

Meeting of:	<b>Cabinet</b>
Date of Meeting:	<b>Monday, 19 July 2021</b>
Relevant Scrutiny Committee:	All Scrutiny Committees
Report Title:	Diversity in Democracy
Purpose of Report:	To advise Cabinet of the Welsh Government and the WLGA Council “Diversity in Democracy” agenda and to seek Cabinets endorsement to make a Diverse Council Declaration by the end of July 2021 in keeping with the WLGA Council recommendations and refer the matter to Council for approval.
Report Owner:	Executive Leader and Cabinet Member for Performance and Resources
Responsible Officer:	Jeff Rees, Head of Democratic Services
Elected Member and Officer Consultation:	Councillor Neil Moore, Executive Leader and Cabinet Member for Performance and Resources Senior Leadership Team, Head of Policy and Business Transformation and Corporate Equalities Officer
Policy Framework:	The matter of making a Diverse Council declaration is a matter for Full Council.
<p>Executive Summary:</p> <ul style="list-style-type: none"> <li>• The Welsh Government (WG) has been focusing heavily on the diversity agenda and following the evaluation of phase one of the WG’s Diversity in Democracy work a number of key recommendations and actions were derived, with such actions being addressed through the Local Government and Elections (Wales) Act 2021. Further work by the WLGA Council has also strengthened the impetus for diversity actions to be considered and implemented, to allow any improvement in diversity within democracy for the Local Government Elections in 2022 and beyond.</li> <li>• The WLGA Council’s report on Diversity in Local Democracy highlighted 3 key areas for further action by Councils and Political Parties.</li> <li>• In addition to the above, the meeting of the WLGA Council subsequently agreed the following to ensure that Councils are more representative of their communities following the next Local Government Elections: <ul style="list-style-type: none"> <li>a) to encourage all political parties, through the WLGA Political Groups, to commit to proactive and co-ordinated activities to improve diversity in local government democracy;</li> </ul> </li> </ul>	

- b) a formal position calling for the introduction of resettlement grants for all Councillors and senior salary holders;
  - c) to encourage all Councillors to claim any necessary allowances or expenses;
  - d) to encourage a declaration by July 2021 from Councils in Wales, on becoming 'Diverse Councils'; to:
    - i) Provide a clear, public commitment to improving diversity;
    - ii) Demonstrate an open and welcoming culture to all;
    - iii) Consider staggering Council meeting times and agreeing recess periods to support Councillors with other commitments; and
    - iv) Set out an action plan of activity ahead of the 2022 local elections.
  - e) that Councils should set targets to be representative of the communities they serve at the next elections;
  - f) to support the use of voluntary quotas for Welsh local elections; and
  - g) the WLGA reviews the impact of voluntary quotas following the next local elections.
- To seek Council approval to make a Diverse Council Declaration by the end of July 2021.
  - To establish a Diversity in Democracy Working Group of the Democratic Services Committee to progress the WLGA Council recommendations and any other actions identified.
  - To compliment the work of Welsh Government's proposed Race Equality Action Plan (REAP) for an Anti-Racist Wales and associated goals for local government.

## **Recommendations**

1. That Cabinet be requested to endorse the making of the following Vale of Glamorgan “Diverse Council” Declaration and refer the same to Council for ratification.  
“The Vale of Glamorgan Council will:
  - (i) Provide a clear, public commitment to improving diversity;
  - (ii) Demonstrate an open and welcoming culture to all;
  - (iii) Consider staggering Council meeting times and agreeing recess periods to support Councillors with other commitments; and
  - (iv) Set out an action plan of activity ahead of the 2022 Local Government Elections.”
2. That Cabinet note the actions outlined within the WLGA Council report.
3. That Cabinet and Council approve the establishment and the Terms of Reference of a Diversity in Democracy Working Group of the Democratic Services Committee to promote the diversity agenda within the Council. The Working Group be established based on a membership of 5 (one Member from each of the political groups which are represented on the Democratic Services Committee).
4. That Group Leaders be requested to nominate their respective group representative to sit on the Working Group where they have more than one Group Member on the Democratic Services Committee.
5. That Cabinet as part of supporting the Council to develop an inclusive culture and one that is respectful of gender identity across the spectrum, endorse the principle of amending the Council’s Constitution to reflect the use of gender-neutral terminology and refer the same to Council for approval.
6. That Cabinet approves the use of the Urgent Decision Procedure as set out in Section 14:14 of the Council's Constitution in order to refer the matter to Council before the call-in period ends.

## **Reasons for Recommendations**

1. To support the WLGA Council recommendation to make the Declaration by the end of July 2021.
2. To acknowledge the work undertaken to date.
3. To allow the work needed to be undertaken by the Council to progress the recommendations set out within the WLGA Council report and including any other action identified by the Working Group and to receive updates on its ongoing work as and when appropriate and reported to the Democratic Services Committee / Cabinet.
4. As 3 above.

5. The Diversity in Democracy programme aims to advance gender equality and diversity in Councils before the 2022 elections. Amending the Councils Constitution is a Council matter.
6. The reporting of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

## **1. Background**

- 1.1 The Diversity agenda has received significant attention with an increased and growing awareness across all aspects of public life and it is important that the Council is committed to increasing diversity, which includes tackling the barriers which prevent an individual's active participation in local democracy.
- 1.2 A more diverse democracy means decision-makers with broader life experiences have a greater understanding of the challenges faced by wider society. A diverse and more inclusive democracy leads to better engagement with individuals and communities, in turn leading to greater levels of confidence and trust and in turn better decision-making and better governance.
- 1.3 The Welsh Government (WG) have been focusing heavily on the Diversity agenda and following the evaluation of phase one of the WG's Diversity in Democracy work a number of key recommendations and actions were derived, with such actions being addressed through the Local Government and Elections (Wales) Act 2021. Further work by the WLGA Council has also strengthened the impetus for diversity actions to be considered and implemented, to allow any improvement in diversity within democracy for the Local Government Elections in 2022 and beyond.
- 1.4 The WLGA Council's report on Diversity in Local Democracy is available [here](#) (see also Appendix A)
- 1.5 There are three main areas considered for action are as follows:
  - Encouraging Councils to ensure all Councillors receive their full entitlement to allowances and salaries, and encouraging the introduction of resettlement grants, so that all Members receive fair remuneration for their work and that the role of Member is not limited to those who can afford it.

It is important to note that the Council has already and historically agreed to abide by the IRPW determinations which are updated annually and as reported to the Democratic Services Committee. The most recent changes for example relate to the reimbursements of the Cost of Care associated with child care – cap removed for costs associated with care provided by a formal registered provider reimbursed and the real living wage hourly rate paid for unregistered care provide reimbursed. A new claim form has been approved by Cabinet and circulated to all Members for their use earlier this year. The matter of Resettlement Grants relates primarily in the context of the Diversity agenda to highlighting the importance of attracting talent into local democracy and to mirror similar arrangements

where Senedd Members and Members of Parliament who lose their seats following an election to receive such a grant.

- An agreement by Councils to undertake new or developed work in this area and visibly commit to this by signing up to becoming Diverse Councils.

A draft induction programme has recently been agreed by the SLT and is proposed to include open day events for prospective Councillors. The intention of these events is to give prospective candidates insight to the working of the Council. The draft induction programme will be considered at the next meeting of the Democratic Services Committee in July for endorsement and latterly by Cabinet for approval.

- To discuss positions and making representation to political parties and acting locally to set quotas and/or voluntary targets for the election of Councillors from under-represented groups.

Political parties are being encouraged to commit to the activities as listed in paragraph 80 of the WLGA Council report to improve diversity in candidates selected for Local Government Elections in May 2022.

- 1.6** In addition to the above, the meeting of the WLGA Council subsequently agreed the following to ensure that Council Chambers are more representative of their communities following the next Local Government Elections:

- a) to encourage all political parties, through the WLGA Political Groups, to commit to proactive and co-ordinated activities to improve diversity in local government democracy.
- b) a formal position calling for the introduction of resettlement grants for all Councillors and senior salary holders.
- c) to encourage all Councillors to claim any necessary allowances or expenses.
- d) to encourage a declaration by July 2021 from Councils in Wales, on becoming 'Diverse Councils'; to:
  - i) Provide a clear, public commitment to improving diversity;
  - ii) Demonstrate an open and welcoming culture to all;
  - iii) Consider staggering Council meeting times and agreeing recess periods to support Councillors with other commitments; and
  - iv) Set out an action plan of activity ahead of the 2022 local elections.
- e) that Councils should set targets to be representative of the communities they serve at the next elections;
- f) to support the use of voluntary quotas for Welsh local elections; and
- g) the WLGA reviews the impact of voluntary quotas following the next local elections.

