



The presence of Commissioners is requested at a meeting to be held at 35 Great Smith Street, London SW1P, at 2pm on 21 February 2020.

## **AGENDA**

- 1. Management review of the 2018 Review (Paper 1)**
- 2. Preparing for the next Review (Paper 2)**
- 3. Any other business**

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Acting Secretary to the Review

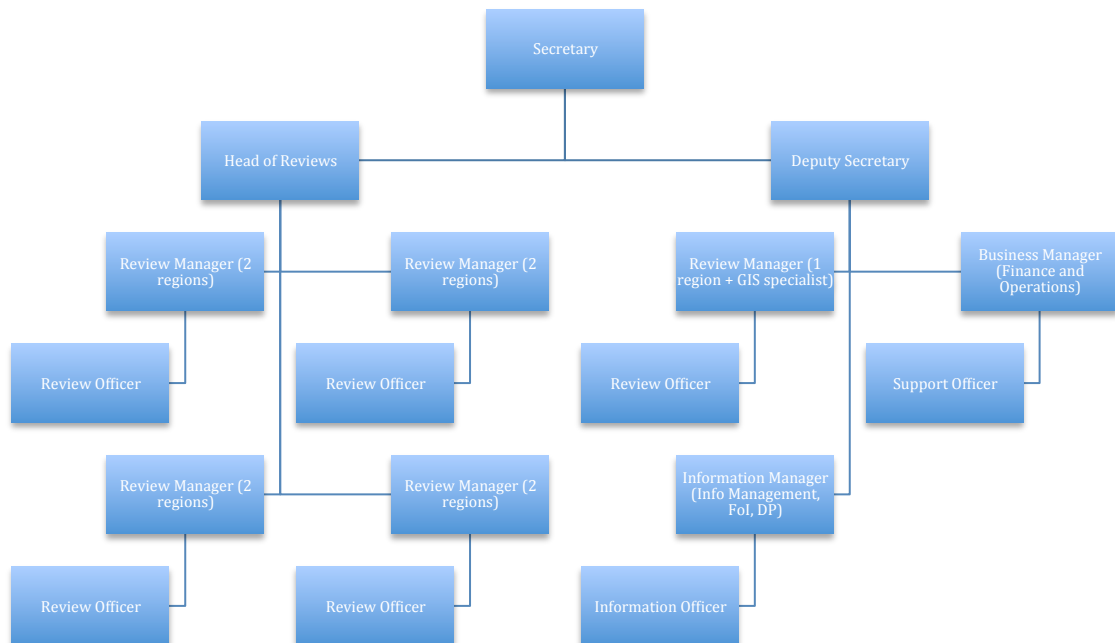


**Management review of BCE's 2018 Review of  
parliamentary constituencies**

## Staff – structure, recruitment and retention

### Staffing structure

1. For the 2018 Review, BCE adopted the following staffing structure in the Secretariat:



### Recruitment

2. The secretariat had managed to retain three staff from the previous Review, who filled the positions of Deputy Secretary and two of the Review Manager roles. Recruitment of other staff commenced in late spring 2015, with the recruitment of a new SCS Secretary by the Cabinet Office (a Commissioner sitting on the selection panel), though they were not able to take up post until early December 2015, which was late in the planning and preparation for the Review due to formally launch in late February 2016.
3. The new Secretary was then able to participate in the recruitment process for the key specialist and senior leadership role of Head of Reviews, though this meant the post was not filled until February 2016 (arguably less vital as that post is mainly concerned with the substantive. Meanwhile, more junior staff were also being recruited by existing staff, with new staff joining from autumn 2015 through to the beginning of March 2016. Accordingly, all vacancies were initially filled by the time substantive work of developing initial proposals need to start, though in some cases, start dates were very close to this, with induction and technical training still needing to be done.

4. A couple of temporary staff were taken on to support the office generally during the peak period of the public hearings some months thereafter.

