

Access to elected office for disabled people

A consultation

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Ministerial foreword

The Coalition Government is committed to equality for disabled people and an important part of restoring trust is to open up our democracy and ensure that our political system better reflects the people it serves. Disabled people are currently under-represented in public life, despite there being over 10 million disabled people in the UK.

This is why the Coalition Government has made a commitment to introduce “extra support” for disabled people “who want to become MPs, councillors or other elected officials”. This commitment follows the recommendations made by the cross-party Speaker’s Conference in January 2010 on how to improve the representation of women, disabled people and minority ethnic people in the House of Commons.

At the heart of our efforts to take this important commitment forward, we will ensure that the ideas and experiences of disabled people are considered carefully when developing and shaping new Government policy in this area. A number of key points, which were highlighted within evidence submitted to the Speaker’s Conference, demonstrate the importance of establishing a new strategy. The Speaker’s Conference highlighted:

- There are particular needs, interests and concerns that arise from disabled people’s experience that are inadequately addressed in a political environment that is dominated by non-disabled people.¹
- Disabled MPs have an important role to play in enriching and informing political debate, thus helping to ensure their experiences are used to inform policy makers.²
- The number of MPs who have declared themselves as disabled is very low compared to the proportion of disabled people in the population as a whole. To be representative of the population, we might expect 65 MPs to be disabled.³
- The absence of a critical mass of MPs who have declared themselves as disabled may reinforce the perception that disabled people are the passive recipients of public services and public policy.⁴
- There is a mistrust of Parliament amongst disabled people in relation to its ability to seriously address disability issues.⁵

The strategy is not about providing a political or other advantage to potential disabled candidates; it is about breaking down the barriers which prevent disabled people from standing for public office. Breaking down barriers and giving citizens the chance to influence and shape the decisions that affect their daily lives will make our democracy even stronger. In order to tackle the barriers faced by disabled people most effectively, we need to first establish what practical support they need to overcome the various obstacles that prohibit their full participation in political life. This consultation is an opportunity for us to hear first-hand, from disabled people themselves and others, what support would be most appropriate in breaking down the barriers to success.



A handwritten signature in black ink that reads "Lynne Featherstone".

Lynne Featherstone
Minister for Equalities



A handwritten signature in black ink that reads "Maria Miller".

Maria Miller
Minister for Disabled
People



A handwritten signature in black ink that reads "Mark Harper".

Mark Harper
Minister for Political and
Constitutional Reform

Chapter 1: About this consultation

Purpose of this consultation

- 1.1 We would like to hear your views on our proposals for providing additional support for disabled people who are seeking elected positions as MPs, councillors or other elected officials. This consultation also considers ways of promoting opportunities for disabled people to realise their potential to become MPs.
- 1.2 This consultation will be of particular interest to:
- disabled people;
 - political parties;
 - house authorities;
 - disability organisations;
 - organisations representing other under-represented groups;
 - local authorities.

Comments from other interested parties are also welcomed.

Territorial scope

- 1.3 The proposals will apply to candidates who are applying to the following list of elections: UK Westminster elections, English local elections, Greater London Authority (GLA) elections, English Mayoral elections and Police and Crime Commissioners. There will be continued discussions with the devolved administrations in order to provide an effective forum for replicating good practice.

Impact assessments

- 1.4 We have produced an equality impact assessment of the effect our proposals may have on age, disability, gender, gender reassignment, race, religion or belief and sexual orientation equality. This is at Annex A. We will continue to discuss and assess the likely impact of our proposals with interested parties over the course of this consultation.

Duration of this consultation

- 1.5 This consultation begins on 16 February 2011 and ends on 11 May 2011. Any responses received after the closing date may not be considered or reflected in our analysis.

How to respond

- 1.6 A summary of the consultation questions is provided at Annex B. We would be grateful if you could use the electronic version of the response proforma to submit your comments; this is available for download from the Government Equalities Office website at www.equalities.gov.uk. An easy read version of the consultation paper will also be available.

1.7 Responses should be sent by email to:
accesstoelectedoffice@geo.gsi.gov.uk

or by post to:

Access to Elected Office for Disabled People: Consultation Responses, Government Equalities Office, Zone G9, 9th Floor, Eland House, Bressenden Place, London SW1E 5DU.

1.8 Please ensure that your response reaches us by **11 May 2011**.

1.9 Please tell us whether you are responding as an individual or are representing the views of an organisation. If you are responding on behalf of an organisation, please tell us who the organisation represents and, where possible, how the views of members have been sought.

Queries about this document

1.10 Any queries about this document should be made to:

Name: Suzi Daley and/or Jisha Salim

Telephone: 0303 444 3954/
0303 444 4036

Email: suzi.daley@geo.gsi.gov.uk/
jisha.salim@geo.gsi.gov.uk

We will consider any reasonable request for alternative accessible formats of this document. Please send your request to:

Email: accesstoelectedoffice@geo.gsi.gov.uk
(Please state 'Accessible format request' in the subject line).

Post: Access to Elected Office Consultation – Accessible Formats, Government Equalities Office, Zone J10, 9th Floor, Eland House, Bressenden Place, London SW1E 5DU.

