



BCE/2021/4th meeting

BOUNDARY COMMISSION FOR ENGLAND

Notice of meeting

The presence of Commissioners is requested at a meeting to be held at 14.00 on 21 May 2021. The meeting will be held virtually.

AGENDA

1. Welcome and minutes of the last meeting (PL)
2. 2023 Review Programme update (est 15 minutes) - **Paper 1**
 - a. Timetable
 - b. Risk register
 - c. Highlight report
3. Publication of Initial Proposals (est 15 minutes) - **Paper 2**
4. Equality impact assessment (est 20 minutes) - **Paper 3**
5. Communications update (est 20 minutes) - **Paper 4**
6. Assistant Commissioner recruitment (est 10 minutes) - **Paper 5**
7. Consultation website demonstration (est 10 minutes) - **Presentation**
8. Any other business

Close (16.00)

Tim Bowden
Secretary to the Commission

BCE/2021/4th meeting/Paper 1

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 in March 2021, since then progress has been made on a number of operational areas.

Staffing and recruitment

2. In the Review Team, all staff are now in post. In the corporate team, the Communications Manager has been appointed on an initial six month contract, which can be extended. Lastly, the Business Manager was appointed on the 30th March 2021.
3. In December, Commissioners agreed to appoint 18 Assistant Commissioners for the 2023 Review. The recruitment process began in February where we received 219 applicants for the 18 vacancies. Government Recruitment Service conducted the initial sift, and then members of the Secretariat conducted the secondary sift, shortlisting 46 candidates who were invited to interview. After three weeks of interviews, 18 successful candidates will be recommended to you for appointment.

Finance

4. The budget we have been asked to profile for the financial year 2021-22 matches that as submitted during the Spending Review.

Accommodation

5. We have recently been based in 1 House Guards Road due to works on the heating and cooling system at 35 Great Smith Street. The work began in February and is set to be completed on the 31st May. However, given

the upcoming launch of the Initial Proposals it has been agreed we can again have access to 35 Great Smith Street from 17 May. As a result contractors will complete any remaining work outside of working hours.

6. The Cabinet Office is yet to release a policy on a hybrid approach to working from the office/home, however, in the interim, BCE have recently released a staffing rota where staff can book into 35 Great Smith Street as we commence with publication of the Initial Proposals.

Electorate data and review work

7. All electorate data broken down by existing or prospective ward has been successfully published on our website. The same data but broken down by polling districts will be published at the same time as the Initial Proposals.
8. You agreed Initial Proposals for all nine regions at the meeting in March. The Initial Proposals are scheduled to be published on 8 June 2021. At this meeting you will consider a paper concerning the launch of the Initial Proposals.

Technology

9. The consultation portal is currently being built and will be demonstrated to Commissioners at the meeting. Particular areas of work are still being completed including penetration testing, accessibility audit and ensuring all content is uploaded to the site. We remain on track for the site to go-live on 8 June.

Communications

10. The communication and advertising strategy has now been developed for the 2023 Review and has been circulated to Commissioners. At the meeting you will consider a paper regarding an element of the communications strategy. The Guide to the 2023 review was published on the 10th May and promoted online. Preparations for the launch of the campaign are underway, working alongside the creative agency and advertising agency.

Timetable

11. 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.
12. At present, BCE are on track and have completed the projects and tasks prior to May 2021. Please note that the publishing of the Guide was initially scheduled for April, as highlighted in the previous review programme update; however, due to the funeral of HRH Prince Phillip and the elections, we deemed it appropriate to move this to May. The Guide was therefore published on 10 May 2021.

Risk register

13. 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.
14. 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.
15. Following the previous Review Programme Update, the risks remain unchanged.

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

Programme Management - timetable		2020				2021												2022												2023								
		Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Review work	Collate data and verify	X	X	X																																		
	Publish electorate figures - 5 January 2021					X																																
	Teams develop outline schemes					X	X																															
	Teams review outline schemes with senior management						X	X																														
	Teams refine schemes and draft initial proposals paper						X	X																														
	Walk Commissioners through initial proposals - March 2021							X																														
	Finalise initial proposals and prepare for publication - May/June								X	X																												
	Publication and eight-week consultation - 8 June to 2 Aug											X	X																									
	Prepare responses for publication													X	X																							
	Initial analysis of responses													X	X	X	X	X	X	X																		
	Publish responses and six-week consultation																		X	X																		
	Collate responses to initial and secondary consultation and prepare information packs for ACs																				X																	
	Analysis of responses and development of draft revised proposals with ACs																				X	X																
	Teams draft revised proposals report																					X	X															
	Walk Commissioners through draft revised proposals																						X															
	Finalise revised proposals and prepare for publication																							X	X													
	Publish revised proposals and four-week consultation																								X													
	Analysis of responses to revised proposals																									X	X											
	Teams draft final recommendations paper																										X											
	Commissioners decision on final recommendations																		X	X																		
	Write up final report																																					
	Submit final report																																					
	Staff & Recruitment	Business Board approve Review staff	X																																			
		Recruit Review staff	X	X	X																																	
		Business Board approve Corporate staff	X	X																																		
		Recruit Corporate staff	X	X																																		
Staff induction			X	X	X	X	X																															
AC recruitment - advertisement							X																															
AC recruitment - sift and interviews								X	X	X																												
AC recruitment - Commission recommendations and submission to Minister									X																													
AC recruitment - Appointments made											X																											
AC induction														X																								
Recruit casuals for public hearings and beyond																																						
Accommodation, IT & Public Hearings		Award GIS contract		X																																		
	User acceptance testing and handover of GIS		X	X	X																																	
	Consultation portal procurement launch						X																															
	Consultation portal contract award						X	X																														
	Consultation portal build							X	X	X																												
	Final handover and 'Go live' of consultation portal										X																											
	Accommodation move to full-size premises	X	X																																			

