



DIVERSITY UNDER NEW COUNCIL CONSTITUTIONS

Preliminary Findings - ELG Evaluation Team

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About ELG

Evaluating Local Governance: New Constitutions and Ethics (ELG) is the name of a research project which is conducting a five year evaluation of the new council constitutions and ethical frameworks for the Office of the Deputy Prime Minister.

The project involves a collaboration between the Department of Government, University of Manchester with Birkbeck College, Goldsmiths College and the SURF Centre at Salford University. The members of the research team are Professor Gerry Stoker and Dr Francesca Gains (University of Manchester), Professor Peter John (Birkbeck College), Professor Nirmala Rao (Goldsmiths College) and Professor Alan Harding (Salford University).

Further details about the project and current activities can be found on our website www.elgnce.org.uk

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Introduction – Aims of the Act

Although there were no specific proposals, one of the aims of the Local Government Act 2000 was that changes to internal management – concentrating power in an executive, and developing other roles for the remaining councillors – would encourage different sorts of people to enter and exit council service.

The Government believes that the combination of the new rewarding roles envisaged for councillors and... steps to address some potential financial and other disincentives to serve will encourage a wider cross section of the community - more employed people, more women, more people from ethnic minorities, more young people and people with young families - to serve their communities in future (DETR, 1998, 3.61).

It was hoped that more councillors would be drawn from these under-represented groups in future, and in particular, ‘for more talented, vigorous young people in local government able and willing to make a difference to the world around them’ (DETR, 1998, 3.60). ‘We need’, declared Local Government Minister Hilary Armstrong, ‘people from all groups in our communities to come forward and offer their services as councillors. We need to break free from the pattern so often found today where many

councillors are relatively old, few are women, and even fewer are drawn from ethnic minorities' (Armstrong, 1999, p. 21).

This report provides some baseline data from the research activities of the new council constitution evaluation on the impact of the changes on diversity. In the first year of our evaluation we collected some data on age and gender of councillors in our survey of all local authorities (ELG, 2002, see Appendix 1). Our questionnaire was sent to Chief Executives and so we did not collect information on ethnic minority origin of councillors due to the difficulties of reporting ethnic minority status by a third party. We anticipate collecting far more detailed information in the next phase of our evaluation through a panel survey in forty authorities. We also discussed diversity issues with executive and non executive councillors on site visits to forty local authorities in individual meetings and in four focus groups of women councillors. Where appropriate we place our data against existing data on diversity prior to the adoption of new council constitutions.

The possible impact of new council constitutions on diversity

Initially we set out three possible scenarios of the likely impact of change. A *pessimistic* scenario suggests new council constitutions may have a negative effect on the way in which the different groups in society are represented and have influence. By strengthening the executive function, the new governance arrangements may sever the links between less powerful and younger groups to the core of governing activity.

The argument of the negative scenario is that although the proportion of women councillors has grown, women tend to be less represented as the level of seniority increases, and the same is the case with the ethnic minorities and younger representatives.

Table 1 shows the gradual increase in the proportion of women councillors since 1964.

Table 1 Proportion of women councillors, 1964-1999

	1964	1976	1985	1993	1999
	%	%	%	%	%
Men	88	83	81	75	75
Women	12	17	19	25	25
(base)	(3,497)	(4,731)	(1,552)	(1,665)	(2,860)

Source: Maud, vol. 2, 1967; Widdicombe, Vol. II, 1986; Young and Rao, 1994; Rao, 1999

Table 2 over, drawn from a survey of councillors conducted for DETR in 1997/98, indicates the gender imbalance amongst office holders.

Table 2 The gender balance amongst office holders in 97/98

	% all male cllrs	% all female cllrs
Leaders	3	1
Deputy leaders	4	2
Council chairs/mayors	6	7
Committee chairs	32	27
Sub-committee chairs	34	31
(Base)	(2176)	(684)

Courtney, Finch, Rao and Young, (1998)

The pessimistic scenario holds that by removing representation through committees it may be the case that both the formal and informal mechanisms that allow women, younger representatives and the ethnic minorities to become recruited into more powerful positions on local councils have been lost, and that the new forms of representation on overview and scrutiny committees do not offer the same forms of connection and avenues for political recruitment. The progress in terms of representation, which English local government has experienced over the last twenty years could be halted or reversed. The cabinets could end by being old, white and male. A recent LGC article makes this argument (LGC, 2003).