- 1.7** Council will be aware that the Cabinet at its meeting on 7<sup>th</sup> June, 2021 considered a draft response to the WG consultation on Race Equality Action Plan (REAP) for an Anti-Racist Wales and Scrutiny and is an ambitious plan to make

Wales anti-racist by 2030 [view the Cabinet [report](#)]. It incorporates diversity in democracy in the local government section. This Plan includes the following goals:

1. The framework of local government legislation and guidance will drive local democracy to become fully representative of the population it serves.
2. The framework will also enable people from all communities to feel comfortable engaging with local democracy, support them to become involved and have trust that their views will be considered and taken into account.
3. Local government is an exemplar employer, all employment and human resources policies are anti-racist to create a safe and inclusive environment for Black, Asian and Minority Ethnic people.

**1.8** The actions under 1 and 2 are particularly relevant to diversity in democracy. These actions include:

- a review of the Ethical Framework for Councillors;
- a review of induction, training and support for Councillors so they understand behaviours expected;
- ensuring that political Group Leaders understand their role in demonstrating and promoting anti-racist behaviour;
- ensuring that Standards Committees' Annual Reports highlight racist behaviour and make recommendations to address it amongst Elected Members in the Councils they are responsible for;
- with Local Authorities, reviewing local processes for dealing with complaints about elected representatives from members of the public;
- exploring the options in relation to quotas for under-represented groups for local government elections;
- ensuring the development of new guidance for local democracy – 'The Democracy Handbook' - which will include how people engage with and become involved with local democracy, and scrutiny and the operation of democratic processes has anti-racism at its core;
- consulting with Black, Asian and Minority Ethnic people of all ages and gender to identify any barriers to participating in the electoral process;
- ensuring County and County Borough Councils consider the views and needs of Black, Asian and Minority Ethnic people in the new performance and governance framework.

## **2. Key Issues for Consideration**

**2.1** It is advised that the WLGA will take forward several actions nationally, as outlined in its report such as:

- The launch of the [beacouncillor.wales](http://beacouncillor.wales) website (which is already in place);

- Representations will be made to political parties to take action and make progress;
  - Representation to Welsh Government and the Independent Remuneration Panel that Councillors should be entitled to “resettlement grants” (redundancy payments) should they lose their seat at an election.
- 2.2** At its meeting and through its report the WLGA Council recognised the diversity work already underway locally but called for concerted and ambitious local action. Through its report and resulting actions, it asks Councils to prioritise action locally, promoting the take-up of Members’ allowances and progressing “Diverse Council” Declarations by the summer.
- 2.3** Members’ allowances play a critical role in encouraging greater diversity; some Councillors can be disproportionately affected if they are on low incomes or have caring responsibilities. Many Councillors are dissuaded from claiming their full entitlements to allowances, such as reimbursements of Cost of Care or travel, due to peer or public pressure. The WLGA Council therefore unanimously agreed that there is a need to foster a culture where all Councillors are encouraged and supported to claim any necessary allowances or expenses to which they are entitled.
- 2.4** The WLGA Council also unanimously agreed that all Councils should commit to a declaration by July 2021 on becoming “Diverse Councils” in 2022, to provide a clear, public commitment to improving diversity. The WLGA Council report includes an “outline” Declaration to:
- Provide a clear, public commitment to improving diversity;
  - Demonstrate an open and welcoming culture to all;
  - Consider staggering Council meeting times and agreeing recess periods to support Councillors with other commitments; and
  - Set out an action plan of activity ahead of the 2022 local elections.
- 2.5** Councils may however wish to undertake further action or commitments within their Declarations according to local priorities.
- 2.6** The WLGA Council discussed the merits of positive action and there was support for the use of voluntary quotas in local elections; this is a matter for local groups and parties, but where such voluntary approaches have been adopted in the past, there has been significant progress in terms of gender balance.
- 2.7** In terms of the developing picture across Wales, Councils’ local diversity work will be supported by a national awareness raising, publicity and support through the WLGA and WG.
- 2.8** Accordingly, considering the above information, Council is formally requested to make the following Vale of Glamorgan Diverse Council Declaration in order to meet the stated principles and recommendations of the WLGA Council report on Diversity in Democracy:
- 2.9** "The Vale of Glamorgan Council will:

- (i) Provide a clear, public commitment to improving diversity;
- (ii) Demonstrate an open and welcoming culture to all;
- (iii) Consider staggering Council meeting times and agreeing recess periods to support Councillors with other commitments; and
- (iv) Set out an action plan of activity ahead of the 2022 Local Government Elections.”

- 2.10** To address the work required to be undertaken it is proposed to establish a Diversity in Democracy Working Group of the Democratic Service Committee. Attached at Appendix B are details of draft Terms of Reference. It is likely that the work of the Group will be an ongoing process but should be considered in the context of a "task and finish" exercise. This will mean the Working Group can meet regularly to complete its work and make any resulting recommendations in a timely way. It will be important to take account that certain aspects of the WLGA Council recommendations will be outside of its remit and that of the Council e.g. *quotas and targets however, such areas will need to be considered and taken forward by each of the respective political parties / groups and other relevant stakeholder groups*. There is a clear expectation from the WLGA Council that the Political Group Leaders have a key role to play in delivering its recommendations and to champion the diversity expectations within the selection processes of their political parties and also assist by promoting the advice available to future candidates or individuals considering standing for office at the earliest opportunity.
- 2.11** In light of the work already undertaken by the WLGA it will be important to progress the recommendations of the WLGA Council and any other complimentary recommendations that may flow from the work of the proposed Working Group and progressed to assist the Council as a whole in achieving diversity in democracy. This could be for example that the Working Group identifying / assessing other barriers impacting on potential candidates becoming a Councillor and the consideration of the opportunities and engagement which would promote greater diversity in advance of the Local Government Elections in 2022, to encourage participation at a Principal Authority and Town and Community Council level across the Vale of Glamorgan.
- 2.12** It is anticipated that once the Working Group is established, it can develop a range of recommendations which would assist in promoting the diversity agenda and lead to an action plan which can be delivered prior to May 2022.
- 2.13** Work will need to be taken forward with Group Leaders of the Council to strengthen the diversity outcomes that are anticipated and to ensure all ways possible of achieving a greater diverse Vale of Glamorgan Council is achieved.



### **3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?**

- 3.1** The work of the Democratic Services Committee Working Group and the WLGA is anticipated to improve the equality and diversity across the Vale of Glamorgan and within the local democracy setting. The more representative of society the better understanding they will have of the needs of the local community and therefore are better equipped at carrying out their duties and responsibilities.
- 3.2** The work of a Councillor is fundamental to the Council's Annual Delivery Plan, as Councillors are a voice for their communities that they serve.
- 3.3** Ensuring that there are greater opportunities for a more diverse democracy across the Vale of Glamorgan links to the Wellbeing of Future Generations goals of a more equal Wales and a Wales of cohesive communities.
- 3.4** Trying to achieve a diverse culture is challenging and the Democratic Services Committee Working Group have, in a short period of time, already identified potential barriers that may dissuade members of the public to stand as a candidate for election.
- 3.5** The Council has an obligation to ensure that any perceived barriers are eradicated and instead celebrate and promote the rewarding experiences of becoming a Councillor.
- 3.6** The recommendations of the Working Group and the actions identified by the WLGA will look to be implemented as soon as possible, due to the need to engage with as many potential candidates in the Local Government 2022 elections.
- 3.7** The Diversity Declaration will need to be presented to Council by July 2021.

### **4. Resources and Legal Considerations**

#### **Financial**

- 4.1** Any potential awareness raising opportunities identified can be delivered through platforms already available to the Council.
- 4.2** In respect of "Resettlement Grants" proposed by the WLGA, will require enabling legislation to be put in place by Welsh Government. It is likely that there will be financial implications, however, these have not yet been confirmed by WG.

#### **Employment**

- 4.3** There are no direct employment issues related to this report at this time.

#### **Legal (Including Equalities)**

- 4.4** The Local Government and Elections (Wales) Act 2021 outlines a number of duties placed on Local Authorities in respect of the diversity agenda.

