee:

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<sup>&</sup>lt;sup>30</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 33

<sup>31</sup> Ibid

<sup>&</sup>lt;sup>32</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraphs 152 and 153

<sup>&</sup>lt;sup>33</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 34

"My employer saw it as a positive that I was able to gain that kind of breadth of experience across a range of public services...having a supportive employer certainly removes a barrier."<sup>34</sup>

**53.** The Boundary Review Commissioner for the Conservative Party suggested that it is an issue that employers forums could discuss and share good practice:

"There are some employers who are very good and really see the benefit of having someone giving public service who is an employee. Obviously, it's easier for the larger employers than the small employers, but there is a benefit. I think what we need to do is, in employers' forums, talk about this issue. And employers who do it very well could actually educate those who are less good at it and show them the benefits that can be received." 35

**54.** The Chief Executive of Chwarae Teg explained how the timing of meetings can pose particular difficulties for members who also need to balance their council responsibilities with their outside employment:

"all of this goes hand-in-hand with issues around the times at which council meetings are held, how we try to get the balance between supporting people who may have caring responsibilities versus those who work."<sup>36</sup>

**55.** The Head of Democratic Services at Conwy County Borough Council explained some of the difficulties faced by members who also hold other employment:

"with those councillors that aren't employed in the public sector, the reasonable time off that they're allowed is to attend the full council meetings. So, then, if you imagine all the other committee meetings that they have to attend, it's really difficult. They have to prioritise, together with their training programmes, and then if their attendance isn't 100 per cent, they do get criticised by the public for not being

<sup>&</sup>lt;sup>34</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 47

<sup>&</sup>lt;sup>35</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 157

<sup>&</sup>lt;sup>36</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 47

there 100 per cent of the time. So, it is a really, really difficult balancing act for the councillors."<sup>37</sup>

**56.** The Head of Policy at the WLGA told us how the organisation will be working with public sector organisations as part of its campaign for the next local election in 2022:

"part of our campaign will be about engaging with public sector employees in particular to just encourage and promote the fact that their staff should consider standing for election, both as personal professional development but also as a contribution to their communities as well."<sup>38</sup>

#### Our view

- **57.** We acknowledge the difficulties for employers in regularly releasing staff for council duties whilst maintaining the business need of their own organisation. This will be particularly challenging for small businesses who rely on a smaller workforce. However, it is crucial that elected members are afforded the necessary time to carry out their duties effectively; we believe that fostering a greater understanding among employers about the role and responsibilities of councillors could assist with this.
- **58.** We welcome the commitment by the WLGA to working with public sector organisations to bring a better understanding of the benefits of employees undertaking civic duties such as being a local elected representative. This work should be evaluated, and should it prove successful, consideration should be given to how it could be rolled out to private sector businesses.
- **59.** As we have previously explored, remote attendance at meetings could have a significant impact on members' ability to participate in proceedings with less impact on other aspects of their lives. This could bring particular benefits for members who need to juggle work with their council responsibilities; allowing an employee a smaller amount of time to connect to a meeting remotely, possibly from a space within their work premises, could be beneficial for both the employer and the employee. Implementing our recommendation one would enable such an arrangement.

<sup>&</sup>lt;sup>37</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 47

<sup>&</sup>lt;sup>38</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 46

**60.** We did not receive sufficient evidence to evaluate the extent employers adhere to section 50 of the Employment Rights Act 1996, and we recognise that further investigation is needed to determine best practice in allowing employees time off during working hours to undertake civic duties. We believe there is merit in undertaking such investigation in order to get a clear picture for employers and employees of best practice.

**Recommendation 5.** We recommend that the Welsh Government evaluates the work being done by the Welsh Local Government Association to raise awareness among public sector organisations of the benefits of employees undertaking civic duties. Should such an evaluation prove that this work is successful, consideration should be given to how it could be rolled out to private sector businesses.

# 3. Information and support

We heard that more information on the role of local authority members is needed, both in terms of raising public awareness and in preparing candidates for the position.

### 3. 1. The role of local elected representatives

- **61.** We heard that there was a general lack of awareness among the public about the role of elected officials, and that a greater understanding of the role and responsibilities could encourage some individuals to stand. 29 per cent of the public who responded to our survey noted that a better understanding of the role and responsibilities of a councillor would help them.
- **62.** Councillors who responded to our survey agreed that more needed to be done raise awareness of the role in order to encourage a greater diversity of candidates standing for local council elections, suggestions included:

"greater education of what the role actually entails."

"Educate people as to what a good councillor does and the impact they can have on the local community."

- "I believe politics etc. Should be taught in schools and colleges to give young people an insight into politics and may encourage younger people to stand for Councillors." <sup>39</sup>
- **63.** The Head of Democratic Services at Conwy County Borough Council told us that information is available, but that some people have difficulty in finding and accessing it. She told us that councils generally have information on their website, such as a "Be a councillor" page, which may include videos with information about the role of a councillor. The WLGA also produce candidate's guidance, which include a summary of roles and responsibilities of councillors.<sup>40</sup>
- **64.** Councillor Debbie Wilcox told us she believed that educating young people was key to raising awareness:

<sup>&</sup>lt;sup>39</sup> ELGC(5)-32-18 paper 5, Inquiry into Diversity in Local Government – survey analysis

<sup>&</sup>lt;sup>40</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 67

"I would strongly advocate a clear pathway for learning in our schools and particularly as [], there's a move towards voting at 16. Our young people really do want to know about politics and political structures, and I think it could encompass that. Education is a key here and I think young people would help us, certainly, to spread the word."41

**65.** The Director of ERS Cymru concurred that political education was key to raising awareness, but that whilst educating young people in schools is easier, doing it for the wider population would be more challenging.<sup>42</sup> She did not believe that such an initiative needed to be legislated for, but that:

"it would need a strong policy direction and to be rolled out effectively like a very good campaign. I don't know if it's necessarily a law; it's a campaign that needs to fundamentally underline that."43

**66.** One suggestion was to have a nationally co-ordinated campaign to explain what local councillors do, while others suggested greater distribution of information through organisations that people work for. The Chief Executive Officer of Race Council Cymru proposed:

"I would suggest that perhaps we could propose a two-pronged approach, where more information is produced and distributed through local community centres, through established grass-roots, ethnic minority groups across Wales, but also through organisations, employers, like some of those in—you know, local authorities themselves, in policing sectors, in private sectors. Let there be information sharing and an encouragement at all sorts of levels—the local education authority, you know, all the public, private and third sector strategic boards, where the message could be got out that all staff should be briefed about the opportunity to be supported, as organisations that are forward thinking."44

<sup>&</sup>lt;sup>41</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 69

<sup>&</sup>lt;sup>42</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 203

<sup>&</sup>lt;sup>43</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 207

<sup>&</sup>lt;sup>44</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 54

**67.** The Boundary Review Commissioner for the Conservative Party suggested that the political parties had a role to play in raising awareness of the role:

"I don't think there is an understanding of roles and responsibilities. I think the parties, as has been said, have a real role here and I think that is why I say it's important to increase the pool of people interested and then invite them to some sort of seminar where they can come and discuss much more about those sorts of roles and responsibilities." 45

**68.** The Chair of Welsh Labour's Organisation Committee told us that the party had taken action to encourage greater public involvement in politics:

"we've appointed a community organiser that will look to encourage ordinary members of the public to get involved, not just with the Labour Party, but in politics in general."46

**69.** The Minister also believed that there is a need for greater information on the role so that when people are considering or being encouraged to stand for election they have a better understanding of what they would be signing up for:

"running a real campaign about what your local councillor can actually do for you in your community and what their role on the council is, what the decisions they can make are, what a dramatic impact they have on day-to-day life in your community."47

**70.** The Minister went on to say that the Welsh Government should be involved in running such a campaign. She noted that she would discuss with the WLGA running it "as early as possible, not just in the teeth of the election, because it is now that people are thinking about standing for election".<sup>48</sup>

#### Our view

71. The accessibility of information on the role of councillors is clearly an area for improvement. Without simple, clear and accessible information, potential candidates who are not already engaged with political parties, will not necessarily

<sup>&</sup>lt;sup>45</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 165

<sup>&</sup>lt;sup>46</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 178

<sup>&</sup>lt;sup>47</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 9 January 2019, paragraph 121

<sup>&</sup>lt;sup>48</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 9 January 2019, paragraph 123

understand what the role entails. Neither will they necessarily recognise that it is a role they could do themselves.