Telephone: 0303 444 1204

After the consultation

1.11 We will publish a summary of the results of this consultation on the Government Equalities Office website within three months of the end of the consultation period.

Freedom of information

1.12 We may need to pass any information you send us to other colleagues within the Government Equalities Office and to other government departments. We may also need to publish your response.

1.13 All the information you provide in your response, including personal information, may be subject to publication or disclosure if someone requests it under the Freedom of Information Act 2000 (FOI Act) or the Data Protection Act 1998. If you want the information you provide to be treated as confidential, please be aware that the FOI Act has a statutory Code of Practice that we have to comply with which sets out our obligations on confidentiality. Because of this it would be helpful if you tell us why you want the information to be treated as confidential. If someone does then ask us to disclose the information, we will be able to take into account your reasons for confidentiality but we cannot guarantee that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system on an email will not of itself be regarded as binding on the Government Equalities Office.

Code of Practice on Consultation

1.14 This consultation complies with the Code of Practice on Consultation⁶ produced by the Department for Business, Innovation and Skills.

Chapter 2: Background and context

- 2.1 The Coalition Agreement between the Conservatives and Liberal Democrats included a specific commitment to introduce “extra support” for disabled people “who want to become MPs, councillors or other elected officials.”
- 2.2 The aim of this initiative is to identify and address the barriers faced by disabled people who want to enter politics. The overall objective is to reverse the under-representation of disabled people in local and national political life which has a real and detrimental effect on the quality of decision making by those elected bodies. While there are no statistics regarding the numbers of disabled MPs we know that numbers of MPs who have declared themselves as disabled are very low compared to the proportion of the population as a whole (to be representative of the population we might expect a minimum of 65 disabled MPs).
- 2.3 This commitment within the Coalition agreement followed the findings from the cross-party Speaker’s Conference in 2009, which looked at Parliamentary representation and how to increase diversity by tackling some of the barriers facing under-represented groups (in particular women, ethnic minorities and disabled people). In addition to emphasising the need for political parties to be proactive in encouraging the development of talented individuals from under represented groups it should be noted that the Speaker’s Conference recommended that a “Democracy Diversity Fund” be established to support the development of such individuals with a ring fenced component within the Fund for disabled individuals.
- 2.4 Over September/October 2010, the Government undertook an informal engagement exercise with political parties, disability organisations and organisations with an interest in equality issues more generally. Organisations we contacted included:
- all the political parties represented at the Palace of Westminster;
 - disability organisations including RADAR, Scope, RNIB, RNID etc;
 - organisations with an equality focus, including the Equality and Human Rights Commission and the Equality and Diversity Forum.
- 2.5 The Equality Act 2010 offers new opportunities for increasing support for potential candidates. The Act introduces broader positive action provisions that political parties could be encouraged to use to increase diversity among their candidates.
- 2.6 In designing policy solutions, we will recognise the diversity of experience within the disabled population, as disabling barriers will be very different and have a varying impact on an individual’s personal experience.

Chapter 3: Key issues

3.1 Addressing the relevant barriers faced by disabled people running for elected positions is central to the effectiveness of this policy. Through the course of our informal engagement exercise earlier this year and from the findings of the Speaker's Conference in January 2010, the following key barriers were identified: attitudes, financial constraints and accessibility.

Attitudes

3.2 Evidence suggests that negative public attitudes can have a high impact on prospective disabled political candidates; for example, in relation to election prospects, concerns over additional resources which may be required, and the electorate's reservations about being represented by a disabled candidate.

3.3 Attitudinal barriers relating to disabled people's academic qualifications and self confidence/self esteem also exist. Leonard Cheshire stated within their evidence to the Speaker's Conference that disabled people are twice as likely to live in poverty, twice as likely to be out of work and significantly less likely to go on to further and higher education.⁷ The need was identified to provide a level playing field for potential disabled candidates, through training and development opportunities, including advice on interview techniques.

3.4 Ways need to be considered to boost confidence amongst potential disabled candidates and eradicate the perception

that academic qualifications and work experience are always essential for elected positions. In particular, achieving this shift in attitude within political parties will require their commitment to ensure that candidate selection processes are not biased by such perceptions.

3.5 There is also evidence to suggest that candidates or MPs may feel apprehensive about declaring themselves as disabled. RADAR highlighted this within their evidence to the Speaker's Conference and also noted that this remains a major issue within the workplace, where individuals may fear that declaring themselves as disabled will in itself lead to a rejection or be concerned about the potential repercussions of not declaring themselves as disabled.⁸

Financial constraints

3.6 The usual costs associated with running for political office can be very high. Disabled candidates may also incur further costs in being a candidate associated with their impairment that have to be self-funded. For example a deaf candidate may have to meet the costs of a British Sign Language Interpreter or a candidate with a mobility impairment may need to use more taxis than a non-disabled candidate⁹. The Speaker's Conference highlighted the overwhelming evidence that a shortage of money coupled with the need for additional expenditure meant that finance was an even greater barrier to elected office for disabled people¹⁰.

