

## **CONSULTATION ON THE LOCAL GOVERNMENT AND ELECTIONS (WALES) BILL**

### **1. About the Women's Equality Network Wales:**

- 1.1 WEN Wales is a representative women's network<sup>1</sup> and human rights organisation working for a Wales where women and men have equal authority & opportunity to shape society and their own lives. Our charitable objectives are to promote equality and human rights with specific reference to women and gender equality in Wales.
- 1.2 WEN Wales, in collaboration with Women Connect First, Welsh Women's Aid and Chwarae Teg published 'Equality for Women and Girls in Wales: Our Manifesto'<sup>2</sup>, which sets the agenda in Wales to achieve greater equality for women and girls.
- 1.3 In collaboration with Oxfam Cymru we also produced our 'Feminist Scorecard 2019: Tracking Welsh Government Action To Advance Women's Rights and Gender Equality'.<sup>3</sup> Collectively, we have a vision of a transformed Wales, free from gender discrimination where woman and men have equal authority and ability to shape society and their own lives. We want to ensure that Wales is the safest country in Europe to be a woman, where women and girls can flourish and actively participate in their communities. These two documents set us on the path to achieving this.

### **2. Introduction**

- 2.1 We are disappointed to see a number of positive provisions regarding diversity and equality missing from the Local Government and Elections (Wales) Bill.
- 2.2 WEN Wales believes that women's participation and the success of women as candidates in elections are vital indicators of the health of a representative democracy, and an integral part of achieving a more equal Wales.<sup>4</sup> In 2017 just 28% of those elected as councillors were women, while 33% of wards had no women candidates at all.<sup>5</sup> We therefore support reforms at local government level and though believe that the legislation does not currently go far enough to promote equality and diversity across the Welsh political system at a local level.
- 2.3 While the Local Government and Elections (Wales) Bill states its aims to promote diversity and tackle inequality, the Bill does not adequately lay out how this is going to be achieved, which is a missed opportunity. Unchanged, the Bill will not sufficiently enable progress towards a more gender equal and representative local political landscape with a diversity of representatives. More radical and direct intervention is needed.

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<sup>1</sup> Over 1,400 individual members and organisational members, including women's rights and allied organisations from across the third sector, academia, international and national NGOs.

<sup>2</sup> [http://www.wenwales.org.uk/wp-content/uploads/LR\\_11509-WEN-Manifesto-20pp-A4-English.pdf](http://www.wenwales.org.uk/wp-content/uploads/LR_11509-WEN-Manifesto-20pp-A4-English.pdf);

[http://www.wenwales.org.uk/wp-content/uploads/LR\\_11509-WEN-Manifesto-20pp-A4-Welsh.pdf](http://www.wenwales.org.uk/wp-content/uploads/LR_11509-WEN-Manifesto-20pp-A4-Welsh.pdf)

<sup>3</sup> <http://www.wenwales.org.uk/wp-content/uploads/Feminist-Scorecard-Report-2019-English-Final.pdf>

<http://www.wenwales.org.uk/wp-content/uploads/Feminist-Scorecard-Report-2019-Cymraeg-Final.pdf>

<sup>4</sup> In line with the ambitions of the Wellbeing of Future Generations (Wales) Act 2015.

<sup>5</sup> <https://www.electoral-reform.org.uk/latest-news-and-research/publications/new-voices-how-welsh-politics-can-begin-to-reflect-wales/>

- 2.4 WEN Wales wants to see changes to the Bill that will result in increased diversity at local government level across Wales. The current draft does not include key instruments for achieving a gender balance amongst councillors and cabinets. There is also a lack of an 'Access to Elected Office' fund and gender quotas for candidates.
- 2.5 WEN Wales endorses the recommendations made in the Electoral Reform Society Cymru report ['New Voices: How Welsh politics can begin to reflect Wales'](#). We also endorse the Equality and Human Rights Commission report [Pathway to Politics](#) recommendations:
- **reforming the electoral system to a proportional representation model**
  - **revising parliamentary procedure to ensure family-friendly hours**
  - **making provisions for childcare facilities to be offered on site or nearby the parliamentary estates**
  - **revising parliamentary procedures to allow job-sharing for elected members**
  - **creating support from institutions particularly for candidates from under-represented groups who put themselves forward in way of mentoring/informal peer networks**
  - **entrenching a system of diversity monitoring**
  - **creating an 'access to public life fund' – similar to a Work Fund which covers the cost of reasonable adjustments of employing a disabled person**
  - **widening the remit of this access fund beyond disabled candidates to candidates from lower income households and other under-represented groups.**

