

Consultation response: Electoral Administration and Reform White Paper

January 2023

About the Women's Equality Network (WEN) Wales

Our vision is of a Wales free from gender discrimination where all women and men have equal authority and opportunity to shape society and their own lives. We work with our vibrant coalition of organisational and individual members to transform society. Our work sits under three pillars. We will Connect, Campaign and Champion women so our vision is realised.

The Electoral Administration and Reform White Paper is a comprehensive policy document covering many different areas. Below we have set out our responses to the consultation questions that are relevant to our visions.

36. What do you think about the idea that new powers should be created to enable determinations to be made about parachute payments for councillors?

As confirmed by [Welsh Government research](#), women and candidates with other protected characteristics often face increased financial barriers to elected office due to factors like caring responsibilities, socio-economic status or accessibility costs. The costs of running for elected office are substantial and therefore parachute payments could be one way of addressing some of these financial barriers.

At the same time, such payments would only benefit Councillors who fail to be re-elected rather than new candidates and we know that the majority of current Councillors do not represent these protected characteristics. It is therefore likely that the introduction of these payment would not be particularly well targeted to support people with protected characteristics. We welcome the introduction of these payments in principle, as a long-term measure to reduce financial barriers to elected office. But we believe that, as a means to improve diversity in democracy in the short to medium term, they need to be carefully balanced against measures that can be better tailored to support women and other underrepresented groups into elected office.

45. Should the Welsh Government consider making provision for an online voter information platform? What information should be provided on the platform and who should host it?

Yes

Please explain your answer:

The platform should provide reliable, impartial information on candidates, their political positions and commitments. The information should be fully accessible, including in easy read versions and languages other than Welsh and English.

The platform should be hosted by a neutral body that is independent of the Welsh Government and political parties.

47. What should be done to encourage political parties to produce accessible materials?

The Welsh Government should consider co-producing best practice guidance and accessibility standards with organisations representing a diverse range of people and with people who have lived experience. If the adherence to such guidance cannot be legally enforced, the Welsh Government or an independent disability rights organisation should be tasked with monitoring compliance of different parties and publishing compliance rankings so there is accountability.

48. To what extent do you agree or disagree that that the returning officer at devolved elections should be under a duty to provide such equipment as it is reasonable to provide for the purposes of making it easier for disabled people to vote?

Fully agree.

49. What support should be put in place to ensure the returning officer is able to effectively discharge that role?

Best practice guidance co-produced with disabled people with a diverse range of impairments.

52. In addition to provisions in the Curriculum for Wales, are there any other measures that the Welsh Government should put in place through the education system to ensure that learners in Wales can confidently take part in Welsh elections?

Learning opportunities should be provided to people who have left school, for instance through community education. Schools could be encouraged to put on hustings ahead of elections and hold mock elections with their own candidates.

54. Do you think some or all of these proposed actions described in the White Paper will help to contribute to reducing instances of abuse of candidates?

Yes

Please explain your answer:

Evidence: We agree that a robust evidence base to understand the magnitude, form, severity and impact of abuse is a crucial step to effectively address it. However, as we know that this abuse has existed for some time and we know that it is increasing, it is paramount that other measures to prevent and mitigate abuse are implemented immediately rather than waiting for the results of the next survey. The survey results should be seen as a resource to improve and tailor these measures, not as a precursor for introducing them as we need them urgently now.

The survey should collect diversity data to better understand the experience of candidates with different and intersecting characteristics. A convenient way to achieve

this could be through integration in the candidate survey. Due to the sensitive nature of the information, it is crucial that safety and anonymity can be guaranteed and that participants can be reassured of this. Data must also be processed and protected so that no details of individual cases are being exposed.

To better understand the nature of abuse of candidates, the survey should also collect information on perpetrators, especially in terms of establishing whether perpetrators are mainly from the general public/electorate, or to what extent it may come from within political parties or competing candidates, as the means available to address these would be very different.

Communication: We believe that communication campaigns, including in schools and on social media, in the run up to major elections could have a positive impact. The message of such campaigns could focus on promoting an inclusive electoral process and the positive portrayal of women and candidates with other protected characteristics, including women who experience intersecting discrimination as we know they are disproportionately targeted by abuse.

Overall, the approach to preventing and mitigating candidate abuse should tie in with the principles of the VAWDASV Act 2015 and the accompanying national strategy and should be informed by the experience of expert organisations such as Welsh Women's Aid, Bawso and Glitch UK.

Costs: We are fully supportive of the proposal to introduce legislation to exempt spending on safety-related necessities or for protection of persons or property during campaigns.

Support and advice: We agree that support and advice services need to be better signposted to candidates and that women and other candidates with protected characteristics would benefit from free optional training on personal safety and online abuse. In addition, we believe that candidates who experience abuse would greatly benefit from access to an independent specialist advice service.