3.7 In addition to these further costs outlined above, disabled candidates also incur the standard costs which all potential candidates face. There are the costs of establishing and sustaining a candidacy before the formal start of the election campaign. This period can last several years and the costs to the candidate, both in financial and personal terms, can be considerable¹¹. There are also costs associated with the electoral process itself. Independent candidates will need to find the resources to meet all these costs.

3.8 If a candidate is affiliated to a political party, costs can also be incurred throughout the selection process. Selection processes vary from party to party, so it is not possible to provide an estimate of the costs involved. If a candidate is selected, there are the further costs of campaigning at a by-election or general election for the support of the wider electorate.

Accessibility

3.9 Improving accessibility for disabled candidates has been a key feature of the evidence that has been collated. Accessibility issues will differ from person to person, and will depend on their impairment. As referred to above (at 3.6) travel arrangements are a key issue for candidates with mobility impairments and can be a costly and difficult barrier to overcome when running an election campaign. Other issues highlighted

include the provision of materials in a suitable format, and ensuring that disabled people are supported enough to enable them to fully partake in interviews/meetings. It should be noted that barriers relating to accessibility can be far more acute for independent disabled candidates, who do not have any party infrastructure for support.

3.10 The following three key areas have been identified where additional support could make the biggest difference:

- Changing Attitudes (among political parties and general public).
- Providing Training, Development and Support.
- Improving Accessibility (including financial support).

Changing attitudes

3.11 Raising awareness, by promoting success and identifying good case studies (according to the disabled person themselves), may offer a way of creating an environment where disabled candidates can feel more confident about applying for a position. Awareness raising would also help to change perceptions within political parties and the electorate in respect of the capabilities of disabled people.

3.12 There could be a role for existing disabled MPs or councillors to act as ambassadors, both within and outside their political parties, for potential disabled candidates (including independent candidates).

In addition to raising the profile of disability more generally, they could act as role models for potential candidates and provide advice for political parties in identifying and supporting candidates.

Providing training, development and support

- 3.13 Measures within this area could be targeted toward providing disabled candidates with the opportunities to develop skills and experience to run for elected office. For example, establishing good support networks where coaching, mentoring or buddying systems can be implemented, providing individually tailored support for candidates. Non-disabled MPs or councillors should also have a role in these schemes, engaging and supporting disabled candidates in their parties.
- 3.14 Political parties and disability organisations could join up to develop training programmes which address the disadvantages faced by disabled candidates. Dedicated training in communication skills, for example, could make a considerable difference to potential candidates who are facing a selection interview or campaign related promotional work. Also, taking part in such training and schemes could boost a candidates work related experience, thereby increasing the likelihood of being elected.

Improving accessibility (including financial support)

- 3.15 As mentioned above accessibility requirements will differ from person to person. The Speaker's Conference reported that the additional expenditure incurred by disabled candidates in running for an elected position, and the greater likelihood that disabled candidates will have a lower income, means that financial barriers are more pronounced than for other underrepresented groups.
- 3.16 The Speaker's Conference recommended the introduction of a dedicated fund, the "Democracy Diversity Fund", to assist underrepresented groups with a ring-fenced component for disabled candidates. Establishing the criteria for such a fund would need to consider existing mandatory obligations. An issue raised during our informal engagement exercise suggested there was some confusion about the obligations and who was responsible.
- 3.17 Evidence also suggested that there was a disparity between high level national strategies and arrangements at a local level. This presents a strong case for greater publicity of national policies, by political parties and the Local Government Association due to their links on a national level with independent candidates, and an evaluation process to measure the implementation of policies at the various levels.

- 3.18 Establishing a dedicated fund to assist disabled candidates would need to have clear parameters. For example, the fund would not be designed to cover those costs which are covered by other existing benefits or those reasonable adjustments which should be provided by the association/political party. Neither would it cover the standard costs which a candidate would be expected to cover from their own resources.
- 3.19 The following chapter details the various options we have identified under these broad headings in order to reduce the barriers faced by potential disabled candidates.

Chapter 4: Proposals for consideration

4.1 The following proposals address the barriers identified in Chapter 3, and are suggested ways of delivering the three key changes which could support more disabled people into elected positions. The following proposals would need to be prioritised in order to assist us in assessing which proposals or combination of proposals would achieve the biggest impact. Following the Spending Review outcome, we can confirm that £1m annually could be available over the spending period 2011/12 to 2013/14.

Changing attitudes (amongst political parties and the general public)

Proposal 1

Government should work more closely with political parties, the Local Government Association (LGA) and disability organisations to develop focused awareness raising.

4.2 Promoting success stories and case studies (which focus on disabled people who have achieved elected office) could create a more open environment in which disabled people feel more confident to apply for political positions, and change perceptions about the capabilities of disabled people. We foresee that the management of dedicated campaigns and outreach activity would be led by disability organisations and/or political parties, with some subsidiary general profile raising activity for central Government.

Proposal 2

Work with political parties, the Local Government Association (LGA) and disabled people's organisations to develop a cross-party ambassadors programme.