A second 'no change' scenario would suggest that the new executive structure makes no difference to the way in which representation is organised as barriers stem from party structures. After all, most councils have formalised existing methods of executive organisation in the leader and cabinet model, so it should make no difference whether

formalised executives exist or not. Committees were mainly symbolic anyway, so were not in effect the arena for the exercise of power and were not the way in which younger or less powerful groups managed to ascend the hierarchies within the political power structure – that lies within local political parties. In short power structures that existed before the Act have been sustained after the Act and it is these power structures that explain the limits to diversity of representation.

A survey of councillors in 1999 for the Nuffield Foundation on the political representativeness of councillors argued that continuing under-representation of women among the population of councillors may be attributed in part to discrimination against them in the local power structures (Rao, 1999).

A related argument also for a *no change* scenario is that it is wider socio-economic factors which impact on the diversity of councilors. The same survey (Rao, 1999) argued that although in one sense, women have been traditionally regarded as having a disproportion of a particularly important pre-requisite - the time to give to community and political affairs. Social change, however, has eroded this advantage. Women are more likely to be working today than in the past, while continuing to carry the greater part of domestic duties. If discrimination against women in political life is indeed receding, the ground gained by politically ambitious women may be offset by the difficulties of combining work, home, and public service (Briggs, 2000).

This is particularly indicated in the findings from a survey of women councillors in 1999/2000 (Rao, 2000). Table 3 below shows responses to the question of what were the obstacles to women's progression. Asked about the barriers to women's progression in local politics, three quarters of the respondents cited the problems of balancing domestic and council responsibilities.

Table 3: Reported major barriers to women's progression in local politics (in rank order)

	%
Problems balancing domestic and council responsibilities	74
Women are reluctant to put themselves forward	58
Women lack the time	40
Men see politics as man's domain	40
Men's networks exclude women	36
Women are seen as lacking leadership qualities	28
Women see politics as a man's domain	20
Base	1000

Rao, A survey of women councillors, 2000 (unpublished)

A third scenario would suggest that the relationship between party structures, socio economic factors and diversity is rather more complex. Of course, institutional reforms need not necessarily disrupt the party mechanisms. At the same time the wider social changes, which have enhanced women's and ethnic minority representation, continue. This third '*complexity*' scenario suggests the new council constitutions can offer opportunities and also constraints – it depends on how the new executive intersects with the rest of the council, the strength of the scrutiny system, the strength of the leadership, the extent to which officers control policy, and the initial trajectory of the council in

terms of its replacement of older councillors and its tendency to incorporate women and representatives from the ethnic minorities. The strong scrutiny-strong leader councils could promote representation; councils run by party cabals might end up holding it back.

Diversity baseline data from the ELG survey 2002

Overall our data from the 2002 census survey seem to confirm the second 'no change' point of view. The new leaders are neither young nor old: they have an average age of 55. We also found that 17 per cent of them are women. A good comparator is the Local Government Management Board Survey in 1996, which found that sixteen per cent were women, so there is a slight increase between our survey findings and results from before.

There is no evidence from these results that the reforms shut out women from higher levels of representation. We found that 93 per cent of Labour councils have male leaders whilst Conservatives have 90 per cent. The most 'gendered' party is the Liberal Democrats, which only have 61 per cent men. This suggests that there has also been a slight increase in women leaders than there were when the DETR survey in 1997/8 shown in Table 2 above reported.

We find that the executives are not composed of elderly representatives, as they have an average age of 48 (including the leader). Of the total number of cabinet members, 23 per cent are were women, which is about the same as than proportions of councillors who

are women of 25 per cent as shown in Table 1 above, which does not follow research which suggest that the tendency for women's representation to decrease the more power politicians have.