#### Retention

5. A number of staff left relatively early in the Review for personal reasons (one Review Manager and four Review Officers within the first year), but we were successful in filling these vacancies quickly. There was then around a further year of stability with hardly any new departures, until some junior staff started to move on, starting around the turn of 2017/8, at which point we began not to fill those vacancies, with the substantive analysis work of the Review coming towards an end. Following the formal end of the Review in September 2018, we were able to scale back down to 1.4 FTE by the end of December.

#### Considerations for future Reviews

6. It would have been beneficial to have the Secretary in situ some months earlier, so that they could have been more involved in the development of policy and decision making during the planning and preparation for the Review.
7. 17/18 staff seemed about right for the balance and flow of work through the Review. There is probably little that can be done to prevent departures for personal reasons (we already make it clear during recruitment that there is a strong expectation that individuals will stay for at least two years). However, the organisational structure could be adjusted slightly to make it more robust in dealing with departures in the short term.

## IT – procurement and delivery

### GIS

9. Substantive procurement for provision of suitable bespoke GIS software (and associated support contract) commenced in the spring of 2015, following an earlier procurement to establish a working prototype. The product (based on open-source QGIS software) was delivered on time in autumn 2015, allowing existing core staff to learn use of the system before cascading to new staff as they joined through the winter. The product and service generally met our requirements, with only small amendments and improvements made to the functionality of the product during the Review. Final overall costs were as follows:

Cost of development of original product	£29,520
Ongoing cost of provision and support of base product November 2015 – October 2018	£112,517
Cost of improvements to product made over life of 2018 review	£19,770
Cost of decommissioning and preservation of system	£1,350

### Consultation portal

10. Procurement for the consultation portal began in late 2015, and concluded in the spring of 2016, with the product going live to the public at the initial proposals consultation from September 2016. Although there were some technical issues at launch, these were resolved within a few hours, and for the remainder of the Review the site functioned relatively well, with a very high rate of usage of the site for submission of consultation responses: 86% of total responses received were via the portal, as against an original target of 50%, subsequently increased to 70% following pre-launch user research (both of which were considered at the time optimistic against the Government standard). There were a number of improvements made to functionality through the course of the review, and the product was maintained for some six months after the final report and recommendations were handed to Government. Final overall costs were as follows:

Cost of development of original product	£104,100
Ongoing cost of provision and support of base product September 2016 – March 2019	£209,200
Cost of improvements to product made over life of 2018 Review	£83,611

Considerations for future Reviews

11. The timing of the procurement exercises seemed about right, to deliver the required service at the required times in the Review. The functionality of both systems was fit for purpose, and in the case of the portal was demonstrably successful. Whilst new functionality may well be considered for future Reviews, if it is not required, procuring an identical system should be a relatively straightforward task, and overall cost cheaper (with no need for development and subsequent improvement work).

### **Commissioners' engagement in Review**

13. Although the Commission experienced the sad loss of the Deputy Chair during the Review, we were fortunate that it had had limited practical impact on progression and delivery, as it coincided with a time in the Review when there was not a need to call on Commissioners for input or key decisions.
14. The 2018 Review tried to engage full Commissioners earlier in the details than had been the case in the 2013 Review, a reflective review of the latter having included a feeling from Commissioners that the lateness of their substantive involvement in the process inhibited their ability to fully scrutinise and challenge recommendations from staff and Assistant Commissioners.
15. Accordingly, the two fee-paid Commissioners split the nine regions between them and were designated as 'lead Commissioner' for those regions. This role entailed them receiving oral briefings from staff (and ACs for revised proposals) in advance of full Commission meetings, to ensure they understood and were content with the recommendations being put to the Commission as a whole for that region. These meetings gave the lead Commissioner an opportunity to test the detail of what was to be put to the full Commission, and therefore gave the Commission as a whole greater assurance that as a body they had a grasp of the detail across the country. The lead Commissioner was also asked to attend (as an observer) at least one of the public hearings (usually the designated lead hearing) in each of their regions.
16. The Deputy Chair did not lead on any individual region, given the high demands on their time from their full time judicial role. However, they did hold an overarching brief to ensure in particular that across all nine regions there was a consistent approach, both to testing the recommendations and alternatives, and in the application of the non-mandatory statutory factors and the Commission's policies.
17. The Commissioners from the 2018 Review felt this had been a better approach than that in the 2013 Review.