4.3 This programme would involve disabled MPs, councillors (including independents) acting as role models for disabled candidates and elected officials. They would help to identify talented individuals within political parties, the community and grassroots organisations.

Providing training, development and support

Proposal 3

Provide training and development opportunities aimed at supporting disabled people through the route to political participation.

4.4 This would be carried out in partnership with political parties and disabled people's organisations, the latter acting to identify potential disabled candidates. This would enable disabled people who are already active in their communities or in grassroots politics or campaigning (or who would wish to become involved) to progress to local and/or national public office. Potential disabled candidates would be offered training in key skills such as communication, dealing with difficult constituents and working with the media. These training and

development opportunities would be available to all candidates regardless of whether they were put forward by an organisation, and would therefore need to be advertised to all members.

Improving accessibility (to elected office)

Proposal 4

Establish an Access to Elected Office Fund to support disability-related costs.

4.5 The idea of a Fund to support prospective disabled candidates was specifically recommended by the cross-party Speaker's Conference, which looked at improving diversity in Parliament. The fund would be managed by an independent body or third sector organisation. It would not subsidise the legal requirement of political parties to make reasonable adjustments, neither would it cover things that a non-disabled candidate would be expected to fund from their own resources or through appropriate fund raising.

Proposal 5

Work with political parties to analyse their existing disability access policies and cascade and promote any good practice.

Proposal 6

Promote and explain legal obligations that apply to political parties, e.g. develop a short guide, website materials and/or a toolkit to support local authorities and political parties in fulfilling their duties under the Equality Act (see Chapter 6).

4.6 As well as financial barriers, our initial engagement exercise also suggested that political parties are not fully aware of all their requirements under legislation to provide reasonable adjustments etc (see Chapter 6 which briefly outlines these legislative requirements). Additionally, it appears that political parties although signed up to the principles of supporting prospective disabled candidates achieve elected office, would benefit from support and encouragement to ensure the principles are embedded at all levels of a political party; from the national executive to all local party offices. There can sometimes be a disconnect between national parties' positions on encouraging greater diversity, and the experience of disabled people at local party/local authority level.

Chapter 5: Consultation questions about proposals

5.1 We are interested in your views on whether one or more of these proposals would provide the best support and make the best use of limited funds given the current financial climate. We have included three additional questions around Proposal 4 where we would appreciate your views if you feel a Fund would be the most effective way of supporting prospective disabled candidates.

Broad consultation questions

- Which of these options or combination of options do you think would make the greatest impact?
- Are there any barriers for disabled people running for elected positions which are not addressed by these options? If so, what are they? And how might they be overcome?
- Are you aware of any existing work that these options might build on?

Specific questions relating to each of the three policy areas

Changing attitudes

- How can we best raise awareness effectively to reach/communicate with disabled people and organisations?
- What should be the key functions and support provided by the ambassadors?
- How can we engage with the general public, and political parties, to address the negative perceptions of electing disabled people?

Provision of training, development and support

- What key skills are needed to become a local or national politician?
- How can training and development best be provided and made accessible to disabled people?
- What other types of support would be particularly beneficial to prospective and elected disabled candidates?
- What kind of training would offer the most effective way of promoting the capacity amongst non-disabled MPs or councillors to support disabled candidates?

Improving accessibility to elected office

In relation to the Access to Elected Office Fund:

- Given limited resources, what criteria should be considered when deciding which potential disabled candidates should benefit from a Fund?
- At what stage should an individual be eligible for support from a Fund?
- How could a cash limited fund fairly prioritise requests within any year?
- How can we determine which activities should be included for support and over what period?
- How should funds be distributed once it has been agreed that an individual will receive funding?
- Are there any areas/types of expenses which the fund should not cover?

In relation to policies and guidance:

- What types of national and local policies, guidelines and resources should political parties have in place to provide practical support and access to disabled candidates?

Chapter 6: Existing legal obligations of political parties towards their prospective disabled candidates

6.1 It is an essential part of developing this policy to take into account political parties' legal obligations towards disabled prospective candidates so as to ensure that existing obligations are not duplicated within the new strategy.

Legal obligations: mandatory requirements for associations/political parties

6.2 The mandatory duty to provide reasonable adjustments has to be taken into account when considering party membership of disabled people. This duty requires that where a disabled person is placed at a substantial disadvantage compared to a non-disabled person, the association must take reasonable steps to avoid or overcome that disadvantage. This duty is also anticipatory, which means that associations are required to consider and take action in relation to barriers that may impede disabled people who are seeking, for example, to become a member of a party to enjoy membership benefits. This provides a way of encouraging and influencing good practice where political parties should take reasonable steps to overcome the obstacles that deter/prevent disabled people's involvement before individual cases arise.

6.3 The Equality Act 2010 protects disabled people from the following forms of discrimination:

Direct discrimination

- This occurs when, because of disability, a disabled person is treated less favourably than someone who is not disabled. Also a person who is not disabled themselves is protected where that person is treated less favourably because they are perceived to be disabled or that person is associated with a disabled person, for example being a carer of a disabled person. Direct discrimination can never be justified.