- 4.5** The proposed establishment of a working group and the work undertaken by the WLGA to date is considered to compliment current equalities legislation by improving the equality / diversity across the County within the local democracy setting. The work proposed to be undertaken is in accordance with the functions of the Democratic Services Committee as indicated in the Local Government Measure (Wales) 2011.
- 4.6** The Equality Act 2010 created a public sector equality duty, replacing the race, disability and gender equality duties. The duty came into force in April 2011. The duty covers age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. Under the general duty, public sector organisations must have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation;
  - Advance equality of opportunity between different groups;
  - Foster good relations between different groups.
- 4.7** The duty to have due regard to the need to eliminate discrimination also covers marriage and civil partnership.
- 4.8** Action arising from this Plan falls within the public sector equality duty.

## **5. Background Papers**

[An Anti-racist Wales - Race Equality Action Plan for Wales](#)

# **WLGA COUNCIL SPECIAL MEETING**

**5<sup>th</sup> March 2021**

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## **WLGA WORKING GROUP ON DIVERSITY IN LOCAL DEMOCRACY**

### **Purpose**

1. To report on the work undertaken by the WLGA Cross Party Working Group on Diversity in Local Democracy and seek Council's endorsement of proposals to achieve a 'step change' at the 2022 local elections.

### **Summary**

2. WLGA Council agreed in September 2018 to take steps to advance gender equality and diversity in Councils before the 2022 elections. This was in recognition of the lack of diversity in Welsh Councils. A cross party working group was set up to explore broader underrepresentation in democracy.
3. It is now widely acknowledged that equal representation is not only an issue of representational fairness but essential for the quality of policy development and decision making. Decisions will be better when they are taken by people with lived experience of an issue. The 'right person for the job' of councillor needs to be a member of the community they serve, in order to fully and consistently understand the lives and needs of that community. Councils also need to demonstrate to underrepresented communities that they are valued and included in local democracy.
4. Much work has been undertaken in the last decade in Wales to measure and improve the diversity of councils. More work is in the pipeline in preparation for the 2022 elections. There is a national communications campaign to encourage people from underrepresented groups to vote, engage with local democracy and stand for office. New mentoring programmes are being delivered with the Womens' Equality Network Wales and the Ethnic Minorities and Youth Support Team Wales. Stonewall Cymru and Disability Wales will also soon be offering mentoring programmes. The Welsh Government and Senedd Commission are working with Councils, schools and youth councils and developing resources to encourage 16 and 17 yr olds to get involved and vote. The WLGA has a new Be a Councillor website and, is part of the Pan UK civility in public life campaign and are working with Councils to continue to improve the range of support and development provided to members.

5. In previous elections councils have worked hard to encourage underrepresented groups to stand with their own outreach, mentoring schemes and information days. They have done much to improve the support provided for serving councillors and provide them with guidance, development and better working conditions. More recently we have worked together as a local government family to support members suffering abuse and harassment.
6. The Working Group found, and national and international research shows, that this comprehensive activity will not be enough to make change at the pace required. This report outlines the additional activities that could make a difference.
7. There are three main areas for action:
  - Encouraging councils to ensure all councillors receive their full entitlement to allowances and salaries, and encouraging the introduction of resettlement grants, so that all members receive fair remuneration for their work and that the role of member is not limited to those who can afford it
  - An agreement by councils to undertake new or developed work in this area and visibly commit to this by signing up to becoming Diverse Councils.
  - To discuss positions and making representation to political parties and acting locally to set quotas and/or voluntary targets for the election of councillors from underrepresented groups.

## **Background**

8. WLGA Council first received this report at its meeting on 27<sup>th</sup> November 2020. Given the significance of the report and the issues considered and due to the congested agenda at the November Council, members agreed to defer the report to a later and dedicated meeting in early 2021.
9. At its meeting on 28<sup>th</sup> September 2018, WLGA Council committed to advance gender equality and diversity in local democracy ahead of the 2022 local elections.
10. WLGA Council agreed to establish a cross party working group to develop an action plan and to identify possible actions for consideration by WLGA Council. The Membership of the Group is at Annex A. Not all members were able to attend all meetings, however, contributed to the work via discussions with officers. The WLGA Equalities Cabinet Members Network has also fed into the work of the group.

11. The working group did not commission additional research or evidence gathering as there have been several reviews in recent years. The working group considered recommendations which have emerged from research undertaken in 2018-19 by the Women's Equalities Network, Chwarae Teg, the Senedd's Equality, Local Government and Communities Committee, the Welsh Government including the review of its Diversity in Democracy programme, the Fawcett Society, the Electoral Reform Society, and the British Council. Further research and reports, including engagement and research through the Welsh Government's developing Race Equality Action Plan and Race Alliance Wales' 'Do the Right Thing' report (January 2021)<sup>1</sup>, have informed this report.
12. The evidence base, barriers and challenges to attracting more diverse councillors were referenced in the WLGA's submission to the Senedd's Equality, Local Government and Communities Committee Inquiry into diversity in local government in September 2018<sup>2</sup>. The barriers and challenges can broadly be summarised as:
  - Time-commitment and meeting times;
  - Political and organisational culture;
  - Childcare and other caring responsibilities;
  - Public criticism and online abuse;
  - Remuneration and impact on employment; and
  - Lack of diverse role models and incumbency
13. The working group also considered the legislation proposed in the Local Government and Elections (Wales) Act 2021 and considered the views from various groups through the Diversity in Democracy roundtables of stakeholders, convened by the Minister for Housing and Local Government, where the WLGA was previously represented by Cllr Debbie Wilcox and, subsequently, by Cllr Mary Sherwood.
14. The WLGA supported and participated in regional diversity in democracy stakeholder events held by the Welsh Government in the autumn of 2019 which sought views from under-represented groups from across Wales.
15. Senior WLGA and local government members also participated in an Electoral Reform Society 'Equal Power Equal Voice' Roundtable debate in October 2020 which sought to explore some of the barriers around diversity, including quotas.

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<sup>1</sup>Race Alliance Wales 'Do The Right Thing' research report on racialised representation in public and political life (January 2021) - Full research paper (<https://bit.ly/3qpU4Rm>) Executive summary (<https://bit.ly/3bPtfCk>)

<sup>2</sup> <https://www.wlga.wales/SharedFiles/Download.aspx?pageid=62&fileid=1852&mid=665>

## Progress remains slow

16. Data shows that there remains a significant lack of diversity in Welsh councils. In Wales' local authorities:

- 28% of councillors and 29% of Cabinet members are women.
- Councillors are proportionately older than the general adult population (47% of councillors were aged 60 years or older) and a higher proportion of councillors were retired (31%).
- Only about 1.8% of councillors are Black, Asian and Minority Ethnic (BAME) compared to 4.7% for the Welsh population and few hold senior positions.
- 11% of councillors stated that they had a disability, and there remain a range of challenges for disabled people participating in the democratic process.

17. There has been some small progress, however, the leadership of Welsh local government is more diverse than ever before, though we recognise it is not fully reflective of wider society; there are 6 women leaders (up from 2 in 2017) and 6 women Deputy Leaders, a quarter of leaders are below the age of 45 and 2 leaders and several senior councillors have featured in Pride Cymru's 'Pinc List' in recent years.

18. The Black Lives Matter movement and wider Welsh Government commissioned working groups on the impact of COVID-19 on BAME people has demonstrated the barriers and challenges faced by of a significant proportion of society and highlighted the need to make visible progress in policy, leadership and, in particular, political representation.

19. The Report of the Welsh Government's BAME Covid-19 Socioeconomic Subgroup, chaired by Professor Emmanuel Ogbonna observed:

"The overall theme that ran through the factors discussed in this report is the impact of longstanding racism and disadvantage and lack of BAME representation within decision making to effect better socio-economic outcomes. Although many of the issues highlighted have been identified and discussed previously, they have not been addressed in any systematic and sustained way. The coronavirus pandemic is, in some respects, revealing the consequences of such inaction on race equality."

20. The Socioeconomic Subgroup recommended that:

"Welsh Government to encourage the political engagement of BAME communities by raising awareness and understanding of Welsh and UK democratic institutions and processes, with the overall aim of encouraging the increase of political representation of BAME communities by also encouraging voter registration from BAME communities."

21. The Welsh Government is also developing a Race Equality Action Plan, which will be published for consultation in the Spring 2021. This Plan will outline a vision,

goals and actions to make Wales an anti-racist nation and will prioritise anti-racism and greater diversity in leadership and representation.