Campaign pledge: We are fully supportive that additional consideration should be given to encouraging all candidates to sign up to a campaign pledge, similar to WLGA's "Fair and Respectful campaign" pledge in advance of the 2022 local elections.

Statement of persons nominated: We support the proposal that the rules for local and Senedd elections should be amended to require that the SOPN form includes a standard description of the geographical qualifications for standing as a candidate to remove local pressure on candidates to publish their home address

57. What other actions would contribute to reducing instances of abuse of candidates?

In addition to the actions described in the White Paper, we believe that there is additional scope to address candidate abuse within the electoral system, for instance through strengthening complaint mechanisms and code of conduct procedures and through encouraging political parties to adopt zero-tolerance policies on harassment and abuse. Elected representatives should be held to the highest standards of behaviour in this regard and set a positive example for the electorate. Parties should

also be encouraged to recognise their duty of care towards candidates through adopting measures to prevent abuse and to support candidates who experience abuse.

58. Should Welsh Ministers legislate to require the establishment and maintenance of an 'Access to Elected Office Fund'?

Yes

Please explain your answer:

Early evidence from our partners suggest that the fund was successful and especially well received among disabled women. We know that people who experience intersecting discrimination tend to face more obstacles to elected office, including financial ones. We therefore strongly believe that the fund should be made permanent in legislation and that it should be **expanded to other underrepresented groups, including through covering costs associated with a candidate's caring responsibilities for children and adults.** Despite making up around 52% of the populations, women continue to be underrepresented at all levels of Welsh politics and we know that caring responsibilities and the associated costs are a major factor in this. Caring responsibilities are also a key-factor in women's socio-economic disadvantage and the resulting financial barriers to elected office, as can be seen from the fact that 46% of single parents (who are mainly women) live in poverty - twice as high as the overall poverty rate in Wales.

59. Should this Fund be available to support candidates from under-represented groups for all devolved Welsh ordinary and by-elections?

Yes.

60. If you agree the Fund should be a requirement set out in primary legislation, what should be the parameters within which the Fund should operate?

The proposed parameter "to provide support for candidates from underrepresented groups" is, in our view, too limited because it could suggest that there is only a problem as long as these groups are numerically underrepresented in Welsh politics. But underrepresentation is only a symptom of inequality, and we believe that the parameter of the Fund should be more ambitious and seek to address the root cause of underrepresentation – the many obstacles that people with protected characteristics face and that lead to their underrepresentation.

For instance, care work is the backbone of our society but it is distributed unequally with women bearing the brunt of these responsibilities. Combined with the lack of free, high-quality childcare and social care, this means that often women either have to do this work for free or have to pay for external providers, which is an unequal barrier toward elected office. But the barrier may well persist even when women are no longer underrepresented in politics. Care work will continue to be necessary work in our society, and someone will have to do it. Therefore support should be available for the costs for caring responsibilities irrespectively of whether the main beneficiaries of it (women) are underrepresented or not. This is also the case for impairment-related expenses as these costs are needed to address barriers to equal access for disabled

people, and many of these may continue to exist even when disabled people are no longer underrepresented. As the Access to Elected Office Fund is expanded the Welsh Government should clarify its ambition about what motivates the need of the Fund. We believe it is not merely the fact that certain groups are (numerically) underrepresented in politics, but recognition of the obstacles that historically underrepresented groups may continue to face when seeking elected office, even when they are no longer numerically underrepresented.

We therefore recommend that the parameter should be “to provide support for candidates in addressing barriers to diverse and equal representation that have historically led to their political underrepresentation, with a recognition that these obstacles may continue to exist even when equal and diverse representation has numerically been achieved.” To achieve this purpose, we believe that the design of the Fund and the overall Diversity in Democracy work should tie in with wider strategic equality plans, such as the [Gender Equality Action Plan](#), the [Anti-Racist Wales Action Plan](#), the draft [LGBTQ+ Action Plan](#), and the [Locked Out report](#).

61. To what extent do you agree or disagree that the requirement to set out the Local Government Candidates’ Survey questions in regulations should be removed?

Strongly Agree

Why do you say this?

The language and information requirements around equality characteristics are evolving over time and the regulations should have sufficient flexibility to reflect this.

61a. If Strongly Agree or Agree, should the survey be updated through a formal review process involving key partners?

We strongly agree that the wording of core questions of the survey should be informed by representatives of equality groups and people with lived experience, for instance to ensure it reflects the evolving language that different groups use to describe themselves and identify with.

62. Do you agree there should be flexibility for local authorities to ask questions about local widening participation measures?

Yes (subject to comment in response to Q64.)

63. Do you agree questions should be included in the survey about candidates’ experiences of abuse and harassment (see the section on “other measures we are taking to ensure candidates safety”)?

Yes (see further comments in response to Q54).