## **Assistant Commissioners – numbers, recruitment and role**

### Number of Assistant Commissioners

19. In the 2018 Review at least two Assistant Commissioners were appointed to each region. This ensured that each regional AC 'team' contained both the ability to progress the work if one of its members didn't or couldn't contribute, and allowed for internal testing and challenge of the team's thinking on the region as it developed. This approach seemed to be borne out in both a fair degree of internal challenge that existed in teams, and in the realisation in at least two regions of one member of the AC team not being ultimately able or willing to participate.
20. The London, North West, and South East regions each had three ACs appointed to them for the 2018 Review. This was intended to reflect the likely larger workload that would exist in those areas, as they had the three largest numbers of proposed constituencies. However, the South East region was in the event delivered by two ACs. From the staff's perspective, the main difficulty caused arose from the timing of needing to redistribute the work amongst the remaining two ACs, rather than the resulting amount of that work. Given that the South East is by far the largest region, it is very likely that the other two nominally 'three-AC' regions could have been delivered by two ACs, particularly if it had been planned to be so from the outset.

### Recruitment

21. In the 2018 Review, the Assistant Commissioner vacancies were advertised in the early spring of 2016, soon after the 2018 Review was formally launched. The AC appointments process is regulated by the UK's Commissioner for Public Appointments, so we follow their expectations in terms of transparency and fairness throughout the process. Public adverts and a reasonable period for applications are followed by an initial sift of applications to shortlist candidates for interview, with the number invited aiming for a ratio of around three interviewees to each vacancy.
22. The sift panel was composed of the Secretary and Deputy Secretary, who initially assessed all applications separately and then came together to reach and agreed an initial ranking of candidates by scoring against the advertised criteria. This then informed the particular number to invite to interview (i.e. where there was a natural break in the scored ranking). The interview panel consisted of one Commissioner as chair, plus the Secretary to the Commission and an independent drawn from the Commissioner of Public Appointments' approved list of such individuals. The interview panel again ranked candidates by score against the advertised criteria, and the top scorers were recommended to the Minister for the appointments to be made.



23. Overall, the process seemed to work well, with the vast majority of individuals appointed as a result fulfilling their duties well. However, the size of the logistical challenge and time commitment should be noted: the 2018 Review saw a solid two weeks of interviewing (52 candidates) for a Commissioner and the Secretary, preceded by sifting of 369 applications by BCE's two most senior staff.

#### Role

24. The role and responsibilities of ACs are not defined in the legislation that establishes the Commission, merely the fact that they may be appointed 'to assist the Commission'. Since the changes to the procedural rules for Reviews introduced in 2011, ACs have been allocated to a specific region, in respect of which their role has been to chair/attend the public hearings held, analyse with staff all the responses submitted to the initial and secondary consultations, and develop and present to Commissioners recommended revisions to the initial proposals for that region. ACs were provisionally retained for the possibility of fulfilling a similar role in analysing responses to the revised proposals and recommending to Commissioners any final amendments to those, but in the event the Commission felt that work was manageable between staff and Commissioners at both the 2013 and 2018 Reviews.

25. This arrangement has generally worked well. One change made between the 2013 to 2018 Reviews was that in the 2013 Review, the AC teams themselves each wrote a formal report to Commissioners on what they thought should change from the initial to revised proposals, but this led to some discrepancy in the tone and content of these reports (which were published as in effect the revised proposals consultation documents). For 2018, ACs made the final decision of what they wanted to recommend to Commissioners and why, but the staff drafted the formal papers to Commissioners that set those things out: this did lead to a greater degree of consistency across the nine regions as a whole.