- 72. We realise that local authorities do provide information online, however, unless individuals are specifically looking for this information, it is unlikely to be seen by most of the public. Increasing awareness and understanding among the public of what elected members do does not need to be expensive and much more can be done online. We heard that short video clips are being used to explain the role, these could potentially provide a great deal of information in a short time in an accessible way. Social media is one of the main sources of distributing and gathering information, particularly for young people. It should be used to a far greater extent to raise awareness and profile of the role of councillors.
- 73. We are aware of the "Local Democracy Week" programme run by Bridgend County Borough Council every year to encourage a broader diversity of candidates in the area, which includes a potential candidate session where the public were invited to find out more about the process of becoming a councillor and their responsibilities. We acknowledge that whilst feedback revealed many were put off by the workload and demands of the role, a number of the attendees were subsequently elected as councillors.
- **74.** We welcome the Minister's commitment to working with the WLGA on an a positive campaign to raise awareness of the councillor role and urge that this should begin now in order to attract candidates for the next local government election in 2022. We believe that the WLGA also has a role in sharing examples of good practice between local authorities when innovative ways of raising awareness are used.

**Recommendation 6.** We recommend that the Welsh Government and the Welsh Local Government Association start work on a positive campaign to increase diversity among candidates standing for local government elections by summer 2019.

## 3. 2. Training and support for councillors

**75.** The 2011 Measure makes provision for the training and development of members. The statutory guidance accompanying that Measure notes that local authorities must provide reasonable training and development opportunities for their members. However, the Measure does not define what constitutes reasonable training and development. We heard that whilst training and development is delivered by individual local authorities, the WLGA works with the

authorities to develop role descriptions, competency framework, an induction curriculum and an ongoing training and development programme.<sup>49</sup>

**76.** The Head of Democratic Services at Conwy County Borough Council told us that the system for training and development is robust, with an induction programme that lasts for the first 12 months after an election. The WLGA also provides training, such as scrutiny and chairing skills.<sup>50</sup> She went on to say:

"despite the training and support offered, some councillors do struggle to commit the time to the training programme when it's on top of everything else that they have to do, and some are just not interested in the training." 51

**77.** The Chair of the Cardiff and Vale Local Party for the Welsh Liberal Democrats told us that the scale of work following her election was "a shock to the system," adding:

"I was going through piles of paperwork that I wasn't thinking I'd be having to do. It was a learning curve for me, and that kind of commitment, the timings as well—those things are not laid out anywhere, really, and they probably need to be."52

**78.** The Minister told us that the role can be demanding and overwhelming, which may take a toll on the member and their family. She noted that the point of Democratic Services was to support backbench members, with comprehensive training and support programmes, but questioned whether support has "been as effective as it might have been in every council". She noted that the forthcoming local government bill proposes to include additional measures around training and support.<sup>53</sup>

<sup>&</sup>lt;sup>49</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 96

 $<sup>^{\</sup>rm 50}$  Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraphs 96 & 97

<sup>&</sup>lt;sup>51</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 97

<sup>&</sup>lt;sup>52</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 163

<sup>&</sup>lt;sup>53</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 9 January 2019, paragraph 136

#### Boundaries for councillors

- **79.** As part of the wider discussion around training and support, we also explored the issue of supporting members with "boundaries" to protect member "burnout".
- **80.** The Head of Policy at the WLGA spoke of the difficulty in putting boundaries around the role of councillor, given the nature of the role in being part of the community they serve, and constituents' growing expectations for an immediate response:

"people do stop you every time of the day and people do expect you to answer your phone at midnight if they've got an issue in terms of housing. Christmas Day is not a holiday for most councillors.[] That goes with the territory, unfortunately.[] People put something on social media and they expect an instantaneous response, whatever time of the day, unfortunately. So, it's a fast-moving world now, and, unfortunately, public expectations are extremely challenging for members."54

**81.** Councillor Debbie Wilcox spoke of her own experience as a councillor, noting that:

"All councillors will have mobile phones and laptops and access, but that's—. It doesn't stop the general public expecting. If my phone rings at 10:30 on a Sunday night, which it does, I don't answer it."55

- **82.** Councillor Wilcox also raised the related aspect of the publication of councillors' address details and explained how members in her local authority, Newport City Council, had been given the option of not publishing their addresses on the authority's website and being contacted through the council instead.<sup>56</sup>
- 83. The Minister, responding to questions on these issues noted:

"We ought to encourage people to stand as councillors who perhaps don't want their homes to turn into [an] outpost of the council, because

<sup>&</sup>lt;sup>54</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 100

<sup>&</sup>lt;sup>55</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 102

<sup>&</sup>lt;sup>56</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 104

actually it's a job as well, so you ought to be able to direct your post and your constituents and so on to the council."57

"So, we need to put systems in place that allow councillors who want to have a more working relationship with their job rather than a vocational one, if you like, to be able to do that and still to be perceived by the community as the very good councillors that they are. It shouldn't be a requirement that you're on call 24/7 in order to be seen as a good councillor." <sup>58</sup>

#### Our view

**84.** Whilst we heard that local authorities provide a package of training for their members, it is unclear from the evidence received whether the training programmes are effective, particularly in dealing with the increased pressures placed on councillors. We understand councillors face difficulties in balancing the need to be active in their communities with maintaining a healthy work / life balance and believe that supporting members, particularly those new to the position, in dealing with the heavy workload and how to respond to the demands on their time should be an integral part of the training provided.

**85.** We were particularly concerned by the expectation that councillors' home addresses are routinely published on local authority websites, which is not the case for other elected representatives such as AMs and MPs. Whilst we understand that some councillors may be content for their home addresses to be publicly available and see this as an integral aspect of being embedded in their communities, and that many constituents already aware of where their local councillors live, it should not be a requirement on those who may be reluctant to do so.

**Recommendation 7.** We recommend that the Welsh Government updates its statutory guidance on training and development to specify that support for members on maintaining a positive work / life balance should be included in the induction programme.

<sup>&</sup>lt;sup>57</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 9 January 2019, paragraph 129

<sup>&</sup>lt;sup>58</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 9 January 2019, paragraph 133

**Recommendation 8.** We recommend that the Welsh Government makes it clear to local authorities that members should not be required to publish their home addresses on the authority's website.

# 4. Bullying, Discrimination and Harassment

We heard that elected representatives have experienced bullying, discrimination and harassment as part of their public lives, and that the fear of such experience is a barrier to many potential candidates.

- **86.** Of the councillors who participated in our survey, a quarter had experienced abuse, bullying, discrimination or harassment from within their local community; one in five (19.2 per cent) from within the council; one in ten (11.8 per cent) from within their political party or group. Only a third of councillors had not suffered such behaviour during their time in office.
- 87. The Director of WEN Wales emphasised the extent of the situation:

"the general perception that if you go into public life, you're going to get a hell of a lot of grief is also a really big barrier." <sup>59</sup>

**88.** The Chief Executive of Chwarae Teg spoke of her experience as a former councillor:

"Certainly, when I had a brief and unsuccessful spell chairing Cardiff council, we tried to improve the conduct within the council chamber, so that you create a culture where that is not tolerated, and if it's not tolerated in the council chamber, it's not tolerated in the platforms and the discussions around that, and that you create a more supportive network of councillors cross party to say, 'Actually, we want a higher standard of debate.' I think that takes a lot of discipline and commitment from existing councillors and the officers supporting that, because the tendency can be, as you've talked about here, just to default to a very confrontational-style debate that's very aggressive, very macho, where my experience was that women of all political parties would, sort of, eye-roll across the chamber as the next irate, older male councillor stood up to say his piece. So, I think that translates into social media as well. We have a responsibility to support each other and to

<sup>&</sup>lt;sup>59</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 5

call it out, and I think it's perfectly acceptable for the ombudsman to have a role in that."60

### 4. 1. Social Media

- **89.** We heard evidence of the positive and negative impact social media can have on political discourse. Whilst it has provided elected members with a platform to engage and communicate with their constituents in a way that was not previously possible, it also provides a platform for some individuals to engage in abuse and harassment.
- **90.** Councillor Debbie Wilcox explained the downsides of engaging on social media:

"There's probably not a politician in this room that hasn't seen that downside, and if you're a woman politician, then there are significant extra downsides to that. Research is widely showing now that it is becoming an increasingly crowded and antagonistic space." 61

**91.** Councillors who responded to our survey cited online abuse as a problem both whilst standing for election, during their time in office and as a reason for standing down. Comments received from councillors included:

"Social media and the new climate of abuse and hate has made things different and more personal.

