



## **BCE/2021/1st meeting**

### **BOUNDARY COMMISSION FOR ENGLAND**

#### **Notice of meeting**

The presence of Commissioners is requested at a meeting to be held at 11.00 on 8 February 2021.

#### **AGENDA**

1. Welcome and minutes of the last meeting (PL)
2. 2023 Review Programme update (est 20 minutes) - **Paper 1** (TBo)
  - a. Timetable
  - b. Risk register
  - c. Highlight report
3. Guide for the 2023 Review (est 30 minutes) - **Paper 2** (TBe)
4. Complaints policy (est 15 minutes) - **Paper 3** (WT/TBo)
5. Introductions to regions (est 40 minutes) - **Presentation** (Review Managers)
6. Any other business

**Close (14.00)**

**Tim Bowden**  
**Secretary to the Commission**

## **2023 Review programme update**

**Programme documentation will be provided to Commissioners for all scheduled Commission meetings, and will also be sent to them at regular intervals in between.**

### **Update since the last meeting**

1. Commissioners last met on 7 December 2020, since then progress has been made on a number of operational areas.

### *Staffing and recruitment*

2. In the review team, 12 of 13 staff are now in post. We expect the final review officer to join in February. In the corporate team, the business assistant has started and a business manager should have been appointed by the time of the Commission meeting. The communications manager has also been appointed on an initial six month contract, which can be extended. We have received positive feedback on the induction programme rolled out, including its successful implementation for remote inductions.
3. At the meeting on 7 December, Commissioners agreed to appoint 18 Assistant Commissioners for the 2023 Review. The Minister has agreed to the Commission appointing this number of Assistant Commissioners and HMT have agreed to the proposed fee. The advertisement for this post will be published later in February.

### *Finance*

4. The Secretariat has continuously contributed to the recent Spending Review, during which it has made the case that the budget for the Commission is to deliver a statutory function. Early indications from the Cabinet Office suggest the Commission should receive the budget to match its original bid.

### *Accommodation*

5. At present all staff are working from home, following the current Government guidelines in relation to Covid-19. We understand some work is required to the heating and cooling system in 35 Great Smith Street, meaning the Secretariat will need to vacate for six-eight weeks. We have provisionally been informed, the work is scheduled to begin in February, which should not impact our current work plan. If we need access to the office during this period, we have agreed a suitable space with the Government Property Agency in 1 Horse Guards Road. We will communicate to Commissioners the timeline of this project once confirmed and make you aware of any issues this may pose to the work on initial proposals.

### *Electorate data and review work*

6. The Office of National Statistics (ONS) published the electorate data used for the 2023 Review (registers as at 2 March 2020) on 5 January 2021. The Commission successfully launched the 2023 Review on the same day. The launch received limited press coverage, all of which was generally positive.
7. Given the Act requires the Commission to have regard to prospective ward boundaries, we have worked with the relevant local authorities to ensure we have this data. Of the 31 local authorities with prospective wards, as at 28 January we have data for 20. The remaining authorities who have not yet provided data we have asked to do so by 12 February at the latest. We have engaged with the Association of Electoral Administrators in completing this work.
8. The review team are formulating initial proposals and are briefing lead commissioners on potential sub-regions and emerging issues. Commissioners will also receive an overview presentation of this work at the meeting.

### *Technology*

9. The geographic information system (GIS) was successfully delivered in December 2020 and is being used by the Review Teams to formulate initial proposals. We have agreed with the Cabinet Office Chief Digital Information Officer (CDIO) and Crown Commercial Service the route to procure the consultation website - a G Cloud framework, and have commenced that process accordingly: we expect to award a contract mid-late February.
10. A risk to launching the initial proposals consultation in early June 2021 is the delivery of the consultation website. At present, we are confident that it can be delivered in time. However, any significant delay to the procurement and/or development process could impact this. Our confidence to deliver the website to the current timetable includes having a clear specification for the site, good knowledge on how it was delivered previously, and a clear procurement process. We are also working closely with CDIO to ensure appropriate technical, security and accessibility assurance work can be incorporated into the delivery.