26. Both for the 2013 and 2018 Reviews, one AC in each AC team was designated the 'lead AC' for that region. This is a role not recognised in legislation, but is administratively useful in identifying one individual in each region that: a) has 'first refusal' to chair each public hearing in the region; and b) is ultimately responsible for ensuring the AC team settles on a single set of recommendations for any changes they feel appropriate to make to the initial proposals in their region (including, if necessary, having the final say in case of any disagreement in the team). It has been useful to have this leadership role in the AC team to be clearly designated from the outset.

## **Communications – strategy and delivery**

28. Detailed Communications evaluation reports were made available to previous Commission meetings, so the following represents a high level summary.

### Strategy for 2018 Review

29. The Commission secured the services of an advertising agency (via the Government's procurement framework) to provide specialist advice on the best channels to use, timing of advertising, and development of art assets for a commonly themed visual aspect to the campaign. The Government's specialist ad-buying agency was also used for the actual purchase and placement of adverts.

30. The campaign for both initial and revised proposals consultation periods consisted of: print adverts in national and local print media; a radio advert played out via a large number of local commercial radio stations; and digital advertising using 'banner advertising' on websites and social media apps. No television advertising was done (too expensive), but senior staff appeared on political interview and news programmes (TV and radio) when invited.

31. Throughout the Review period (and subsequently beyond), a social media presence was maintained on Twitter, Facebook and LinkedIn, though these were actively maintained and used in that descending order, reflecting the nature of those rather different channels, and users' rather different reasons for using each.

32. During the live Review, traffic was very much driven to the separate 'bce2018.org.uk' specialist consultation website, rather than the lengthier-titled 'corporate' BCE website, though the latter did continue to set out up to date 'static' (as opposed to interactive) information on the process for the Review, and the Commission as a whole, including its role and responsibilities.

### Delivery

33. Communications were generally felt to be very successful in relation to the two main reasons for their use, i.e: a) raising awareness and understanding about the Review; and b) encouraging people to respond to the specific consultations. Media spend can generally be considered to have driven the vast majority of the large number of overall consultation responses that BCE received.

34. In very broad terms, advertising on Facebook seemed to be particularly successful in encouraging people to visit our consultation website, adverts on Twitter and websites slightly less so, and 'traditional' advertising in print media and radio the least successful (though most expensive). That said, it is also much harder to get an accurate

assessment of how successful or otherwise traditional media advertising is, as it has no easy means of 'tracking' the impact, compared with digital media.

## Public hearings – number, locations and delivery

### Number

35. The Act specifies that a minimum of two and maximum of five two-day hearings must be held in each region during six weeks of the ten week initial proposals consultation. The 2018 Review accordingly saw the Commission deliver a total of 36 hearings across its nine regions, with the number in each region broadly proportionate to its electorate. This seemed to be about the right number, in the sense that there were very few calls specifically to hold more hearings in those areas with less than five, although some people did question the choice of location (see below).
36. Holding fewer hearings would of course be more manageable logistically for the staff in both arranging and physically supporting them, but would in all likelihood lead to significantly increased concern at the reduced availability of hearings in most regions. Given the significant logistical challenge involved in arranging and supporting so many often concurrently running hearings, we would not recommend increasing the overall number of hearings by any significant amount, if at all.