Social Media became a barrier and a challenge for it was used for personnel attacks and distracted voters from the main issues of my manifesto."62

**92.** The WLGA told us it has produced basic guidance for councillors on using and dealing with social media abuse, particularly around blocking, muting and referring matters to the police. However, Councillor Wilcox believes the law needs to "catch up":

"the WLGA have provided guides for councillors that can be used for candidates as well, we've got a training and briefing session. The guides have been very well received. So, we've got a basic guide about social

<sup>&</sup>lt;sup>60</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 89

<sup>&</sup>lt;sup>61</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 5

<sup>62</sup> ELGC(5)-32-18 paper 5, Inquiry into Diversity in Local Government - survey analysis

media, covering the benefits, the pitfalls and the law, but it's this online abuse, and we've produced some supplementary guidance on that. [] I think it's all our problem, and I genuinely think the law has to catch up with what's happening out there in the social media realm. I think the law's lagging behind."63

**93.** Witnesses agreed that more pressure needs to be put on social media companies to act on social media abuse. The Head of Policy at the WLGA told us:

"it's putting pressure on the social media companies, because both of them, the biggest ones, Twitter, Facebook, they almost say in the terms and conditions that criticism and abuse of elected politicians and people in public life is almost fair game because it's part of debate.

there have been some very public examples of where that challenge of politicians has clearly overstepped the mark, clearly offensive, clearly abusive, and, yet, either Twitter or Facebook just will not deal with it, and I think there's a responsibility on those bodies and others to deal with this."64

**94.** The Chief Executive of Race Council Cymru emphasised the detrimental impact of online abuse to both candidates and elected members. She also suggested that a zero-tolerance approach to bullying, abuse and harassment on social media was needed:

"On social media, it's been horrendous, some of what they publish against people for taking a public office. []I mean, this could really ruin a whole person's life, and I think maybe a cross-party approach on zero tolerance to bullying on social media, engaging with Facebook, Twitter and Instagram proprietors to agree a form of code of conduct, a cut-off point, where people's lives are respected, because it is discouraging to more people because when they see what's happening to those who have been elected it is very discouraging." <sup>65</sup>

<sup>&</sup>lt;sup>63</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 110

<sup>&</sup>lt;sup>64</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraphs 115 - 117

<sup>&</sup>lt;sup>65</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 91

**95.** The Women's Officer for NUS Wales agreed that a zero tolerance approach to online abuse is needed, along with procedures in place to deal with abusive behaviour:

"there needs to be a stronger zero tolerance culture across the board on social media abuse, online abuse. [] I look at Diane Abbott and I look at the abuse that she's received on and offline, and I think, 'Oh my gosh, as a black woman I would never want to put myself in that position'. So, I think it starts with making sure that young people and everyone understand that, if they want to stand for election and if they receive this type of abuse, there are going to be proper procedures in place that, if someone's abusing them online, they have a clear way that they can report it; once it's been reported, there are clear guidelines and policies in place so that those people can be prosecuted. And I think having that zero tolerance culture be more prominent will help to end that type of abuse."66

**96.** The Minister stated she was happy to look at whether authorities require external expertise to support members with social media training:

"The local authority needs to be that team for the councillor, doesn't it, and have that conversation about how to deal with it, what they'd like to have happen, what the best way for each individual person to deal with this is...so, we need to help the local authority to have that expertise inside it." <sup>67</sup>

#### Our view

**97.** It is clear from the evidence that online abuse and harassment and the impact of this on individuals and their families is a real concern for elected representatives and a barrier for prospective candidates. It is of particular concern that those from under-represented groups are more likely to be the target of online abuse and harassment. This situation is unacceptable, and action is needed to stamp out abusive online behaviour.

**98.** We acknowledge that the WLGA has taken steps to assist members by issuing guidance on dealing with online abuse. However, there does not appear to be a consistent and comprehensive approach, or adequate support mechanisms

<sup>&</sup>lt;sup>66</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 330

<sup>&</sup>lt;sup>67</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 9 January 2019, paragraph 211

for members to deal with online abuse and harassment. We therefore believe there is an urgent need for more comprehensive guidance on what is acceptable behaviour for candidates and elected members on social media.

**99.** We acknowledge that elected members are subjected to online harassment from members of the public. Although political parties and local authorities are not in a position to prevent this, they should ensure that appropriate support is in place for members who experience this behaviour.

**Recommendation 9.** We recommend that the Welsh Government, in partnership with the Welsh Local Government Association and the Electoral Commission, urgently addresses deficiencies in guidance for elected representatives, candidates and prospective candidates on what does and does not constitute acceptable behaviour on social media.

**Recommendation 10.** We recommend that the Welsh Government and local authorities review the robustness of support mechanisms for members experiencing online abuse, harassment or bullying and implement changes to strengthen this support.

**Recommendation 11.** We condemn the action of social media companies in dealing with online abuse and recommend that the Welsh Government presses the UK Government to ensure strong and robust legislation to tackle social media abuse.

# 4. 2. Independent adjudicator

- **100.** We discussed with witnesses the proposal of establishing an independent adjudicator to deal with cases of bullying or harassment between political colleagues from within the same party within local government.
- **101.** The Director of ERS Cymru supported establishing the role of an independent adjudicator since political parties had not dealt adequately with cases of abuse, discrimination or harassment between fellow members:

"the thing we heard a lot about was abuse from other politicians. I think parties have seriously lacked in effectively handling that. One of the things that we would urge is an independent process around that. So, parties, I think, when having issues, should be essentially removed from that process and an independent adjudicator should come in and say

how that should be dealt with. I think that would help a lot of people feel that there was an element of accountability there."68

**102.** The Director of WEN Wales also supported establishing an independent adjudicator to increase confidence in the process:

"The other important thing to say about tackling this is we need an independent process. I think it's difficult for political parties themselves, for members of that political party, to adjudicate over cases, and I think we need independent adjudicators to give confidence to the public, because I think if young women are looking at the system today and looking at what's going on, they are really put off." <sup>69</sup>

**103.** The Director of ERS Cymru acknowledged that setting up a specific independent adjudicator could be seen as resource intensive, but that:

"the options are: tackling something properly, or attempting to tackle something properly, and letting this situation carry on where abuse and harassment is clearly a massive barrier to more diverse people standing for election."

**104.** She added that she did not believe that such a function could sit with an existing body:

"I can't think of any body that would necessarily have that function at the moment. I'm sure there is a potential to extend an existing body's functions, but I think that independence needs to be key. I think it would make a strong signal in setting up something specifically, to establish that strong line around this issue. I think councillors would pay attention to that too, if there was something distinct set up for them."

### Our view

**105.** Whilst we recognise the merits of establishing an independent adjudicator to investigate accusations of bullying and harassment between political colleagues,

<sup>&</sup>lt;sup>68</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 212

<sup>&</sup>lt;sup>69</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 85

<sup>&</sup>lt;sup>70</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 214

<sup>&</sup>lt;sup>71</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 230

setting up such a body would require significant resource. An independent process is key to investigating such complaints, and we believe that local authorities should ensure that the appropriate democratic services staff possess the necessary expertise to mediate. The role of local authority monitoring officers should be strengthened in this regard.

### 4. 3. Joint Code of Conduct

**106.** Another suggestion put forward was a joint code of conduct agreed by all political parties, particularly in the conduct of candidates and members online. Whilst we did not hear of any comparable examples or good practice available, many of the witnesses supported the idea.

**107.** The Director of ERS Cymru told us that it would "help if all parties were on the same page and had a consistent, accountable and transparent line against abuse and harassment".<sup>72</sup> The Director of WEN Wales concurred:

"unless we have strong codes of conduct in each political party and between each political party about how people are going to conduct themselves, then I think people will still be put off."73

**108.** We heard that such a code would require political parties to sign up to a set of common principles around intimidatory behaviour. The Director of ERS Cymru noted that she would anticipate that "an agreement between parties on processes to deal with abuse and harassment" would form part of the code. She suggested that it could also include procedures for reporting and establishing formal procedures for dealing with complaints.<sup>74</sup>

**109.** The Chair of Welsh Labour's Organisation Committee said that the party would need to look at the detail of such a code of practice before signing up.<sup>75</sup> The Boundary Review Director for the Conservative Party agreed that "there needs to be a much better, much stronger, code of conduct as to what is acceptable on

<sup>&</sup>lt;sup>72</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 210

<sup>&</sup>lt;sup>73</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 85

<sup>&</sup>lt;sup>74</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 217

<sup>&</sup>lt;sup>75</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 235

social media,"<sup>76</sup> while the Chief Executive of Plaid Cymru believed this is within both local government and the parties' ability to deal with:

"Now, that is something that is within local government's ability to deal with. It's within the parties' ability to deal with it. And that should be the focus of parties and local government. It should be completely unacceptable."77

**110.** Despite some support for the principle of a joint code of conduct between political parties, it is unclear how independent candidates and councillors would fit in to such a code.

