

## **Committee on Senedd Electoral Reform**

### **Electing a more diverse Senedd**

#### **DIV 02 Welsh Labour**

#### **Committee on Assembly Electoral Reform**

#### **Inquiry into diversity of representation amongst Assembly candidates**

#### ***Evidence from Welsh Labour***

Welsh Labour has a strong record in promoting diversity, dating back to selections for the first Assembly elections in 1999.

Currently the Welsh Labour group consists of 15 women and 14 men, and this feeds through into the strong representation of women in the Welsh Government, and elected positions within the Assembly. Furthermore, the Welsh Labour group has a strong record of diversity with LGBT, BAME and disabled elected representatives.

We aspire to do more in areas where we have further to go, but we are proud of our record to date which shows how much can be achieved by a political party.

#### **Question 1 – publication of diversity data**

Broadly, the publication of such data would not provide any practical barriers as Welsh Labour collects equal opportunities data as part of the selection process, however this is currently done on a confidential basis and we would need to change that for the future to ask successful candidates if they would be willing to have their data shared.

We have some concerns that the sharing of the data may cause difficulties for some individuals, LGBT or disabled candidates in particular may not wish to disclose this personal information when first seeking selection or election.

We are also concerned that with such a small sample, the declaration of figures for each party, even if these were anonymised, would lead to attempts to identify those concerned, and that these might well be successful.

There would need to be an agreed list of categories and their definition to ensure consistency across parties and even then there could be discrepancies based on varying political cultures. For example, members of Irish descent in one party might be more inclined to self-define as BAME than their counterparts in other parties. With such small samples, differences of this kind could produce a misleading picture.

Above all we would emphasise that the aim is to secure a more diverse Assembly and it is primarily the parties' contribution to this outcome which should be measured. There may be some long-term advantages to individuals from under-represented groups in standing as unsuccessful candidates and gaining experience which may lead to success in future elections, but parties should be encouraged to focus their efforts on constituency and list seats where those selected are likely to be elected. There

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should be no credit for those selecting members of under-represented groups only for constituency seats or list places they do not win. If there were to be legislation to require publication we believe that it should be based on outcomes i.e. the figures for each party's elected AMs not the candidates.

**Question 2. - Job Sharing**

Welsh Labour welcomes the pioneering work being done by some local authorities on job sharing of Cabinet and other positions. The party itself is now developing job sharing of local party offices. We will be keen to learn lessons from practical work of this kind.

Welsh Labour does not have a position on job sharing for AMs but we would like to see greater clarity on what this might mean in practice.

Guidance would need to be given on how this role can be split. As there are no set workings hours and the role of an Assembly Member outside of the Senedd as a campaigner, caseworker and active member of the community has little definition, work would need to be done on how this would work in practice. Furthermore, political parties would need to update their own rules, procedures and guidance on how a job share would work within party structures.

Our primary concern would be clarity on constitutional issues:

- What would happen if one member of a job share died, was disqualified or decided to resign? Assuming they were elected as a job share team, it would be logical to require a by-election at this stage. With two individuals involved, the likelihood of a by-election being required for these reasons would be greater and this would create costs for both the public and parties.
- Similarly, would a suspension apply to both partners?
- What would happen in the case of a breakdown of the relationship between the sharing AMs, particularly if one decided to defect to another party and their partner stayed with their original party? Who in that case could claim the vote in plenary and occupy committee places, and how would the size of each group be calculated for proportionate allocations?
- Assembly Standing Orders makes a distinction between ministers and other AMs. Would job sharing AMs be required to job share ministerial roles or would one person be able to take on a ministerial position. If so what would the status be of a job-sharing AM whose partner had been appointed as a minister?
- What would happen and which member would get the vote if there was a dispute over a specific vote?
- How would the recruitment and line management of staff work? What would happen to those staff in a situation where there was a breakdown in relationship?