### Locations

37. A feature of the currently statutory process for Reviews that the Commission is publicly on record as finding unsatisfactory is the fact that public hearings are held as part of the initial consultation itself. Our dissatisfaction arises from the fact that the practical consequence of this is that suitable venues to deliver public hearings have to be booked months beforehand. We are therefore obliged to rely only on practical considerations such as proximity to large population centres and ease of public transport access when choosing locations.
38. We are therefore not able to choose locations with the benefit of knowledge that those are areas where there are strong competing options for constituency layout that would see the most value being gained from a public hearing. Inevitably, therefore, public hearings in the 2018 Review (as in the 2013 Review) were in the event very 'hit and miss' as to whether they inspired much local interest and attendance, and crucially whether they generated additional detailed evidence on possible options (which had not already been expressed in written responses).
39. Until such time as the statutory timing of public hearings may be placed some while after initial consultation in the process, this unfortunate 'curate's egg' of value that they represent is very likely to continue.

### Delivery

40. As noted above, booking of venues has to be done some months in advance in order to secure a suitable venue on the necessary dates (even six months out, some of the optimal places may be already booked). The need to deliver 36 hearings in a fixed six week period allows for little real flexibility in dates. As a record of the content of hearings needs to be produced for publication (not least for the 'secondary consultation' period), some form of transcription service needs to be used.
41. For the 2018 Review, the Commission procured an AV services company to both provide a portable PA system (for venues without a pre-installed one), and make an AV recording of the proceedings in each hearing. The video of this was then published on a YouTube channel that BCE established, and the audio file sent to a specialist transcription service for typing up into a written record of the proceedings, which was also published alongside the written responses to the initial consultation. This combination of services worked well, and provided enhanced transparency to the process, compared to previous Reviews that only used written transcription services.

## **Print and distribution of hard copy materials**

### Public materials for consultation

43. The Act requires the Commission to make available in each proposed constituency a copy of its proposals during the consultation periods. In some geographically larger constituencies, the Commission also places a further copy in an additional location, thus in the 2018 Review placing 546 copies across the 501 proposed constituencies.
44. Each pack for a place of deposit is tailored to that proposed constituency, i.e. containing a copy of the relevant consultation report (and summary) for that region, a copy of the A0 regional map, and a copy of the A3 map for that proposed constituency. With well over 500 bespoke packs to collate and mail out to individual addresses, this is a complex, lengthy and expensive process. Although no survey of places of deposit was conducted in the 2018 Review, we have no reason to doubt that the frequency of people accessing these materials at places of deposit was any better than the abysmally low rates experienced in the 2013 Review (when a survey was done). Accordingly, the 'value for money' of this particular aspect of the consultation we believe to be very low indeed, though we are bound to undertake it under current legislation.

### Distribution to MPs and central parties

45. The Commission also distributed individualised packs for all MPs with an English constituency at each of the consultations on our proposals. Each pack contained a copy of the consultation report (and summary) for the relevant region, an A0 map of all proposed constituencies in that region, and an A3 map of each individual proposed constituency that took in any part of the MP's existing constituency. Packs were made available for collection in person from a pre-arranged room in Parliament the day before the consultation formally launched. Any uncollected packs were then sent to the relevant MP through the Parliamentary internal mail system.
46. The vast majority of packs were collected in person (either by the MP in person or by their authorised representative), though some needed to go into the mail. The embargo that came with the pre-launch distribution to MPs was not particularly well adhered to, and we may need to consider in future whether any steps could or should be taken to strengthen that.
47. The central headquarters of all the main political parties in England (i.e. those with elected representatives in the UK or European Parliament) were issued with hard copy packs of all the regional reports, A0 maps and all A3 maps, made available for collection on an embargoed basis

from the Commission's offices the day before the consultation formally launched. Parties corporately appeared to respect the embargo.

Production and distribution of final report

48. Strictly, the legislation only requires that the Commission hand its final report and recommendations to the Secretary of State, whose role it then is to formally lay the report before Parliament. In practice, as we wished to publish the report as soon as possible after it was handed to the Secretary of State, and it was considered inappropriate to publish in advance of the report being laid in Parliament, the Commission in fact made all the preparations for the report to be laid, thus minimising the opportunity for delay between submission of the report and its laying before Parliament. In the event, the report was submitted to Government on 5 September 2018, and subsequently published on 10 September (the date of laying before Parliament).
49. There are various strict rules about the formatting of documents and number of hard copies to be produced to satisfy the Parliamentary requirements for formally laying documents. These are intended in part to ensure sufficient copies are available to allow all MPs wishing to access hard copies the ability to do so. Combined with the availability of all materials online, the Commission did not, therefore, repeat the individual distribution of hard copies to all MPs (or the political party headquarters). Though expensive and time consuming to produce the final report documents in hard copy to the laying specifications demanded by Parliament, this was completed on time.