Programme management - Timetable

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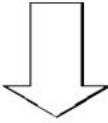



Strategic Risk Register: 2023 Review of Parliamentary Constituencies															
1	2	3	4	5,6,7 - Inherent Risk			8	9	10	11,12,13 - Residual Risk			14	15	16
Risk ID	Title	Description / Indicators	Owner	Impact	Likelihood	Severity level	Response	Controls	Mitigation status	Impact	Likelihood	Severity level	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. Guide to the 2023 Review published		Significant	Remote	8	↔	8	1. Review of all internal policies and procedures; 2. Equality Analysis to be conducted; 3. legal advice sought when appropriate; 4. Commission meetings and associated communications with qualifying political parties; 5. regular quality assurance of internal procedures
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						
See Likelihood and Impact Definitions on Risk Assessment tab						
IMPACT	Severe	5	10	16	20	25
	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
	LIKELIHOOD					

Risk Severity	Green	Amber	Red
	Rating 1-5	Rating 5-10	Rating 12-25
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.

RISK STATUS					
	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.

Risk trend	
Reducing (R)	
Increasing (I)	
Static (S)	
New (N)	

Risk Appetite
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.

LIKELIHOOD			IMPACT			
Level	Likelihood	Expected or actual frequency of the risk	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

May 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)
Electorate data and technology		
<ul style="list-style-type: none"> Progression of OS work on mapping of polling districts in key local authorities. Successful deployment of automated process for generation of pdf maps from GIS User research completed on reinstatement of consultation portal, and results fed into ongoing refresh and updating work. Beta assessment presentation delivered 13 May for consultation portal. Accessibility audit and independent cyber security testing underway. Data for display of initial proposals in the consultation portal prepared and sent to suppliers ready for loading. 	<ul style="list-style-type: none"> Accuracy of electorate data received for prospective ward boundaries - dependent on providing electoral registration officer 	<ul style="list-style-type: none"> Results of consultation portal accessibility, security testing, and beta assessment received, and final work to address any issues arising. Consultation portal final UAT prior to 8 June launch. Finalise format of polling district electorate data prior to 8 June publication. Continuation of work with OS to produce polling district mapping in certain areas
Communications and Stakeholder Management		
<ul style="list-style-type: none"> Launched use of more accessible HTML long read template for major communications BCE animation promoted online Preparations for launch of campaign underway working alongside creative agency and advertising agency The Guide to the 2023 Review was published on 10th May and promoted online. Met with LGA, NALC and AEA to discuss working together on comms 	<ul style="list-style-type: none"> Must stay in control of the message – risk of bad impression given/reputation damaged. Mitigated by careful planning of creative campaign and currently arranging for certain staff to undertake media training Business case delay due to Cabinet Office's approvals process Possible delay from the approvals process. 	<ul style="list-style-type: none"> Work together with stakeholders to distribute comms Finalise creative with Engine and ad strategy with OmniGov Continue to publish comms on website and social media in lead up to launch Prepare for media briefing
Human and Corporate Resource		
<ul style="list-style-type: none"> All BCE staff are now in post for the 2023 review. Assistant Commissioner interviews are now complete The Commission has received its budget for 2021-22. Commission will return to 35 Great Smith Street on 17th May. 	<ul style="list-style-type: none"> Commission awaiting a lock room at 35 Great Smith Street which has not yet been confirmed by the Estates team. 	<ul style="list-style-type: none"> Formulate plan for safe office working during Covid-19 restrictions

Reviews

Programme management - BCE 2023 Review Highlight Report

- Narrative initial proposals reports drafted and signed off with Commissioners. Typeset and proofread with printers.
 - A3 and A0 maps produced and typeset.
 - Agreed process for Vote Office to distribute personalised hard copy packs to MPs 7 June.
 - Issue - quality assuring mapping remotely is significantly less efficient than in person
 - Conclude determination of detailed 'place of deposit' sites.
 - Printing, packing, and dispatch of hard copy materials for 8 June launch.
-

BCE/2021/4th meeting/Paper 2

Publication of Initial Proposals

1. This paper provides an overview of activities that will take place ahead of and at the time of publication of the Initial Proposals on 8 June 2021.