Indirect disability discrimination

- This occurs where something like a rule, a policy or a practice is applied to everyone but it puts disabled people at a particular disadvantage, and it cannot be "objectively justified". Objective justification is where the rule, policy etc, in question is shown to meet a legitimate objective in a fair, balanced and reasonable way.

Discrimination arising from disability

- This occurs when a person is treated unfavourably, because of something connected with their disability, and the treatment cannot be objectively justified. For example, excluding a blind person not because they are blind, but because of their use of a guide dog. For this type of discrimination to occur in this context, the association must know, or reasonably be expected to know, that the person is disabled.

Discrimination because of a failure to make a reasonable adjustment

- An association is under a duty to make a reasonable adjustment where any rule, practice etc of an association puts a disabled person at a substantial disadvantage compared to non-disabled people. The reasonable adjustment duty requires the association to take reasonable steps to remove the substantial disadvantage by adjusting the relevant rule or practice etc (e.g. relaxing a no-animals rule for assistance dog users); providing an auxiliary aid or service (e.g. putting information in an accessible format) or by making adjustments to physical features of its premises (this may require removing the feature, altering it, or providing a reasonable means of avoiding it – such as offering an alternative entrance if the main entrance is inaccessible.)
- 6.4 An association is under a duty not to discriminate (in one or more of the ways described above) against a disabled member:
- in the way it provides access, or does not provide, access for the disabled member to any benefits, facilities or services of the association;
 - by depriving the disabled member of membership;
 - by varying the disabled member's terms of membership;
 - by subjecting the disabled person to any other detriment.
- 6.5 The Equality Act draft Code of Practice says that:
- Para 12.27: " 'Benefit, facility or service' describes the wide range of material and non-material advantages enjoyed by members of an association. ...";
 - Para 12.28: " 'Terms of membership' can include fees or charges, voting rights, right to stand for office or to represent the association externally, conditions for use of facilities or participation in events".
- 6.6 If it is a requirement that a person must be a member of a political party before they may be considered for selection as a political candidate, then the ability to be put forward or be selected as a candidate is a material advantage of membership. Anything that leads to a disabled candidate being denied, or having restricted access to, that advantage is at risk of being discriminatory behaviour. Equally, exclusion from being considered for selection as a candidate because of disability, or something arising from the disability could potentially be discriminatory.
- 6.7 Similarly, a political party would risk committing unlawful discrimination if it:
- had terms of membership that precluded disabled people from advancing in the association, or that made any such advancement more difficult than a non-disabled person;

- failed to make any reasonable adjustments required to avoid the disabled person being put at a substantial disadvantage compared to non-disabled people, in seeking to advance.

6.8 Thus the association would need to consider whether the application of the terms of membership to a disabled member amounts to:

- direct discrimination;
- indirect discrimination;
- discrimination arising from disability.

6.9 It would need also to ensure that reasonable adjustments are made, for example by:

- adjusting a provision, criterion or practice, such as the terms of membership or the way those terms are applied;
- the provision of an auxiliary aid or service, such as ensuring application forms for selection as a candidate are in an accessible format; or
- altering the entrance to a committee room so that mobility-impaired disabled members who seek to be committee members can access selection meetings/interviews.

Voluntary/optional provisions which can be adopted by associations/ political parties

6.10 Positive action is voluntary and a number of criteria have to be met before political parties can use it (please refer to sections 104 & 158 of the Equality Act), in addition, section 159 is to be brought into effect from 6 April 2011. Positive action is a new concept for disability (it did not apply under the Disability Discrimination Act 1995 (DDA)).

6.11 Under provisions in the EA (S104), a party can reserve a fixed number of places for those from an under-represented group on any electoral shortlist that is drawn up. The party cannot, with the exception of women-only shortlists (S105), reserve all the places for the relevant protected group. The Service Code, which was recently published, covers these issues.

6.12 It is not unlawful to treat a disabled person more favourably than a non-disabled person. A political party will not need to use positive action if it proposes to treat disabled people more favourably than people who do not have a disability. However, the new positive action provisions will be more relevant in the event that a political party wishes to treat people with a particular disability more favourably than those with another form of disability (e.g. to provide mentoring and training for people with a learning disability but exclude people with a hearing disability or to automatically include people with a learning disability on a shortlist but not those with a hearing disability).

References

- ¹ Scope, evidence to the Speaker's Conference, SC-12.
- ² Scope, evidence to the Speaker's Conference, SC-12.
- ³ RADAR, evidence to the Speaker's Conference, SC-3.
- ⁴ RADAR, evidence to the Speaker's Conference, SC-3.
- ⁵ RADAR, evidence to the Speaker's Conference, SC-3.
- ⁶ www.bis.gov.uk/policies/better-regulation/consultation-guidance
- ⁷ Leonard Cheshire Disability, evidence to the Speaker's Conference, SC-59.
- ⁸ RADAR evidence to the Speaker's Conference, SC-3.
- ⁹ Speaker's Conference: Final Report.
- ¹⁰ Speaker's Conference: Final Report.
- ¹¹ Speaker's Conference: Final Report.
- ¹² Public Perceptions of disabled People – Evidence from the British Social Attitudes Survey 2009 – published 27th January 2009.
- ¹³ For these purposes under the Equality Act 2010, the protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

Annex A: Access to Elected Office Strategy Equality Impact Assessment

1. Name of programme, project or policy

The 'Access to Elected Office Strategy' has been developed in response to the commitment set out in the Liberal/Conservative coalition document to "introduce extra support" for disabled people to enable greater access to positions of elected office. A range of options for supporting disabled people wishing to stand for elected political office have been identified and will form the basis of a public consultation due to commence in February 2011.