### *Communications*

11. A communication and advertising strategy will be developed for the 2023 Review in due course. In the meantime, the team has engaged with a creative supplier to produce a short animated video to outline the 2023 Review. We have also completed an accessibility audit and modified the branding to ensure it is legally compliant.

### **Timetable**

12. The timetable for the 2023 Review is set out at **Annex A** in the form of a project plan. The project plan is a 'living document', which is expected to reflect changes in the timetable as they are required. Dates and the description of activities will therefore generally be more broad the further away they are in time, becoming more specific and detailed as they come closer.
13. As mentioned above, a risk to the current review timetable is the delivery of the consultation website. Potentially a more significant risk is the impact of Covid-19. For example, if current guidelines remain it may not be

possible for the Commission to meet in person in March to agree its initial proposals. While it may be possible to agree the initial proposals virtually, we will need to ensure a rigorous process so the Commission has available to it the necessary detail for all 543 proposed constituencies and any alternatives. The pandemic presents other risks to the review timetable. For example, to the quality assurance process (i.e. cross checking 543 maps against the approximately 7,000 wards in England) and the distribution of initial proposal materials, specifically to MPs, which has normally been done in person.

### **Risk register**

14. Good management of the review involves use of a specific risk register to expressly identify and track both the key risks to the success of the project, and the mitigating actions taken to keep those risks within acceptable levels.
15. A risk register for the 2023 Review is at **Annex B**. The risk register is also maintained as a 'living document', with new risks added as they may arise, ongoing risks modified as they decrease/increase, and fully mitigated. The most significant change to the risk register is the potential impact of the Covid-19 pandemic.

### **Highlight report**

16. The Highlight report at **Annex C** is the key 'one-pager' summary document where Commissioners can see at a glance all the most recent developments in relation to the project, whether that be new activities, changes to significant risks, and/or shifts in the projected delivery dates for certain activities or milestones.

### **Frequency**

17. In addition to issuing all three documents for Commission meetings, as agreed at the previous meeting, the project plan and risk register are issued to Commissioners on a quarterly basis, and the highlight report issued monthly. Any matters of a particularly notable or pressing nature

are, of course, raised with Commissioners directly outside of this regular information stream, via the Secretary or other member of the senior staff.

### Programme management - Timetable

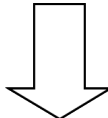
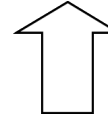

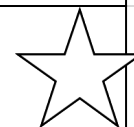
[illegible]

Finance	Note to EROs about local boundary changes, PD	X																
	Agree policies with Commission			X	X													
	Pre-launch meeting(s) with political parties			X														
	Agree and publish UK figures with other PBCs					X												
	Prepare 'Guide to 2023 Review'					X	X	X										
	Publish 'Guide to 2023 Review'								X									
	Consult on initial proposals (statutory 8 week consultation)									X	X							
	Secondary consultation (statutory 6 week consultation)										X	X						
	Consult on revised proposals (statutory 4 week consultation)												X	X				
	Statutory annual progress update										X						X	
	Publish Annual Report								X				X					X
	Finance	Spending Review negotiations	X	X	X	X												
Build budget for coming financial year		X	X			X	X	X									X	X
Finalise figures for previous financial year									X	X							X	X
Commission	2023 Review policy session		X															
	Meeting with political parties			X														
	Commission meeting				X													
	Commission meeting					X												
	Commission meeting - agree initial proposals						X											
	Sign off initial proposal reports							X										
	Commission meeting								X									
	Commission meeting - agree revised proposals											X						
	Sign off revised proposal reports											X	X					
	Commission meeting													X				
	Commission meeting - agree final recommendations														X			
	Sign off final recommendation report															X	X	



