



Llywodraeth Cymru
Welsh Government

CLOSED CONSULTATION, DOCUMENT

Consultation on the extension of job share provisions for elected members of principal councils to non-executive roles

We want your views on proposed changes to extend job sharing arrangements for elected members in principal councils to include non-executive roles.

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Supporting diversity

Local councils are responsible for a wide range of services and matters. The decisions councils make can impact on both individuals and the whole community, this means it is vital all groups and voices are represented and heard as part of our democratic system.

For the purposes of this consultation document, reference to a "council" is to a principal council (i.e. a county or county borough council in Wales) and a reference to a "councillor" is to a member of a principal council.

To support diversity of representation on our councils, the Welsh Government is committed to tackling the barriers which prevent an individual's active participation in local democracy through elected office. Diversity in decision makers is critical to effective decision making as diverse groups bring a range of backgrounds, perspectives and experiences, which reflect the needs of the wide range of citizens they serve.

We have already put in place a range of measures to support diversity amongst councillors including enabling the use of multi-location or hybrid meetings, introducing family absence, reissuing guidance on the support that should be provided to councillors, and implementing a pilot Access to Elected Office Fund to support disabled people wishing to stand for election.

Job-sharing for councillors in local government

The term job-share in many ways is self-explanatory. It is an approach which enables one role to be shared by 2 or more, but usually 2 individuals. The job-share partners will undertake the same role, share the remuneration for the role on the basis of the time commitment for the role, usually on a 50/50 basis but

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this can be divided differently depending on the agreement between the job-share partners. While responsibilities for the role are shared, often each person has responsibility for specific aspects of the role.

Welsh Ministers recognise the opportunity to support diversity offered through job sharing and how this could enable more people to participate in local democracy. This is why the Local Government and Elections (Wales) Act 2021 (“the 2021 Act”) made provisions for job-sharing by executive members as a means of supporting greater diversity in some of the most senior elected roles in local government. The 2021 Act provides for this to be extended to other senior roles held by councillors such as chairs of committees.

Many councillors find it difficult to balance the demanding role of being a councillor with the personal responsibilities of caring for loved ones as well as other commitments. The challenges of the role, the sensitivities of many of the activities undertaken and the increasing expectation of the public that councillors are ‘on duty’ 24 hours a day, 7 days a week can prevent individuals from giving serious consideration to becoming a councillor.

The Welsh Government undertook a **programme of research** to find out more about the role of councillors in Wales, their remuneration and experiences of citizen engagement. Key points made by councillors about their workload were as follows:

- Around two-fifths of principal councillors (44%) said they spent 31 hours or more per week undertaking council business.
- Of these figures, a quarter of principal councillors (25%) indicated that they worked more than 40 hours each week.
- Two-thirds (66%) said they were available 24 hours a day, 7 days a week, with only 4% of respondents stating they had set times during which they could be contacted by constituents.
- Principal councillors emphasised their day-to-day role and workload varied considerably each week, depending on the nature of the work they were

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involved in (for example, attending formal council and committee meetings, dealing with casework and engaging with constituents) and the type of roles they held within the council.

- A particular concern was the increasing workload and time commitments that the role demanded, with many finding it increasingly difficult to maintain a distinction between their council role and private life.
- Respondents also noted that it was becoming increasingly difficult for councillors to sustain their work commitments alongside full-time employment.

Implementing Job-sharing is not without its challenges and issues such as: potential duplication of work, additional time spent in planning the division of workload or meetings; and possibility of poor communication or relationship between job-share partners need to be taken into account. It is also possible that despite sharing the same political background/party, job-sharers may have different views on certain specific issues.

However, feedback from councillors who are or have been job-sharers in executive roles suggest that such disadvantages would be outweighed by the benefits as it offers opportunities to promote greater diversity, flexibility, and collaboration that better services the interests and needs of the communities. The following are some of the benefits identified from our discussions:

- Increased diversity and representation: Job-sharing can attract a more diverse pool of candidates for senior roles, as it can accommodate individuals with varying schedules, responsibilities, and backgrounds.
- Broader skill set: 2 individuals with different strengths and areas of expertise can complement each other in a job-sharing arrangement.
- Enhanced work-life balance: senior elected council positions can be demanding and time-consuming. Job-sharing allows individuals to balance their responsibilities with other commitments, such as family, work, or personal pursuits.
- Breaking down barriers for those people who would not ordinarily think of

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this as a viable role for them to apply for due to time-commitment.

- Continuity and consistency: In cases where one councillor needs to take a temporary leave of absence (due to illness, family matters, etc.), the other councillor can ensure continuity and prevent disruptions in the council's functioning.
- Diverse perspectives and solutions: With 2 individuals in a job-sharing arrangement, there is a greater likelihood of considering a wider range of perspectives and ideas. This can lead to more creative and inclusive decision-making.
- Skill development and learning opportunities: Job-sharing can provide a unique learning experience for both individuals involved. They can learn from each other, develop new skills, and broaden their understanding of wide variety of issues.

Executive job-share arrangements

The 2021 Act included provisions to address several specific issues about the practical arrangements for job-share partnerships. These included voting arrangements in cabinet, quorum arrangements for meetings where job-share partners attended and rules about the number of cabinet members permissible when cabinets included job-share arrangements.

Since removing the barriers to job-share arrangements within council executives, several councils have put job-share arrangements in place. We would welcome your thoughts on how this has operated so far and whether anything further could be done to support councils wishing to put this kind of job-share arrangement in place.