2. Scope of the assessment

Scope and focus

This assessment examines the process used for developing a range of proposed policy options and the likely impact of those options, which are intended to increase the level of access by disabled people to positions of elected office at local and national levels.

The assessment seeks to ensure that due regard is paid to equalities duties (currently, the race duty, gender duty and disability duty, due to be consolidated into a public sector Equality Duty and extended also to cover age, gender reassignment, religion or belief and sexual orientation, in April 2011) by considering the impact of both the proposed policy options, and the way in which these policy options have been and are being developed, in respect of equality. In particular it is critical that a wide range of disabled people, disability organisations, political parties and other stakeholders are able to

contribute to the consultation and that we move beyond consultation to co-production to ensure that disabled people are engaged at a strategic level.

The assessment also seeks to ensure that the policy proposals that have been developed to deliver the coalition commitment have a positive impact on as broad and diverse a range of disabled people as is feasible and proportionate to available resources.

Purpose

The Coalition Programme made a commitment to tackle barriers faced by disabled people in becoming elected officials.

The strategy has taken into account a number of issues: as described in the Ministerial Foreword of the consultation document.

The purpose of this strategy is to provide practical support to overcome a range of obstacles, both financial and wider, which were identified as part of the Speaker's Conference and in submissions received following an informal engagement process with various disability, BAME and women's organisations conducted in the summer of 2010.

Aims

The aim of the strategy, as set out in Section 2.2 above, is to reverse the under-representation of disabled people in local and national political life which has a real and detrimental effect on the quality of decision making.

Outcomes

A range of outcomes, as described above in Chapters 3 and 4, may be achieved through the provision of additional support in the following areas:

- Changing attitudes.
- Providing training, development and support.
- Improving accessibility.

Fit with Government's wider aims

Government aims

We will ensure that the Access to Elected Office strategy fits closely with the spirit and purpose of the Equality Act and the introduction of broader positive action provisions.

This strategy supports the Coalition Government's commitment to "concerted government action to tear down barriers to social mobility and equal opportunities and help to build a fairer society". It also supports the Cabinet Office's Structural Reform Plan commitment to "make our political system more transparent and accountable", and the Office for Disability Issues' Structural Reform plan priority "to achieve disability equality".

3. Evidence sources

Conclusions and recommendations of the Speakers Conference on Parliamentary Representation published in January 2010, based on evidence presented by political parties and disability organisations.

<http://www.publications.parliament.uk/pa/spconf/spconf.htm>

Informal stakeholder engagement during summer 2010 involving Ministerial letters to political party Chairs and Equality 2025 and a questionnaire sent to key disability, BAME and women's organisations.

4. Development of the strategy and impact on equality

Following the commitment set out in the Liberal Conservative coalition document to "introduce extra support for people with disabilities", a cross-Government steering group of officials including representation from Equality 2025 (the Government's official high-level advisory group of disabled people that offers strategic advice on policy development), was set up to explore policy options to take forward this commitment.

An informal engagement exercise, as described in section 2.4 above, was conducted over the summer 2010. The responses from that exercise, together with existing evidence from the Speaker's Conference, have helped to inform the structure and content of this public consultation and a range of policy proposals as set out in Chapter 4.

The public consultation aims to seek views on the policy proposals from a diverse range of people as described in section 1.2 above. As part of our co-production strategy, we will set up a series of meetings and roundtables at which the experiences of disabled people themselves can be explored in more detail, thus recognising the diversity of experience within the disabled population.

5. Policy proposals and impact on equality

Detailed below are the suggested policy proposals for inclusion in the Access to Elected Office strategy, along with an assessment of any adverse or positive equality impact.

Changing attitudes (among political parties and general public)

- Government should work more closely with political parties, the Local Government Association (LGA) and disability organisations to develop focused awareness raising activity to ensure disabled people have equal opportunity to political life available to them.
- Work with political parties, the LGA and disabled people's organisations to develop a cross-party ambassadors programme of existing disabled MPs and councillors, including independents.

Equality impact: We anticipate that awareness raising activity would ensure that disabled people in all areas of society and in other under-represented groups such as BAME, older people (given the connection, in some cases, between age and disability) and women are aware of opportunities to stand for elected office. This activity would also promote more widely the need for greater equality of representation by disabled people with varying impairments.

We anticipate that utilising existing disabled MPs/Councillors to share their experiences among potential candidates and the wider public would also be a mechanism for improving understanding of and access to the various policy options and support available.