### Our view

111. All political parties have a responsibility to ensure that their elected representatives, candidates and prospective candidates behave in a way that shows respect to others, including representatives of other political parties. Whilst we understand the rationale for a joint code of conduct between political parties, we did not receive sufficient evidence as to what it should encompass.

112. Local authorities already have codes of conduct in place and elected members will be expected to adhere to those codes. We believe that it should be the role of local authority monitoring officers to ensure members are aware of the code upon their election and to enforce the provision. Local authority codes of conduct should be implemented consistently across Wales, and guidance should be available to monitoring officers to ensure this.

**Recommendation 12.** We recommend that the Welsh Government seeks to ensure consistency in the implementation of local authorities' codes on conduct by issuing guidance on their enforcement.

<sup>&</sup>lt;sup>76</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 181

 $<sup>^{77}</sup>$  Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 243

# 5. Terms and remuneration

We explored with witnesses the terms and remuneration of the councillor role, and whether these pose a barrier to attracting a more diverse range of candidates.

### 5. 1. Salary

113. We heard that remuneration is an issue that needs addressing as the current salary is potentially deterring some people from considering standing. The salary is set by the Independent Remuneration Panel for Wales (IRPW). Currently councillors in Wales are paid for 3 days a week, which equates to a salary of around £13,600. However, the WLGA note that the workload is far higher in reality, with the Head of Democratic Services at Conwy County Borough Council noting that:

"Most councillors are now saying that they do work full time."78

### 114. The representative noted that the IRPW:

"admits that it undervalues councillors as it's been unable to maintain the link to its own benchmark due to political and public pressure. If it had been able to maintain that link, it estimates that the basic salary for a councillor now would be around the £16,000 mark, but it isn't; it is only £13,600."<sup>79</sup>

### 115. The IRPW annual report 2019-2020 states:

"During our visits to all principal councils last year many members expressed the view that, compared with a traditional paid employment the basic salary is too low to attract younger people and to encourage greater diversity. They also pointed out the significant differences between remuneration and support available to elected members in other levels of government in Wales. They proposed that the level of the

<sup>&</sup>lt;sup>78</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 134

<sup>&</sup>lt;sup>79</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 132

basic salary should therefore be raised significantly in recognition of the importance of the role of an elected member of a principal council."80

- 116. That annual report proposes a "modest increase" of 1.97% in member salaries to £13,868.81
- 117. The Head of Democratic Services at Conwy County Borough Council stated that the basic salary is "not an insignificant amount" and that it "accurately recompenses members for the time commitment and responsibility of the role", but that it is "unlikely to incentivise anyone to stand for office". 82
- **118.** There was consensus that councillor salaries are not sufficient to attract under-represented groups. The Women's Officer for NUS Wales told us:

"With the current pay package, it would be quite hard to see how, for example, a young mother would want to stand or do the job as a councillor...that salary probably wouldn't be enough."83

**119.** The Chair of Welsh Labour's Organisation Committee spoke of the need to balance a salary that is acceptable to constituents at a time of austerity while being sufficient to attract people to the role. He added:

"what we don't want to do is to see this as a nice little earner that will take someone up to retirement age. We need to have a salary level that will attract people into the role and not be a barrier to them being able to stand for public office."84

**120.** The Minister noted that the Welsh Government is not in a position to give councils additional funding to make up the shortfall in salaries. However, she did acknowledge the issue, and that the "remuneration package does drive all kinds of other issues". She noted that it is important to avoid "a situation in which only

<sup>&</sup>lt;sup>80</sup> Independent Remuneration Panel for Wales, Annual Report 2019 - 2020, paragraph 5

<sup>81</sup> Independent Remuneration Panel for Wales, Annual Report 2019 - 2020, paragraph 6

<sup>&</sup>lt;sup>82</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 133

<sup>&</sup>lt;sup>83</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 344

<sup>&</sup>lt;sup>84</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 217

people who are independently wealthy or already retired are the only people who can come forward to be councillors".85

### Our view

121. We acknowledge that the salary paid to councillors is relatively low and is unlikely act as an incentive for people to stand for office. However it is also important to ensure that salaries are set at a level that is affordable to local authorities and acceptable to the public, particularly at a time where services are being cut. We are aware that the IRPW acknowledge that councillor salaries do not maintain a link to its own benchmark and that councillors often work more than the three days a week they are recompensed for. We note that the IRPW has proposed a slight increase in councillor salaries and are content that it will continue to monitor the situation to ensure that councillors receive a fair remuneration.

### 5. 2. Care allowance

- **122.** Councillors carrying out public duties are entitled to claim allowances, such as for travel and subsistence with eligible members also entitled to claim a care allowance for dependents. We heard that negativity towards elected members' expenses has resulted in people being deterred from claiming the allowances they are entitled to for fear of public criticism.
- **123.** The Director of WEN Wales told us that although "people should be able to claim their full entitlement and there should be no stigma around that", respondents to its consultation, including former councillors or candidates noted that it was:

"frowned upon for councillors to claim their full entitlement of payments and remuneration."86

**124.** Although eligible members are entitled to £403 care allowance a month, we heard that take-up of this allowance was very low. The IRPW has consistently reported that members are reluctant to submit a claim for it, noting in its annual report for 2019-20 that:

<sup>&</sup>lt;sup>85</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 9 January 2019, paragraph 251

<sup>&</sup>lt;sup>86</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 109

"It is clear that very few members are utilising the provision in the Framework to reimburse the costs of care. It appears that some members are still reluctant to claim all that they are entitled to support them in their role, because of concerns about the adverse publicity this can attract."

87

**125.** The IRPW provides councils with two options in respect of the publication of the reimbursement of the costs of care, with each authority able to decide which it considers appropriate:

- The details of the amounts reimbursed to named members; or
- The total amount reimbursed by the authority during the year but not attributed to any named member.

**126.** The Chief Executive of Plaid Cymru suggested that the reimbursement of the care allowance should be reported as an overall figure across a local authority rather than attributed to individual members in order to increase its take-up:

"I know that the provision of childcare is a problem: despite the fact that there is an allowance available, that allowance goes against the person claiming it. That should be reported at council level and not at individual level, because that is a barrier."88

127. The Minister concurred that there is "a real problem with people not claiming the expenses they are entitled to, particularly for carers' allowances" and stated that she was "open to suggestions for how we might deal with allowances issue". She added, however, that it would be important to seek the view of the Information Commissioner with regard to responding to freedom of information requests should claims be reported on a consolidated rather than individual level:

"I want to have a conversation with the Information Commissioner's Office about what attitude they will take to freedom of information requests, if the council aggregates the response, because that's great if the council does that so that you don't get individuals, but if you can FOI it back to the individual, then, clearly, that completely undermines the whole thing. So, we need to discuss with the Information

<sup>87</sup> Independent Remuneration Panel for Wales, Annual Report 2019-20, paragraph 8

<sup>&</sup>lt;sup>88</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 265

<sup>&</sup>lt;sup>89</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 9 January 2019, paragraph 206

Commissioner's Office the public purpose of what we're trying to do and get them to come on board with reporting it in that way and not going underneath it for individual requests."90

### Our view

- **128.** We are concerned by the evidence that councillors are not claiming allowances they are entitled to for fear of criticism. We are particularly concerned by the apparent reluctance to claim the care allowance, which is an important tool to enable those with caring responsibilities to undertake the councillor role. It is therefore crucial that those who are entitled to this support claim for it.
- **129.** We would be interested to know how many of the current councillors in Wales are entitled to claim the care allowance. We believe that the WLGA should work with local authorities to collect this information in order to gather an accurate understanding of the extent members claim this allowance.
- **130.** The way local authorities report on the allowances claimed by members could influence their take-up. We are aware that it is possible for local authorities to report on the collective amount of allowance claimed rather than reporting by individual member. We recognise the importance of ensuring transparency across all levels of government, however, we believe we must look to remove barriers and facilitate a broader membership within local government.
- **131.** We acknowledge the Minister's comments in relation to seeking advice from the Information Commissioner, and subject to that, would like to see local authorities move to reporting allowances collectively rather than per individual member.

