

27th October 2023

SENEDD CYMRU (MEMBERS AND ELECTIONS) BILL

Purpose

- 1 To provide members with an overview of the Senedd Cymru (Members and Elections) Bill and make them aware of a request from the Senedd Bill Reform Committee for the WLGA to submit written evidence by 3rd November 2023 and attend an oral evidence session on 15th November 2023.
- 2 To clarify members position on the key proposals contained in the Bill.

Background

- 3 There have been a series of reports focused on exploring the need to reform the Senedd¹ aimed at ensuring it has the capacity to deliver its responsibilities effectively; the most recent '*Reforming Our Senedd: A stronger voice for the People of Wales*' in 2022² was published in May 2022 by the Special Purpose Committee on Senedd Reform.
- 4 Some recommendations have already been addressed, for example, the lowering of the voting age in Senedd elections to 16-year-olds which was enacted by the Senedd and Elections (Wales) Act 2020.
- 5 There are several changes recommended in the '*Reforming Our Senedd ...*' report which have shaped the Senedd Cymru (Members and Elections) Bill³ that was laid by the Welsh Government on 18th September 2023. The Bill has now been referred to the Reform Bill Committee for stage 1 scrutiny of the general principles of the Bill.

Key Proposals

- 6 If passed, the Bill will:
 - a) Increase the size of the Senedd to 96 Members.
 - b) Decrease the length of time between Senedd ordinary general elections from five to four years.
 - c) Increase the maximum number of Deputy Presiding Officers from one to two.

¹ <https://senedd.wales/how-we-work/our-role/future-senedd-reform/expert-panel-on-electoral-reform/>
<https://senedd.wales/committees/committee-on-senedd-electoral-reform/>

² <https://senedd.wales/media/5mta1oyk/cr-ld15130-e.pdf>

³ Explanatory memorandum available at pri-ld16037-em-e.pdf (senedd.wales)

- d) Increase the legislative limit on the size of the Welsh Government to 17 (plus the First Minister and Counsel General), with power to further increase the limit to 18 or 19.
- e) Require candidates to, and Members of, the Senedd to be resident in Wales (by disqualifying candidates and Members who are not registered to vote in a Senedd constituency).
- f) Provide a mechanism for the Seventh Senedd's consideration of job-sharing of offices relating to the Senedd (by requiring the Llywydd in the Seventh Senedd to propose the establishment of a Senedd committee to review specified matters).
- g) Change the Senedd's electoral system so that all Members are elected via closed list proportional representation, with votes translated into seats via the D'Hondt formula.
- h) Repurpose and rename the Local Democracy and Boundary Commission for Wales; provide the renamed Democracy and Boundary Commission Cymru (DBCC) with the functions needed to establish new Senedd constituencies and undertake ongoing reviews of Senedd constituency boundaries; and provide instructions for the DBCC to follow when undertaking boundary reviews.
- i) Provide for review of the operation and effect of the new legislative provisions following the 2026 election (by requiring the Llywydd after the election to propose the establishment of a Senedd committee to review specified matters).

7 The Bill does not include two major reforms proposed by the Special Purpose Committee to improve diversity in the Senedd – to introduce gender quotas for candidates and to collect and publish candidate diversity information. These will be taken forward in a separate Bill expected later this year.

8 The WLGA has been invited to submit written evidence to the Reform Bill Committee on or before 3rd November 2023 and to give oral evidence at a session on 15th November 2023, along with the Welsh Electoral Coordination Board (WEBC) and Association of Electoral Administrators (AEA).

9 Recent discussions with the Clerk to the Reform Bill Committee suggests that the Committee will be interested in hearing about how achievable the proposals are, any foreseen problems e.g. capacity to administer elections more frequently, and whether the financial assumptions are considered to be reasonable. These are largely operational matters that are likely to be addressed in the submissions made by AEA and WEBC and WLGA officers will engage with professional colleagues to inform our response.

10 It is anticipated that the Reform Bill Committee will publish its report on the Bill and recommendations in the New Year and a Plenary debate is scheduled for the end of January 2024.

11 It would be helpful to include in our evidence submission a statement on whether the political leaders of the WLGA are in agreement with the above proposals, or which areas it is not possible to achieve a consensus of opinion.

Recommendations

12 Members are asked to:

12.1 Consider and discuss their position(s) on the key proposals, summarised above (para 6 a to i), contained in the Senedd Cymru (Members and Elections) Bill.

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