

## **Welsh Government – Evidence Paper – Senedd Local Government & Housing Committee Inquiry into Diversity in Local Government.**

### **1. To assess progress made to improve diversity in local government since passing the Local Government and Elections (Wales) Act 2021 and any tangible impact on candidates standing for election.**

1.1 The Local Government and Elections (Wales) Act 2021 (the 2021 Act) included provisions to promote and support participation, openness, diversity, and accountability within the local democratic processes. These include:

#### **Job-sharing - Principal Council Executives**

1.2 A number of councils have put job share arrangements in place. Feedback is positive and suggests some members would not be in a position to undertake an executive role without the opportunity job sharing provides. The 2021 Act made provision for the maximum number of executive members to be increased from 10 to 13 to allow for up to 3 job share arrangements. It is, however, a matter for each executive to consider the number of jobs share roles created in light of the council and the need for effective scrutiny to be carried out.

#### **Job sharing - non-executive members**

1.3 The 2021 Act provided for job share arrangements to be extended to senior non-executive roles such as committee chairs. Discussions with local government have highlighted two key areas requiring further detailed consideration. These are:

- the approach to be taken to a casting vote where job share partners are undertaking the role of Chair and are not agreed on their position.
- circumstances which could impact on the political balance arrangements for committees.

1.4 A consultation paper is being prepared to seek views on:

- the current executive arrangements;
- extending job share provision to non-executive arrangements;
- and the potential for job-share partners to stand on a joint ticket at election.

#### **Multi-location meetings**

1.5 It is important to recognise the challenges councils face implementing the arrangements for multi-location or hybrid meetings. These include changes to their IT infrastructures, upskilling members in the use of new equipment, change of culture and the loss of networking opportunities for members. However, feedback from officers and members identifies the benefits of virtual and hybrid meetings including:

- an increase in individuals attending council meetings, this includes members, the public and the media.

- reduction in the need for travel for members, the public, and the media benefiting the environment and the health, welfare, and safety of individuals especially during the winter months.
- an improvement in the conduct of members in meetings.
- an improvement in the way Welsh translation has been incorporated into meetings.

1.6 Councils are able to determine the mode of individual meetings in light of the circumstances prevailing at the time. Town and community councils are also required to put in place arrangements for hybrid meetings on the basis that participants are able to hear and be heard'. Therefore, a telephone connection is all that is required.

## **Broadcasting**

1.7 Principal Councils are currently required to broadcast live meetings of the full council and make the recordings available on their website. This enables more people to have access to council proceedings. Many councils go beyond this requirement and broadcast other meetings, or record meetings and place those recordings online. This enables local democracy to reach more people with a view to raising interest in participating as a citizen which may then lead to interest in standing as a member.

1.8 Consideration is now being given to whether other meetings should be required to be broadcast live and if so which ones. Any extension to the requirement for live broadcasting will need to align with the public's view about a) the benefit of extending the provisions and b) the areas they are most interested in. This needs to be balanced with ensuring any extension is not to the detriment of outreach work where meetings might be held in community centres or schools. There is a need to balance expansion with pragmatism, while work is taken forward to identify ways of creating more local flexibility. A public consultation on next steps will take place before the end of the year.

1.9 More than £850,000 was provided to principal councils to support the implementation of multi-location meetings and for broadcasting. In addition, £150,000 has been made available to fund the delivery of an action plan to provide digital support to community and town councils to meet their duties regarding hybrid meetings. Welsh Government officials are working with One Voice Wales, the Society of Local Council Clerks, and the Chief Digital Officer for Local Government to deliver this plan.

## **Family Absence**

1.10 The provisions introduced by the Local Government (Wales) Measure 2011 resulted in Wales becoming the first country in the UK to make provision for family absence for principal councillors, recognising the need for individuals to be able to balance their roles as councillors with family responsibilities. Changes implemented in the 2021 Act led to an increase in the period for adopters leave from 2 to 26 weeks. This means all parents are now able to take to the same amount of family

absence leave to enable them to provide a supportive and nurturing environment for their children in the early stages of developing relationships and bonding.

## **Voting**

1.11 16- and 17-year-olds are now able to vote and have a say over critical issues that affect their future. We are working with organisations between election cycles to ensure the conversation about participation continues. This is critical to encouraging more young people not only to vote but also to participate in local democracy either as citizens or elected members. We have made £300,000 available for 2023/24 and 2024/25 via our Democratic Engagement Grant to improve democratic engagement. This funding is aimed at the third sector, not-for-profit organisations and local authorities in Wales, that can demonstrate the need for funding to pursue an innovative approach to engaging under-represented, newly enfranchised, and disabled people in democracy.

## **Public Participation Strategy**

1.12 Principal councils are required to encourage local people to participate in decision making and are under a duty to prepare and publish a public participation strategy, developed in conjunction with communities. The 'participation duty' relates specifically to participation in the democratic processes of the council, recognising the democratic dimension of councils which is specific and integral to their constitution. Its focus is on maintaining the participation, trust, and interest of the public in democracy in the years between elections. It is hoped this will also provide a way to raise awareness of the role of councillors and encourage candidates to come forward through the route of wider civic engagement.