Strategic Risk Register: 2023 Review of Parliamentary Constituencies															
1	2	3	4	5,6,7 - Inherent Risk			8	9	10	11,12,13 - Residual Risk			14	15	16
Risk ID	Title	Description / Indicators	Owner	Impact	Likelihood	Severity level	Response	Controls	Mitigation status	Impact	Likelihood	Severity level	Risk trend and status	Appetite	Actions required
	Broad title	Description of risk and / or indicators	SLT member	Severe; significant; moderate; minor; insignificant	Negligible; remote; possible; likely; almost certain	Red; amber; green	Transfer; tolerate; treat; terminate	Internal controls	Red; amber; green.	Severe; significant; moderate; minor; insignificant	Negligible; remote; possible; likely; almost certain	Red; amber; green	Trend: Reducing; increasing; static; new	Red; amber; green	Actions required to ensure that residual risk = appetite
1	Legal challenge to BCE	A legal challenge to the review policies or procedures delays the delivery timetable and/or demands additional staff / financial resource to address	TBo	Significant	Possible	12	Treat	Commission formulated provisional policies. Commission met with political parties.		Significant	Remote	8	↔	8	1. Review of all internal policies and procedures; 2. production of Guide clearly outlining policies, practices and legal obligations or interpretations; 3. Equality Analysis to be conducted; 4. legal advice sought when appropriate; 5. Commission meetings and associated communications with qualifying political parties.
2	Legislative change	Changes are made to the primary legislation governing the structure of the Commission and/or the procedures for a review.	TBo	Severe	Possible	16	Tolerate	Parliamentary Constituencies Bill completed its passage in Parliament; Local Authorities providing required electorate data based on the Bill		Moderate	Possible	9	↓	9	1. As legislative change is ultimately a matter for Parliament, there is realistically little mitigating action that the Commission can (or should) take to prevent it. Although communications with the sponsor team will continue.
3	Human resource	Insufficient numbers and expertise levels of Commissioners, Assistant Commissioners and staff inhibit the delivery of the review	WT	Severe	Possible	16	Treat	SLT recruited; majority of Secretariat in post; initial stages of Assistant Commissioner recruitment		Moderate	Possible	9	↑	8	1. Future stages of recruitment of Assistant Commissioners 2. Impact of Covid on ways of working, including impact to planned review timetable.

[illegible]

RISK SEVERITY LEVEL MATRIX							Risk Severity	Green	Amber	Red	
See Likelihood and Impact Definitions on Risk Assessment tab								Rating 1-5	Rating 5-10	Rating 12-25	
IMPACT	Severe	5	10	16	20	25		Likelihood x impact. Enables a judgement on the degree of action necessary to manage individual risks and escalation points.	Risk is being managed within acceptable levels	Risk should be monitored closely by the Group Head to ensure the mitigating actions contain the risk .	Urgent action is needed to reduce the risk to a manageable level. Operating Committee should be made aware.
	Significant	4	8	12	18	20					
	Moderate	3	6	9	12	16					
	Minor	2	4	6	8	10					
	Insignificant	1	2	3	4	5					
		Negligible	Remote	Possible	Likely	Almost Certain					
	LIKELIHOOD										
RISK STATUS							Risk trend		Risk Appetite		
	Green	A/G	A/R	Red	Blue						
Status of mitigating action to manage risk	All mitigation actions are underway and are on schedule to be completed.	Some but not all of the mitigation actions are underway. No issues or problems reported which may affect delivery.	There are some issues or problems with completing this action, but there is mitigating action in place to bring delivery back on track.	Not yet begun or there are critical issues or problems which are impacting delivery of this action.	Action completed. The risk and mitigations no longer need to be managed. Risk and actions closed.		Reducing (R)				Risk Appetite - 'The amount of risk which an organisation is prepared to be exposed to at a point in time.'  To enable CO Groups and divisions to judge whether their risk exposure is acceptable, they need to consider the CO's risk appetite. Risk owners can use this to assess whether their current exposure is reasonable, or needs attention – e.g. is 'green' or 'amber/green' acceptable.
							Increasing (I)				
							Static (S)				
							New (N)				

