

# #Enact106

## Campaign Briefing



### What is Section 106?

Section 106 of the Equality Act 2010 would require political parties to publish diversity data on candidates standing in elections to the House of Commons, Scottish Parliament and Welsh Assembly.

This addition to the Equalities Act was introduced after the Speakers Commission on Parliamentary Representation which concluded in 2010. Whilst it already exists in primary legislation, it needs to be brought into force by the Government.

### Why Do We Need Section 106?

One hundred years after women first gained the right to stand in elections, they remain hugely underrepresented as elected representatives.

One of the major obstacles to achieving a fair share of seats for women is that they are underrepresented among candidates. A Fawcett Society [report](#) released this month looking at women's experience of selection and election concludes that "women and other traditionally marginalised groups face obstacles at each stage of the political process and that political parties and party gatekeepers play a pivotal role at every stage".

Shining a light on the selection process will help address these barriers.

At the moment there is no formal requirement for parties to report on the diversity of candidates for election - who is coming forward to be nominated and stand for selection – we just know who is elected. Like the gender pay gap, it is only when we know about individual practices parties can be held to account and change can happen.

Transparency is key and while parties across the political spectrum increasingly recognise the need to improve women's representation, more needs to be done. Bringing into force Section 106 is an important step in ensuring all parties do their bit to improve women's representation – and ensuring our elected chambers reflect the voters they represent.

### Why Can't This Be Voluntary?

The voluntary approach taken to date has not worked. There is no transparency around candidate data and this type of monitoring is not happening uniformly.

Whilst 2017 saw a record number of women in Parliament, the improvement on 2015 was minimal and some parties ended up with fewer women elected. A voluntary

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approach allows this issue to be forgotten until the next election by which time it is too late to put the processes in place to improve candidate diversity.

A legislative requirement to report would also create an incentive to act. And indeed the UK has already shown leadership on this. The British Council report *Women, Power, Politics* finds that the UK is seen as a world leader in the collection of data and analysis having introduced a requirement for transparency on gender pay gaps: a policy that has seen 100% compliance. The report highlights that, 'Many participants, in both the UK and internationally, spoke passionately about the example of the UK requiring employers to publish their gender pay gap in 2018'.

Parties also need to be held to account for their efforts to improve political diversity. Parties are the gatekeepers of political life in most cases. It is therefore vital that they act to improve political representation. Candidate diversity data is the only way civil society can hold them to account on this.

### Who Supports Section 106?

Section 106 has cross-party support and has been a key recommendation of several research reports into women in politics. It was a key recommendation of the Speaker's Commission on Parliamentary Representation and Professor Sarah Child's *Good Parliament* report as well as the Women and Equalities Committee.

Recently, the British Council report *Women, Power, Politics* also called for 'transparent and comprehensive mechanisms for the publication of data on women in politics'.

### So Why Hasn't Section 106 Been Implemented?

Good question! The government has cited a concern about the regulatory burden on parties of introducing this requirement, mentioning smaller parties in particular. However, we know that many parties already collate this information.

The Labour party's response to the Speaker's Commission on Parliamentary representation which recommended diversity monitoring stated: "We have monitored candidates by region, selection method, gender, and race for some years".

The Liberal Democrat's response to the commission states: "The Liberal Democrats proactively monitor diversity information for approved and selected candidates, and publishes this data publicly to Conference every six months"

The Green Party have stated: "We already survey our candidates' diversity to ensure that we are taking action. Other parties may say that we are unable to administer this

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change in law, however we are currently getting a 90% return from candidates across England and Wales.”

It is clear that parties, large and small, are able to collect this information.

### Next Steps: Implementing Section 106

There is scope within the legislation for a range of different models. It states that:

*“Regulations under this section may prescribe*

- (a) descriptions of information;*
- (b) descriptions of political party to which the duty is to apply;*
- (c) the time at which information is to be published;*
- (d) the form and manner in which information is to be published;*
- (e) the period for which information is to be published.”*

Given this flexibility, there is no reason a form of this legislation cannot be found that takes account of different parties’ processes and ensures that concerns about candidate anonymity and the regulatory burden on smaller parties are addressed.

It is up to the Government to decide what these regulations look like. We need the Government to commit to implementing Section 106, if they are concerned about the level of data required or what the regulations should look like then they should consult with political parties urgently to ensure this legislation is brought into force as soon as possible.

Implementing Section 106 is a simple but important step in ensuring our elected chambers reflect the voters they represent. What better legacy this centenary year?

### Centenary Action Group

The Centenary Action Group are a cross-party campaigning coalition convened by Helen Pankhurst and represent over 100 activists, politicians and women’s rights organisations. We want to use the centenary of some women getting the vote to highlight remaining inequalities and to help deliver real change for women and girls in the UK and worldwide on key issues.

@centenaryaction

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