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From the point of view of the job-sharers' personal welfare, we would want to be sure that this would not, in practice, lead to two full-timers working for one salary. There are no limits to the working hours of AMs and we would be concerned that constituents and local organisations in particular might expect more of the joint-AMs than was reasonable. We would similarly need to manage the expectations of local parties in terms of their contributions to campaigning and reporting and this would not necessarily be easy. Clearly, there would be different expectations from those themselves doing job shares, and as campaigning is done in a voluntary capacity it would be very difficult to limit or monitor.

The ability to show that job sharing would lead to a manageable workload for both partners, would make an obvious difference to its effectiveness in promoting diversity. These issues therefore need to be considered in much more detail.

In terms of monitoring diversity, we would wish to see strong safeguards against job sharing being used to mask lack of progress. In the Labour Party's internal provisions for job sharing of local party offices, we have been clear that a woman job sharing with a man cannot be counted towards gender quotas. We would expect any legislation requiring publication of diversity data or creating legislative gender quotas to take a similar robust approach.

### **Question 3. Legislative candidate gender quotas**

We cannot pre-empt the party's consultation on future methods of election by commenting in detail on proposed quotas under alternative systems. We would however point out that if a candidate quota was applied in an open list system, it could very easily be subverted by a party choosing to advocate use of first and second votes for male candidates.

With regard to the present system, we reject any proposal that restricts the advance of women. Our party's quotas have always been based on the minimum number of women to be elected and we believe that in an unequal society this is the correct approach. We would oppose any legal requirement to have as many male as female candidates.

Similarly we would oppose any requirement to have zipping based on alternating male and female candidates. Our rules currently require the alternation to begin with female candidate and allow for the second place to be taken by a woman where the top place is taken by a reselected sitting Labour woman AM. The proposals would therefore reduce the opportunities for women.

Setting quotas on a regional basis poses some problems. As outlined above, we believe that efforts to improve diversity should be outcome based, focussed on the

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numbers actually elected to the Assembly. All parties have regions of greater and lesser electoral strength and any requirement for strict gender quotas in each region would cut across such targeted work and allow parties to meet quota by standing women in their less winnable seats. Given that Welsh Labour and one other party already have more women than men AMs we would also be concerned that any Assembly legislation would need to be accompanied by UK legislation to extend the current exemption from equalities legislation to ensure that we could use all-women shortlists or twinning in constituency selections in order to meet a regional quota.

Looking at the need to increase the numbers of other under-represented groups, we would be concerned at any legislative requirements on gender quotas which might restrict the right of parties to choose where to apply their own gender restrictions and where to have open shortlists in order to improve their chances of meeting other diversity goals.

**Question 4. Support to implement reform**

We would not require any great support to deal with two of the three issues raised in the question.

As stated above, we would expect any system of publishing diversity data to be underpinned by consultation and agreement on the list of categories and their definitions to ensure valid comparisons. This would naturally lead on to the provision of common monitoring forms and supporting materials for use by all parties.

We have long experience in implementing measures to secure gender balance and have tried and tested means of achieving this.

As outlined above, we have a number of basic questions about the nature of the job sharing proposed and this would affect the support required. Under any circumstances, parties would require very clear answers to the constitutional questions raised above which they could share with members who might consider applying for selection as a job sharing team and use to formulate their own selection rules.

Were job sharing to be adopted, we would expect the Assembly and Welsh Government to mount a major public education campaign to avert the workload issues identified above.

Above all, however, we believe that the majority of any resources available should be targeted at attracting and encouraging more members of under-represented groups to consider coming forward for selection and election. Some of this work can be done on a neutral, non party political basis but in our view there is a need for specific party political work in this area. Labour's Future Candidates Programme has had some

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success but we would like to extend this work and it is not cheap. We would therefore urge consideration of some grants being made available to parties for specific, verifiable costs in connection with work to promote candidate diversity. This might include assistance with printing costs, venue hire, travel costs for participants and payment of outside tutors where appropriate. It is crucial to ensure that there are people ready and keen to seize the opportunities created by structural provisions.

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Welsh Labour