LIKELIHOOD			IMPACT			
Level	Likelihood	Expected or actual frequency of the risk materialising	Impact	Financial	Operational	Reputational
1	Negligible	May only occur in exceptional circumstances; simple process or project; no previous incidence of non compliance	Insignificant	Minimal impact from a financial perspective eg cost < £50,000 Project costs unlikely to be affected or within contingency;	Little impact; resolution achieved in business as usual management Project can be maintained on target through standard project management; no effect on benefit realisation	Non headline exposure; not at fault; no impact. Event that will lead to public criticism by external stakeholders as anticipated
2	Remote	Could occur at some time; less than 25% chance of occurring; non complex process or project &/or existence of checks and balances	Minor	Minor impact from a financial perspective eg cost < £250,000 Project costs likely to increase by up to 10% above contingency	Issues minor but noticeable; inconvenient delays; negative effect on two or more corporate objectives; Project may need to be escalated; up to 10% benefits not realised	Non headline exposure; clear fault settled quickly; negligible impact. Event that may lead to widespread public criticism.
3	Possible	Might occur at some time; 25-50% chance of occurring; previous audits/reports indicate non compliance; complex process or project with extensive checks and balances; impacting factors outside the control of Buying Solutions	Moderate	Substantial impact from a financial perspective eg cost between £0.25m and £1m Project costs likely to increase by up to 20% above contingency	Material delays or objective under achievement that without careful management would adversely impact operational performance Project under threat requiring focused mgt action; up to 20% benefits not realised	Repeated non headline exposure; slow resolution; Ministerial enquiry/briefing. Event that will undermine public trust or a key relationship for a short period.
4	Likely	Will probably occur in most circumstances; 50-75% chance of occurring; complex process or project with some checks and balances; impacting factors outside the control of Buying Solutions	Significant	Serious impact from a financial perspective eg cost between £1.0m and £2m Project costs likely to increase by up to 30% above contingency	Significant delays; performance significantly under target; failure of key strategic project or programme Project may need to be de-scoped and revised; impact on corporate objectives;	Headline profile; repeated exposure; at fault or unresolved complexities; ministerial involvement or regulatory breach Confidence of key project stakeholders undermined. Event that will destroy public confidence or a key relationship for a sustained period or at a critical moment.
5	Almost Certain	Can be expected to occur in most circumstances; more than 75% chance of occurring; complex process or project with minimal checks and balances; impacting factors outside the control of Buying Solutions	Severe	Serious threat to the viability of Cabinet Office eg cost > £2m Project costs likely to increase by more than 30% above contingency	Non achievement of corporate objectives/ outcome performance failure Project failure - stopped; BS objectives adversely impacted	Maximum high level headline exposure; Ministerial or regulatory censure; loss of credibility Relationship with key project stakeholders significantly damaged. Event that will destroy public confidence or a key relationship.