A key risk of these options is that we may not reach all the people we need to. We would mitigate against this risk by continuing to engage with the wide range of organisations – political parties, disability organisations and organisations with an interest in other areas of equality such as BAME and women's groups – with whom we have already established contact through the summer engagement exercise.

We recognise that there may be additional barriers for many under-represented groups, for example language barriers in the case of some BAME communities or accessing information barriers for disabled people with specific impairments. GEO would ensure political parties, LGA, disability organisations, etc were aware of the benefits and legal requirements of producing publications in accessible formats.

Research recently published by the Office for Disability Issues¹² showed that people are more comfortable interacting with people with physical or sensory disabilities than people with learning disabilities or mental health conditions. People are also considerably less likely to be comfortable with a person with a learning disability or mental health condition being in a position of authority including being their local Member of Parliament or being their boss.

We would consider this evidence alongside the outcome of the public consultation to help decide whether there is need for targeted activity to help increase the proportion of disabled people with particular impairments e.g. mental health conditions or learning disabilities, taking up elected offices.

In order to ensure a wide range of disabled MPs/ Councillors are involved in the ambassadors programme, we would develop a tightly defined role specification, which nevertheless enables flexibility in terms of what elected officials wish to do to appeal to a wide range of people. This would promote the benefits of being involved in a cross-party ambassadorial programme, and we would use political parties themselves to encourage their members to get involved as well as a few high profile champions to promote the scheme to their peers.

We expect that for all under-represented groups the promotion of positive success stories and case studies focussing on disabled people who have achieved elected office, would give people from a wide range of backgrounds and experiences greater confidence to consider standing for elected office. Additionally, changing public perceptions should mean that where political parties are making slow progress on encouraging disabled people to step forward, citizens are more likely to question this lack of diversity and demand the opportunity to influence and shape the decisions that affect their daily lives.

Providing training, development and support

- Provide training and development opportunities aimed at supporting disabled people through the route to political participation.

Equality impact: By taking advantage of the positive action provisions where appropriate to provide a range of training and development activities, this would make a positive contribution towards addressing the current disproportionately low levels of disabled people in elected office.

In order to ensure that training is both effective and accessible to as wide a range of disabled people as possible, we would develop a tightly defined invitation to tender to deliver the training by working with expert disability organisations and disabled people themselves to draw up a specification that builds in clear accessibility, monitoring and evaluation criteria at an early stage. We would ensure that eligibility criteria for training opportunities are not discriminatory, again by working with a wide range of organisations with an interest in other areas of equality including women's networks, disability organisations, LGB&T groups and BAME groups. We would also ensure that funding was made available for those delegates who require financial support so that financially disadvantaged people do not meet additional barriers.

In promoting training opportunities, we would ensure this is promoted through a wide range of avenues and networks, both online and in printed media, again utilising a wide range of organisations with an interest in other areas of equality such as those outlined above.

Improving accessibility

- Establish an Access to Elected Office Fund managed by an independent body or third sector organisation to fund disability related support and disability related costs which fall outside the legal obligations of political parties.
- Work with political parties to analyse their existing disability access policies, and cascade and promote any good practice.
- Promote and explain legal obligations that apply to political parties, e.g. develop a short guide, website materials and/or a toolkit to support local authorities and political parties fulfil their duties under the Equality Act.

Equality Impact: Providing financial support to mitigate against any additional costs of campaigning (arising as a consequence of a person's impairment) would directly benefit disabled candidates by removing barriers of cost and thus address the issue of under-representation of this group.

There is a risk associated with the Fund policy in that other under-represented groups may see this as discriminatory if there is no financial support for them. However, we would make the case robustly that disabled people face additional financial barriers to these groups, and therefore it is a case of attempting to provide a more level playing field, rather than providing them with an advantage over other under-represented groups.

It is very likely that there would be a finite amount of money that would not be sufficient to meet all requests for financial assistance, therefore in developing the fund it would be essential to have fair and transparent criteria against which prospective candidates are assessed in order to fairly prioritise requests. To develop these criteria we would work with expert disability organisations and disabled people themselves to draw up a specification that builds in clear accessibility, monitoring and evaluation criteria at an early stage.

We would ensure that eligibility criteria are not discriminatory, again by working with a wide range of organisations with an interest in other areas of equality including women's networks, disability organisations, LGB&T groups and BAME groups. In developing the fund proposal it would be essential that it does not duplicate existing funding and/or provisions such as Access to Work, reasonable adjustments that political parties are already required to make. We would ensure that the proposal complements rather than duplicates any existing provisions.

In order to ensure that political parties are fully engaged and open to sharing their disability access policies, we would work with them from an early stage and throughout the consultation to ensure they understand the motivations and aims that these policy proposals are designed to achieve. Additionally, we could use high profile members of particular parties to encourage other parts of the party to get involved and promote the policy to their peers. We would also involve disabled people themselves as well as other under-represented groups in assessing existing schemes and sharing good practice.

The policy options detailed above would also have a positive impact on other under-represented groups including BAME and women thus reflecting the intersectionality of disability issues. This would be achieved through the consultation and following implementation of the policies by ensuring that these groups are fully engaged in the process.