### 3. Elections

- 3.1 The United Nation's Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) calls for the use of temporary special measures to increase political and public representation. Wales needs an electoral system that uses effective temporary measures such as legislative gender quotas to bring radical and appropriate change to the representation of a diversity of women across Wales' councils and cabinets.
- 3.2 A Single Transferable Vote (STV) electoral system offers the greatest potential in relation to integrated gender quotas – this has been reflected in the Expert Panel on Assembly Electoral Reform's report ['A Parliament that Works for Wales'](#). While the report focuses on National Assembly reform, it remains relevant at local level.
- 3.3 WEN Wales believes that strong and decisive leadership is necessary regarding a nation-wide roll out of the STV with integrated gender and diversity quotas (such as for candidates who are BME, LGBT+, with disabilities) rather than allowing councils to choose which voting system they use. STV could increase voter choice and vastly decreases uncontested seats. In 2017, there were 92 uncontested seats in Wales, which Professor Roger Scully, from Cardiff University's Wales Governance Centre, called a "mockery of democracy".<sup>6</sup> Of these 92 uncontested seats in 2017 most were held by men.<sup>7</sup>

### 4. Promoting Access to Local Government

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<sup>6</sup> <https://www.bbc.co.uk/news/uk-wales-politics-39751858>

<sup>7</sup> Ibid.

“More funding should be made available for underrepresented groups to stand and quota should be introduced for all tiers of local government. Increasing diversity in local government will not happen by itself you must force it.”

WEN Wales member

- 4.1 The [Unpacking Diversity: Barriers and Incentives to Standing for Election to the National Assembly for Wales report](#), commissioned by the Senedd’s Remunerations Committee, specifically stated that “**lack of diversity in politics needs to be tackled on multiple fronts. Whilst more proportional representation systems do tend to enhance the chances of a more diverse range of individuals to get elected, this alone is not sufficient... gender quotas are the most effective way of ensuring a fast-track solution to the gender imbalance in legislatures**”<sup>8 9 10</sup>
- 4.2 By allowing each local authority to choose whether to move to a proportional representation model, the Bill creates a postcode lottery, confusion amongst voters, and allows LAs to ‘opt-out’ of an important shift that could bring about much needed change regarding diversity and equal representation of women and men across Welsh councils. Research shows that the ‘first past the post’ system itself is by its nature an unrepresentative system, and generally few women are elected that way.<sup>11</sup>
- 4.3 WEN Wales welcomes the changes that would allow for job-sharing, though this needs to be available across the council, from leaders and executive members, but must also include backbenchers. The Bill needs to be amended in this regard. Transparency and clear messaging to the electorate is integral to this. WEN Wales also supports the Future Generation’s Commissioners call for paid support to do casework from home during maternity leave for councillors, as stated in her evidence session to the Committee on 11<sup>th</sup> December 2019.<sup>12</sup>
- 4.4 Access to Public Office funds are critical to ensure that more people with disabilities become elected councillors. WEN Wales also supports the call from the Wales Governance Centre in ‘Unpacking Diversity’ for this to be extended to candidates from lower income households and other under-represented groups.<sup>13</sup>
- 4.5 Across Wales and England, 19% of women councillors said they have a disability or long-term health condition (22% of men).<sup>14</sup> Disabled women councillors are also far more likely to experience multiple discrimination as both women and due to their disability.<sup>15</sup> Much more needs to be done to encourage disabled candidates to stand for local government, and several WEN Wales members have emphasised the need to redress that there are “no formal structures for adjustments for disabled people” as candidates or elected councillors, with the

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<sup>8</sup> <http://senedd.assembly.wales/documents/s77244/Unpacking%20Diversity.pdf>

<sup>9</sup> Mackay, F., & McAllister, L. (2012). *Feminising British politics: Six lessons from devolution in Scotland and Wales*. *The Political Quarterly*, 83(4), 730-734.;

<sup>10</sup> Dahlerup, D. (2012). *The impact of gender quotas*. Oxford University Press.

<sup>11</sup> Stirbu, Larnar & McAllister, ‘Pitiful Progress: Women councillors in Wales after the 2017 local elections, 2017.

<sup>12</sup> <https://record.assembly.wales/Committee/5757>

<sup>13</sup> <http://senedd.assembly.wales/documents/s77244/Unpacking%20Diversity.pdf>

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*

Fawcett Society calling on the government to reintroduce financial support to help disabled women with costs of candidature.<sup>16</sup>

## 5. Local Government Finance

*“It is important to have a broad understanding of the bigger picture and not just make decisions based on their experience and interests. It is too easy to have a narrow outlook on life and if all Councillors have a similar background then decisions will be made that don't reflect the needs of residents.”*