22. In advance of the Race Equality Action Plan, the actions and proposals in this report have been informed by WLGA engagement and participation in the Welsh Government's stakeholder and working groups and other race equality workstreams. Race Alliance Wales' 'Do the Right Thing' report outlines a range of cultural and institutional barriers around participation of racialised people (it uses this term as it is argued that BAME people are racialised because of their ethnicity) and outlines several recommended actions and commitments for public bodies.
23. Local authorities are also undertaking local reviews or actions in response to the issues raised through Black Lives Matter and COVID-19 work reflecting the issues. The WLGA leadership has committed to building on local authorities' work and the WLGA will respond to the Race Equality Action Plan when it is published for consultation.
24. The lack of diverse representation in local authorities is a problem that has been recognised for decades. A more diverse democracy and elected representatives who are more reflective and understanding of their communities leads to better engagement with individuals and communities, in turn leading to greater levels of confidence and trust and better decision-making informed by a wider range of perspectives and lived experiences.
25. Prominent decision-makers from under-represented groups can be influential role models, empowering and encouraging others to aspire to follow in their footsteps and to contribute to public life. Similarly, more diverse senior political leaders who are more representative of an organisation's workforce can lead to improved workforce engagement, trust in leadership and a more confident organisational culture.

## **Diversity in Democracy 2017**

26. Local authorities, the WLGA, Welsh Government and political parties have employed a range of measures to encourage greater diversity in candidates and councillors. The WLGA supported the Welsh Government-led Diversity in Democracy programme ahead of the 2017 elections.
27. The Diversity in Democracy programme was the biggest and most well-resourced programme of its type and was supported by a range of national partners including the main political parties. The programme included an awareness and promotional campaign, production of literature and online videos for candidates, businesses and mentees, working with employers to encourage them to encourage and support staff to be councillors and the roll-out of a mentoring scheme for people from under-represented groups.

28. A range of online materials were produced to provide information to candidates and councillors, including the WLGA's Be a Councillor guide and Councillor's Guide and the Welsh Government's Diversity in Democracy materials which included specific leaflets to encourage businesses to support staff in becoming councillors.
29. The Welsh Government produced a series of online videos with councillors as part of the Diversity in Democracy programme and several councils, including Gwynedd, Monmouthshire and Powys also produced excellent videos to explain the role of councillors and to encourage candidates to stand.
30. Several councils ran 'open days' ahead of the elections and mentoring and shadowing programmes are widely regarded as being beneficial, particularly in supporting people from under-represented groups to come forward to stand.
31. A mentoring campaign was the central project within the Diversity in Democracy programme and participants received extensive support, advice, training and access to serving councillors who acted as mentors. Of the 51 mentees who participated, only 16 stood for election and only 4 were elected. However, such a 'conversion rate' suggests that, in future, mentoring and support programmes may be a more effective use of resources if they are provided to people who had already committed to standing as a candidate.

## **Diversity in Democracy 2022**

32. The cross party WLGA working group met three times to consider evidence and develop recommendations for consideration by WLGA Council. The working group has reviewed the existing evidence, considered what activities councils and the WLGA could do to improve diversity in democracy and the role of the Welsh Government and political parties.
33. The Minister for Housing and Local Government also convened a Diversity in Democracy roundtable of stakeholders which met twice. During the autumn of 2019, the Welsh Government organised 4 regional stakeholder events with 95 people attending, including councillors and officers from town and community councils and unitary authorities and third sector including charities, support organisations for the disabled, BAME, young people and religious organisations. WLGA Officials facilitated roundtable discussions. Key messages were:
  - There was a general lack of awareness of the role and contribution made by councillors.
  - Social media abuse directed at councillors is getting worse. The abuse is predominately, but not exclusively aimed at women which has a direct effect on diversity in the role. There was increasing concern the abuse could be directed at members of the councillors' family, which was evidenced by some of the experiences of attendees.



- Training and development are fundamental, but people were not always aware of what is available.
- Time commitment was a barrier for many people, particularly people with family commitments or jobs.
- Providing help with costs to support individuals stand for election was a recurring theme, particularly for disabled people and other individuals from protected characteristics groups. Childcare costs were also seen as a barrier to campaigning.
- There was confusion about whether and what councillors are paid and on what basis. There were concerns about the determinations made and how individuals were impacted as a result of the interplay between the HMRC, the benefits system and the remuneration levels. Many attendees at the workshops felt remuneration of the councillor role does not cover the costs associated with the role particularly in town and community councils.

## **Action Plan 2020-22**

34. A range of actions emerged from the Ministerial roundtable and the WLGA's working group which are being implemented or planned. These include the following (specific WLGA or local authority activity is included in italics):

### **Awareness/Value of Role**

35. Councils and councillors have played a critical, central and prominent role during the COVID 19 pandemic during 2020. Councils have demonstrated that they are uniquely placed at the heart of their communities and public service delivery and councils and councillors have invariably been the first port of call for the most vulnerable or those in need of support or assurance. The crisis has demonstrated councils' ability to respond irrespective of scale and reaffirmed the importance of subsidiarity and localism, with elected members rooted in their local communities.

36. A broad-based communication campaign is in development with the Welsh Government and Senedd Commission. This will start with messages about the value of democracy and voting aimed at primarily at the newly enfranchised for the 2021 Senedd elections. This will develop to focus on the value and contribution made by councillors and encouraging participation in local democracy.

37. In parallel to the development of the national campaign Welsh Government will work with partners to identify key points/events throughout 2020 to promote positive stories about councillors' contributions and achievements.

38. *Councils and WLGA to develop a consistent and coordinated campaign demonstrating how much councillors are valued, developed and supported.*
39. *WLGA has launched a Be a Councillor website <https://www.beacouncillor.wales/> which will be further developed in 2021 with pen portraits and 'day in the life' case study videos of councillors from a cross-section of characteristics. It will also include an e learning module for people interested in standing to enable them to understand the role in more detail and "hit the ground running" should they be elected.*
40. *Coordinated activity between authorities, including information and awareness campaigns and open days, linked to key events such as Local Democracy Week, International Women's Day, Black History Month, Disability Awareness Day, LGBT History Month etc.*
41. *Targeted WLGA promotional work through Welsh political party conferences in 2021*
42. *Targeted engagement work with third sector organisations to encourage discussion and interest in volunteers translating their informal community role into an elected community role. The COVID 19 Pandemic has increased the levels of voluntary and community-based work. The WLGA will engage with individuals and groups who may now wish to continue this work by standing for office.*

### **Candidate/Councillor Abuse**

43. *The Local Government and Elections (Wales) Act 2021 will facilitate a change in the requirement to use personal addresses on ballot papers. The Act will also place a duty on political group leaders to promote high standards of conduct. It will also require councils to publish official rather than personal addresses for councillors.*
44. *The WLGA, in partnership with their colleagues in England, Scotland and Northern Ireland, are involved in developing the Civility in Public Life campaign to promote mutual respect and promote high standards of conduct. The WLGA, working with the LGA, has produced an online Councillors guide for handling intimidation <https://www.local.gov.uk/councillors-guide-handling-intimidation> .*
45. *The WLGA is working with authorities to encourage an informal but comprehensive duty of care for members.*
46. *The WLGA is also contacting and providing advice and support to individual councillors who receive online abuse and, where appropriate, issuing supportive messages challenging online abuse via social media.*

### **Training and Development**

47. *The WLGA, with authorities, will continue to review current and future training provision. This will include a focus on new ways of delivering support and development post COVID 19.*
48. *Work will be undertaken to identify ways in which ex councillors can use their experience and skills to enhance their CVs or continue to use their skills and experience through involvement with training / support mechanisms.*
49. *The National "curriculum" for member induction is being updated. This overview of what members would find useful to learn is agreed with councils and includes subjects considered mandatory. As well as traditional subjects like Ethics and Standards, The Well-being of Future Generations and Scrutiny skills, this will now include unconscious bias, personal safety and remote working skills.*
50. *A new online Councillors Guide will be developed for Councillors for the 2022 elections.*
51. *The suite of National e Learning modules specifically developed for members which is freely available via the NHS learning@wales website will be updated for the 2022 elections. This work is being undertaken by authorities working together with the WLGA and is particularly important as a result of the changes to working and learning practice as a result of the Pandemic.*
52. *The national Competency framework for elected members is now being developed prior to the 2022 elections to include new requirements such as the understanding of unconscious bias, civility, remote meeting attendance and ICT skills.*
53. *Councils undertake personal development review with members to personalise training support. WLGA offers guidance and training in how to conduct PDRs*
54. *The Leadership programme for elected members developed and delivered with LGA and Academi Wales is being re commissioned and refreshed. There are challenges associated with delivering the programme in the current climate which will be addressed as part of the commission.*

## **Mentoring**

55. Welsh Government officials are working with disability and equality organisations such as the Ethnic Minorities and Youth Support Team Wales, Disability Wales and Stonewall Cymru to scope the requirement for a Wales wide mentoring scheme which includes all protected characteristics. Several mentoring schemes are already organised by a range of third sector organisations, these will be aligned and coordinated, with resources and learning shared.