6. Summary of assessment

Summarising the conclusions drawn from this assessment and setting out any adverse impacts identified.

It is not anticipated that the strategy will have the potential to cause any adverse impact on equality in relation to any of the protected characteristics¹³. It is likely that the policy options outlined in the strategy would in fact have a positive impact more widely than disabled people alone such that other under-represented individuals (particularly BAME and women) who also have a disability will benefit from these provisions.

7. Monitoring, review and continued stakeholder engagement

In terms of measuring the numbers of disabled people in elected office, there are two possible sources of evidence. The Local Government Analysis and Research (LGAR) Team publish a biannual report about local councillors, which includes diversity data on gender, ethnicity and disability.

Additionally, section 106 of the Equality Act (once it is brought into effect) would make it possible to require registered political parties to publish anonymised data relating to the diversity of their candidate selections at a particular election. This requirement would enable data about the number of disabled people in elected office to be collected in a systematic way at a national level.

Monitoring and evaluation mechanisms will be developed for each policy option:

- to enable levels of take up to be monitored, particularly in relation to areas such as the Fund and more generally, mentoring/ buddying etc;
- to assess the achievement of the specified outcomes;
- to solicit and assess feedback from individuals and organisations.

Notes

Annex B: Consultation response form

Access to elected office

The consultation closes on 11 May 2011. Please let us have your response by that date.

When responding, it would be helpful if you could provide the following information.

Please fill in your name and address, or that of your organisation if relevant. You may withhold this information if you wish, but we will be unable to add your details to our database for future consultation exercises.

Contact details

Please supply details of who has completed this response.

Response completed by (name):

Position in organisation (if appropriate):

Name of organisation (if appropriate):

Address:

Contact phone number:

Contact email address:

Date:

Confidentiality

Under the Code of Practice on Open Government, any response will be made available to the public on request, unless respondents indicate that they wish their views to remain confidential. If you wish your response to remain confidential, please tick the box below and say why. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

I would like my response to remain confidential
(please put a cross in the box if appropriate):

Please say why

In what capacity are you responding (please put a cross in the appropriate box)?

- As an individual
- On behalf of a public sector organisation
- On behalf of a private sector organisation
- On behalf of a voluntary sector organisation
- Other (please specify)

Note

- In addition to the completed pro-forma, you can also send other supporting information if you so wish.

General questions

Question 1: Which of these proposals or combination of proposals do you think would make the greatest impact?

Question 2: Are there any barriers for disabled people running for elected positions which are not addressed by these proposals? If so, what are they? And how might they be overcome?

Question 3: Are you aware of any existing work that these proposals might build on?

Changing attitudes

Proposal 1

Government should work more closely with political parties, the Local Government Association (LGA) and disability organisations to develop focused awareness raising.

Proposal 2

Work with political parties, the Local Government Association (LGA) and disabled people's organisations to develop a cross-party ambassadors programme.

Question 4: How can we best raise awareness effectively to reach/communicate with disabled people and organisations?

Question 5: What should be the key functions and support provided by the ambassadors?

Question 6: How can we engage with the general public, and political parties, to address the negative perceptions of electing disabled people?

Provision of training, development and support

Proposal 3

Provide training and development opportunities aimed at supporting disabled people through the route to political participation.

Question 7: What key skills are needed to become a local or national politician?

Question 8: How can training and development best be provided and made accessible to disabled people?

Question 9: What other types of support would be particularly beneficial to prospective and elected disabled candidates?

Question 10: What kind of training would offer the most effective way of promoting the capacity amongst non-disabled MPs or councillors to support disabled candidates?

Improving access to elected office

Proposal 4

Establish an Access to Elected Office Fund to support disability-related costs.

Proposal 5

Work with political parties to analyse their existing disability access policies and cascade and promote any good practice.

Proposal 6

Promote and explain legal obligations that apply to political parties, e.g. develop a short guide, website materials and/or a toolkit to support local authorities and political parties in fulfilling their duties under the Equality Act (see Chapter 6).

Access to Elected Office Fund

Question 11: Given limited resources, what criteria should be considered when deciding which potential disabled candidates should benefit from a fund?

Question 12: At what stage should an individual be eligible for support from a fund?

Question 13: How could a cash-limited fund fairly prioritise requests within any year?

Question 14: How can we determine which activities should be included for support and over what period?

Question 15: How should funds be distributed once it has been agreed that an individual will receive funding?

Question 16: Are there any areas/types of expenses which the fund should not cover?

Policies and guidance

Question 17: What types of national and local policies, guidelines and resources should political parties have in place to provide practical support and access to disabled candidates?

Additional information

Question 18: Are there any other comments you would like to make in relation to this consultation that have not already been covered by this form? If yes, please explain.

Please place a cross in the appropriate box

Yes

No

Comments

Thank you for completing this response form.

Responses should be sent by email to: accesstoelectedoffice@geo.gsi.gov.uk

or by post to: **Access to Elected Office for Disabled People:
Consultation Responses,
Government Equalities Office,
Zone G9,
9th Floor,
Eland House,
Bressenden Place,
London SW1E 5DU.**



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