

BOUNDARY COMMISSION FOR ENGLAND

Minutes of the meeting held at, 35 Great Smith Street, London SW1P 3BQ on Monday 25 April 2016 at 17.00

Present

The Hon. Mrs Justice F Patterson	Deputy Chair (by videoconference)
Mr D Elvin QC	Commissioner
Mr N Pringle	Commissioner
Mr S Hartley	Secretary
Mr T Bowden	Secretariat
Mr C Wilcox	Secretariat
Mrs W Tannah	Secretariat
Miss S Dey	Secretariat
Apologies from Mr A Bellringer	

1. Welcome and Introductions

- 1.1. Sam Hartley, Secretary to the Commission, formally introduced Tim Bowden who had been appointed as Head of Reviews. He would be joining the BCE Secretariat on 23 May. Chris Wilcox and Sangita Dey were also introduced to the group as new members of the Secretariat. They would be working with the Communications team in Cabinet Office to help promote the work of the Commission, as well as being responsible for Freedom of Information, Data Protection and records management in the BCE. Commissioners welcomed all new members of staff.

2. Minutes of the meeting held on 10 December 2015

- 2.1 The minutes of the previous meeting were approved by the Commission. As the Deputy Chair was attending the meeting remotely, she would sign a hard copy in due course.

3. Programme update

- 3.1 The Secretary updated the Commission on the progress of the 2018 Review of Parliamentary Constituencies in England since the last meeting. The review was formally launched in February 2016 with publication of the electorate figures and distribution of numbers of constituencies to the separate regions of the UK. Feedback received after the launch had been good and there was very good and favourable press coverage.
- 3.2 The Commission had appointed Informed Solutions to deliver BCE's online consultation portal. Informed Solutions had previously provided public-facing

web-based solutions to both the Boundary Commission for Scotland and the Local Government Boundary Commission for England (LGBCE).

- 3.3 The Review team has already started work on the initial proposals and in line with the Commission's policy was working to produce viable schemes that did not split wards in the first instance.
- 3.4 The timetable was on track and a Risk Register had been created. The Commission noted that the most significant current risk related to successful delivery of the online portal in time for the mid-September launch of the initial consultation period. The Budget had also been approved for the 2016-17 financial year.
- 3.5 The Commissioners were content to follow the reporting mechanisms and processes that were from the 2013 Review and agreed that the highlight report should be circulated every two weeks. If Commissioners wanted to make any comments, they could do so by contacting the Secretariat directly.

4. Corporate policies

Equalities

- 4.1 The Commission considered its general duty under the Equality Act 2010. It emphasised that the equality factors and the general duty were at the forefront of its mind when carrying out its statutory functions, but accepted and agreed with the legal advice they had received that stated that the general duty under the Equality Act 2010 does not override the factors that the Commission must and may have regard to under the Parliamentary Constituencies Act 1986. Commissioners further noted that there may be some similarities in arguments relating to the general duty and some protected characteristics and the Commission's statutory review factors, e.g. the race and religious elements of equality duties might be covered by the 'local ties' factor to which the Commission may have regard in a review.
- 4.2 The Commission agreed to the proposal to that the Secretariat conduct an Equality Assessment in advance of the publication of the Initial Proposals, and delegated its agreement to the Secretary to the Commission.

Data Protection

- 4.3 The Commission considered its existing policy on information access and data protection to ensure that it was still lawful, appropriate and in keeping with best practice.
- 4.4 The Commission paid particular consideration to the treatment of personal data contained in representations received during the consultation periods. Commissioners noted the existing policy, agreed and used at the last review, to publish the representation, names and addresses of those making

representations, given the statutory requirement to publish those received in response to initial proposals.

- 4.5 The Commissioners noted that the existing policy on data protection had been agreed following legal advice. Commissioners reaffirmed their principled agreement that the names and addresses of respondents are germane to a review where the subject matter is inherently geographic in nature, and were therefore necessary for the public consultation. The Commissioners therefore agreed the Secretariat's recommendation to continue with its existing policy of redacting signatures, emails and telephone numbers of respondents, but not addresses. Special cases could be made for anonymous submission, or the redaction of addresses in extremis. The Commissioners delegated these decisions to the Secretary to the Commission.
- 4.6 The Commissioners made clear that its Data Protection policy should be prominently displayed on the website, and respondents should always be given a chance to view and agree to the policy before submitting.
- 4.7 In relation to FOI, the Commissioners considered and agreed its publication scheme, FOI policy and Guide to Information. All documents would be made available on the website. In addition, the Commission agreed to publish all FOIs, suitably redacted.