56. Work will be undertaken to explore work shadowing/apprenticeships and other opportunities to expose individuals to the work of councils which taken together will form a pathway to participation.

*57. The WLGA has promoted and is supporting mentoring schemes run by EYST and the Women's Equality Network Wales. Several councillors have participated as mentors in these programmes.*

*58. Newly elected members are offered mentors when they join the council (WLGA provides guidance and training for member mentors).*

*59. There are opportunities for individual councils/councillors to provide shadowing and mentoring opportunities for people interested in standing for office ahead of the 2022 local elections.*

## **Flexibility**

60. The Local Government and Elections (Wales) Act 2021 includes a range of provisions to support flexible ways of working including making provision for job sharing and strengthening the remote attendance arrangements.

61. Welsh Government Officials are now working with WLGA and LA officials to consider how the legislation and arrangements made for meetings to be held remotely could be extended to improve flexibility and access for a wider range of councillors.

*62. Local authorities' rapid adoption of virtual meetings via platforms such as Teams, Webex or Zoom during COVID 19 has transformed the way councils do business. Meetings are more accessible for many members, significantly reducing travel commitments and time, allowing members to attend meetings from work and, in the main, from home. Whilst there are potential impacts on 'work-life' balance and setting boundaries between council work and home-life, this approach has provided greater flexibility for members with caring responsibilities. Virtual meetings have also encouraged a less formal and flexible approach to meetings. Councils have bid for WG funding to facilitate digital engagement through the Digital Democracy Fund.*

*63. The LGA have produced a tool to enable women, parents and carers to become councillors and has a range of ideas that could be adopted in councils including a way of assessing the councils support for diverse councillors. <https://www.local.gov.uk/twenty-first-century-councils>*

## **Supporting individuals with protected characteristics**

64. The Welsh Government plans to introduce an Access to Elected Office fund to assist disabled people to stand for elected office in Wales at the 2021 Senedd and 2022 local elections.

65. The Welsh Government recently consulted on this proposal and the WLGA and several authorities were supportive. The Working Group also suggested that learning from this initiative could be used to inform any future access funds such as for childcare for candidates.

## **Education**

66. Welsh Government and Senedd Commission has developed a set of educational resources to accompany the extension of the franchise to 16- and 17-year olds in Wales which will focus on knowledge of and participation in democracy in Wales. This is freely available to schools and other education settings via an online resource Hwb
67. Work is being undertaken to identify ways in which schools in Wales can use the new curriculum to highlight and promote participation and engagement with local democracy.
68. *Councils will continue to engage with schools, including links with school councils and Youth Councils.*
69. *Councils are also using the Electoral Reform Support Grant to engage with newly enfranchised groups to help them understand the democratic process and encourage them to register and vote.*

## **Remuneration**

70. In response to concerns raised by WLGA Leaders, the Independent Remuneration Panel is identifying the key issues in relation to taxation and benefits applying to members and will prepare a paper for Welsh Government.
71. The Minister for Housing and Local Government has raised the tax issues with the Independent Remuneration Panel for Wales to explore potential solutions.
72. The Welsh Government has committed to explore with the Independent Remuneration Panel for Wales the case for payments in respect of councillors who lose their seats at election and present options to Ministers. This is an issue that has been raised as a concern by leaders, as councillors (and in particular full-time senior councillors), are at significant personal, financial risk if they lose their seat.

## **Making a Step Change in 2022**

73. The above proposed work programme outlines a range of awareness raising, engagement and support activities. Many similar activities were delivered during the Diversity in Democracy programme ahead of the 2017 elections.
74. However, despite some progress, improvement was marginal at the at the 2017 elections:

- the number of candidates increased by 5.6% (3,463 candidates compared to 3,279 in 2012 (including Anglesey candidates in 2013).
  - 29% of all candidates were women (up by 1% from 2012).
  - 28% of councillors elected were women (up 2% from 2012).
  - 32% of all newly elected members were women).
75. Uncontested seats at the 2017 elections remained high at 92 (7%) seats uncontested. This was fewer than in 2012, when there were 99 (8%) seats uncontested, but this continues to undermine local democracy.
76. Compared to the 2017 programme, Diversity in Democracy 2022 will include refinements and more targeted activity based on evaluations and lessons learned, along with some new, additional work such as the Civility in Public Life campaign.
- 77. The WLGA working group has shaped and is supportive of the proposed programme of activities outlined above, however it concluded that the programme on its own is unlikely to see significant improvements, particularly without clear leadership, commitment and coordinated actions from the main political parties.**
- 78. The working group has considered several more significant proposals which might have a more positive impact on diversity and the number of candidates in 2022.**
- 79. The views of Council are therefore sought on the following additional actions.**

### **The Role of Political Parties**

80. The working group recognised that independent councillors were a key feature of Welsh local government. It also recognised that political parties provided the majority of candidates at local elections and therefore play a key role and have significant responsibility in encouraging a more diverse range of candidates.
81. The working group noted that political parties have different policies and views about the introduction of quotas, all women shortlists, selection of diverse candidates in winnable seats or other positive-action initiatives.
82. There are, however, a range of good practice initiatives that political parties could undertake to encourage and support more diverse candidates both locally and nationally:
- Review party selection criteria e.g. reducing the length of membership before members can stand for office.

- Local parties can establish fora and run events/socials/training sessions for underrepresented groups. Helping these groups understand what the role of councillor is about, that their participation is required and how to stand plus the support that will be available once in office.
- Parties could establish 'Diversity Grants' to support people from underrepresented groups (who will not benefit from the Access to elected office fund) to stand.
- Existing councillors from underrepresented groups can be put forward for public events on panels, as speakers or as chairs to raise the profile of members from underrepresented groups and enable them to be role models for their communities.
- Talent spotting and engaging with communities working with community leaders from underrepresented groups, encouraging people shadow, be mentored and stand for election.
- Promoting and signposting of information and materials, such as those available via parties or national bodies such as the WLGA.
- Establish respect protocols for behaviour within the Group reflecting that required in councils and for the Code of Conduct with sanctions for people not meeting standards or undertaking training in respect.
- Encourage political parties and local groups, including officials those with a responsibility in the selection process to undertake unconscious bias training.
- Encourage political parties to provide by-stander training for candidates and party members, to understand how to provide support to diverse candidates and challenge any abuse, such as disability hate crime or racism, that may be experienced on the doorstep (this was a proposal that emerged from the Electoral Reform Society roundtable in October 2020),

**83. It is recommended that WLGA Council agrees to encourage all political parties, through the WLGA Political Groups, to commit to proactive and coordinated activities such as those listed at paragraph 80 above to improve diversity in local government democracy.**

### **Resettlement grants or 'parachute payments'**

84. Councillors are one of the only paid public roles that do not have financial protection and are not entitled to receive a 'redundancy' payment if they lose office at an election. Members of the Senedd and Members of Parliament receive a significant resettlement grant should they lose office at an election. Redundancy payments are also a protected right for public sector employees.

