



2023 Boundary Review

Boundary Commission for England

Equality Impact Assessment

Overview

The Public Sector Equality Duty (PSED) 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 PSED 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 BCE'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 stage there are still some detailed aspects that need to be considered throughout the life of the Review until the publication of the final recommendations in 2023.
2. This EIA provides an assessment of impacts and highlights where appropriate a number of steps that have been taken or are planned.
3. The process will help to ensure that:
 - the BCE's policies and services are free from discrimination;
 - due regard is given to equality when 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 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 at www.boundarycommissionforengland.independent.gov.uk.
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 via the consultation website, bcereviews.org.uk, or by email or letter. 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 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 EIA process

9. As highlighted in the section above, the aim of the BCE is to review all the Parliamentary constituencies in England and make recommendations to Parliament. Equality, diversity and inclusion are especially important to the 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 on BCE staff is not covered by this assessment as this falls under the equality, diversity and inclusion strategy of our sponsor department, the Department for Levelling Up, Housing and Communities.

The PSED

12. Under the Equality Act 2010 the PSED requires public authorities to have due regard to the elimination of unlawful discrimination, the advancement of equality of opportunity and the fostering of 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. This EIA 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 BCE engages, communicates and consults with its stakeholders and the general public.

Boundary reviews

14. The decisions taken relating to the initial, revised (where appropriate) and final proposals are mainly bound by the Parliamentary Constituencies Act 1986 (the Act). The BCE is tasked with undertaking parliamentary boundary reviews but, in

formulating its policy, the BCE is bound by the statutory requirements that it must adhere to. These are:

- The base data used for a review are those that were contained within 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 regard 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 requires constituencies to have an electorate that is no smaller than 69,724 and no larger than 77,062 (except for five specified constituencies).

15. Other statutory factors that the BCE may take into account in establishing a new map of constituencies for the 2023 Review (as detailed in the Guide to the 2023 Review), are:

- 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 to constituencies; and
- the inconveniences attendant on such changes.

16. In considering the policy or procedures for the review, the BCE consults the Parliamentary political parties. However, when formulating its initial proposals for constituency 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. The revised proposals and final recommendations will be formed having considered the representations (the written representations from both consultations and the oral contributions at public hearings during the secondary consultation) and evidence received. In determining whether to change its proposed pattern of constituencies, the BCE will consider the evidence in accordance with the statutory criteria set out above and the policies set out in the Guide to the 2023 Review.

18. It may be that during the public consultations some respondents consider that the proposals may have a direct impact on the protected characteristics named on the PSED. It would be appropriate to consider any representations that advance this argument when considering if a constituency breaks local ties.

Public engagement

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

20. The below table reviews headline evidence from the 2018 Review, and considers key potential barriers and actions.

Equality strand/group and brief evidence summary	Key potential barriers	Actions
<p>Race/ ethnicity (nationalities, languages etc):</p> <p>Based on evidence from those who attended public hearings during the 2018 Review the BCE identified that ethnic minority groups had a lower participation rate at the public hearings and potentially during other parts of the review. 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, perhaps due to a lack of understanding of Boundary Reviews, or potential language barriers, or not being aware that the Review is being undertaken.</p>	<p>In addition to the general promotion of the public consultations, we will also be looking at a range of targeted advertisements 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 to provide them with the resources to do this.</p> <p>We will also work with an advertising agency to devise a communications strategy that outlines how our communications can be disseminated to the Black and Minority Ethnic community.</p> <p>If approached, the Secretariat may be able to provide a translation of materials, although any request would need to be considered on a case-by-case basis. This will be set out on our website and in the guidance produced on public hearings.</p>
<p>Gender: Based on evidence from those who attended public hearings during the</p>	<p>There is a risk that women with caring duties and varying working patterns are</p>	<p>The BCE will continue to publicise the hearings as widely as possible in local</p>