Complaints policy

- 4.8 The Commission considered, refreshed and agreed its complaints policy. It was agreed that no significant changes were required to its existing policy.

5. Assistant Commissioner Recruitment formal approval

- 5.1 Commissioners had previously approved by correspondence the process for recruiting Assistant Commissioners. The campaign for advertising the Assistant Commissioner roles had run successfully and over 500 communications relating to applications had been received. The deadline for applications was 24 April 2016. The team were in the process of shortlisting candidates for the roles.
- 5.2 In previous reviews, Assistant Commissioners were asked to work completely independently from the Secretariat. During the 2018 review it was agreed that the Assistant Commissioners should work more collaboratively with the Secretariat in preparing the reports to Commissioners, while always maintaining the ACs' independence of decision-making.
- 5.3 The Secretariat would develop induction material so that Assistant Commissioners were well informed about their roles, covering particularly:

- How to run the public hearings;

- General working with the Secretariat; and
- Drafting the report and recommendations to Commissioners on the extent to which initial proposals should be revised.

5.4 In the last review 27 Assistant Commissioners were recruited. In this review 21 Assistant Commissioners would be recruited. This is due to learning lessons from the last review that not all regions require three ACs, and to continue to show the Commission's commitment to reducing its call on public money.

5.5 The Secretariat would circulate to the Commissioners the list of proposed appointees once they had been identified by the interview panel.

5.6 Commissioners agreed the procedure for recruiting Assistant Commissioners.

6. Public hearing arrangements

6.1 In relation to the initial proposals the public hearings will start mid October (the fifth week of the initial consultation period) and will be completed mid November 2016 (the tenth week of initial consultation period).

6.2 The Commissioners questioned whether or not they should attend public hearings. It was decided whilst it was not essential for Commissioners to attend, their attendance would allow them to relate more to the work of Assistant Commissioners and give them more insight into the whole process and the key issues in that region.

6.3 The Secretary discussed with the Commissioners proposed locations for the public hearings. The Commissioners emphasised that accessibility, popularity and the use of rural locations were important factors when choosing a location for a public hearing. The Commissioners considered the proposals for locations outside of London and generally agreed to the proposals. The Commissioners noted that the West Midlands hearing locations did not necessarily allow for the widest span of population in the area while respecting road and rail routes, and therefore proposed to change Hereford/Telford and Warwick to Shrewsbury and Leamington Spa.

6.4 The Commissioners discussed the location of hearings in London and the following locations were suggested for the four 'outer London' venues:

- Kingston
- Barnet
- Redbridge
- Bromley

6.5 It was agreed the lead Assistant Commissioners should chair as many as possible of the hearings, and that the hearings in each region should therefore not overlap. Each speaker would be allocated 10 minutes by default for

speaking at the public hearings (though extended slots could be given on request).

- 6.6 It was noted that it was important that there was a consistent style of chairing amongst the Assistant Commissioners. A full induction process and guidance material would be prepared and provided to the successful candidates.
- 6.7 The Commissioners considered its statutory obligation to make a record of the hearings. While noting that, at the least review, an audio recording was made and published alongside a written transcription, the Commissioners considered that for this review video recordings of public hearings should be made as a statutory record. This would further emphasise the Commission's commitment to transparency. Commissioners noted that subtitles would be required with the video. A separate written transcript would be required to ensure accessibility and for ease of searching for representations during the secondary consultation period. The importance of robust sound systems and easily accessible venues was emphasised.

7. Draft Guide to the 2018 Review

- 7.1 The Guide sets out policy and procedural guidance related to the review and good feedback was provided by representatives of the political parties in relation to the Guide produced for the 2013 Review.
- 7.2 The Commissioners noted that, in that light, re-use of the general text from the 2013 Review Guide was a sensible option. Commissioners considered the draft provided by the Secretariat, which outlined changes to the Commission's policy on ward-splitting and other matters. With a number of minor text changes, the draft text was approved by Commissioners for publication.
- 7.3 The Commissioners agreed BCE should publish its guide after the forthcoming Referendum, but before Parliamentary recess in July.