Distribution of materials to MPs

2. As per normal procedures, MPs will be provided with embargoed hard copies of the Initial Proposals from noon on Monday 7 June 2021. Under normal circumstances the Secretariat would distribute these materials. However, due to the Covid-19 pandemic, on this occasion the Vote Office in Parliament will do this on behalf of the Commission.
3. MPs will be provided with the following hard copy materials:
 - 1x proposals narrative booklet for their region
 - 1x A3 map only of any proposed constituency that contains a part of that MP's current constituency
 - 1x Guide to the 2023 Review
4. The Vote Office has agreed to follow the same protocols as the Commission would in the distribution of these materials. This includes:
 - MPs must sign when collecting their pack
 - If an MP's assistant is collecting the pack then they must have a signed letter or email authorising them to do so. Again, they will be required to sign for collection of the pack
 - Any materials not collected will be circulated to MPs via internal mail in Parliament.
5. At the end of 7 June, the Secretary will be provided with the signature list of all those MPs who did and didn't collect their packs.
6. Given not all MPs are currently in Parliament regularly due to the pandemic the Secretariat will also provide all MPs with an electronic version of the materials they can collect in hardcopy. These materials will also be distributed to them from noon on 7 June.
7. On 1 June all MPs will be emailed notifying them of procedures for collecting hardcopies.

Places of deposit

8. The Commission is required in legislation to have for public inspection a copy of its proposals in each proposed constituency. The place of deposit will receive the following materials to display:
 - 1x proposals narrative booklet for that region,
 - 1x A3 map only of that proposed constituency,
 - 1x A0 map of all proposed constituencies in that region
9. These materials are likely to be received by the places of deposit on Monday 7 June, marked in embargoed packaging and ready for display on 8 June. The Secretariat will publish a full list of places of deposit on the website.

Political parties

10. The qualifying political parties will receive three copies of materials for each of the nine regions. As is normal practice these materials will be available under embargo for collection from the BCE office at noon on 7 June.

Other stakeholders

11. Hardcopies of the Initial Proposals will also be distributed to the Speaker of the House of Commons, the House of Commons and House of Lords Libraries, and the sponsor team in the Cabinet Office.

Press/media

12. In advance of publication of the Initial Proposals the press will be invited to a media briefing on 2 June. This session will provide an overview of the 2023 Review, details on publication of the Initial Proposals and how to make press enquiries. The session will not provide any details on the substance of the Initial Proposals.
13. As is normal procedure the press would receive embargoed copies of the Initial Proposals on Monday 7 June. We recommend this is from 3pm.

14. From 8 June, the Secretary, Deputy Secretary and Senior Review Manager will undertake any national or local media interviews.

Website/advertising

15. At 00.01 on 8 June, the Initial Proposals will be published online on both the Commission website and consultation portal.
16. A printed press advert will appear in the main national newspapers on 8 June and digital advertising will commence.

BCE/2021/4th meeting/Paper 3

Equality impact assessment

1. As it did during the 2018 Review, the Secretariat has considered the implications of the Public Sector Equality Duty (PSED) on the Commission's work and makes recommendations to the Commission on how to ensure it is complying with it.

The Equality Act 2010 (the 2010 Act)

2. The PSED is set out in section 149 of the 2010 Act, and requires a public authority in the exercise of its functions to have due regard to the need to:
 - Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under [the 2010 Act]
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - Foster good relations between persons who share a relevant protected characteristics and persons who do not share it.
3. The Commission will wish to note that, while a 'public authority' is defined by the 2010 Act as 'a person specified in Schedule 19' to the 2010 Act – the duty set out in section 149 applies to public authorities listed, and the Boundary Commission for England is not one) and persons exercising public functions in the exercise of those functions.
4. This means that whilst the Commission is not a public authority for the purposes of the 2010 Act, it must still comply with the PSED in so far as it is exercising its public functions. This applies therefore to the Boundary Commission for England in the exercise of its public functions.
5. The second and third limbs of the PSED refer to persons who have a 'protected characteristic'. The protected characteristics for these purposes are (see section 149(7)):
 - a) Age;
 - b) Disability;
 - c) Gender reassignment;
 - d) Pregnancy and maternity;
 - e) Race;

- f) Religion or belief;
 - g) Sex;
 - h) Sexual orientation.
6. For the purposes of the 2010 Act more generally, and for the purposes of the first limb of the PSED, marriage and civil partnership is also a protected characteristic.
7. Whilst the legislation is not prescriptive about the approach public authorities (or those otherwise exercising public functions) should take to the PSED, it is clear from the case law that the duty is a duty to have regard to the need to achieve certain ends rather than a duty to achieve a particular outcome.
8. It is essential therefore that public authorities have regard to these matters when devising their policies and making decisions and are able to show that they have. The Equalities and Human Rights Commission (EHRC) has issued guidance to public sector authorities, to explain how such authorities can meet the requirements of the 2010 Act, and it is the Secretariat's intention that the Commission follows this guidance in its application of the PSED.
9. While the Commission is not required to undertake an Equality Impact Assessment, in accordance with good practice it has done so. The Secretariat has therefore reviewed the current assessment and updated it accordingly. This can be found at Annex A. As has been applied previously, the Secretariat considers it appropriate the general duty (leaving aside, matters of a corporate nature that are covered by the Cabinet Office's policies) will apply to:
- a) Decisions taken relating to the initial, revised (where appropriate) and final proposals (including the arrangements made for making those decisions); and
 - b) The manner in which the Commission engages, communicates and consults with its stakeholders and the general public.