## Outline plan and preparations for next Review

### Introduction

1. This paper set out a very high level plan for the next Review to be conducted under the Parliamentary Constituencies Act 1986 (as amended). Under current legislation this would be required to report in September 2023, using electorate data from the autumn 2020 canvass (published between December 2020 and February 2021), and local government boundaries as they exist in early May 2020.
2. A very important caveat to all that follows is that there is a very strong likelihood that the Commission will be asked to deliver the next Review somewhat earlier than September 2023. This is because – notwithstanding the Government’s stated intention to repeal the Fixed Term Parliaments Act – the next scheduled General election would take place in May 2024, and the Government, political parties, and electoral administrators will all wish to have at least a clear 12 months of new constituencies being made in law, and having to use those in the next subsequent General election.
3. This places the Commission in a difficult position, as we must very shortly begin to make substantive moves (including committing expenditure) towards starting the next Review under the current legislative timetable, potentially without certain knowledge of the Government’s detailed intentions for the next Review, and almost certainly in advance of Parliament passing the amendments to primary legislation that would be required to amend the statutory timetable for a Review (as well as any possible changes to the overall number of constituencies, or the permitted level of tolerance from the electoral quota figure).
4. The working assumption below is therefore that the Government will change the timetable (if nothing else) in primary legislation, such as to require the next Review to report around the end of January 2023, but this legislative change will not be made until the end of 2020 (or very early 2021), allowing the Commission to formally commence the next Review at essentially the same time as it would do under the current legislation (i.e. late February / early March 2021).

### Spring 2020 – Secretary, start GIS procurement, identify accommodation

5. We recommend first steps should be taken to secure a Senior Civil Service level Secretary to the Commission, who will see the next Review through to conclusion. This recruitment would be handled by the Cabinet Office, but we recommend the sift/interview panel should contain a full Commissioner, as the Secretary will be the main intermediary between the Commissioners and the executive staff. SCS-level recruitment can take some time, both due to requirements for fully public advertising and likely release notice periods that such a



level of seniority generally comes with. We would hope and expect that the Cabinet Office will be able to conclude this exercise in good time for the new Secretary to be in post no later than September 2020.

6. We should also get the process of procuring the provision of a new bespoke GIS service (the software that allows us to draw up and 'map' potential schemes of constituencies). A fair and open procurement process is likely to take the best part of six months end to end, and we will need to have the service fully operational and ready to use when new Review team staff join and need training in the autumn/winter (see below). If Commissioners are content for us to have a 'proof of concept' prototype developed of additional functionality for the automated initial production of all possible numerically 'valid' schemes in an area, we will proceed with this, but adding any additional functionality requirements to will add cost and - potentially more of an issue - time.
7. The Commission should also be working actively with the Cabinet Office to identify suitable accommodation to house the secretariat adequately from the time of scaling up staff numbers later in 2020 (see below), through to shortly after the Commission hands its final report to Government and staff numbers scale back down.

#### Summer 2020 - remaining senior staff, continuing GIS procurement

8. There will be one other member of senior staff to recruit (who will in due course be line managed by the Secretary). The aim will be to have this individual also in post by no later than September, which should be possible, as fully public recruitment is not generally a necessity and notice periods should be shorter.