There is a party difference however. The Labour Party have the lowest proportion of women cabinet members with just 19 percent. The Conservatives are no different from other others (24 per cent), whereas the Liberal Democrats have 35 per cent of their cabinets as women, which is also statistically significant when compared to the average of other councils. Overall, then the introduction has not altered the pattern of representation, at least in formal terms.

Our survey data also give more support to the third model: that the effects of the new council constitutions on representation vary according to the type of council, which is partly confirmed by the variation we observe according to tier of council and according to region, which reflects the importance of political culture in these factors.

Though the average age of districts was slightly younger (47) as it was in London (47), the metropolitan districts (48) and the unitary authorities (44). The big difference is with counties where the average age of 58 was much higher than the rest of councils, a statistically significant difference. There is a higher representation of women in the counties (29 per cent), and the unitary authorities (27 per cent) and lower in the metropolitan districts (18 per cent), with districts and London lower than the others.

There also appears to be a regional dimension to the variations, with the South East having a higher proportion at 29 per cent, which is statistically significant, as is the South West (31 per cent), but not significant; whereas the North West is lower at 18 per cent as is the North East (17 per cent), East Midlands (16 per cent statistically significant), Eastern (20 per cent) and the West Midlands (22 per cent).

Qualitative data from the site visits

In our site visits we discussed diversity issues with both leaders and opposition leaders and in four visits we held focus groups of women councillors to explore the impact of the new council constitutions on diversity. Most respondents felt it was too early to judge the impact of the new constitutions on diversity but were able to discuss more generally their views on what barriers existed to increasing diversity in the recruitment, retention and progression of councillors. The variety of responses suggest support for the ‘complexity’ scenario that is that the impact of the new constitutions is diverse. Patterns of discrimination, party and institutional constraints are variable.

In terms of recruitment there were strongly expressed views that recruitment is difficult due to general disillusionment with politics. Some councils are actively working to increase the diversity of new recruits by for example holding recruitment drives, working with the local race equality council and providing a carers allowance.

The new constitutions also promote a different way of working involving task groups, working with co-opted members and policy development. Non-executive councillors are also to act as champions in their local areas. There was some acceptance that these changed ways of working would attract new entrants but also strong feelings that 'the doers were doing anyway' and that new recruits would be recruited because of their commitment and not the new 'job descriptions'.

In terms of retention the new constitutions have led to a changed pattern of meetings. There was no consistent views about the effect of changing patterns of meetings – from night to day or vice versa on the ability of non executive councillors to play a full role. Some felt evening meetings were easier – for example where employers wouldn't let people leave work during the day or for full time carers – mainly women – who might be freer in the evening when working partners could provide child care. Others felt day meetings encouraged those with family responsibilities where child care was provided or available.

In terms of progression, discussants frequently argued that the committee system was a way of training people up but there was also some acceptance that the overview and scrutiny committees could also provide this route.

Discussants overwhelmingly identified age and employment status as key determinants of the lack of diversity. Without exception the argument was that the barrier to increasing diversity was the degree of time councillors and potential councillors could make

available to the role. The people who could make the commitment were those who were retired or semi retired and who no longer had dependents to support so could afford to take the risk of an uncertain income stream.

These time and family constraints on increasing diversity were argued to be pertinent for executive members despite the increased allowances available under the new council constitutions. Uniformly discussants felt that being a portfolio holder required a full time commitment and so younger councillors and those with family commitments couldn't take the risk. One portfolio holder had been made redundant three times and felt this was directly related to his legitimate requests to attend council business.

This views would lend support for a 'no change' argument of the impact of the NCCs on diversity. They closely mirror findings from a survey of councillors for DETR which suggests time is a finite resource, and employment is inevitably competitive with a political career. (Courtney, Finch, Rao and Young, 1998). This survey also found that 'retired' councillors have greatly increased in number. Table 4 indicates the increase in the proportion of retired councilors.