Decision taken relating to proposals

10. During the 2013 and 2018 Reviews, the Commission sought legal advice concerning the potential conflict between the factors contained in the rules in Schedule 2 to the 1986 Act to which the Commission must give effect

when making recommendations, and the obligations placed on it by the Equality Act 2010. For example, it was anticipated that arguments might be put to the Commission during the consultation periods that are based on its obligations under the 2010 Act. Arguments may be made to the effect that placing a boundary in a certain place may detrimentally (or indeed positively) affect race or religious relations in the area (one of the protected characteristics). Although none of these arguments were made at 2013 or 2018 Reviews, the Commission did receive representations relating to community identity in relation to places of worship, albeit these representations did not expressly reference the 2010 Act. Notwithstanding, the Commission will want to have due regard to the PSED during the 2023 Review.

11. The legal advice received during the 2013 and 2018 Reviews was clear in relation to this potential conflict. The advice stated:

[REDACTED]

12. The Secretariat's recommendation to the Commission, therefore, is that the Commission must have due regard to its duty under the Equality Act 2010 when taking decisions on proposals. You may want to consider whether it is appropriate to take further legal advice on this matter. If you choose to do so, we recommend that it is best to take advice at the same time as other matters.

The manner of engagement, consultation and communication

13. The Secretariat has prepared an equality impact assessment having considered any analysis in relation to this area during the 2018 Review. The impact assessment sets out potential barriers and actions. We recommended the impact assessment is reviewed at the end of the consultation on Initial Proposals and is updated before the secondary consultation.

Annex A - Equality impact assessment

2023 Boundary Review

Boundary Commission for England

Equality Impact Assessment

May 2021

Overview

The general equality duty that is set out in the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

The general equality duty does not specify how public authorities should analyse the effect of their existing and new policies and practices on equality, but doing so is an important part of complying with the general equality duty. It is up to each organisation to choose the most effective approach for them.

This analysis was carried out by the Commission's Secretariat, and signed off by the Secretary to the Boundary Commission for England.

Should you have any queries or suggestions on this equality analysis, please contact the Commission's Secretariat on

information@boundarycommissionengland.gov.uk or 020 7276 1102.

Introduction

1. The Boundary Commission for England (BCE) has carried out an Equality Impact Assessment (EIA) on the Boundary Commission for England's commitment to hold public consultations as part of the 2023 Review, to meet the requirements of the equality legislation and inform the delivery of the Review. At this early stage there are still some detailed aspects that need to be explored throughout the life of the Review to the publication of the final recommendations in 2023.
2. This Equality Impact Assessment provides a high level assessment of impacts and highlights where appropriate a number of steps that have been taken or planned to date.
3. The process will help to ensure that:
 - the Commission's policies and services are free from discrimination;
 - due regard is given to equality in taking decisions on its initial, revised and final proposals;
 - its public engagement, consultation and communications are accessible to all.

Aims, objectives and projected outcomes

4. The Boundary Commission for England (BCE) is an independent and impartial non-departmental public body, which is responsible for reviewing Parliamentary constituency boundaries in England. The members of the BCE and other key positions are detailed on the website.
5. The BCE has the task of periodically reviewing all the Parliamentary Constituencies in England. It is currently conducting a review on the basis of rules most recently updated by Parliament in December 2020. These latest rules result in an increase in the number of constituencies in England and require constituencies to comply with new parameters, so far as the number of electors in each constituency is concerned.
6. The review process is heavily informed by public consultation. The BCE develops and publishes initial proposals for constituencies across England. Representations from the public about these proposals are then taken in writing. After the consultation on the initial proposals, the

Commission will publish all representations received and conduct a secondary consultation, during which representations can be made in writing or in person at public hearings. After considering all the views expressed about the initial proposals, the BCE may revise them and then conduct a further consultation on the revised proposals

7. The BCE is required to make a formal report to the Speaker of the House of Commons by 1 July 2023, recommending any changes that it believes are appropriate to the distribution, size, shape, name or designation of constituencies in England.
8. After the final report from all four Parliamentary Boundary Commissions has been laid by the Speaker, within four months of the last report being laid the Government is required to submit to the Privy Council an Order that gives effect to all four Commissions' recommendations. In drawing up that Order, the Government may not modify any of the recommendations of the Commissions, unless specifically requested to do so by the relevant Commission (and any such request must itself be laid before Parliament and published). After the Privy Council approves the Order, the new constituencies take effect at the next General Election

BCE's approach to the Equality Impact Assessment process

9. As highlighted in the section above, the aim of the Boundary Commission is to review all the Parliamentary constituencies in England and make recommendations to Parliament. Equality, diversity and inclusion are especially important to BCE, because we want members of the public to participate and help to inform the process.
10. We need a broad cross-section of the community to make sure that people really do get a chance to make their views count and we encourage all to participate in our consultations.
11. The impact of BCE staff is not covered by this assessment as this falls under the wider Cabinet Office's equality, diversity and inclusion strategy.