<p>2018 Review, the attendees to the public hearings were mainly male.</p>	<p>prevented from attending the public hearings and making representations.</p>	<p>areas, as well as increasing its social media presence. In addition, we will be looking at a range of targeted advertisements.</p> <p>We will also ensure that the timings of the public hearings allow the opportunity for people to attend and make representations outside of normal working hours. For this reason the first day of each hearing will conclude in the evening (we are planning for a closing time of 8pm).</p>
<p>Age: Based on evidence from those who attended public hearings during the 2018 Review there were less people from the 18 – 25 age range than from the 40 and above range who participated in the Review.</p>	<p>There is a risk that young people are generally alienated by politics and might associate the Review with politics.</p>	<p>Increasing the BCE’s social media, looking at a range of targeted advertising.</p> <p>Working with Local Authorities to promote the Review with community groups.</p> <p>We will also ensure that the first day of each public hearing concludes early in the evening (we are planning for a closing time of 8pm) to provide further opportunities for people to attend and make representations.</p>
<p>Disability: Based on evidence from those who attended public hearings during the 2018 Review, it was apparent that few notified the BCE of any accessibility issues.</p>	<p>N/A</p>	<p>Alternate versions of publications, such as in printed hard copy, large print format, or in another language, will be made available upon request (as stated on our website), although these requests will be considered on a case by case basis.</p> <p>Hard copies of the proposals will also be made available at places of deposit for every proposed</p>

		<p>constituency. A list of these places of deposit will be published online.</p> <p>As at the 2018 Review, public hearing venues will also be assessed, including ensuring they have step free access and appropriate hearing loops.</p>
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

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

- Communication of the public consultations – When developing our communications strategy for the public consultation periods, we will take into consideration how we can reach a diverse range of communities, including underrepresented groups. Our strategy will include communications via national and local media, on the BCE website (including a series of reports to explain the proposals), through adverts online, and on social media . Hard copies of our proposals are sent to places 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. We will conduct an advertising campaign during the consultation periods, including paid-for adverts, distribution of materials through stakeholder channels, and participating in media interviews where appropriate.

b. Making or viewing representations

- Representations to the BCE – 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 equal significance to all forms of representation.

- Viewing representations – All the representations received from the public can be viewed on the consultation website, bcereviews.org.uk. Arrangements will be made to view a hard copy of representations if needed, which is likely to be at the BCE office.

c. Access to documents

When publishing our proposals, we will ensure they are as accessible as is reasonably practicable on the BCE website, at public libraries or at other local places of deposits. We employ a consistent typeface, font size and colour palette across our communications, write clearly, and include a table of contents and a glossary of terms to assist readers. When publishing resources online, we aim to use HTML as a more accessible format alongside pdf versions. Members of the public can contact the Commission to request alternate versions of publications, such as printed hard copies. Requests can be made in writing or via telephone, and will be considered on a case by case basis.

d. Public hearings

The details of the locations and dates will be published in advance of the secondary consultation. We will also publish a guide to the public hearings, including information on booking a slot to speak, on our website. The administration of public hearings will adhere to the following accessibility principles:

- **Booking speaking slots** – Speaking slots can be booked online in advance of the hearings on the BCE website. However, people can also book via the telephone or email, or they can book a slot at the hearing on the day. They may however not get their preferred time slot. Information on the BCE webpage about public hearings will direct members of the public who need assistance with booking a slot to the Commission's contact details.
- **Physical accessibility** - We will assess the locations of all the public hearings to ensure that people with mobility and physical impairments are able to attend them with no disadvantage. These adjustments will include: step free access; special seating areas at the front of the hearing for wheelchair users and the elderly; hearing loops; and a roving microphone.
- **Record of the hearing** – a record of each hearing will be produced in the form of an online video and a written transcript.
- **Attendance** - We will also ensure that the locations can be easily accessed via public and private transport.
- **Timings** - The hearing will take place on two consecutive days, starting from 10am to 8.00pm on the first day, and from 9am to 5pm on the second day. This will ensure that as wide a range of people as possible can attend the hearings, including those who are working or have caring responsibilities.