Table 3 Proportion of retired councillors, 1965, 1976, 1985 and 1997

	<i>Percent retired</i>
1965	20
1985	25
1993	31
1997	35

Source: Maud, vol. 2, 1967; Widdicombe, Vol. II, 1986; Courtney, Finch, Rao and Young, 1998.

However the authors of the 1998 survey argue this can no longer be assumed that this is a cause for concern. Fewer of these councillors are beyond the statutory retirement age than was the case in the past, and many, having taken early retirement, will have the time, the energy and the community links to be effective in the role.

Conclusions

We found no evidence to support the view expressed by some that the new constitutional arrangements have made it more difficult to achieve a diversity of representation and influence in councils. We did find some support for the no change scenario. In terms of the representation of women on councils and within councils the position according to our survey evidence appears to be similar both before and after the Act.

We also did find some support for the argument that it depends on local practice and we identified differences between types of councils and between individual councils. In some authorities there were examples of activities designed to improve the recruitment, retention and progression of a wider diversity of representatives. We identified party

differences in the proportion of women cabinet members and show that the Labour Party has the lowest percentage. We found that the metropolitan, district and London authorities had the lowest proportion of women councillors and that there were strong regional differences to women's representation.

It is too early to come to a firm judgement about the impact of the new council constitutions on diversity. However we argue that the Government's ambitions for greater diversity of representation and influence will be realised or not, less because of the 2000 Act, and more because of wider changes in society and the way that political parties and councils respond to the challenges they face.

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Appendix 1: The Survey

Our questionnaire was sent to all English local authority chief executives in June 2002. A copy is provided as Appendix 3. The questionnaire explored the extent to which Councils were adopting new arrangements in response to the Local Government Act 2000 including decision-making structures, overview and scrutiny provisions and standards of conduct. A total of 289 responses were received, constituting 75 per cent of those surveyed. Of these two proved unusable making for a usable response rate of 74 per cent. Table 10 (over) summarises the responses by type of council, region, political control and constitutional form. Responses in each category, compared with the population of authorities at large indicate the absence of response bias.

Notes

1 Our questionnaire was sent to 388 principal authorities including the Isles of Scilly and the City of London for whom Part II of the Act (requiring the establishment of a new council constitution) does not apply. The standards provisions in Part III do apply to these two authorities however and our response rates are calculated on the basis of their inclusion in the totals.

2 The totals for the council manager and the mayors reflected the position at the time of the survey. Since July 2002, three new mayors and a council manager may be added to the totals

Table 1: Characteristics of the census compared with characteristics of English councils

	<i>Census</i>		<i>All councils</i>	
	N	per cent	N	per cent
Local authority type				
Districts	169	58.8	238	61.3
London	26	9.0	33	8.5
Metropolitan	28	9.7	36	9.3
County	27	9.4	34	12.1
Unitary	37	12.8	47	12.1
<i>Total</i>	<i>287</i>		<i>388</i>	
Region				
Eastern	38	13.2	54	13.9
East Midland	33	11.5	45	11.6
London	26	9.0	33	8.5
South East	62	21.6	74	19.1
North East	21	7.3	25	6.4
North West	30	10.4	46	11.8
South West	36	12.5	51	13.1
West Midlands	27	9.4	37	9.5
Yorkshire and Humber	14	4.9	22	5.7
Total	287		388	

Table 1: Characteristics of the census compared with characteristics of English councils

	<i>Census</i>		<i>All councils</i>	
	N	per cent	N	per cent
<i>Political control</i>				
Conservative	84	29.3	109	28.1
Independent	4	1.4	14	3.6
Labour	77	26.8	114	29.4
Liberal Democrat	22	7.7	27	7.0
No Overall Control	90	31.6	124	31.0
Total	287		388	
<i>Constitution</i>				
Alternative arrangements	40	13.9	59	15.2
Council Manager	0	0	0	0
Interim	3	1.0	4	1.3
Leader and Cabinet	237	82.6	316	81.4
Mayor and Cabinet	6	2.0	7	1.8
Other	1	0.3%	2	0.5%
Total	287		388	