The Equality Duty

12. The Equality Duty under the Equality Act 2010 requires public authorities to have due regard to eliminate unlawful discrimination, advance equality of opportunity and foster good relations.
13. The duty covers nine areas: age; disability; gender reassignment; pregnancy and maternity; race (this includes ethnic or national origins, colour or nationality); religion or belief (this includes lack of belief); sex and sexual orientation and marriage or civil partnership. These are known as —protected characteristics. In accordance, this Equality Impact Assessment looks at the impact on:
 - **The boundary reviews – the policy:** The decisions taken relating to the initial, revised (where appropriate) and final proposals; and
 - **Public engagement:** The manner in which the Commission engages, communicates and consults with its stakeholders and the general public.

Policy impact on the boundary reviews

14. The decisions taken relating to the initial, revised (where appropriate) and final proposals are mainly bound by the Act. The BCE is tasked to undertake parliamentary boundary reviews but in formulating its policy, the Commission is bound by the statutory requirements that it must adhere to. These are:
 - The base data used for a review are those that were on the electoral register published on the review date. For the 2023 Review, this means that the electorate figures used must be those from the electoral register that were published on the 2 March 2020;
 - The Commission may have regards to local government boundaries. For the 2023 Review, this means that the local government boundaries referred to are those in force or prospective as at 1 December 2020;
 - The distribution of constituencies – the number of constituencies allocated to England for the 2023 Review is 543. Two of these constituencies are expressly reserved for the Isle of Wight.
 - The statutory electoral range which for England must have an electorate that is no smaller than 69,724 and no larger than 77,062

(except those 'protected' constituencies mentioned above)

15. Other statutory factors (as detailed the Guide to the 2023 Review), that the BCE may take into account in establishing a new map of constituencies for the 2023 Review, specifically:
 - special geographical considerations, including in particular the size, shape and accessibility of a constituency;
 - local government boundaries as they existed or were prospective on 1 December 2020;
 - boundaries of existing constituencies;
 - any local ties that would be broken by changes in constituencies; and
 - the inconveniences attended on such changes.
16. In considering the policy or procedures for the review, the BCE consulted the Parliamentary political parties. However, when formulating policies for its initial proposals for particular areas, the BCE exercises its own judgement and does not consult the political parties, local government authorities or any other interested groups or people. The proposals are formed from a position of independence and impartiality and are not influenced by any particular viewpoint or opinion.
17. As such it is unlikely that the formulation of its policies will have a direct impact on the protected characteristics named on the Public Sector Equality Duty (PSED). The final constituencies resulting from the 2023 review may affect the protected characteristics but this is not a direct policy to delivering the Review.
18. This information is more likely to emerge once the initial proposals are published and during the public consultations.

The impact of BCE's public engagement

19. This part relates to the manner in which the Commission engages, communicates and consults with its stakeholders and the general public.

Headline evidence from the 2018 Review, and key potential barriers and actions

Equality strand/ group and brief evidence summary	Key potential barriers	Actions
<p>Race/ ethnicity (nationalities, languages etc): Evidence from the 2018 Review shows that ethnic minority groups had lower participation rate in the reviews.</p> <p>The ethnic mix of communities varies considerably in different areas of the country.</p>	<p>There is a risk that certain ethnic groups may be less likely to make a representation.</p> <p>Some may face barriers in hearing about the boundary reviews and the public consultation.</p>	<p>In addition to the general promotion of the Initial proposals and the public consultations, we will be also be looking at a range of targeted advertisement for the local areas and local groups</p> <p>This includes encouraging Local Authorities to promote the 2023 Review with community groups they work with and providing them with the resources to do this.</p> <p>If approached, the Secretariat is also able to provide translation of materials, although any request would need to be considered on a case by case basis.</p>
<p>Gender: Evidence from the 2018 Review, shows that the attendees to the public hearings were mainly male. However, advertising at the 2018 Review sought to increase female participation.</p>	<p>There is a risk that women with caring duties and varying working patterns are prevented them from attending the public hearings and making a representations</p>	<p>The Commission will continue to publicise the hearings as widely as possible in local areas as well as increasing its social media presence.</p> <p>In addition, we will be looking at a range of targeted advertisement.</p> <p>The use of virtual public hearings should also be explored as this may provide more flexibility to engage in the Review.</p>

