

EQUALITY ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 7: Associations

Section 106: Information about diversity in range of candidates, etc.

Effect

342. This section gives a Minister of the Crown power to make regulations requiring registered political parties to publish data relating to the diversity of party candidates seeking selection. The power to make regulations is subject to the affirmative resolution procedure. It can be used to prescribe, among other things, which political parties the duty to publish data will apply to, what data should be published, and when. The requirement to publish could apply to diversity data related to some or all of the protected characteristics of age, disability, gender reassignment, race, sex, sexual orientation and religion or belief. It will be for the Equality and Human Rights Commission to enforce the publication requirement, and the provision inserted into the Equality Act 2006 by paragraph 13 of Schedule 26 to the Act makes clear that it can use its existing powers to do so.
343. Candidates will be free to refuse to disclose any or all the information requested by the party. Data will be published in an anonymous form.

Background

344. This is a new provision which responds to a recommendation, made by the Speaker's Conference on parliamentary representation, that registered political parties be required to publish anonymised information on the diversity of their candidate selections, as a means of encouraging broader representation and increasing involvement of all groups in the democratic process.

Example

- Regulations might require political parties fielding more than a specified number of candidates to publish, six months after a general election, anonymised diversity data relating to gender and race of all candidates who stood at that election.