

**Explanatory Memorandum to The Welsh Elections Financial Assistance Scheme (Disabled Candidates) Regulations 2025**

This Explanatory Memorandum has been prepared by The Local Government Department and is laid before Senedd Cymru in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1

**Cabinet Secretary's Declaration**

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of The Welsh Elections Financial Assistance Scheme (Disabled Candidates) Regulations. I am satisfied that the benefits justify the likely costs.

**Jayne Bryant MS**  
**Cabinet Secretary for Housing and Local Government**  
24 June 2025

# PART 1

## 1. Description

1. These Regulations make provision for the Welsh Ministers' duty to provide for a scheme of financial assistance to help disabled candidates in Welsh elections overcome barriers to their participation in those elections that are connected with their disability.
2. The Regulations provide details about the establishment and operation of the scheme, eligibility criteria, the functions of the scheme operator, the nature of the support or adjustments that may be provided under the scheme, the application and assessment process, the circumstances where repayment of support may be recovered and record keeping and reporting requirements. They also make consequential amendments to primary and secondary legislation in order give full effect to the scheme.

## 2. Matters of special interest to the Legislation, Justice and Constitution Committee

3. These Regulations enable the necessary preparatory work to be undertaken to establish the scheme and enable applications to be made in advance of the next Senedd election.
4. Provisions make reference and consequential amendments to the Senedd Cymru (Representation of the People) Order 2025 ("Order"). At the time of writing, this Order has been laid and is due to be considered at plenary on 8 July 2025. Placeholders have been added to the footnotes for laying and will be replaced with the registered number at the point of making the Order.
5. Should the Senedd not approve the making of the Senedd Cymru (Representation of the People) Order 2025, then these Regulations will be withdrawn and re-laid.

## 3. Legislative background

6. Section 28(2) of the Elections and Elected Bodies (Wales) Act 2024 (the "2024 Act") requires Welsh Ministers to put in place a scheme of financial assistance to help disabled candidates standing for elections for membership of Senedd Cymru, or the council of a county, county borough or community in Wales to overcome any barrier to their participation in the election connected to their disability.
7. These regulations are being made under the affirmative procedure.

#### **4. Purpose and intended effect of the legislation.**

- 8.** Creating a more equal Wales, where everyone has the opportunity to participate, reach their full potential and contribute fully to democracy will enable Wales to be more inclusive and responsive to the needs of all people in Wales.
- 9.** Disabled candidates are likely to incur additional costs when seeking elected office due to their disabilities requiring support or adjustments to be provided. This scheme will help them to campaign on a level basis with non-disabled candidates.
- 10.** The purpose of this legislation is to establish a financial assistance scheme to support disabled candidates overcome the barriers to their participation in elections in Wales.
- 11.** Welsh Ministers took forward primary legislative proposals through the 2024 Act, to support the overarching policy intention of promoting greater diversity amongst elected representatives by tackling the barriers which prevent individuals standing for elected office.
- 12.** Section 28(2) of the 2024 Act requires Welsh Ministers to establish a financial assistance scheme ("the scheme") for disabled candidates to support them with additional costs associated with standing for elected office. The scheme will support disabled candidates standing for election for membership of Senedd Cymru or the council of a county, county borough or community in Wales.
- 13.** In 2020 Welsh Ministers established a pilot fund known as the 'Access to Elected Office Fund for Wales'. It was made available to assist disabled candidates standing for election in both the May 2021 Senedd and May 2022 local government elections. Six of the individuals in receipt of support were successfully elected, all to community councils.
- 14.** An independent evaluation of this fund was undertaken following both sets of elections by Opinion Research Services. The evaluation concluded the arrangements put in place were welcomed and valued by candidates and that there was clear support for the fund to remain in place.
- 15.** The development of the regulations and arrangements for the scheme have taken into consideration the social model of disability. An application under this scheme will, among other things, consider the impact that barriers in society have on disabled candidates seeking elected office and the support or adjustments required to assist. The definition of 'disabled' in the regulations is that in section 28(13) of the 2024 Act.
- 16.** The legislative requirement to have a fund in place removes ambiguity about the future of the scheme and re-focusses discussion to one of the

scheme's progression. This has been welcomed by stakeholders as a positive step.

17. These regulations provide for a scheme operator to be appointed to manage and operate the fund, independent of the Welsh Ministers, to preserve the integrity and anonymity of the scheme in respect of the consideration and the approval of support or adjustments to individuals.
18. The scheme will provide financial assistance for support or adjustments and guidance to 'disabled candidates' during the period for which they are validly nominated candidates for election. This period will end on the day the results of the elections are announced for each election area.
19. The scheme will not place disabled candidates at an advantage over non-disabled candidates, the purpose being to achieve as level a playing field as possible when seeking elected office. An application for financial assistance may be made by a person (who intends to become a candidate and/or when confirmed as a candidate by the Returning Officer) at any time from the date the scheme opens, but the payment of any financial assistance will only be made after a candidate has been validly nominated. Financial assistance will only be available to meet additional costs that are incurred in connection with a candidate's disability for support or adjustments used after they have been validly nominated.
20. The regulations make provision for the scheme operator to publish an anonymised report setting out the number of applications received, the support or adjustments required and provided, the timeliness of the provision of the support, circumstances where support was not available and circumstances where the scheme operator required repayment of support awarded.