WEN Wales member

- 5.1 Further to John Bader’s evidence session, WEN Wales supports the Independent Remuneration Panel for Wales’ recommendation that councils in the future must report applications for the care allowance on a global collective basis rather than on an individualised basis, so that applicants are not readily identifiable.<sup>17</sup> Anecdotally, WEN Wales is aware that individual claims have led to discrimination against councillors claiming care allowances that they are entitled to and such information being used against them while campaigning for re-election in public smear campaigns.
- 5.2 Several WEN Wales members highlighted that it is frowned upon for councillors to claim their full entitlement of remunerations, and that as the data is published, it can be used against councillors wishing to progress in their political careers by both their parties, other councillors and the public. This creates an environment where those who can afford to not take their entitlement are favoured, while some working mothers are impacted by childcare costs, costs of additional caring responsibilities, the gender pay gap and salary decreases as full-time employment is reduced once they are elected. This system favours the rich, retired, men that we already know dominate these spaces.
- 5.3 This behaviour then pushes councillors to not claim an allowance, disproportionately affecting women, who make up the vast majority of care givers.<sup>18</sup> There is an inherent bias towards those who either have no caring responsibilities or those who can afford not to claim the allowance, which perpetuates the undesirable ‘pale, male and stale’<sup>19</sup> stereotype of who the system allows to be a councillor.

## 6. Miscellaneous

- 6.1 The Welsh Government must do far more to ensure that all-male cabinets are not permitted going forward. There can be no justification for these in 2020 when Wales’ population is 52% female. It makes for weak political leadership that is to the detriment of our communities.
- 6.2 Welsh Government should strengthen its position through the Bill and additional guidance to include more detailed and specific information around training for all councillors on abuse

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<sup>16</sup> *Ibid.*

<sup>17</sup> <https://record.assembly.wales/Committee/5757>

<sup>18</sup> [http://www.wenwales.org.uk/wp-content/uploads/LR\\_11509-WEN-Manifesto-20pp-A4-English.pdf](http://www.wenwales.org.uk/wp-content/uploads/LR_11509-WEN-Manifesto-20pp-A4-English.pdf)  
[http://www.wenwales.org.uk/wp-content/uploads/LR\\_11509-WEN-Manifesto-20pp-A4-Welsh.pdf](http://www.wenwales.org.uk/wp-content/uploads/LR_11509-WEN-Manifesto-20pp-A4-Welsh.pdf)

<sup>19</sup> <https://www.electoral-reform.org.uk/latest-news-and-research/publications/new-voices-how-welsh-politics-can-begin-to-reflect-wales/>

and diversity. WEN Wales also agrees with the Electoral Reform Society Cymru's statement of caution at seeing a Standards Committee at council level as a step towards diversity and tackling abuse while it remains unclear exactly how the Standards Committees will be held to account by both the electorate and Welsh Government.<sup>20</sup>

- 6.3 WEN Wales supports holding political leaders to account over their councillors' breaches of standards; we hope such a system will account for the high proportion of independent councillors and that they too will be held to the same standards. There are a substantial number of independent councillors in Wales<sup>21</sup>, therefore procedures must reflect this so that all elected representatives can be held to account by Welsh Ministers and the public.
- 6.4 High quality, impartial political education is needed across Wales so that the nation can celebrate the enfranchisement of 16-17 year olds and the way in which this enriches Wales' democratic landscape. Plan International's 2016 report '[The State of Girls' Rights in the UK](#)' reflects on votes for 16-17 year olds in Scotland ahead of the Independence Referendum and highlights that the young people that took part in focus groups were calling out for a better political education.
- 6.5 Information must also be communicated effectively to foreign citizens so that those legally resident in Wales know their rights and are able to exercise them at the ballot box. The recent general election also highlights the need to ensure that the information is disseminated accurately to those staffing polling stations so no one is turned away from voting due to misinformation by officials on election day.

### **WEN Wales Recommendations:**

1. Wholesale adoption of Single Transferable Voting system with integrated candidate gender quotas (50:50 gender split) and diversity quotas across all local authorities.
2. Job sharing must be available for all, including backbenchers.
3. Paid support for casework should be part of the parental leave offer to councillors, alongside current maternity leave provisions.
4. Adequate elected office funds for candidates and councillors with disabilities, lower income households and other under-represented groups.
5. Future care allowance applications for councillors to be reported globally rather than individually
6. All-male cabinets and all-male candidate lists must not be permitted.
7. The Bill and guidance should detail compulsory training for councillors on abuse and diversity.
8. The accountability of the Standards Committees of councillors must be clarified.
9. In lieu of political party leaders, accountability for independent councillors who breach the code of conduct must be outlined.
10. Votes for an enlarged franchise must be well communicated across Wales, to the new voters – both young voters and foreign citizens who are residents, to the administrators of democratic systems and impartial politics education must be improved for 16-17 year old voters.

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<sup>20</sup> <https://record.assembly.wales/Committee/5757>

<sup>21</sup> *Ibid.*

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WEN Wales would like to thank the Equality, Local Government and Communities Committee of the National Assembly for Wales for the opportunity to contribute to the consultation.

If you have any further comments or queries, please get in touch.

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