

Additional information provided by Professor Laura McAllister and Dr Vale Gomes following the evidence session on 26 October 2023.



Reform Bill Committee

Further evidence submitted by Professor Laura McAllister and Dr Larissa Peixoto Vale Gomes, Wales Governance Centre, Cardiff University.

We submit this note to the Committee as an addendum to the evidence that Professor McAllister gave at the Committee's session on 26th October 2023 (along with Professor Alan Renwick). The discussion and questioning that ensued did not cover the matter of job share, so we are setting out some thoughts on this issue here. Dr Gomes works with Professor McAllister on this area.

The Senedd Cymru (Members and Elections) Bill's provisions relating to job share are set out in Section 7. The Bill does not make provision to introduce job sharing; rather, Section 7 requires the Llywydd of the seventh Senedd (following the 2026 Senedd election) to table a motion to propose setting up a Senedd committee to explore specified matters relating to job share. Should a committee be established, it would be required to report on the viability of job share, and the Welsh Government would then be required to respond.

Seeking to commit a future Senedd to an action such as this is unusual, as is placing a statutory duty on a future Llywydd. We concur with the evidence submitted by the current Llywydd questioning the appropriateness of this. We regard this requirement as overly prescriptive. It also poses risks as to the surety of progress for such a review, as well as representing an anomaly in parliamentary practice.

Furthermore, we regard such a delayed timeline to be extremely disappointing. As many as four in ten employees across sectors currently have an option of job share available to them. Since 2019, job share schemes are also operational in many local authorities in Wales and beyond. Moreover, job share for elected politicians has been on the political radar in Wales for quite some time. Postponing any serious further investigation until after elections to a reformed and enlarged Senedd seems to us anomalous.

We understand that job share for AMs/MSs was considered in some detail by the Independent Remuneration Board. It was then explored more expansively, using a suite of evidence and research, by the Expert Panel on Assembly Electoral Reform, which Professor McAllister chaired. Its report "A Parliament that Works for Wales" was published in 2017.

There are many reasons why job share would benefit Senedd politics and enhance Wales's democratic landscape. These include:

- strengthening diversity of representation;
- potentially improving the calibre of candidates for election;
- aligning better with Well-Being and Future Generations goals.

There continues to be some (although not a substantial amount) of academic research on the benefits of job share for elected politicians. This mostly uses a gendered lens to explore the obstacles facing women in entering political office. Females generally have considerably more caring responsibilities than males.

There is also evidence to suggest that disabled people, who are relatively over-represented in Wales compared to UK, are underrepresented when it comes to elected office here, thus restricting their voice, power and influence. Other considerations include potential election candidates who are professionals in fields where regular practice accreditation is mandatory, thus making it problematic to give up the profession entirely to assume office. That is especially important given the obvious precarious nature of elections.

Less well-researched, but nevertheless likely to carry some weight, is that job share might offer an additional attraction to those working in the private sector or in business.

It is also argued that two individuals might bring more to the table, thus generating additional skills and capacity for the institution.

In summary, job share at least carries the potential to widen the pool of election candidates by admitting those who would just prefer not to be full-time politicians. This has some scope to rebuild the clearly broken relationships between the public and those elected to serve them (see <https://www.ucl.ac.uk/constitution-unit/research-areas/deliberative-democracy/democracy-uk-after-brexit/future-democracy-uk>).

In terms of operationalising a job share policy, we would highlight some basic principles:

First, conditions around job share should state that that job share candidates represent a “single legal identity”. They effectively constitute one person or MS, as was said in the Expert Panel report. Two candidates (whether party affiliated or independent) should stand as a single candidate on the ballot paper on an agreed, single platform of policies, goals and agreed working arrangements. There should be no additional cost incurred (minor costs relating to home office requirements being the only consideration).

Formalisation of job sharing arrangements for elected representatives would put Wales at the forefront of this democratic innovation. Although there are several experiences around the world, broadly termed 'collective mandate' or 'collective representation', these have had varying degrees of success, mostly due to the lack of formalisation that enshrine how this operate.

'Job sharing' is one type within collective representation experiences and has not been found enshrined in law elsewhere. However, particularly in Brazil, it has been a somewhat popular means of campaigning and sharing the responsibilities of the office. There, either all members of the would-be collective mandate ran on their own and whoever won would become the representative of record, or one is selected to run while co-candidates are part of the campaign and representation efforts.

By way of international practice, Brazil has demonstrated a degree of success, particularly at the election stage. It is indicative of promoting greater diversity both in co-candidates and in elected members. However, because no rules exist on this type of representation, and often only one representative is in fact recognised by law, there are also experiences of internal breakdown. In one case, the representative of record decided to renounce her position without conferring with co-representatives, which led them to lose the mandate (Sônia Lansky, Coletiva collective, Belo Horizonte, Brazil).

This further demonstrates that job sharing politics is more than sharing the responsibilities of a 'typical' job. While it appears to lead to greater diversity, it does require the formalisation of rules to recognise all co-representatives as stated above. This would be possible through the Senedd Cymru Bill.

Finally, we are cognisant of possible legal challenges to job share. However, we regard this proposal as being likely to fall under the competence of the Senedd as it relates specifically to Senedd elections. We are also aware that Professor Emyr Lewis of Aberystwyth University has highlighted the exception to the reserved equal opportunities powers relating to "the encouragement...of equal opportunities".

In conclusion, we believe there are clear opportunities for faster progress on job share and we would urge that speedier routes are pursued concurrently with changes to the size and electoral system of the Senedd. As we understand it, there is no procedural or legal bar to the sixth Senedd establishing a committee to work on job share during this term. We regard none of the potential obstacles raised as being insurmountable. Moreover, in commending such an action, we feel it would allow a stronger synergy with the other measures introduced in the Bill to improve diversity and to reinvigorate our democracy in Wales.

Professor Laura McAllister and Dr Larissa Peixoto Vale Gomes