## **Official addresses**

1.13 Principal councils are now required to publish an electronic and postal address for correspondence for each council member. This may be an official rather than a home address. This is important to ensure elected members personal safety and has been welcomed.

## **Political Group Leaders and Standards Committees**

1.14 It is important not only to encourage candidates from different backgrounds to stand for election but also to ensure they are supported when they are elected. These provisions place a duty on political group leaders to uphold the highest standards of conduct amongst their political group, for Standards Committees to support them in doing so and to publish an annual report setting out how this will be achieved.

1.15 The most recent councillor survey highlighted widespread instances of bullying, offensive and inappropriate behaviour towards councillors, from fellow elected members, the public and officers. We are working closely with the WLGA and One Voice Wales to promote training on the Code of Conduct and to implement the changes in to the Ethical Standards Framework ("the Framework") and to encourage political group leaders to take a pro-active role themselves in tackling and preventing breaches of the Code. This is a new duty, and we will want to see how it is

implemented within councils and what impact it has on behaviours. We have also commissioned a number of short videos about the Framework, these can be viewed on:

[Standards of behaviour for councillors in Wales](#)

[Advice on how to complain about a councillor in Wales](#)

[How councillors should behave and interact with people](#)

## **Assistants to the Executive**

1.16 The 2021 Act enables cabinets to appoint assistants to the executive. This enables councillors to gain experience of being in a senior role without the full-time commitment.

## **Statutory and Non-statutory Guidance**

1.17 In collaboration with local government, several pieces of guidance have been re-written alongside the development of new guidance to support implementation of these provisions in the 2021 Act. This included updating the guidance in relation to training and support for elected members to enable them to maintain a work/life balance.

1.18 The [consolidated guidance to principal councils in Wales](#) was published on 15<sup>th</sup> June 2023.

## **2. To consider the progress in implementing the recommendations in the Equality, Local Government and Communities Committee's 2019 report on diversity in local government.**

2.1 Many of the recommendations contained in the [2019 report](#) were included in Phase Two of the Welsh Government Diversity in Democracy Programme. Several statements have been made on this work outlining actions and progress.

[Written Statement: Phase Two – Diversity in Democracy – 19 July 2019](#)

[Written Statement: Phase Two - Diversity in Democracy Programme Action Plan 25 September 2020.](#)

[Written Statement: Diversity in Democracy – Update – 8 July 2022](#)

2.2 Other recommendations were addressed through the 2021 Act and are referenced above. I set out further information on the remainder below.

## **Public Sector organisations encouraging their employees to be councillors.**

2.3 A joint letter with the Minister for Social Justice was sent to all public sector organisations across Wales in November 2022, to encourage them to promote the role of councillors within their organisations, highlighting the importance of councillors and the roles that they play within our communities, and also asking them to consider ways in which they could support their employees to become councillors.

There was limited feedback and further exploration is required. I am also taking opportunities to encourage other organisations to support individuals in their workforce.

## **Section 106 of the Equality Act 2010**

2.4 Welsh Ministers wrote to the UK Government in July 2020 to request commencement of this provision. In its response the UK Government confirmed it will keep section 106 under review and continue to encourage political parties to report on a voluntary basis.

## **Extending the Sunset Clause in the Sex Discrimination (Election Candidates) Act 2002**

2.5 In the same correspondence referred to above, Welsh Ministers raised this matter. In its response the UK Government stated the current legislation already provides for parties to be able to use this strategy until 2030, so in its view this is not an immediate issue that needs to be addressed.

**Access to Elected Office Fund** – see separate section.

## **Candidate Survey**

2.6 Since 2011, local authorities are legally required to monitor the equality and diversity of candidates seeking election to county and county borough councils and community and town councils through a survey of candidates. Questions may be asked about gender, sexual orientation, language, race, age, disability, religion or belief, health, education or qualification, employment, and work as a councillor.

2.7 The response rate for the 2022 survey was disappointing, with the response rate for County candidates at 15% and for Community candidates at 11%. The purpose of the survey is to understand the characteristics of the candidates, and those who are elected as councillors; and to understand how the profile of this group changes over time.

2.8 Consultation on the Electoral Administration and Reform White Paper proposed the removal of the requirement to set out the specific wording of the survey in regulations (secondary legislation) which will make it easier to change the survey questions as policy develops. There was overall agreement to this proposal in the responses to the consultation. In future, it is intended the survey will consist of a core set of all Wales questions and provide an opportunity for principal councils to add questions aimed at providing information about local initiatives.

## **Consultation on changes to the Ethical Framework**

2.9 An effective ethical framework is essential to ensure people and councillors from all backgrounds have confidence to engage with local democracy or stand for elected office. It is part of making Wales a diverse and inclusive nation and its review is an action in our Anti-racist Wales Action Plan.