Age: Although there is no official data, the perception however from the last review was that there were less people from the 18 – 25 age range than the 40 and above participating in the Review.	There is a risk that young people are generally alienated by politics and might associate the Review with politics. In general young people are usually less likely to participate in these activities.	Increasing its social media, looking at a range of targeted advertising. Working with Local Authorities to promote the review with community groups. Again, virtual public hearings may also provide more opportunities for participation.
Disability: We have limited data on this category.	n/a	Printed hard copy / different font size of the publication will be made available upon request, although these requests will be considered on a case by case basis. Public hearing venues will also be assessed, including ensuring they have step free access and appropriate hearing loops.
Gender reassignment: n/a	n/a	n/a
Marriage or civil partnership: n/a	n/a	n/a
Religion or belief (this includes lack of belief): n/a	n/a	n/a
Sex and sexual orientation: n/a	n/a	n/a

20. Although the BCE does not at this time require a full Equality Impact Assessment, there are however some elements of the process of conducting the review which are related to equality and diversity issues and should therefore be assessed. These relates to the mainly to:

- communication of the proposals and the public consultations;
- access to documents

- public hearings
- making representations

Assessment and analysis

21. During the consultation period, the BCE will adhere to the following principles:

a. Communication of the proposals and the public consultations

- **Communications of the Initial Proposal** – The communications of the proposal will take into consideration reaching a diverse range of communities. These will include national and local media, on the BCE website (including a series of reports to explain the proposals), minority news outlets and social media. Hard copies are sent to place of deposit including local libraries. The BCE also notifies all interested parties including local authorities, MPs and academics.
- **Promotion and publicity of the consultations** - there will be appropriate communication to publicise the consultations and the hearings to the public, including all ethnic groups.

b. Making or viewing representations

- **Representations to the Commission** – These can be made in writing, either via email, through the BCE online portal or by post. Representations may also be made verbally at a public hearing in person. The BCE attaches just as much significance on all of the above.
- **Viewing representations** – All the representations received from the public can be viewed via the BCE portal. Arrangements would be made to view a hardcopy of representations if needed, likely at the BCE office.

c. Access to documents

- **Publication** - All our publications will be as accessible as is reasonably practicable on the BCE website, public libraries or from other local places of deposits. The careful considerations have also been taken to ensure that publication can be accessed by all for example, font style and size. Printed hard copy of the publication

request should be made in writing or via phone. These requests will be considered on a case by case basis.

d. Public hearings

The distributions of the public hearings will reflect the issues raised during earlier consultation. The details of the locations and dates will be published in advance of the Secretary consultation.

Once the procedure to hybrid hearings has been agreed, the Secretariat will provide further details on the equality impact assessment in relation to public hearings. Though, its expected the approach will need to provide:

- **Booking speaking slots** – Speaking slots can be booked online on the BCE website. However people can also via phone or email, or they can book a slot at the hearing on the day. They may however not get their preferred time slot.
- **Accessibility** - We will assess the locations of all the public hearings to ensure that people with mobility and a physical impairment are able to attend the hearings with no disadvantage to them. These will include step access free, special seating areas in the front for wheelchair users and the elderly, hearing loops and roving mic, and potentially participating via virtual means;
- **Attendance** - We also ensure that the locations can be easily accessible via public and private transport;
- **Timings** - The hearing will take place on two consecutive days, starting from 11am to 8.00pm on the first day, and from 9am to 5pm on the following day. This will ensure that as wide range of people as possible can attend the hearings, including those who are working or have caring responsibilities.

Communications update

Accessibility during the 2023 Review

1. Following the circulation of the communications strategy for the 2023 Review, you asked for some further details relating to the accessibility of consultation materials and how we will engage with people who have a low level of digital literacy. This paper outlines the context, costs for different options and the Secretariat recommendation.

Current guidance

2. There are no set mandates on how Government departments or ALBs should make accessible versions of documents available. However, the Department for Work & Pensions has produced [guidance](#) for communication professionals on accessible formats. This guidance (updated 15 March 2021) will inform the recommendations set out in this paper for our approach to the reports for the 2023 Review.
3. As emphasised by the DWP guidance, producing every communication product in every suggested format and language is neither cost effective nor an efficient use of time. Instead, the guidelines invite communicators to consider the needs of their audience. For the 2023 Review, our target audience consists of all people aged 16 and over who are living in England. We can look at the available data to assess the accessibility of our communications for this audience. According to the 2011 Census:
 - Of the 8% (4.2 million) of usual residents of England and Wales aged three years and over with a main language other than English, 79% (3.3 million) could speak English very well or well ([ONS](#)).
 - Only 0.3% (138,000) of all usual residents aged three years and over could not speak English.
 - The proportions were highest in London with nearly 4.1% of the population (320,000 people) unable to speak English well or not at all followed by 2.0% in the West Midlands. The North East had the lowest proportion of people who were unable to speak English well or not at all ([ONS](#)).
4. From anecdotal evidence collected during the previous review, we know that the number of people visiting places of deposit to view proposals in hard copy format (instead of accessing them online) is very small. It is likely that translating each report into different formats and languages and distributing them to every region in bulk would lead to most remaining unused. With the

