

Assistant Commissioners recruitment – record of decisions and progress update

1. Members approved via email correspondence on the 8 March 2016, the Secretariat's proposals for the appointment of Assistant Commissioners (ACs), including the overall numbers and their remuneration. This paper serves as a formal record of that decision, and provides an update on the process so far for information only. Commissioners are invited to ratify the process for recruiting and selecting the Assistant Commissioners (ACs), including the overall numbers and their remuneration.

Background and consideration

2. Schedule 1 to the Parliamentary Constituencies Act 1986 provides that the Secretary of State may "at the request of the Commission, appoint one or more assistant Commissioners to assist the Commission in the discharge of their functions."
3. At the 2013 Review, 27 Assistant Commissioners (ACs) were appointed: three for each of the nine regions in England, with one of each team of three designated the 'Lead' Assistant Commissioner for that region. The Assistant Commissioners at the time were appointed for the purpose of:
 - a) chairing the public hearings in their region, (with each 'Lead' chairing as many as possible in their region); and
 - b) analysing all the representations received for their region at the initial and secondary consultation stages, and producing a report for the region that summarised the representations, making recommendations for retention or variation of the Commission's initial proposals, with the Lead AC tasked with overseeing production of the whole report for the region.
4. However the Commission has previously agreed that the role of assistant commissioners will be amended slightly from that at the last review, acting as an integral part of - rather than at arms length from - the relevant regional Review Team in the Secretariat.
5. ACs will be expected to continue to bring an independent and analytical view to the process, free of any previous involvement in developing the initial proposals. As previously, they will be provided with collated representations on the initial proposals for the relevant region by the Review Team, with a cover paper highlighting the key themes and evidence from the representations received. However, rather than working separately in their deliberations, ACs will for the 2018 review be expected to work with the Review Team in considering and analysing the strength of the competing views of the proposals, and reaching overall conclusions on what revisions should be recommended to the Commission. The Secretariat will write up the overall report to Commissioners recommending any revisions to the initial proposals, and the reasoning behind those.
6. Commissioners originally indicated an average of two ACs per region would be appropriate, but subsequently agreed that appointing only one AC in the smallest

regions (North East, East Midlands) would be too high a risk in terms of resilience and ensuring a variety of views. The Secretariat then recommended appointing two per region for all regions except the three largest (London, North West, South East), which would have three - resulting in 21 ACs being appointed, which Commissioners subsequently agreed.

Fees

7. The fee for ACs is, by statute, set by the Secretary of State with the approval of HM Treasury. It has historically been the same rate paid to Commissioners, which is broadly tied to the rates for fee-paid Judiciary. This is currently £505.50 per day. However, having reviewed the nature of the role of the Commissioners compared to that of the ACs, together with the variation in the role ACs would be asked to undertake in the 2018 Review, the Commission has agreed to pay ACs a sum of £350 per day for the 2018 Review. This lower fee also takes into account the increasing emphasis on public sector efficiency savings since the last review, which the BCE is committed to adhering to.
8. In this light, the BCE can no longer justify paying the Assistant Commissioners the same rate as the Commissioners, nor does it consider it necessary to attract high-calibre candidates. The Secretariat has sought the views of the three other commissions on fees. Neither the Boundary Commission for Scotland nor the Boundary Commission for Northern Ireland pay their assistant commissioners (who are all members of the judiciary), and the Boundary Commission for Wales intends to pay their ACs the same rate as commissioners, on the grounds of attracting high-quality dual-language candidates from a smaller field. England does not have these constraints and the Secretariat is confident it will still attract a high-quality field of candidates.
9. The Secretary of State and HM Treasury have subsequently agreed this level of remuneration.

Recruitment process

10. The Secretariat is running the entire recruitment process in house, with advice from the Centre for Public Appointments, and in line with the principles set out by the Office of the Commissioner for Public Appointments (OCPA) (although the selection of Assistant Commissioners is not an exercise that is itself subject to OCPA regulation).
11. The vacancies went live on **1 April 2016**:
 - a. on the Centre for Public Appointments website;
 - b. on the BCE website;
 - c. in national newspapers, Counsel Magazine, the Law Society Gazette, the Lawyer, and the (local government) Municipal Journal, Local Government Chronicle and on the local government jobs website. We also advertised on the Voice online and Evenbreak to ensure that those under-represented and hard-to-reach groups were targeted.

12. The application period will close at **5pm, on Sunday 24th April**. Candidates will be sifted initially by the Secretary and Deputy Secretary during week commencing 25th April, to assess relative strength against the published assessment criteria (Annex A).
13. Interviews are scheduled to take place on the weeks commencing **16 and 23 May**. The shortlisted candidates will be invited for interviews with Commissioner Neil Pringle (as Panel Chair), the Secretary to the Commission, plus Sarah Chambers (an independent panel member, who has experience in a comparable role working for the Judicial Appointments Commission). Interviews will be conducted on a competency basis, i.e. candidates will be asked to discuss and provide examples of how they have previously demonstrated the published criteria.

Next Steps

14. Following the interviews, a list of the successful candidates along with the aggregated and anonymised data relating to their diversity will be provided to the full Commission, for their recommendation to the Secretary of State to make the formal appointment.

Annex A

Selection Criteria

Skills/experience required

All candidates must demonstrate how they meet the following criteria, through their knowledge, skills and experience.

Applicants will be assessed against the following competencies and specialist skills.

Essential:

- Integrity and independence of mind;
- Ability to explain procedures, and produce clear and succinct analyses and evidence-based recommendations, both orally and in writing;
- Ability to inspire respect and confidence, and to maintain authority when challenged, particularly in a public hearing context;
- Ability to treat everyone with respect and sensitivity whatever their background and to demonstrate patience, courtesy and tact when dealing with the general public;
- Ability to work accurately at speed and under pressure, quickly absorbing detail, and analysing large quantities of information objectively;
- Ability to work well as part of a team with the BCE's Secretariat and one or more other Assistant Commissioners.

Desirable though not essential:

- Experience of working in the constitutional field.