2.10 In March 2021, the then Minister for Housing and Local Government commissioned an independent review of the Framework for local government in Wales established by the Local Government Act 2000.

2.11 The Review concluded the current framework is 'fit for purpose' and works well in practice. However, it suggested a few amendments could lead to a greater emphasis on prevention of complaints and result in ethical standards being further enhanced. We have consulted on the Welsh Government's proposed response to the recommendations of the independent review. A link to the consultation document is available at: - [Recommendations of the Independent Review of the Ethical Standards Framework \(Richard Penn report\) | GOV.WALES](#)

2.12 I am currently considering the responses to this consultation and will publish a summary of the responses and a statement on next steps in due course.

### **3. To explore research and analysis being undertaken by the Welsh Government, partner bodies and others on the diversity of candidates and outcomes following the 2022 local elections.**

3.1 The [evaluation of the Diversity in Democracy Programme](#) in 2019 highlighted a lack of understanding among the public about the role of councillors and the important contribution they make on behalf of communities. Building on that evaluation, we have since carried out an [evidence review](#) of how councillor remuneration in Wales compares with other countries, and a [survey of public attitudes](#). In addition, an [online survey of councillors in Wales](#). more than 1,600 responses were received from principal and community and town councillors, and a wealth of information has been collected on topics such as the perceived influence of councillors, workload, remuneration, and behaviours and attitudes towards councillors. In addition, a research programme titled '[Removing barriers to elected office for people with protected characteristics: theory of change](#)' has been conducted looked into the under-representation of groups with protected characteristics in both local and national politics in Wales.

3.2 The outcomes of this piece of research were considered during a series of stakeholder events held in December 2022 and January 2023, and these outcomes and responses are informing the next steps in our agenda to increase diversity in local government.

### **4. To examine schemes established to promote and enable greater diversity among those standing for election, including the Access to Elected Office Fund.**

4.1 A key action to enable greater diversity among those standing for election was the delivery of the pilot 'Access to Elected Office Fund for Wales'. It was made available to assist disabled people standing for election in both the May 2021 Senedd and May 2022 local government elections. Six of the individuals in receipt of support were successfully elected, all to community councils.

4.2 The Electoral Administration and Reform White Paper included a proposal to “legislate to require the Welsh Ministers to maintain an ‘Access to Elected Office Fund’ which is available for all devolved Welsh ordinary and by elections”. There was broad support for this proposal and the Counsel General, in a statement made in the Senedd on 16 May 2023 confirmed the Welsh Ministers’ intention to legislate to ensure that a fund is available for future elections.

4.3 An independent evaluation of the fund will be published shortly and is expected to support the continuation and improvement of the fund arrangements in Wales.

4.4 Information collated from the research undertaken, feedback from the pilot (Access to Elected Office Fund) and the diversity events suggest the current arrangements in respect of the Access to Elected Office Fund, as it stands, may not deliver the desired outcome for all groups of people with protected characteristics who we want to reach. Therefore, we are considering arrangements and delivery options to ensure that support is provided and will be as effective as it can be for all groups. The ‘Access to Elected Office Fund’ for people with disabilities will continue in the future.

4.5 Allied to the Access to Elected Office Fund is the development of a network for disabled people who want to stand for elected office. This would build on the current scheme which research and evaluation considers fundamental to the success of future arrangements. I will be exploring this further.

## **5. To explore areas of innovation and good practice that may help increase diversity in local government.**

### **Community Councils**

5.1 Following May 2022’s elections it was clear that there was more work to do to ensure active participation in community and town councils. The results showed that only 22% of the 7,883 seats were contested. 62% of seats were uncontested. 16% of seats were unfilled, or to be filled through further election or by co-option. There were two key issues identified – the first was ensuring that people have a genuine choice as to who represents and serves them. The second was about ensuring people feel that being part of this level of democracy is a way to effect change and that they want to put themselves forward for election.

5.2 To address these issues, a Democratic Health Task and Finish Group has been established with the focus on improving the awareness and engagement between communities and their community councils, and also to increase the number and diversity of candidates standing for election to community and town councils. The Group first met on 8 June 2023 and a draft report is expected by February 2024 containing options to enable Welsh Ministers to consider the next steps in this area.

## **Socio-economic Factors**

5.3 I will shortly commission research to look at how socio-economic factors impact on an individual's ability to get involved in local democracy and stand for elected office what the barriers are and how they might be addressed in the future. This will build on [A review of evidence on socio-economic disadvantage and inequalities of outcome \(summary\)](#)

## **Abuse of candidates / councillors**

5.4 I intend to bring together key partners to explore what else we might do together to combat abuse in politics, because this requires a whole system approach building on existing ideas whilst developing new approaches. We all need to call out bullying and harassment, which has no place in society or indeed council chambers. However, as part of our work we will look to equip individuals with skills and support to manage difficult situations should they arise. This will include considering resilience training, lone working guidance and managing digital relationships.