**Recommendation 13.** We recommend that the Welsh Government encourage local authorities to adopt a consistent approach to reporting on the care allowance claimed by councillors, by reporting this on a collective basis per allowance rather than detailing each allowance claimed by individual members.

**Recommendation 14.** We recommend that the Welsh Government requires local authorities to collect information on the number of current councillors eligible to claim the care allowance and how many do so.

<sup>&</sup>lt;sup>90</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 9 January 2019, paragraph 253

# 5. 3. Full-time councillors on full time pay

**132.** One suggestion we heard was the potential to make the role of a councillor (non-executive members) a full-time position. The proposal would require a significant reduction in the number of councillors to enable an increase in member salary. We heard contrasting views on this.

**133.** Some witnesses said that this option should be considered. The Director of ERS Cymru said:

"The reason we recommended fewer councillors on a stronger remuneration package was to address the diversity issue. So, there should be measures built in. I think that would have to be done with a package of quotas. The two, for me, are very strongly linked together. This is about having a status of local authority member or a role of local authority member that could properly facilitate people from more diverse backgrounds being able to come forward and actually do the job."91

**134.** She also noted that the demands on councillors are growing, both in terms of their political and personal demands:

"People have told us that it's very difficult for them to work part-time or full-time as a councillor while balancing childcare issues, while balancing other duties for work."92

**135.** The WLGA confirmed this view, with the Head of Democratic Services at Conwy County Borough Council telling us that:

"the role has expanded in recent years in terms of demand...so the role of a councillor is growing, and it is expanding."93

**136.** There was some support from the political sphere, with the Chief Executive of Plaid Cymru noting:

<sup>&</sup>lt;sup>91</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 248

<sup>&</sup>lt;sup>92</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 248

<sup>&</sup>lt;sup>93</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 134

"if we want a radical change, we need to consider radical measures."94

**137.** However, we also heard there are potential downsides. The Chief Executive of Chwarae Teg told us that in her personal view, the role of a councillor should not be a full-time position because:

"That puts off as many people as it would attract. The breadth that you get of people who are retired, employed or work part-time is the kind of breadth that you need in local government."95

**138.** We also heard that fewer councillors could mean less opportunity and more competition for selection, potentially diminishing the diversity of members, including making it harder for those in lower socio-economic groups to become councillors. The Women's Officer for NUS Wales shared her concerns noting:

"With full-time, I think, yes, the pay might be higher, but then, I think, with the fewer roles, that would be another barrier to diversity." 96

### Our view

**139.** We have not been persuaded that full time councillors on full time pay would result in increasing the diversity of candidates standing for election. In fact, we are concerned that a reduction in the number of councillors could have the reverse effect, with fewer opportunities for people to stand. Minority groups and women are already under-represented in local government, and we are concerned that reducing the opportunities could further restrict diversity.

# 5. 4. Resettlement grants

**140.** While resettlement grants for members who do not retain their seats was only fleetingly mentioned, the Head of Policy at the WLGA emphasised the risk that councillors take in order to undertake the role, noting that:

"councillors are not entitled to any resettlement grant whatsoever. I think that is a huge risk for, particularly, younger members with caring

<sup>&</sup>lt;sup>94</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 215

<sup>&</sup>lt;sup>95</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 110

<sup>&</sup>lt;sup>96</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 344

responsibilities, families, people who are giving up employment, careers to be a councillor."97

### 141. The WLGA view is that:

"the powers need to be there for the independent remuneration panel to allow some sort of resettlement grant, just as AMs, MPs have."98

### Our view

**142.** The lack of a resettlement grant for those who are not re-selected is of concern and could pose a barrier for some wishing to stand for election. We believe that consideration should be given to how this could be addressed to ensure there is parity between councillors and other elected representatives who do not retain their seat.

### 5. 5. Four term limits and incumbency

**143.** The issue of incumbency was highlighted to us as a barrier to increasing diversity. The Fawcett Society has for some time recommended a four-term cap for local councillors. This has since been supported by the ERS. In the Fawcett Society's report, Does Local Government Work for Women, data shows that men are generally in office longer than women.

"For those who have been a councillor for less than a year, the ratio is about the same, but those who have been in for one to four years the ratio has already dropped to seven women for every ten men. [...] By the time we get to those who have been in office for more than 20 years, there are only four women for every ten men."99

144. ERS Wales referred to incumbency as "seat-blocking", noting:

"While parties may put an emphasis on selecting more diverse candidates to stand in vacant seats, it is those that have been held by the same person for years where a lack of diversity will persist."

100

<sup>&</sup>lt;sup>97</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 135

<sup>&</sup>lt;sup>98</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 136

<sup>&</sup>lt;sup>99</sup> Fawcett Society, Does Local Government work for Women? – Final report of the Local Government Commission, July 2017

<sup>100</sup> Written evidence, DLG 22, ERS Wales

**145.** Councillor Debbie Wilcox told us that at the 2017 local government election of the 895 incumbents who stood for election, 693 of them were successfully reelected. Councillor Wilcox explained:

"Incumbents are more likely to be re-elected than other candidates. It could be a mixture of profile, reputation, track record. And because most councillors are older white men, successful incumbents are therefore older white men."<sup>101</sup>

- **146.** However, Councillor Wilcox also noted that after the 2017 local election, 45 per cent of councillors were newly elected. The data of councillors who responded to our survey showed that around two thirds had served two terms or fewer.
- **147.** The suggestion of introducing a cap had mixed responses from witnesses. Both WEN Wales and Chwarae Teg were generally supportive of four term limits. The Chief Executive of Chwarae Teg believed that a four-term limit would result "in a more dynamic picture in local government",<sup>102</sup> while the Director of WEN Wales noted:

"in my own experience, there are plenty of white, male, slightly older councillors who will not move and give up their seats and they're in the winnable seats."

103

**148.** The Conservative and Labour Party representatives thought that term limits are artificial, with the Labour representative noting that:

"you will lose a lot of expertise that has been built up over a period of time." 104

### Our view

**149.** We acknowledge the evidence that incumbency disproportionately benefits men and that men holding on to safe seats limit opportunities for a more diverse

<sup>&</sup>lt;sup>101</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 151

<sup>&</sup>lt;sup>102</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 125

<sup>&</sup>lt;sup>103</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 124

<sup>&</sup>lt;sup>104</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 226

pool of candidates and members. Despite this, we were not persuaded by the suggestion of introducing a limit on the number of terms a person can be elected.

**150.** We are also aware that it can take a significant amount of time to build up knowledge and expertise as a councillor, and believe that enforcing a rule to not allow experienced members to stand again could have a detrimental impact on the effectiveness of local democracy. We believe that, ultimately, the choice should be left to the local electorate, and should they wish not to re-elect a standing member, they can do so by voting for another candidate.

# 6. Programmes and Schemes

We heard evidence on the various programmes and schemes that have been run in recent years with the aim of increasing the diversity of individuals who stand for local government election.

## 6. 1. Mentoring and leadership schemes

Diversity in Democracy programme and mentoring

**151.** The Welsh Government established the Diversity in Democracy programme, which ran from 2014 to 2017. The aim was to increase the diversity of individuals standing for election to local government through a number of measures, including:

- providing mentoring support for future candidates;
- publicity campaigns to raise the profile of the work of local government and its members; and
- an exit interview scheme with councillors standing down at elections to determine the reasons for their decision.

**152.** Having taken part in the programme as a mentor, Councillor Debbie Wilcox told us:

"our view is that too much emphasis has been placed on mentoring. Now, mentoring is a valuable opportunity, but it's often extremely resource-intensive and offers a low return, because it's a significant personal commitment, as I found, as a mentor."105

**153.** Some witnesses questioned the value of the programme, with only a small number of participants being mentored standing for election. The Head of Policy at the WLGA told us:

<sup>&</sup>lt;sup>105</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 139

"The conversion rate from mentees into actual candidates, into actual councillors, certainly from the diversity in democracy campaign, was a little disappointing." 106

**154.** Councillor Debbie Wilcox explained that of the 51 mentees who participated in the Diversity in Democracy programme, 16 progressed to being candidates and four were elected at the last local government election.<sup>107</sup>

**155.** The Director of ERS Cymru questioned the "amount spent" on the Diversity in Democracy Programme, and whether:

"there could be better measures put in place to really encourage women and people from different ethnicities to really come forward and stand."108

**156.** The Head of Policy at the WLGA noted that the organisation wanted to learn lessons from the evaluation currently being undertaken on the programme and would be:

"keen to lead and certainly work with political parties, the Welsh Government, One Voice Wales and other partners. Local democracy campaigns are key vehicles. It's usually only a week of events. []So, as part of a WLGA campaign, we'd certainly be looking at campaigns throughout the year to try and just refocus people, because 2022, the local elections, are a long way off, so we just need to start warming people up gradually before people really consider putting their nomination papers in."109

**157.** Whilst being supportive schemes that include mentoring, the Director of ERS Cymru noted:

<sup>&</sup>lt;sup>106</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 56

<sup>&</sup>lt;sup>107</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 140

<sup>&</sup>lt;sup>108</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 279

<sup>&</sup>lt;sup>109</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 142

"there's only ever going to be limited impact to those schemes, and unless you take stronger measures across the board, they're only ever going to be limited."