64. Do you think Welsh Ministers should approve the full set of questions or only the core all-Wales questions?

We believe that there should be some flexibility for local authorities to add questions relevant to their local circumstances, however care must be taken for these questions

to be included in such a way that they would not impact the quality and consistency of the data captured through the core questions.

73. To what extent do you agree or disagree that there should be mandatory training and development for councillors?

Strongly Agree

Why do you say this?

We believe that the role and responsibilities of councillors require mandatory training, including on matters relating to standards of conduct and equality and diversity. This is especially important as women and other groups continue to be underrepresented in politics – as long as we do not have an equal voice in political decision-making, we need to ensure that those who have a voice are trained and informed on the realities and experiences of people with different protected characteristics, to be able to discharge their responsibility to represent their whole constituency in all its diversity. To ensure such training is accessible to all councillors, training should be provided at different times to be compatible with professional or caring responsibilities.

74. If Strongly Agree or agree to question 73, should this mandatory training and development for councillors include principal councils and town and community councils?

Yes.

75. If Strongly Agree or Agree to question 74, should the expectations for mandatory training be different between principal councils and town and community councils?

The level and extent of mandatory training should reflect the different levels of responsibilities between principal and town and community councils and be tailored to the different roles and legislative differences.

76. If Strongly Agree or Agree to question 75, what proposals would you make for areas to be included in mandatory training?

We propose that the mandatory training should include the following:

- Code of conduct training
- Equality and diversity training including gender equality, race equality, disability rights, LGBTQ+ training, socio-economic duty and how to be a good ally.
- VAWDASV training and active bystander training

All the training referred to above must be meaningful and equip councillors with the tools they need to understand, call out and address discrimination, harassment and abuse, and to spot signs of VAWDASV, and not be piecemeal or tokenistic.

One approach to ensure the training is taken seriously and is completed by all County Councillors in the first few months of a term would be to make the receipt of the first remuneration payment conditional on the training being completed. In our view the justification for such a measure could draw on the fact that the role of a councillor is to

represent their constituency or ward in all its diversity, and training in the areas outlined above is necessary to be able to do this effectively.

77. If Strongly Agree or Agree that there should be mandatory training, do you consider candidates should be asked to confirm their willingness to undertake it as part of the nomination of candidates' process?

Willingness to undertake mandatory training should be a requirement to stand as a candidate and this should be confirmed in the nomination papers.

78. Should there then be sanctions for candidates who do not confirm they are prepared to undertake mandatory training?

Yes

Please explain your answer:

As above. It is hard to see how the training would be mandatory if there were no sanctions attached in case of non-compliance.

79. Should a commitment to undertake mandatory training and development form part of the oath successful candidates must take before being able to take up their office?

Yes

Please explain your answer:

See above

80. If Yes at Q79 what sanctions should apply to elected members for then not undertaking mandatory training and development?

As detailed above, remuneration payments should be conditional on completion of the training. If a councillor continues to refuse to undertake the training, they should be disqualified.

89. We have asked a number of specific questions. If you have any comments on any related issues which we have not specifically addressed, please tell us below.

The Special Purpose Committee on Senedd Reform recommended that parties should adopt diversity and inclusion strategies:

“Recommendation 16: We recommend that Senedd reform legislation includes provisions that encourage each political party standing candidates in a Senedd election to prominently publish a diversity and inclusion strategy, setting out how it has sought to facilitate diversity within its candidates, at least six months prior to the scheduled Senedd election.”

While the agreed Senedd Reform proposals are not the subject of this consultation, we would like to take the opportunity to make some points on the proposed diversity and inclusion strategies as they relate to many of the broader changes discussed in this consultation and are relevant across the Senedd and local government in Wales.

We would strongly welcome the publication of a best practice guidance or toolkit, co-produced with relevant equality organisations and experts by experience, to provide political parties with orientation and support on what measures would be most effective as part of their diversity and inclusion strategies. We would envisage this guidance or toolkit to include the following:

- Adopt a zero-tolerance approach to sexism, racism, ablism, and discrimination against people from the LGBTQ+ community;
- Introduce quotas and targets;
- Make use of All Women shortlists and reserved seats on shortlists for people with other protected characteristics (note that this is compatible with Equality Act for protected characteristics other than sex, as long as not all seats on the shortlist are reserved for a particular protected characteristic);
- Expand and adequately resource schemes for mentoring, coaching & shadowing;
- Ensure information on becoming a candidate is easily accessible and proactively encourage people from a diverse range of backgrounds and communities to apply;
- Promote and adequately resource professional support networks for women and people with other protected characteristics;
- Use anonymised recruitment and diverse selection panels.

For further details specifically relating to the experience of candidates from racialised backgrounds, please see Race Alliance Wales' [Do The Right Thing](#) Report.

Thank you for the opportunity to contribute to this consultation. If you have any further comments or queries, please get in touch.

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