85. In particular, senior councillors tend to be full-time, often have to give up careers to focus on their councillor role and many have family as well as other financial commitments; the personal risk of a sudden and significant loss of a salary is inconsistent and unfair compared to other public roles. It is also a disincentive for more diverse people with careers or family responsibilities to consider taking on the most senior roles in local government.
86. The Independent Remuneration Panel has committed to consider this matter and explore whether the Welsh Government would need to introduce any legislative amendment to empower the Panel to introduce any such payments in future.
87. The 'cost of politics' and councillors' remuneration is a controversial matter and is subject to significant media and public scrutiny and political pressure. Any proposals would therefore have to carefully balance equality, fairness and costs and public acceptability.
88. WLGA leaders have previously raised the matter with the Independent Remuneration Panel previously, however the WLGA does not have a formal position on resettlement grants for senior salary holders.
- 89. It is recommended that WLGA Council adopts a formal position calling for the introduction of resettlement grants for senior salary holders.**

### **Councillors' allowances and expenses**

90. The Independent Remuneration Panel and some WLGA Leaders have previously expressed concern that many members entitled to receive specific expenses, such as travel allowances, or reimbursements of costs of care do not make claims. Several councillors also decide to forgo parts of their salaries; the Independent Remuneration Panel recently wrote to the WLGA noting "...that it is an individual's right to decide that they can take a lesser amount than that prescribed as long as there is no pressure applied either directly or subliminally", noting concern, however, that 12% of councillors decided to forgo last year's salary increases. There are concerns that this is partly to do with austerity, public and media perception but anecdotally, it is clear that there is also local peer or political group pressure or organisational cultural norms.
91. These allowances are provided to meet councillors' legitimate costs incurred in undertaking their duties and also play a role in encouraging greater diversity; some councillors can be disproportionately affected if they are on low income or have caring responsibilities. The Independent Remuneration Panel and several leaders have expressed concerns about this practice as it



may disadvantage members who cannot afford to forgo expenses and acts as a disincentive to stand/re-stand.

92. As noted above, the 'cost of politics' and councillors' remuneration is subject to significant media and public scrutiny.

**93. It is recommended that the WLGA Council agrees to encourage all councillors to claim any necessary allowances or expenses incurred.**

## **Diverse Councils**

94. The Welsh Government has committed to making Wales a Gender Equal Wales and the Cabinet to becoming a Feminist Government, which is a government that is:

- Committed to equality of outcome for all women, men and nonbinary people and actively works to drive cultural and structural change
- Pro-actively works to advance equality and remove the barriers against all women's participation in the economy, public and social life
- Puts a gender perspective at the heart of decision-making, resource and budget allocation
- Takes an intersectional approach to all of its work and ensures diversity of representation, participation and voice
- Is people-focused and collaborative, ensuring that all communities are meaningfully engaged in its work
- Is open, transparent and accountable and welcomes scrutiny through a gender lens
- Makes use of policy development and analysis tools to embed gender equality into all of its work and actively monitors progress towards equality using a robust evidence base
- Leads by example and supports other public bodies to take action to deliver equality.

95. The Black Lives Matter movement has highlighted global concerns about racism and COVID-19 pandemic has exposed the health and socio-economic impacts of inequality. Increased representation from BAME people on councils is essential to ensure that BAME people are represented and contribute their lived experiences to the decision-making process.

96. Councils' Strategic Equality Plans outline objectives which demonstrate their commitments and planned actions to promote equality and diversity, including as employers and representative bodies. Many councils will also undertake a range of activities in promoting diversity in democracy ahead of the 2022 local elections, as outlined above.
97. The Local Government and Elections (Wales) Act 2021 will introduce a new 'public participation' duty on local authorities which will include encouraging people to participate in decision-making and promoting awareness of how to become a member of the council. Further details of the aspects of the Act 2021 which contribute to diversity can be found in Annex C
98. Council meeting times are regularly highlighted as an issue for many serving councillors and, occasionally, as a disincentive for some people to stand. Councils review their meeting times at least once per term and several allow committees to have more flexibility to suit the committee members.
99. Councillors however have diverse backgrounds and varying personal, caring and professional commitments; it is therefore unlikely that council meeting times are ever going to be convenient for all members. For example, a councillor who has a young child might find it easier to meet during the day, whereas another may prefer to meet in the evening, depending on work commitments, schooling arrangements or childcare availability.
100. An option suggested at the Equality Cabinet Members Network, was that meetings of any one committee should be varied over the year between day and evening so that members were not always having to take the same time off work or arrange childcare. It was also noted that people should be advised before standing that meeting times may vary and could be changed, depending on the views of the newly elected councillors.
101. The potential permanent changes to meeting arrangements so that they can be held remotely may reduce the time required for travelling to meetings, however members with caring responsibilities may still require staggered meeting times as it is still not possible to provide care and attend a meeting simultaneously.
102. The Senedd and Parliament traditionally have recess periods, including a long Summer Recess. Approaches to the scheduling of meetings and official council business vary across authorities. Some councils have an official Summer recess, some do not schedule or scale down council meetings during school holidays. Councillors with children in school may be disadvantaged if council meetings are scheduled in the holidays, which may also prove to be a disincentive to stand.
103. The working group have suggested that Councils might, in addition to their Strategic Equality Plans commit to becoming Diverse Councils, publishing a 'Diversity Declaration' or a Council Motion outlining their

intentions to secure equal outcomes for all by working actively to drive cultural and structural change and pro-actively working to advance equality and remove the barriers to any individual's participation in the economy, public and social life. This commitment would focus on ensuring that under-represented groups are more active participants in engagement and decision making. Demonstrating a public commitment to improving diversity and an open and welcoming culture to all in advance of the 2022 elections.

104. A commitment by each local authority to becoming a Diverse Council could include

- Establishing 'Diversity Ambassadors' for each political group in the council who, working with each other and their local party associations could encourage recruitment of members from underrepresented groups.
- Encouraging and supporting Heads of Democratic Services, Elections officers/ Communications teams and /or Democratic Services Committees to undertake democratic outreach to promote the role of local councillor in, for example, schools or with underrepresented communities.

105. **A draft example of what could be included in a Diverse Council Declaration is included at Annex D. It is proposed a Draft Declaration, to be adapted and adopted locally, is developed in consultation with local authorities and partner organisations.**

106. **It is recommended that Council**

**106.1 Agrees to encourage a declaration by July 2021 from councils in Wales, on becoming 'Diverse Councils'; to commit to:**

- **provide a clear, public commitment to improving diversity;**
- **demonstrate an open and welcoming culture to all;**
- **consider staggering council meeting times and agreeing recess periods to support councillors with other commitments; and**
- **set out an action plan of activity ahead of the 2022 local elections.**

## **Diversity Targets**

107. Political parties were encouraged, through the Diversity in Democracy programme, to commit to gender targets at the 2017 elections and Welsh Labour, for example, committed to fielding women in 40% of winnable seats.

108. Other initiatives, such as 50-50 by 2020 have previously adopted targets and the Welsh Government's recently published 'Diversity and inclusion strategy for public appointments'<sup>3</sup> includes an action for:

*'Welsh Government to consult and if desired set overall targets across all Boards in Wales for BAME, disabled, LGBT+ and young people and socioeconomic groups, recognising that individual Boards have varying specific requirements.'*

109. Targets could be included in any 'Diversity Declaration' (if such an approach is agreed).

110. There are however mixed views on the value of targets. Targets provide a focus, demonstrate an organisation's ambition and commitment and provide a useful 'hook' for promotional and public relations purposes. However, targets need to be realistic and, as we are starting from a low base in terms of diversity of candidates and councillors, such targets may not appear ambitious enough.

111. Furthermore, whilst councils and the WLGA may seek to set targets to demonstrate ambition and commitment and can deliver a range of activities and reforms to encourage more candidates, other organisations notably political parties have the biggest influence over whether those targets can be achieved. Should councils determine local targets, they could therefore be criticized for not meeting targets which are largely not in their control.

112. At a recent meeting of WLGA Group Leaders it was suggested that whilst targets at Ward level are difficult, due to recruitment challenges, global targets for a whole authority area might be achievable.

113. **It is recommended WLGA Council provides views on the adoption of local or national diversity targets.**

## **Quotas or Reserved Seats**

114. The Local Government Commission in 2017 concluded that "Incumbency in local councils disproportionately benefits men...[and]...the slow pace of change is significantly driven by incumbency." According to the Elections Centre, in Wales' local elections in 2017, 895 incumbents stood for election (across 71% of seats) with 693 or 77% being successfully re-elected. In summary, incumbents are more likely to be re-elected than other candidates due to their profile, reputation, or track-record and, as most councillors are older, white men, most successful incumbents are

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<sup>3</sup> [https://gov.wales/sites/default/files/publications/2020-02/diversity-and-inclusion-strategy-for-public-appointments-action-plan-year1-2020-21\\_0.pdf](https://gov.wales/sites/default/files/publications/2020-02/diversity-and-inclusion-strategy-for-public-appointments-action-plan-year1-2020-21_0.pdf)

therefore older white men. The impact of incumbency has therefore led some campaigners to call for term-limits, quotas, or all-women shortlists.