100

**158.** The Chief Executive of Plaid Cymru commented that it was important to understand why many of those who participated in the programme did not stand for election:

"I know that Plaid Cymru members have been on the diversity in democracy scheme and that they've appreciated it greatly and found the support very valuable. But, I think, essentially, there's a need for answers from those people who didn't stand for election in 2017, and that the programme should ask them for their reasons for not standing."

"I know that Plaid Cymru members have been on the diversity in democracy scheme and found found that they've appreciated it greatly and found the support very valuable. But, I think, essentially, there's a need for answers from those people who didn't stand for election in 2017, and that the programme should ask them for their reasons for not

**159.** The Chief Executive of Race Council Cymru did not believe that the Diversity in Democracy Programme had been effective in increasing the number of ethnic minority candidates:

"it didn't really make any difference. We haven't seen evidence that many BME people came through that process and were successfully elected or stood for office or even tried."

12

**160.** Moving forward, the Deputy Chief Executive of One Voice Wales suggested that community and town Councils could be seen as training grounds where potential local authority councillors could gain valuable experience:

"we think that community and town councils could be the place where the target should be, because that is the training ground for councillors who may want to become county borough councillors and maybe Assembly Members."113

<sup>&</sup>lt;sup>110</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 269

<sup>&</sup>lt;sup>III</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 197

<sup>&</sup>lt;sup>112</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 69

<sup>&</sup>lt;sup>113</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 59

**161.** The Head of Policy at the WLGA also suggested that more use could be made of shorter term shadowing opportunities, which is considered less resource intensive:

"encouraging shadowing, just one-to-one discussions with certain councillors or even officers about what the role entails, some of the issues, some of the benefits of it—and then, if they really are interested, align them with a mentor."

114

### Leadership programmes

**162.** We also heard evidence on schemes run by a number of other organisations to encourage greater diversity of people standing for local elections, including schemes run by Chwarae Teg, WEN Wales and Ethnic Minorities and Youth Support Network (EYST).

**163.** Chwarae Teg run LeadHERship, a national campaign which provides young women with an opportunity to learn about Welsh politics at a local government level, and gain first-hand experience from inspiring role models within public life. We heard from its Chief Executive that, despite the appetite to participate in the scheme, a longer term plan is needed:

"we're only able to make a small impact with a small number of people. And that's important; it's not to do down the value of that. But we don't have any comprehensive scheme or longevity that would lead to the kind of systematic or systemic change that we need."

**164.** The Director of WEN Wales told us of its mentoring scheme:

"It's got mentoring, which is a one-to-one relationship between the mentor and mentee. It's got training, so we put on days like media training, dealing with the media, social media resilience, how to respond to bullying and harassment, public speaking [] And the third part of it, which is incredibly important [] is peer-to-peer support. So, that is the women supporting each other, and myself and Chrissie, the mentoring scheme project manager, supporting the women."

<sup>&</sup>lt;sup>114</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 56

<sup>&</sup>lt;sup>115</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 68

<sup>&</sup>lt;sup>116</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 66

**165.** We heard that 26 women had participated in the WEN Wales scheme during its first year and that the women had progressed in different ways:

"Some of them have become trustees, some of them have put themselves forward to be governors of local schools, a couple of them are going to stand and have put themselves forward for selection. But I think what we have to be careful of with these schemes is, often, people aren't immediately going to stand. It's about building their confidence, and certainly some of the feedback we've had is that women who've been mentored have got increased confidence. []It's a more long-term thing. We've just got to keep on with it, and keep going with our cohorts every year."

117

**166.** The Chair of the Cardiff and Vale Local Party for the Welsh Liberal Democrats told us of her experience of getting involved in politics after participating in a development programme, and stressed the importance of such schemes reaching out to people from all backgrounds:

"I actually got involved in politics through a programme that Women Making a Difference ran a few years ago, Engendering Change—some people may be aware of that programme. That programme used to bring out women from all different backgrounds, and, to some extent, the current programmes, I feel, lack that. I had no intention of going into politics at that point and here I am, sitting in front of you, as a councillor. So, they can be very effective, but it's important that they reach out to everyone and to people of all diverse backgrounds and all political followings too."

18

**167.** The Women's Officer for NUS Wales also emphasised the benefits of mentoring and shadowing:

"Mentoring and shadowing are both really good things. I've really benefited from having mentors. [] I think it can be really useful for giving people an opportunity to see what they can achieve. I always say that, if you can't see it, you can't be it, and I think it just takes that one person to point out the skills that you have and what you have to offer. So, I think if someone was mentored by a councillor, a young person, if

<sup>&</sup>lt;sup>117</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 67

<sup>&</sup>lt;sup>118</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 200

you partnered them up, they would really benefit from that, and that relationship would help them see that they could become that one day."

119

**168.** The Chief Executive Officer of Race Council Cymru called for specific targeted funding to deliver political leadership training for ethnic minority women:

"What is needed is specific funding which Race Council Cymru's hoping to work with Operation Black Vote to deliver in Wales. Specific, empowering leadership, coaching and mentoring, and coaching for performance is what we're looking at, where individuals are empowered within themselves to find strategies to overcome the negativity."

120

### Our view

**169.** We commend the work that has been and is currently being undertaken, by all stakeholders to offer under-represented groups opportunities to develop their skills and confidence with the aim of encouraging their participation in public life. All of these schemes play an important role in supporting people to understand how they can make a difference in their local communities, but some of the evidence we heard questioned their effectiveness in advancing diversity among local government representatives.

**170.** We are aware that the Welsh Government is currently evaluating its Diversity in Democracy Programme, and believe that the lessons learnt from delivering that programme will be important in framing the focus of future schemes. We await the Welsh Government's report with interest and will return to this issue when the report is available.

**171.** Whilst we commend the individual schemes run by various stakeholders, we believe there should be better evaluation of the effectiveness of these schemes across Wales.

**Recommendation 15.** We recommend that the Welsh Government commissions a review of all publicly funded mentoring programmes to assess their effectiveness, including value for money.

<sup>&</sup>lt;sup>119</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 314

<sup>&</sup>lt;sup>120</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 15

**Recommendation 16.** We recommend that the Welsh Government, following an evaluation of publicly funded programmes, looks at the possibility of establishing a national leadership programme, building on the experience of Chwarae Teg Women's Equality Network and others to encourage more people from under-represented groups standing for election.

## 6. 2. Education system

**172.** Education was a key theme in the evidence received, with a focus on schools, but also youth and community groups in raising young people's understanding and involvement in politics. Councillor Debbie Wilcox told us:

"Education, obviously, is key here. I would strongly advocate a clear pathway for learning in our schools and particularly as we're looking to—you know, there's a move towards voting at 16."

121

**173.** We heard that engagement is seemingly ad-hoc and dependent on local leaders showing interest in the subject. The Joint Acting Chief Executive of Youth Cymru noted that levels of participation in schools was good five years ago, but that the funding reductions to both statutory and voluntary youth services have resulted in:

"an eroding of how participation is enabled amongst the young people that they work with, how they don't have youth forums to the same extent."

122

174. The Director of WEN Wales shared the belief that there is a need to:

"get political education into schools to start the process off early." 123

**175.** We were told that the proposals to extend the vote to 16 and 17 year olds provides new opportunities to engage with young people, with the Women's Officer for NUS Wales noting:

<sup>&</sup>lt;sup>121</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 69

<sup>&</sup>lt;sup>122</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 302

<sup>&</sup>lt;sup>123</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 56

"votes at 16 would be absolutely fantastic for this, but with votes at 16, I think there needs to be education and citizenship lessons in schools so that we're engaging young people from a really early age." 124

**176.** The Director of ERS Cymru shared the view that "political education for young people is relatively easy, because they're in a classroom", 125 however, she cautioned against revolving this around school councils, as:

"there's a risk that these will only attract the brightest who are already engaged in politics." <sup>126</sup>

**177.** We heard that one of the recommendation in <u>ERS Cymru's Our Voices Heard Report</u>, which was co-written with year 9 pupils across Wales, called for statutory political education lessons with a minimum expectation of one hour each fortnight.