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Standing for election as a job-share partnership

During the passage of the 2021 Act, there was some support for legislating to allow job sharing for all councillors i.e. a job sharing on the ballot paper. This is a complex matter for which it was recognised further work was needed to fully understand the issues that could arise. As a result, this aspect of job-sharing is not considered further in this consultation but will be the subject of a more detailed consultation in the future.

Extension of job-sharing to non-executive roles

Section 60 of the 2021 Act provides for Welsh Ministers to make regulations to facilitate changes to the legislation to remove the barriers for job-share partners to hold a range of non-executive roles. The Act also makes provision for Welsh Ministers to issue guidance in respect of this matter and that where guidance is issued principal councils must have regard to it. The relevant non-executive roles are:

- chair of a council
- vice-chair of a council
- presiding member of a council
- deputy presiding member of a council
- chair of a committee or sub-committee of a council
- vice-chair or deputy chair of a committee or sub-committee of a council
- deputy mayor in a mayor and cabinet executive

In light of the experience to date with executive arrangements, we have identified some areas which require further consideration, and we would be grateful for your views about these matters.

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Member voting

It is proposed that job-sharers for all of the roles identified in section 60 of the 2021 Act will have one vote between them, as is the case with executive arrangements (para 2B(2) of Schedule 1 to the Local Government Act 2000).

Where job-sharers attend a meeting in a non-executive role listed in paragraph 15, it is further proposed that they together count only as one person for the purpose of determining quorum (as is the case with executive arrangements - para 2B(3) of Schedule 1 to the Local Government Act 2000).

In executive roles, where job-sharers are unable to agree a position upon which a vote is held, the votes of the job-sharers do not count towards the vote. This applies only in circumstances where the job-sharers are voting on an issue as part of their cabinet role. When voting on other matters e.g., as part of a full council vote, each councillor is entitled to an individual vote. These arrangements are set out in the statutory guidance which supports the legislative provisions for executive job share arrangements. We intend to adopt this same approach in guidance to support non-executive job share arrangements. This would only apply in circumstances where a councillor is voting on a matter as part of a job-share arrangement in one of the specified posts set out under the [Extension of job-sharing to non-executive roles](#) section.

There is, however, a particular issue which requires consideration in respect of situations where a chair of a committee is operating on a job-share basis and the job-share partners are unable to agree on a position to take when voting. In these circumstances, we propose where there is a vice chair, they assume the responsibility for the casting vote. In the event there is no vice chair, the Chairs are required to vote against the proposal. We intend to include this approach in guidance to principal councils.

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Political balance of committees

Councils conduct much of their business through committees. The law requires most of the committees are 'politically balanced'. The Local Government (Committees and Political Groups) Regulations 1990 as amended by The Local Government (Committees and Political Groups) (Amendment) (Wales) Regulations 2014 makes provisions for these arrangements. Statutory and non-statutory guidance on democracy within principal councils, issued by the Welsh Ministers in July 2023, explains the detail of these arrangements. The key matter is that the seats on each committee reflect the political make-up of the council, so if a party or independent group had 40% of the seats on the full council, it will be allocated 40% of the seats on each committee of the council which the law requires to be a 'politically balanced' committee.

As job-share arrangements operate on the basis that those operating under a job-share basis are equal to one role and one vote, the political balance arrangements should not be impacted by job-share arrangements. However, there could be an impact on the political balance arrangements if job-share partners were appointed to roles from different parties. Careful consideration would need to be given to the political balance calculations if this were to be the case and agreed by all parties prior to the arrangement being confirmed. It is not expected that these circumstances would arise, except in rare cases, as it is anticipated most non-executive roles would be shared by persons from the same political group.

Proposed action

Welsh Ministers propose to make regulations and to issue guidance in support of the regulations to facilitate the extension of job-sharing to non-executive members of principal councils to non-executive roles as set out under the

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[Extension of job-sharing to non-executive roles](#) section.

Local Government and Elections (Wales) Act 2021

Impact of proposals

The facilitation of job-share arrangements for executive roles has been welcomed, the intention is to extend this flexibility and to encourage greater diversity in non-executive roles as a result. We hope the planned change to allow for non-executive member of councils to job-share roles will have a positive impact on diversity by allowing more people who may not otherwise have had sufficient time available due to other commitments (such as caring responsibilities) to take up senior roles in local government.

It is hoped the proposals will also have a positive impact on well-being of members with regards to work/life balance and having sufficient time for any family commitments. There may also be a positive impact on councils as organisations, as job-sharing may provide opportunities for coaching members into new roles and for succession planning of positions.

Consultation questions

Question 1

We would be interested in any observations/comments you may have on the operation of job-share arrangements within executive roles within councils in Wales.

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Question 2

Do you agree with the proposed approach for the voting arrangements for non-executive job-share partners and that the details of the approach should be set out in guidance?

Question 3

Do you agree that under normal circumstances job-share arrangements should not impact upon the political balance of committees?

Question 4

Do you agree that in those cases where a job-share is made up of partners from different parties, the approach to calculating the membership of the committee should be agreed by all parties?

Question 5

We would like to know your views on the effects the proposed change would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

- What effects do you think there would be?
- How could positive effects be increased, or negative effects be mitigated?

Question 6

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

How to respond

Submit your comments by 4 October 2024, in any of the following ways:

- complete our online form
- download, complete our response form and email lgpolicy.correspondence@gov.wales
- download, complete our response form and post to:

Local Government Democracy Team
Third Floor East
Welsh Government
Cardiff
CF10 3NQ

Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data held about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'

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- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please **tell us**.

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer

Data Protection Officer
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

E-mail: data.protectionofficer@gov.wales

Information Commissioner's Office

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 01625 545 745 or 0303 123 1113

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Website: ico.org.uk

UK General Data Protection Regulation (UK GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data. In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation. If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

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