## Programme management - BCE 2023 Review Highlight Report

February 2021

Achieved / delivered (Good news/highlights)	Risks / issues (Including mitigation)	Forward look (Activity over the period, update on whether on track in the immediate/long term and status of significant milestones)
<b>Electorate data and technology</b>		
<ul style="list-style-type: none"> <li>Publication of electorate data and launch of the 2023 Review - 5 January</li> <li>Geographic Information System delivered</li> <li>Working with Ordnance Survey on producing a limited set of polling district boundaries - i.e. London Boroughs and Mets</li> <li>Agreed procurement route for consultation website</li> </ul>	<ul style="list-style-type: none"> <li>Ensuring accuracy of electorate data received for prospective ward boundaries</li> </ul>	<ul style="list-style-type: none"> <li>Issue tender for consultation website provider</li> </ul>
<b>Communications and Stakeholder Management</b>		
<ul style="list-style-type: none"> <li>Successful launch of the 2023 Review</li> <li>Parliamentary Constituencies Bill completed its passage in Parliament</li> <li>Annual UK Commission meeting</li> </ul>	<ul style="list-style-type: none"> <li>Must stay in control of the message – risk of bad impression given/reputation damaged.</li> </ul>	<ul style="list-style-type: none"> <li>Formulate communications and advertising strategy</li> <li>Procure/enter into contracts with Government printer, creative agency and advertising agency</li> <li>Publish guide to the 2023 Review</li> </ul>
<b>Human and Corporate Resource</b>		
<ul style="list-style-type: none"> <li>Majority of Review team started (one Review Office remaining)</li> <li>Business Assistant started in post</li> <li>Communications manager appointed</li> <li>Early indications that Commission will receive its planned budget for 2021-22</li> <li>Launch of Assistant Commissioner recruitment - planned for February</li> </ul>	<ul style="list-style-type: none"> <li>Issue – consideration of training requirements for new staff and how this will be delivered remotely</li> <li>Issue – spending review settlement less than planned budget</li> </ul>	<ul style="list-style-type: none"> <li>Secure permanent accommodation for the Commission for duration of 2023 Review</li> <li>Formulate plan for safe office working during Covid-19 restrictions</li> </ul>
<b>Reviews</b>		
<ul style="list-style-type: none"> <li>Lead Commissioners and senior leadership team briefed on initial findings in each region.</li> </ul>	<ul style="list-style-type: none"> <li>Delay in agreeing prospective ward boundary data</li> </ul>	<ul style="list-style-type: none"> <li>Formulate initial proposals</li> </ul>

## **Guide to the 2023 Review**

### **General**

1. At Appendix A to this paper is the revised draft of the Guide for the 2023 Review. The 2023 Guide, based on the 2018 version, will act as the primary source for printed information about the 2023 Review, and includes the relevant statutory framework and policy decisions taken by the Commission. The 2023 Guide will be used by various parties wishing to understand the Review process and the Commission's approach to it. These include those wishing to make a representation during the review, the media and – in extreme – a court in the context of a judicial review.
2. The Guide will need to be an accurate explanation of the statutory requirements and any policy position adopted by the Commission within that framework, in such a way as to withstand legal scrutiny and potential challenge. At the same time the 2023 Guide needs to be written in as plain language as possible, so that the general public can understand the occasional intricacies of the 2023 Review process.
3. In formulating the Guide, the Secretariat has sought to include the views of Commissioners expressed during policy discussions, including following the meeting with the Parliamentary political parties. Commissioners' attention is particularly drawn to the section of the text dealing with the Commission's policy on the splitting of wards.
4. For the sake of completeness, Commissioners should be made aware of a technical point that is not specifically mentioned in the Guide itself. A provision in the Parliamentary Voting System and Constituencies Act 2011 temporarily suspended one of the statutory factors that Commissions may have regard to during a review (that relating to 'inconveniences attendant on changes in constituencies'), and there may be some residual question of whether the suspension of this factor remains in place. However, one of the repeal provisions of the Parliamentary Constituencies Act 2020 specifically removed the relevant suspension provision of the 2011 Act, so the relevant factor is in full force. That being so, we recommend simply not mentioning the rather technical and legalistic point, as it may appear needlessly confusing to the general public.

5. Commissioners are requested to satisfy themselves that the text accurately reflects in particular the policy positions of the Commission, or agree specific amendments to the relevant text.

### **Next steps**

6. Following the Commission meeting, final textual changes members have requested to the Guide will be incorporated into the final draft, which will then be circulated to all Commissioners for a formal sign off. The Secretariat will then work with the printer to produce and publish the Guide. At present, we recommend the Guide is published in April 2021.

**BCE Complaints policy**

1. The Commission operates a formal complaints policy for handling complaints about the service it provides. The policy has worked well to date, but as with other corporate policies it should be reviewed as we commence a new constituencies review.
2. The updated complaints procedure is attached at **Annex A**, and **we recommend Commissioners approve it for use**. When agreed, the updated complaints procedure will be published on the website.