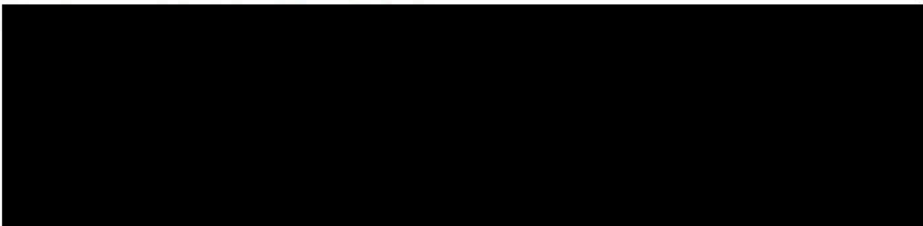
data above in mind, the statistical likelihood that a constituent may require a report in another language, proportionate to the number of people with limited or no proficiency in English in that locality, varies by region to become very unlikely in some areas. During the 2018 Review the Secretariat is aware of one occasion when it required translation services. At the public hearing in Truro, Cornwall, the Commission was able to acquire the services of the local authority Cornish translator who translated any representations at the public hearing that were given in Cornish.


5. A cost/benefit analysis therefore suggests that a more effective approach would not be to translate each regional report into alternate formats and languages in advance, but to arrange the translation of documents as requested to do so by a constituent. The practicality of this approach is supported by the high costs of translation services, outlined below.

Translation costs and timescales

6. The quotes below use an estimated length of one report, using an average calculated from reports compiled for the previous review. This estimate puts a report as having an average length of 35 pages, with 500 words per page, and including roughly 16 pages of text and 19 pages of tables.

Braille	
Context	Around 7% of people who are registered blind or partially sighted use braille (RNIB). Another estimate puts the figure as 18-20,000 users - fewer than 1% of the two million visually impaired people in the UK (BBC).
Cost	
Comments	

British Sign Language (BSL)	
Context	<p>British Sign Language (BSL) is used by around 73,000 Deaf people in England. English may be their second or third language (BDA, SignLanguageWeek). In the 2011 Census, A small percentage (22,000) of usual residents reported a sign language as their main language; of these usual residents 70% (15,000) used British Sign Language (ONS).</p> <p>On a gov.uk blog asking for feedback on providing BSL content on the site, commenters pointed out that due to the difference in language structure (e.g. grammar) between BSL and English, they do not consider the use of plain English in content as a substitute for BSL.</p> <p>DWP publishes short videos in BSL on their dedicated sign language channel on YouTube, with low levels of engagement (approx. 30 views).</p>
Cost	
Comments	<p>The reports would be signed by a translator and recorded onto video. A caveat is that these videos would be very long. We could consider translating a summary of the report instead.</p> <p>The maps would be left as visual, since they can be added to the video and the translator would reference them when and if needed. The tables can be added as a split-screen so that there would be a visual of them alongside the signing of the tables on the other side of the screen.</p>

Polish and Punjabi (as two examples of providing written languages other than English)	
Context	<p>According to the 2011 Census, the second most reported main language in England and Wales was Polish (1%, 546,000). This is followed by Punjabi (0.5%, 273,000) (ONS).</p>
Cost	

Comments	The quoted cost of translating nine reports (approx. 72,000 words) may reduce when the company receives the reports, since repeated sentences would reduce the cost.

What the Commission currently provides

Website accessibility

7. It is important to note that most people will access our proposals through the dedicated online portal, www.bcereviews.org.uk (not online until 8 June), in line with our 'digital first' approach (and that of the Government). Those accessing the portal who are visually impaired will be able to make the site text larger and view the proposals more easily. We have collaborated with our website developer to ensure this feature will function smoothly.
8. We now use long-read HTML templates to display our major communications. This includes our Guide to the 2023 Review of Parliamentary constituencies, published [here](#). Our reports will also be published in this more accessible format, which shows information more clearly on assistive devices such as screen readers than downloadable PDF files. An example extract of the North East regional report in HTML long-read format is below.

<p>Table of contents</p> <ul style="list-style-type: none"> • Summary ◦ Who we are and what we do ◦ The 2023 Review ◦ Initial proposals ◦ What is changing in the North East region? 	<p>Initial proposals for new Parliamentary constituency boundaries in the North East region</p> <p>Summary</p> <p>Who we are and what we do</p> <p>The Boundary Commission for England (BCE) is an independent and impartial non-departmental public body, which is responsible for reviewing Parliamentary constituency boundaries in England.</p>
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9. You can read more about the benefits of using this format in a blog by Public Health England, '[HTML publications](#)'.

Using plain English

10. When drafting reports, the Secretariat has sought to write clearly and concisely, using everyday English where possible and technical language only as needed. When using abbreviations or acronyms, we explain what they mean. We

include a table of contents and a glossary of terms to assist readers and employ a consistent typeface, font size and colour palette across our communications.

11. By making our reports accessible to a larger audience in this cost and time-efficient way, we hope to reduce the demand for alternate versions as set out in the DWP guidance.