#### Autumn 2020 – Senior staff in post, recruitment of junior staff, GIS operational

9. With the whole senior team in place, they should be able to be personally involved in - and therefore feel ownership of - a significant amount of detailed planning around the launch of the Review that will be occurring around this time (e.g. communications strategy) and subsequent delivery of it.
10. Recruitment of the remaining junior staff will need to take place during this period, which can be run by the senior staff. Junior staff will need to be in place by end of the year to receive suitable induction and training on use of the GIS (which should have been delivered shortly before they start), and the methods of working within BCE.

#### Winter 2021 – Electorate compilation, training of staff, formal review launch, start consultation portal procurement

11. December through February is the period during which the annually published electoral registers are produced by local Electoral

Registration Officers. BCE will need to collect and verify all these figures, then liaise with the other three Parliamentary Boundary Commissions to agree the UK electorate, electoral quota figure, and distribution of constituencies to the four parts of the UK under the Act.

12. With this data in place and agreed, the Commission will then be in a position to formally launch work on the Review. In previous Reviews, a first order of business has been to formally meet with representatives of the main political parties, to outline and explain the Commission's proposed policies to be used during the review (e.g. not crossing regional boundaries, and limiting ward splitting to exceptional cases), and modifying them where persuaded it would be appropriate, before staff commence production of schemes that apply those policies.
  13. In order to secure an effective consultation portal service (which proved particularly successful in the 2018 Review) we would need to commence procurement for that around this time, as it will need to be in place and operational by early September 2021 at the latest.
  14. Spring 2021 – continuing consultation portal procurement, recruit Assistant Commissioners, identify and book public hearing venues, work through initial proposal options, publish 'Guide to the Review'
  15. Recruitment of Assistant Commissioners will need to start early in the spring, as the process will likely take two to three months from advert to acceptance of appointment by the Minister. At least one Commissioner will need to be intensively involved in the sift/interview process.
  16. Due to the need to book venues significantly in advance if we are to secure suitable venues (e.g. in respect of disabled and public transport access) in the locations and on the dates we need, such booking will need to be made at this time for hearings to be held in October/November.
  17. This is the key period for Review staff to be working through various different possible options for constituency schemes that meet the statutory factors, to determine which are the optimal schemes to propose to Commissioners.
- Summer 2021 – consultation portal delivered, Commissioners decide initial proposals, staff draft consultation report and arrange printing and distribution, Assistant Commissioners induction
18. The consultation portal must be fully tested and ready to go live by early September at the latest, when the initial consultation opens.
  19. Commissioners will formally meet to determine the initial proposals for each region (lead Commissioners will also have met individually with teams to discuss the recommendations for their regions that will go to

the full Commission). Following these decisions, staff will actually draft up the consultation report documents, and have both these and the maps printed, and distribution arrangements made (to places of deposit, MPs and parties).

20. There should be an induction event for Assistant Commissioners in the late summer, ensuring they are prepared in a timely fashion for the key role they will play in the public hearings and following initial consultation.

Autumn 2021 – initial consultation including public hearings

21. This period will be dominated by the launch and delivery of the initial proposals consultation, including circa 36 public hearings during the defined six week period of the overall 12 week consultation. Clear processes must be in place and followed in the office for receipt and collation of all consultation responses.

Winter 2022 – analysis of responses and development of potential revisions by Assistant Commissioners and staff

22. This proceeds on the working assumption that the current ‘secondary consultation period’ (publication of initial consultation responses and a specific timed opportunity for the public to comment on those) will no longer be included in the shortened Review timetable we believe will be requested for the next Review.

Spring 2022 – Commissioner decisions on revised proposals, staff write up revised consultation documents and arrange printing and distribution

Summer 2022 – Revised proposals consultation, and analysis of responses

23. The eight week consultation period would need to be conducted early in the summer, in order to avoid the consultation falling into the ‘school holiday’ period of August.

Autumn 2022 – Finalise analysis, Commissioners determine final recommendations, report written up, and printing and laying arrangements made

Winter 2023 – Conclude printing and distribution arrangements, formally submit final report to Government