**Consideration**

3. The policy clearly distinguishes between: a) complaints about the quality of the operational service the BCE has delivered (which would be treated as a complaint under the policy); b) complaints about the handling of a Freedom of Information (Fol) request (which would be handled under the separate Fol policy procedure); and c) complaints about the substantive constituency proposals that the Commission has produced at any stage (which would be treated as a representation).
4. The policy also clearly sets out what the complainant can expect in terms of how the complaint will be handled, and what they can do if they are dissatisfied with the result of the complaints investigation.
5. As the complaints procedure worked well in the last review, and subsequently, the draft presented at Annex A does not differ substantially from that used then. However, it has been updated to reflect changes set out by the Parliamentary and Health Service Ombudsman.



## **Complaints procedure**

### **Introduction**

1. We welcome comments about our performance and service delivery, and regard complaints as an important way of helping us to achieve higher standards.

### **Definition of complaint**

2. A complaint is a significant concern about the way we have acted in the exercise of our statutory duties. It expresses dissatisfaction with the service and suggests alternative actions or ideas on how we could provide a better service to our stakeholders. For example, a complaint might be made about: a failure or delay in dealing with a matter; bias or unfairness; a discrimination or discourtesy; a failure to follow proper procedures; or a mistake made in carrying out our functions.
3. If you are dissatisfied with our response to your request for information under the Freedom of Information Act 2000, you should refer to the complaints section of our Freedom of Information policy.
4. Comments on the substance of our constituency review proposals will be considered as representations on those proposals and treated in accordance with the boundary review procedure.

### **How can I make a complaint?**

5. You can make a complaint by letter or e-mail to the address below. Complaints can be received by any officer of the Commission, but ideally should be addressed directly to the Head Corporate Services.

Boundary Commission for England  
35 Great Smith Street  
London  
SW1P 3BQ

Email: [information@boundarycommissionengland.gov.uk](mailto:information@boundarycommissionengland.gov.uk)

6. You will be required to give your name and address, so that we can respond to your complaint: anonymous complaints will be kept on file but they will not be investigated.
7. Complaints should set out in detail both:
  - a) the nature of the issue that is the subject of the complaint (i.e. what happened and what you would have expected to have happened); and
  - b) what redress you are seeking if the complaint is upheld (NB: there will not be any offers of financial compensation).
8. Following receipt of a complaint, the Head of Corporate Services to the Commission will log the details of the complaint and identify an appropriate individual within the organisation to investigate the complaint. Normally, the investigating officer will be the Head of Corporate Services, though another individual may be identified where – for example – the matter complained about involved the Head of Corporate Services directly.

#### **How will we deal with your complaint?**

9. We will try to resolve your complaint immediately. If we are unable to do this, the investigating officer will send you an acknowledgement letter, including a date by which you can expect a full response. We will make every effort to send a detailed reply within 20 working days. If it is not possible to provide a full response in this time, the investigating officer will write to you explaining the reason for the delay, and giving a revised date by which you can expect to receive a response.

#### **How will complaints be investigated?**

10. In the first instance, your complaint will be investigated by the investigating officer specified in your acknowledgment letter. All complaints will be thoroughly and fairly investigated. If you feel that your complaint should be investigated in confidence, you need to make this clear when making your initial complaint, and give your reasons. In such cases, we will not divulge your name without your prior approval.

#### **What if I am not satisfied with the response?**

11. You may ask for your complaint to go to the next stage, which is consideration by the Secretary to the Commission. If the investigating officer at the first instance was the Secretary to the Commission, you may ask for the matter to be referred instead to the Deputy Chair of the Commission. You will normally receive a response within 20 working days of this request.

#### **What do I do if I am not satisfied with the response?**

12. If you remain dissatisfied with the outcome of your complaint, or the way in which it was dealt with, you can ask your Member of Parliament to write to the Parliamentary Commissioner for Administration, also known as the **Parliamentary & Health Service Ombudsman** who has the power to investigate. You should bear in mind that the Ombudsman will normally expect you to have gone through all the stages of our complaints procedure first.

13. Information can be found on the Ombudsman's website:

<https://www.ombudsman.org.uk>.

Parliamentary & Health Service Ombudsman:  
Citygate,  
Mosley Street,  
Manchester,  
M2 3HQ.

Telephone number is **0345 015 4033**.