**178.** Another recommendation from that report was that mock elections should be held across Wales at the same time as the Assembly elections. The Director of ERS Cymru told us of the experience in Norway:

"In Norway, there is a mock election that takes place for all young people between the ages of 11 to 18, and it happens on the same day as their actual election. Then, on the tv in the evening [] you get the young people's results. It means that politicians actually pay attention to what young people think, and it shows that what they're doing is really meaningful."127

### Our view

**179.** We are very interested in measures to raise political awareness among young people and hopefully encourage them to participate in public life. We are concerned by the evidence we heard in relation to reductions in funding to youth services and the detrimental impact this has had on youth participation. Settings

<sup>&</sup>lt;sup>124</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 283

<sup>&</sup>lt;sup>125</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 203

<sup>&</sup>lt;sup>126</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 265

<sup>&</sup>lt;sup>127</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 262

such as youth forums play a key role in facilitating young people's contribution to public life and often provide a route into local politics.

- **180.** We heard that the proposal to extend voting rights to 16 and 17 year olds for Welsh elections will enhance the opportunities to engage with young people. Should the vote be extended, it should be accompanied by a national programme of political education for young people to ensure they are able to fully engage in the process. We understand there may be concern among teachers with regard to teaching young people about politics, but believe the Welsh Government should look at how the new curriculum can ensure consistent delivery of active citizenship lessons across Wales and ensure teachers are able to provide the information young people need.
- **181.** We are also interested in the recommendation made by ERS Cymru in relation to holding mock elections for young people at the same time as Assembly elections. We realise that consideration would need to be given however to the details around how a mock election would work in practice and the age groups participating, but believe that these should be explored by the Welsh Government.

**Recommendation 17.** We recommend that in the forthcoming local government bill, the Welsh Government includes provisions to roll out an adequate level of political education across schools in Wales. Young people from the ages of 14 and 15 should receive this education, particularly should proposals to extend voting rights to 16 and 17 year olds be implemented. This programme of political awareness should be accompanied by clear lesson plans to empower teachers to deliver the lessons

**Recommendation 18.** We endorse the recommendation made by ERS Cymru that a national mock election for young people which should be held at the same time as Assembly elections. We recommend that the Welsh Government considers how this can be implemented.

### 6. 3. Access to Elected Office Fund

**182.** We heard that Access to Elected Office Funds already exist in England and Scotland to assist disabled people to stand for election. In England, grants of between £250 and £40,000 are provided to help disabled individuals put themselves forward for election, while Scotland provides financial support to pay for the additional impairment related costs that disabled people face when running for elected office.

**183.** No such fund currently exists in Wales, with the WLGA suggesting it may not have been possible under the previous devolution settlement. The Head of Policy told us:

"I don't think that could be rolled out in Wales at the time because the Assembly didn't have competence over electoral matters, I think. So, that might have been the issue at the time. But going forward, obviously you've got further powers now, so you should, if you so wish and if the Welsh Government funds it, be able to provide that support in future elections." 128

**184.** There was widespread support in the evidence for such a fund in Wales, the Senior Associate from the Equality and Human Rights Commission (EHRC) told us:

"something that we'd certainly like to see is an access to elected office fund. At the moment, we have access to elected office funds in England and in Scotland, so I think it's really important that we don't fall behind in Wales in providing that support."

129

**185.** The Director of WEN Wales suggested that such a fund could be wider in reach to help other under-represented groups:

"Funding needs to be made available to help under-represented groups get into local government, like an access-to-elected-office fund."

130

**186.** The Minister acknowledged that standing for election can be expensive and that "people aren't going to come forward if they can't afford to do that". She stated that she is "extremely interested" in testing the Welsh Government's powers in this regard, adding that it was "actively looking" at whether a fund could be created for people wishing to stand for election in Wales.

### Our view

**187.** We are concerned by the lack of an Access to Elected Office fund in Wales as this could provide essential assistance to individuals who wish to stand for office

<sup>&</sup>lt;sup>128</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 146

<sup>&</sup>lt;sup>129</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 108

<sup>&</sup>lt;sup>130</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 5

but are prohibited by the financial costs. This is a particular concern for disabled people and those from poorer backgrounds. We acknowledge that the Minister is eager to test whether such a fund can be established in Wales and believe that the Welsh Government should determine whether this is possible.

**Recommendation 19.** We recommend that as a matter of priority, the Welsh Government establishes an Access to Elected Office fund in Wales to assist disabled individuals run for elected office. The possibility of extending such a fund to support other under-represented groups should also be explored.

# 7. Electoral system and quotas

While some progress has been made in recent years, particularly in parliamentary and Assembly elections with quotas, twinning or all-women shortlists introduced, the limited success at local council level is still a matter of concern.

### 7. 1. Quotas

**188.** Several witnesses supported introducing some form of quotas, particularly around gender. The Vice-president of the Council for Wales of Voluntary Youth Service (CWVYS) was of the view that if quotas existed:

"it would certainly drive progress forward in areas where it needs to happen."

131

**189.** The Chief Executive of Chwarae Teg also supported introducing quotas, and referred to the pattern over the last four rounds of local government elections in Wales since 2004:

"if you look at female candidates, we've gone from 22 per cent to 28 per cent in that time, and every election, we've fielded more women. And where women are selected and stand, they're quite successful at getting elected. So, you know, most women who stand for election in local government get elected, but we won't get to 50/50 on the current trend until 2073."<sup>132</sup>

### **190.** The Director of ERS Cymru concurred:

"I really do think that without a blunt tool like quotas, you're never going to see parties truly make steps towards taking action on this issue." 133

<sup>&</sup>lt;sup>131</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 353

<sup>&</sup>lt;sup>132</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 38

<sup>&</sup>lt;sup>133</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 232

- **191.** Not all witnesses were convinced that quotas are the way forward. The Conservative, UKIP and Liberal Democrat representatives believed that it is the pool of candidates that is the issue, and encouraging a broader range of individuals to stand should be the target.
- 192. The Boundary Review Director for the Conservative Party told us:

"The party chairman nationally has set a target of trying to get a 50/50 balance on the list. And I think what is most important is to increase the pool of women candidates—I think that that is where the barrier is."

134

193. The Regional Officer for UKIP Wales commented:

"We think it's not necessarily something that can be manufactured as such, but the more information that's out there for what it means to be in local government and in other institutions, the better, and if that's more women, and more people from different backgrounds, then all the better."

135

194. We heard from the Minister that her personal view was:

"given the rate of progress, if we don't quota it, we are going to be a thousand years before we get any kind of better diversity."

136

**195.** However, the Minister also warned of potential unintended consequences with quotas, and therefore careful consideration should be given to the practical issues that might arise.

### Our view

**196.** The evidence presented to us is clear. Despite being around half the population, the percentage of women standing and being elected as local authority members is far from the level it should be. Despite attempts to encourage more women into politics, these have not had the desired effect. It is

<sup>&</sup>lt;sup>134</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 137

<sup>&</sup>lt;sup>135</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 143

<sup>&</sup>lt;sup>136</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 9 January 2019, paragraph 194

clear that such a change will not happen naturally, therefore action is needed to address this imbalance.

**197.** We did not receive specific evidence in relation to quotas for other underrepresented groups, however this should be considered in more detail in conjunction with quotas for gender.

### 7. 2. All-women shortlists

**198.** The Sex Discrimination (Election Candidates) Act 2002 amended the Sex Discrimination Act 1975 to allow political parties to use all-women shortlists to select candidates for parliamentary elections; elections to the European Parliament; elections to the Scottish Parliament; elections to the National Assembly for Wales; and most local government elections.

**199.** There was some support for all-women shortlists among witnesses, with the Leader of the WLGA, Debbie Wilcox noting that she is a:

"great advocate for all-women shortlists and quotas and so on and so forth, because otherwise it wouldn't happen."137

200. The Chair of Welsh Labour's Organisation Committee noted that there was:

"a fairly good record inside Welsh Labour of having all-women shortlists to give that boost to get us to where we want to be."