115. The Welsh Government has previously controversially sought to tackle the issue of incumbency with the Golden Goodbye Scheme in 2002 and the 2015 White Paper proposal to introduce term limits for councillors, a proposal which was roundly rejected by local government.
116. According to the International Institute for Democracy and Electoral Assistance, there are four types of quota in use across the world today. Legal or voluntary candidate quotas and legal or voluntary reserved seats, reserved seats can be used for example to regulate the number of women elected. These can be introduced as a temporary measure and can be used at local and national level.
117. The WLGA has never proposed the adoption of quotas as a formal WLGA policy, although gender quotas were supported by the WLGA's former Leader, Baroness Wilcox of Newport, and the WLGA has previously outlined two 'Reserved Seats' models for discussion:
  - a. Localised and targeted All Women Reserved Seats for all by-elections during a municipal term. If such vacancies were targeted through a voluntary agreement between the main political parties to field only all women candidate lists, gender balance could improve by up to 5% during a municipal term.
  - b. A wider approach, which might require some changes to electoral law regarding the nomination process, could see a similar approach adopted for 'vacant' seats, where councillors had decided to stand down or retire at the election. If such councillors were able to commit to or notify of their intention to stand-down by an early-enough deadline, political parties could agree to voluntarily field all-women candidate lists in such 'vacancies', which could see as much as a 10-15% swing in terms of gender balance at an election. With such an immediate electoral impact, gender balance could potentially be achieved in local government over a 5-year period over the course of 2 elections.
118. Proposals such as quotas are controversial and there remain uncertainties regarding the legal basis for statutory quotas and political appetite for voluntary quotas. The Welsh Government plans to consider whether gender quotas should be introduced in Wales. The Ministerial Round-table has been informed that there may be legal limitations around the Senedd's competence which may prevent statutory quotas being introduced, even if the Welsh Government adopted quotas as a policy. Race Alliance Wales' 'Do the Right Thing' concludes that '...it is illegal to reserve all places for any particular characteristic, with exception made for women, and that quotas can legally only be made in regard to women, not other protected characteristic.'

119. More formal voluntary or statutory quotas have traditionally been recommended as a method of rapidly addressing imbalances in diversity and the effects of incumbency in perpetuating a lack of diversity. The Electoral Reform Society, Fawcett Society and British Council, call for legislation to be introduced for quotas (about 40-45%) for women candidates at elections. Others, such as the Women's Equality Network Wales, Chwarae Teg and the Expert Group on Diversity in Local Government also call for this but do not stipulate that it should be established in legislation.
120. Extensive research undertaken by the above organisations and the Senedd committee, all point to some of the causes of underrepresentation being about how candidates are selected and elected and call for direct action to level the playing field so that women initially can be better represented.
121. The issues they describe are electorate bias and processes, electorate bias and party group culture. The playing field is not level for some, due to conscious or unconscious bias, fostered by the image of incumbents and the culture of political groups and parties. The image of the *best person for the job* is often, whether consciously or not assumed to be a white middle class, middle aged man because this traditionally has been what a typical councillor looks like. The routes to and process of selection traditionally support this position.
122. Research undertaken by the Women's Equality Network Wales (Annex B indicates that –
- "Among the twenty Organization for Security and Co-operation in Europe (OSCE) countries registering the sharpest growth in the proportion of women in parliament during the last decade...half had introduced legal quotas. By contrast, among the twenty OSCE countries lagging behind in growth...none had implemented legal quotas.
  - 100 Countries world-wide now have some form of gender quotas in place and 40 also use them for intersectional groups such as BAME women."
123. The International Institute for Democracy and Electoral Assistance has outlined several 'pros and cons' of quotas:

**Cons:**

- Quotas are against the principle of equal opportunity for all, since women are given preference over men.
- Quotas are undemocratic, because voters should be able to decide who is elected.
- Quotas imply that politicians are elected because of their gender, not because of their qualifications and that more qualified candidates are pushed aside.

- Many women do not want to get elected just because they are women.
- Introducing quotas creates significant conflicts within the party organization.
- Quotas violate the principles of liberal democracy.

**Pros:**

- Quotas for women do not discriminate but compensate for actual barriers that prevent women from their fair share of the political seats.
- Quotas imply that there are several women together in a committee or assembly, thus minimizing the stress often experienced by the token women.
- Women have the right as citizens to equal representation.
- Women's experiences are needed in political life.
- Election is about representation, not educational qualifications.
- Women are just as qualified as men, but women's qualifications are downgraded and minimized in a male-dominated political system.
- It is in fact the political parties that control the nominations, not primarily the voters who decide who gets elected; therefore, quotas are not violations of voters' rights.
- Introducing quotas may cause conflicts but may be only temporary.
- Quotas can contribute to a process of democratisation by making the nomination process more transparent and formalised.

124. The main arguments for introducing quotas are not just about ensuring equality and to better reflect wider society, but because more diverse life experiences lead to better, more rounded decision-making; it would not just amplify the voice of women but also impact on the nature of debate and the decisions taken. Several organisations argue that quotas are the only way to see a step-change in diversity based on the evidence of impact where they have been introduced, but also the slow progress in changing local government diversity and diversity in UK politics generally. Quotas however remain a contested concept and have not been universally supported when previously considered in a Welsh context. There were mixed views among the working group members and several leaders expressed reservations about the introduction of quotas during the Electoral Reform Society 'Equal Power Equal Voice' Roundtable debate in October 2020.

125. The Equality Cabinet Members network also considered the risk around the language of 'quotas', particularly in terms of public perception as diverse candidates could be perceived as being tokenistic, undermining the credibility of high-caliber candidates.

126. **It is recommended that Council provides views on the introduction of statutory or voluntary quotas for Welsh local elections.**

## **Diversity of the WLGA**

127. Representation on the WLGA Council is one area where local authorities could make a positive difference and signal their commitment to change. It is not possible to state with certainty the percentage of underrepresented groups on the Council as this should be identified by each person themselves and this exercise has not been done, however, although there are more women leaders than ever before, the Council does not have proportionate representation of women or BAME councillors.
128. Some local authorities have delegations of only two or three members to the Council and it will therefore be challenging for them to significantly change their membership, however, members may consider that there is an opportunity for authorities to proactively nominate more diverse members to the WLGA Council. The WLGA Council could also seek to appoint more diverse members as role models in Spokesperson or Deputy Spokesperson roles or involve wider councillors as Champions in the work of the WLGA.

### **129. Recommendations**

#### **It is recommended that WLGA Council:**

- 129.1 recognises the work of the WLGA's Cross-Party Working Group on Diversity in Democracy;**
- 129.2 agrees to encourage all political parties, through the WLGA Political Groups, to commit to proactive and coordinated activities such as those listed at paragraph 80 above to improve diversity in local government democracy;**
- 129.3 adopts a formal position calling for the introduction of resettlement grants for senior salary holders;**
- 129.4 agrees to encourage all councillors to claim any necessary allowances or expenses incurred;**
- 129.5 agrees to encourage a declaration by July 2021 from councils in Wales, on becoming 'Diverse Councils'; to:**
- **provide a clear, public commitment to improving diversity;**
  - **demonstrate an open and welcoming culture to all;**
  - **Consider staggering council meeting times and agreeing recess periods to support councillors with other commitments; and**
  - **set out an action plan of activity ahead of the 2022 local elections.**
- 129.6 provides views on the adoption of local or national diversity targets; and**



**129.7 provides views on the introduction of statutory or voluntary quotas for Welsh local elections.**

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**Report cleared by:**

**Cllr Mary Sherwood**, Joint WLGA Spokesperson for Equalities, Welfare Reform and Anti-Poverty & Co-Chair of Working Group

**Cllr Susan Elsmore**, Joint WLGA Spokesperson for Equalities, Welfare Reform and Anti-poverty & Co-Chair of Working Group