Large print

12. According to the UK Association for Accessible Formats ([UKAAF](#)), an industry association that promotes best practice for quality accessible information, clear and large print are the most commonly requested hard copy formats in the UK. Large print is useful for some disabled people, for example, people with visual impairments or learning disabilities. We are aware of at least one MP who requires a hard copy report in large print, and were able to provide this easily during the last review through our printer, APS. Constituents who require a large print version of a report can get in touch with us to request this, and we can print and send this to them quickly at a low cost to ourselves.

Assisted digital

13. For those who wish to engage in the Review who are not online we will provide on a case by case basis hardcopies of materials, including maps. We will discuss with individuals over the phone and provide the postal address to make a written representation and at the appropriate time, details of public hearings. For those with low levels of digital literacy the online consultation portal will include a step by step 'how to' guide outlining how to use the service. However, the Secretariat will also provide support over the telephone and suggest a representation can be made in an alternative format i.e. email or letter.

Recommendation

14. We recognise that it is important we make our communications accessible to the public. Our approach will be to balance the production of alternate formats with the likely benefit - whether they will be used and the associated cost of doing so. Given the limited requests for alternative formats during the 2018 Review, the Secretariat considers it appropriate to consider each request on a case by case basis.
15. We therefore propose:
 - To make places of deposit aware that constituents are able to contact the Commission to request a different format or language if they require it in order to access the proposals.

- We consider any request and judge how we are able to fulfill each requirement on an ad hoc basis. This will be the same process for those accessing the proposals online (for example, if they need larger text than the site is able to achieve to view a map), as our contact details are prominently displayed.
- We continue to make sure our website remains as accessible as possible, use plain English, and provide large print as needed.

BCE/2021/4th meeting/Paper 5

Assistant Commissioner recruitment

Issue

1. The paper contains the proposals outlining the appointment of the Assistant Commissioners, including details on the vacancies, recruitment process, the interview panel, the interview process and diversity data. Commissioners are therefore asked to agree the proposal in this paper, to enable the Secretariat to present your final recommendation to the sponsor team in the Cabinet Office, requesting the Secretary of State makes the formal appointments before summer recess.

Recommendation

2. That you review and approve the 18 candidates that are being recommended by the recruitment panel for appointment as Assistant Commissioners (ACs) for the period 1 October 2021 to 30 September 2022 (with the possibility of extension for a maximum of one year). The full list of 18 candidates for appointment is at **Annex A**.
3. If you agree, a letter will be sent to the sponsor team in the Cabinet Office for them to take your recommendation to the Secretary of State to make the formal appointment.

Background and consideration

4. 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, in addition to their own attendance at public hearings, ACs will be provided by Review staff with collated representations from the initial and secondary consultation periods for the relevant region, with a cover paper highlighting the key themes and evidence from that material. ACs will 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.
5. Previously, we sought formal approval of a reduction in the total number of ACs to be appointed for 2023, from 21 down to 18, with two ACs appointed to each region. Hence, for this review, we will be appointing 18 ACs.
6. The BCE has requested that the term of appointment will be for 12 months, starting from 1st October 2021 and concluding on 30 September 2022. The AC's will receive a remuneration of £350 per day (£175 per half-day).

Timeline

Advertisement

3. The vacancies were advertised from 15th February to 10th March on:
 - a. the Boundary Commission for England website
 - b. the Centre for Public Appointments website
 - c. advertisements in national newspapers and associated partner websites

A total of **219** applications were received.

Sift Process

7. The staff at Government Recruitment Service (GRS) conducted the initial sift of candidates to form a longlist, following benchmarking guidance from the Secretariat, on the basis of assessing relative strength against the published assessment criteria and CV. The Secretariat then worked with GRS from the longlisted candidates to produce a shortlist who were invited to interview.
8. A total of **46** candidates were invited to interview, which is an interview-vacancy ratio of 2.5:1.

Interview Panel

9. The interview panel consisted of:
 - a. Sarah Hamilton, (Commissioner, BCE) as the Chair of the Panel,
 - b. Rohan Sivanandan (Independent panel member); and
 - c. Tim Bowden (Secretary to the Commission) as the 'business representative' member.

Interview Process

10. Interviews were conducted on a competency basis. Candidates were asked competency based questions and were encouraged to use examples to illustrate how they had demonstrated that competency. Panel members then separately scored each of the criteria, based on the evidence supplied on the application form and the interview. Panel members then reached an agreed score for each candidate following discussion.

Diversity Data

11. The diversity data show that of the 219 applicants, 167 were from men and 35 from women (17 did not declare). Ten identified themselves as disabled and 17 from BME groups. Of the 18 candidates recommended for appointment, 13 are men and 5 are women. Further details on the diversity data is at **Annex B**.

Next Steps

12. Commissioners are asked to agree to the recommendations of the panel.
13. Following this meeting, the Secretariat will write to the Cabinet Office sponsor team with the list of the successful candidates, requesting the Secretary of State to make the formal appointment. The Secretariat will also provide the sponsor team with the aggregated and anonymised data relating to diversity. Once the ACs have been appointed, we will publish a list of ACs by region and the diversity data in Annex B.