138

- **201.** We heard from Plaid Cymru that it's work has already started to increase the number of women candidates the 2022 local election. Its standing orders have been changed to ensure equal candidacy in target constituencies.<sup>159</sup>
- **202.** Neither the Welsh Liberal Democrat or Conservative representatives agreed with the principle of all-women shortlists. The Chair of the Cardiff and Vale Local Party for the Welsh Liberal Democrats stated that more work should be done to:

"make women realise the importance that they would be contributing by taking on those roles, and then supporting them through. Welsh Liberal Democrats have had women leaders [] and we haven't done

<sup>&</sup>lt;sup>137</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 21 November 2018, paragraph 163

<sup>&</sup>lt;sup>138</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 178

<sup>139</sup> Written evidence DLG 20, Plaid Cymru

that by any women shortlists or anything, but by recognising and supporting talent. That's something that I firmly believe in."140

203. The Boundary Review Director for the Conservative Party told us:

"as a party, we would be against all-women shortlists. If there's an all-women shortlist because the three best candidates for the final shortlist are all women, that's fine, and that's often happened in the party, but it must be on the basis of merit, and it demeans women, in my view, to think that they're not there on their total ability." 141

**204.** The provision that allows all-women shortlist has a *Sunset Clause*, which comes to an end in 2030, having been extended from its initial date of 2015. The Chief Executive of Chwarae Teg emphasised her concern should the sunset clause not be further extended:

"if the sunset clause comes in in 2030 and all-women shortlists are stopped before then, then we're absolutely stuffed. Now, that would require legislation at a UK level, but there are, I think, things that we can do in Wales and commitments that parties can make to extend that. But it won't happen by accident; it has to be committed to."<sup>142</sup>

### Our view

**205.** We realise that not all political parties favour all-women shortlists. However, we do not believe the change needed to increase the level of women in politics will happen naturally. Generally, women face greater barriers to becoming elected representatives than men; therefore positive action is needed.

**206.** Should the Sunset Clause which allows all-women shortlists come to an end in 2030, this option will no longer be available to political parties. Some political parties have used all-women shortlists and it is important that this option remains available to them.

<sup>&</sup>lt;sup>140</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 204

<sup>&</sup>lt;sup>141</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 206

<sup>&</sup>lt;sup>142</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 39

**207.** It is clear that insufficient progress has been made in increasing the number of women in politics, therefore we believe that the Sunset Clause should be further extended to 2050.

**Recommendation 20.** We recommend that the Welsh Government makes representation to the UK Government in favour of extending the Sunset Clause in the Sex Discrimination (Election Candidates) Act 2002 be extended to 2050 to allow the continuation of all-women shortlists.

### 7. 3. Post-election pastoral care

**208.** Some of those providing evidence had experience of standing for election or had previously been a councillor. One issue that was raised was the lack of post-election pastoral care and mentoring support from political parties to candidates after losing their seat or failing to be elected.

**209.** The Director of WEN Wales had previously stood for election, and shared her experience with the Committee:

"So you've had the party around you, supporting you, helping you, you're out every night canvassing, you're at every meeting, and then you lose. You get some very nice messages on WhatsApp and a couple of phone calls the next day, and then you're on your own...there is no pastoral care." 143

**210.** The Chief Executive of Chwarae Teg noted that the lack of pastoral care seemed to constitute a "missed trick by the parties".<sup>144</sup>

**211.** The political parties accepted, on the whole, that there was more to do in terms of providing pastoral care. The Labour Party representative supported this view, stating that the party:

"could be doing more to assist individuals who find themselves, in effect, out of a job after an election." <sup>1145</sup>

<sup>&</sup>lt;sup>143</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraphs 75 and 77

<sup>&</sup>lt;sup>144</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 78

<sup>&</sup>lt;sup>145</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 261

### 7. 4. Data collection

- **212.** Section 106 of the Equality Act 2010 makes provision for political parties to collect data on diversity of candidates. This provision has yet to be enacted by the UK Government.
- 213. The 2011 Measure requires local authorities to conduct a survey of councillors and unsuccessful candidates following each election. The Measure specifies that the questions asked by a local authority as part of the survey may include information relating to gender, sexual orientation, language, race, age, disability, religion or belief, health, education and qualifications, employment and their work as a councillor. There is not a duty on councillors or unsuccessful candidates to provide any of the information requested.
- **214.** The EHRC and ERS Cymru both told us that it is currently very difficult to measure the diversity of candidates, and to address the situation because the extent of the issue is not known. Both want to see Section 106 of the 2010 Act enacted and amended to include local government.
- **215.** The EHRC, in its report, <u>Diversity of candidates and elected officials in Great Britain</u>, published in March 2019 recommended that the UK Government should bring into force section 106 of the Equality Act 2010.
- **216.** We heard from the Senior Associate from the EHRC there could also be an opportunity in Wales to include requirements on political parties to ask candidates to complete diversity forms on the point of selection:

"I think it would be a missed opportunity if we don't think about—as we make changes to our electoral systems in Wales, that we don't build data collection of diversity data into those processes."

146

### Our view

**217.** We believe that any measures to increase the availability of data on the diversity of candidates standing for election should be fully utilised. We do not understand why this specific provision has not been enacted by the UK Government. We support the collection of this data in Wales, and believe the Welsh Government should consider other options for collecting this information in the absence of new powers.

<sup>&</sup>lt;sup>146</sup> Equality, Local Government and Communities Committee, Record of Proceedings, 5 December 2018, paragraph 32

**Recommendation 21.** We recommend that the Welsh Government make representations to the UK Government regarding the enactment of Section 106 of the Equality Act 2010.

**Recommendation 22.** We recommend that the Welsh Government assess the effectiveness of the provisions in the Local Government (Wales) Measure 2011 in relation to data collection, and in relation to other candidate data that could be collected within the current devolution framework.

# Annex A: Consultation responses

The following responses were submitted and are <u>published on the website</u>.

Reference	Organisation
DLG 01	Llandough Community Council
DLG 02	Barry Town Council
DLG 03	Ceredigion County Council
DLG 04	Neath Town Council
DLG 05	Merthyr Tydfil County Borough Council
DLG 06	Penarth Town Council
DLG 07	Women's Equality Network Wales
DLG 08	Monmouthshire County Council
DLG 09	Chwarae Teg
DLG 10	Powys County Council
DLG 11	Race Council Cymru
DLG 12	Unison Cymru Wales
DLG 13	Independent Remuneration Panel for Wales
DLG 14	National Federation of Women's Institutes-Wales
DLG 15	Gwynedd Council
DLG 16	Equality and Human Rights Commission
DLG 17	Cllr Jackie Charlton, County Councillor for Llangattock
DLG 18	Welsh Local Government Association
DLG 19	Neath Port Talbot County Borough Council
DLG 20	Plaid Cymru
DLG 21	One Voice Wales
DLG 22	Electoral Reform Society Cymru
DLG 23	Principle Youth Officers Group
DLG 24	Youth Cymru
DLG 25	Council for Wales of Voluntary Youth Services
DLG 26	Roger Pratt
DLG 27	Welsh Labour

# Annex B: Schedule of oral evidence

The following witnesses provided oral evidence to the Committee on the dates noted below. <u>Transcripts</u> of all oral evidence sessions are available.

Date	Name and organisation
21 November 2018	Councillor Debbie Wilcox, Leader, Welsh Local Government Association Daniel Hurford, Head of Policy, Welsh Local Government Association Siân Williams, Head of Democratic Services, Conwy County Borough Council Paul Egan, Deputy Chief Executive, One Voice Wales Jessica Blair, Director, Electoral Reform Society Cymru
5 December 2018	Cerys Furlong, Chief Executive Chwarae Teg Catherine Fookes, Director, Women's Equality Network
	Wales Uzo Iwobi, Chief Executive, Race Council Cymru Paul Hossack, Senior Associate, Equality and Human Rights Commission Mike Payne, Chair, Organisation Committee, Welsh Labour Gareth Clubb, Chief Executive, Plaid Cymru, Councillor Bablin Molik, Chair of the Cardiff and Vale local party, Welsh Liberal Democrats Tom Harrison, Regional Officer, UKIP Wales Kathryn Allen, Vice-President, Voluntary Youth Service Steve Davis, Service Manager, Principle Youth Officers Group Julia Griffiths, Joint Acting Chief Executive, Youth Cymru Chisomo Phiri, Women's Officer, NUS Wales
9 January 2019	Julie James AM, Minister for Housing and Local Government Lisa James, Deputy Director, Local Government Democracy, Welsh Government Angharad Thomas-Richards, Electoral Reform Programme Adviser, Welsh Government