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## **ANNEX A**

### **WLGA working group on Diversity in Local Democracy**

#### **Members who have fed into the working group:**

- Co-Chair - Cllr Mary Sherwood (Labour), WLGA spokesperson for Equalities, Welfare Reform and Anti-Poverty, City and County of Swansea
- Co-Chair - Cllr Susan Elsmore (Labour), WLGA Spokesperson for Equalities, Welfare Reform and Anti-poverty, Cabinet Member for Social Care, Health and Well-being, Cardiff Council
- Cllr Cheryl Green (Liberal Democrat), Chair Corporate Overview Scrutiny Committee, Bridgend CBC
- Cllr Daniel De'Ath (Labour) Lord Mayor, Cardiff Council
- Cllr Lisa Mytton (Independent) Deputy Leader, Merthyr Tydfil CBC
- Cllr Sara Jones (Conservative), Cabinet Member for Social Justice and Community Development, Monmouthshire County Council
- Cllr Cefin Campbell (Plaid Cymru), Executive Board Member for Communities and Rural Affairs, Carmarthenshire County Council
- Cllr Nicola Roberts (Plaid Cymru) Chair Licensing and Planning Committee, Isle of Anglesey Council
- Cllr Dhanisha Patel (Labour) Cabinet Member for Wellbeing and Future Generations, Bridgend County Borough Council
- Cllr Ann McCaffrey (Independent), Conwy County Borough Council
- Cllr Jayne Cowan (Conservative) Cardiff Council
- Cllr Bablin Molik (Liberal Democrat) Cardiff Council
- Baroness Wilcox of Newport (Labour), Newport Council who chaired the working group initially in her capacity as WLGA Leader

Views have also been provided through discussions with members and officers in:

- Equalities Cabinet Members' Network
- Chairs of Democratic Services Network
- Heads of Democratic Services Network

#### **Officer Support**

- Daniel Hurford, Head of Policy (Improvement and Governance) WLGA
- Sarah Titcombe, Policy and Improvement Officer (Democratic Services) WLGA
- Dilwyn Jones, Communication Officer, WLGA
- Huw Evans, Head of Democratic Services, City and County of Swansea

## ANNEX B

### EXTRACT FROM A WOMENS EQUALITY NETWORK (WEN) WALES BRIEFING PAPER

#### The case for quotas to deliver equal and diverse representation

February 2020

#### Evidence supporting quotas

- Research shows that quotas are the **“single most effective tool for ‘fast tracking’ women’s representation in elected bodies for government.”**<sup>4</sup>
- Among the twenty Organization for Security and Co-operation in Europe (OSCE) countries registering the sharpest growth in the proportion of women in parliament during the last decade...**half had introduced legal quotas. By contrast, among the twenty OSCE countries lagging behind in growth...none had implemented legal quotas.**<sup>5</sup>
- There is international backing for gender quotas. Various international institutions, including the United Nations Committee on the Elimination of Discrimination (**CEDAW**), the Beijing Platform for Action, the EU and the Council of Europe support their use.
- **Ireland** has successfully used quotas requiring that at least 30 per cent of the candidates each party stands nationally are female (rising to 40 per cent after seven years). **The percentage of women candidates increased 90 per cent at the 2016 election** compared to the 2011 election, with a corresponding **40 per cent increase in the number of women elected—** 35 in 2016 compared with 25 in 2011.<sup>6</sup>
- **100 Countries** world-wide now have some form of gender quotas in place and 40 also use them for intersectional groups such as BAME women.
- A report published by the United Nations in 2012 found that **out of the 59 countries that held elections in 2011, 17 of them had quotas.** In those countries, women **gained 27% of parliamentary seats compared to 16% in those without.**<sup>7</sup>

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<sup>4</sup> Drude Dahlerup et al., Atlas of Electoral Gender Quotas, International Institute for Democracy and Electoral Assistance [IDEA], IPU and Stockholm University, 2013.

<sup>5</sup> Norris, P. and Krook, M. for OSCE, Gender equality in elected office: a six-step action plan, 2011

<sup>6</sup> Brennan, M. and Buckley, F. ‘The Irish legislative gender quota: the first election’, Administration, vol 65(2), May 2017

<sup>7</sup> <https://www.theguardian.com/politics/2013/aug/20/quotas-women-parliament-authors-edinburgh-book-festival>

## Types of Quota

Different types of gender quota have been used in different countries, depending on the electoral system and local circumstances. The Expert Panel on Electoral reform<sup>8</sup> describes the three main types as:

- **Candidate quotas which introduce a 'floor'** for the proportion of male or female candidates a party stands for election. These could be applied in the form of constituency twinning for First Past The Post (FPTP) seats. They could also be applied to multimember systems such as STV or Flexible List at a constituency or a national level. Parties in Scandinavia, Spain and Austria have voluntarily adopted similar quotas, ranging from 33 per cent to 50 per cent.
- Requirements for **the ordering of candidates on any list** element of the system. Voluntary quotas of this nature have been used by parties in Wales in Assembly elections, for example zipping of regional candidate lists. (I.e. listing candidates alternately according to their gender)
- **'Reserved seats'** to which only female candidates could be elected. This type of quota is widely used in South Asia, the Arab region and sub Saharan Africa.

### Examples of Incentives used:

- **Croatia** has legally binding quotas and uses incentives - for each MP representing an underrepresented gender, political parties receive an **additional 10 per cent of the amount envisaged** per individual MP;
- **Bosnia and Herzegovina**: where 10 per cent of the funding provided to political parties is distributed to parties in proportion to the number of seats held by MPs of the gender which is less represented in the legislature,
- **Two for the price of one deposits** for two candidates of different genders could be used in Wales —this would appear to us to be proportionate in the context of seeking to ensure that the gender balance in the Assembly reflects the gender balance in the communities it serves.<sup>9</sup>

[www.wenwales.org.uk](http://www.wenwales.org.uk) / @wenwales

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<sup>8</sup> A Parliament that works for Wales, Report of the Expert Panel on Assembly Electoral Reform, November 2017

<sup>9</sup> A Parliament that works for Wales, Report of the Expert Panel on Assembly Electoral Reform, November 2017

## **ANNEX C**

### **LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021**

The Local Government and Elections (Wales) Act 2021 includes provisions which will contribute to diversity in local government democracy. These are:

- Entitlement to Job sharing for executive members and committee chairs
- A duty on principal councils to produce a Public Participation Strategy and for it to be reviewed regularly. This will include encouraging people to participate in decision making and promoting awareness of how to become a member of the council.
- A duty on political group leaders to promote and maintain high standards of conduct by members of their group.
- Electronic broadcasting of full Council meetings initially, and other meetings to be announced later, following ongoing consultation by WG with Councils.
- The provision of multi-location attendance at council meetings including physical, hybrid and remote attendance.
- Provisions enabling the maximum period of absence for each type of family absence for members of local authorities to be specified within regulations and for adoptive leave to reflect that which is available to employees.

## **ANNEX D**

### **(DRAFT) DIVERSE COUNCIL DECLARATION**

The following provides a draft declaration. It is proposed that this is further developed in consultation with authorities, representative organisations and will be informed by emerging priorities from councils' own diversity and equality action plans and emerging priorities from the Welsh Government's Race Equality Action Plan.

This Council commits to being a Diverse Council. We agree to

- Provide a clear public commitment to improving diversity in democracy
- Demonstrate an open and welcoming culture to all, promoting the highest standards of behaviour and conduct
- Set out a local Diverse Council Action Plan ahead of the 2022 local elections. Including:
  - Appoint Diversity Ambassadors for each political group on the council to work with each other and local party associations to encourage recruitment of candidates from underrepresented groups.
  - Encourage and enable people from underrepresented groups to stand for office through the provision of activities such as mentoring and shadowing programmes and information and learning events for people interested in standing and official candidates.
  - Proactive engagement and involvement with local community groups and partner organisations supporting and representing under-represented groups
  - Ensure that all members and candidates complete the Welsh Government candidates' and councillors' survey distributed at election time.
  - Set ambitious targets for candidates from under-represented groups at the 2022 local elections
- Work towards the standards for member support and Development set out in the *Wales Charter for Member Support and Development*.
- Demonstrate a commitment to a duty of care for Councillors by:
  - providing access to counselling services for all councillors
  - having regard for the safety and wellbeing of councillors whenever they are performing their role as councillors.
  - taking a zero-tolerance approach to bullying and harassment by members including through social networks.
- Provide flexibility in council business by
  - regularly reviewing and staggering meeting times
  - encouraging and supporting remote attendance at meetings and
  - agreeing recess periods to support councillors with caring or work commitments.
- Ensure that all members take up the allowances and salaries to which they are entitled, particularly any reimbursement for costs of care, so that all

members receive fair remuneration for their work and that the role of member is not limited to those who can afford it.

- Ensure that councillors from under-represented groups are represented whenever possible in high profile, high influence roles.

## **Terms of Reference**

- (i) To review national guidance and legislation with a view to developing a local action plan to deliver the WLGA and Council Diversity in Democracy agenda.
- (ii) To consider proposals to raise awareness and promotion of the role of Councillors, to reduce potential barriers to becoming a Councillor (County Borough / Community / Town) with the aim of encouraging future candidates from diverse backgrounds to stand for Election.