## **5. Consultation**

21. The arrangements established under these regulations are a culmination of evaluative work which commenced in 2014. This was when the '[On Balance](#)' report was commissioned by the then Minister for Local Government, Lesley Griffiths, to undertake an evaluation of the Access to Elected Office project operated by the UK Government to inform a Welsh scheme. The outcome resulted in extensive stakeholder engagement which informed a consultation: Access to Elected Office Fund undertaken between 11 November 2020 to 20 January 2021. The outcome of this consultation informed the arrangements of the Pilot Access to Elected Office Fund which was established for the May 2021 Senedd elections and the May 2022 Local Government Elections.
22. An independent evaluation of this fund was undertaken following both sets of elections and informed the October 2022 Electoral Administration and Reform White Paper, which included a proposal to legislate to require the Welsh Ministers to maintain an 'Access to Elected Office

Fund' that is available for all devolved Welsh ordinary and by-elections. [The outcome of the White Paper consultation](#) laid the foundation for the inclusion of section 28 of the 2024 Act.

- 23.** During the passage of the 2024 Act and subsequently, engagement has continued with key stakeholders, including Disability Wales, the WLGA, One Voice Wales and the Electoral Commission about the arrangements for the scheme. In addition, as a result of feedback from the operation of the fund, a network has been established: "Access to Politics" to enable disabled people considering standing for elected office to meet and discuss a range of matters relating to standing for elected office, to hear the lived experience of those who have already faced and overcome the barriers to standing for election and to identify the type and nature of the support individuals may require. The network is in its early stages, is funded by Welsh Government and operated by Disability Wales and will act as a continuous source of feedback in terms of informing future arrangements for disabled people.
- 24.** Welsh Ministers have consulted with such persons they consider appropriate about the arrangements for the scheme prior to the laying of these Regulations. Engagement with stakeholders has and will continue throughout the preparation of the arrangements for the scheme to ensure they provide the best experience and support possible for candidates. There was broad agreement to the continuation of this specific scheme.

## PART 2 – REGULATORY IMPACT ASSESSMENT

### 6. Costs and benefits

#### Costs

- 25** The 2024 Act places a duty on Welsh Ministers to establish a scheme to support disabled people overcome the barriers to standing for elected office. No such mandatory scheme is currently in place and therefore business as usual is not an option.
- 26** Pilot arrangements were put in place for the 2021 Senedd elections and the 2022 Local Government elections. The costs associated with those arrangements have provided a foundation for the establishment of the fund arrangements for the 2026 Senedd elections, the 2027 Local Government elections arrangements and the arrangements for by-elections that take place from May 2026 following the 2026 Senedd elections. Initial cost estimates were set out in the [RIA to the 2024 Act](#).
- 27** The funding arrangements will fall into two main categories:
- a) Operation and management of the fund. Disability Wales has been appointed as the scheme operator to establish and operate the fund arrangements from June 2025 to July 2027. The Regulations are sufficiently flexible to cater for decisions to be made in respect of the scheme operator in the future, without amendment. The scheme operator will have functions in accordance with these regulations including establishing the eligibility criteria of the scheme, provide a service to advise candidate/applicants, determine applications, allocate and distribute financial assistance/support and promote/raise public awareness of the scheme. The costs are expected to be in the region of £170k for the whole of the period with £75k in 2025/2026, £75k in 2026/2027 and £20k in 2027/2028. While the pilot scheme provides an indication of the costs associated with the operation and management of the scheme, the addition of the requirement to maintain a scheme that could cater for by elections at short notice is untested and will need to be assessed during the lifetime of the 2025 – 2027 fund.
  - b) The support awarded to third party recipients as a result of applications made to the scheme. The nature of this part of the funding requirement is, in effect, demand led. It will be necessary to keep this under review as the scheme progresses to ensure funding is sufficient to support the volume of awards agreed through the application and approvals process.

**28** Budgetary provision has been made of £200k during 2025-26, with estimated costs of £300k in 2026-27 to cover all costs of the fund. This will be kept under review as demand for the scheme becomes clearer. A review of the arrangements to ensure they are meeting the purpose for which the scheme is established will take place between the May 2026 Senedd elections and the 2027 Local Government elections to establish whether further funding for third party recipient support is required. This will entirely depend on the number of applications received to the scheme and the nature of support required by each candidate. There may also be a need to revisit the administration requirements should the scheme generate interest which results in additional support staff requirements for the scheme operator. In advance of the opening of the scheme and the promotional activity to encourage individuals to stand for elected office it is not possible to fully quantify the financial support.

### *Benefits*

**29** The scheme arrangements will support disabled candidates to overcome barriers to fully participating in local democracy. This will provide greater opportunities to influence policy development and decision making about the services people rely on as part of their daily lives. It will provide role models for others to encourage greater participation by demonstrating the contribution disabled people can make to improving service provision and the life experiences of disabled people. It will enrich the lives of others by providing a greater understanding of the challenges faced by disabled people and build greater community cohesion as a result of this broader recognition and understanding.

## **7. Competition assessment**

**30** A competition assessment is not applicable under these circumstances.

## **8. Post Implementation Review**

**31** These Regulations outline the requirement for the scheme operator to publish a report about the level of applications to the scheme, the support sought and awarded and the timeliness of the assessment and allocation process.

**32** It is intended that the information provided in this report and other feedback will help to evaluate its effectiveness and inform its future development.