



2013 Review of Parliamentary constituencies

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Review Closure and Lessons Learned Management Report

Introduction

This report looks back at the conduct of the 2013 Review of Parliamentary constituencies by the Boundary Commission for England (BCE), which commenced on 22 February 2011 and ended on 23 April 2013. The review was brought to an end before the presentation of the Commission's formal report and recommendations by a statutory amendment inserted into the Electoral Registration and Administration Act 2013 ('ERA Act'). The experience to that point nevertheless represents the first experience of conducting a general review of constituencies under the statutory framework established by the Parliamentary Voting System and Constituencies Act 2011 ('PVSC Act') and there is much to be learned from the conduct of the 2013 Review. The Commission thought it important to record that learning and to publish its conclusions and recommendations so that they are available for consideration in the context of the next prescribed review.

The purpose of the report therefore is to identify – for the benefit particularly of Commissioners and Secretariat staff involved in delivering future such reviews – those aspects of the 2013 Review that were handled most effectively, and those where there might be scope for amending the practices followed during the 2013 Review to improve the process. In the latter case, this report aims to draw conclusions from the conduct of the 2013 Review and where appropriate make recommendations for improvement. A summary of those conclusions and recommendations is set out below.

In the course of preparing this report, the BCE sought the views – either directly or via an open survey - of a range of groups, organisations and individuals who had been involved in the process of the 2013 Review. Views were sought from:

- the general public, via a survey on the BCE website in May 2013;
- the Commissioners and Assistant Commissioners of the BCE, and the sponsor team in the Cabinet Office, through the course of the review;
- the BCE's designated contacts in the Conservative, Labour and Liberal Democrat parties (and, through them, the MPs, other elected representatives and local associations of their parties), via express invitation to provide feedback. An identical invitation was sent to Caroline Lucas MP and George Galloway MP at the same time.

We are very grateful to all those who took the time to respond.

Tony Bellringer
Secretary to the Commission
30 June 2013

Conclusions and recommendations

- 1) A longer period of time between settling the statutory framework and commencement of work on developing initial proposals may improve process. (Action: BCE and sponsor department in the case of future legislative change)
- 2) The availability of examples and materials from the 2013 Review can and should be used in the 'hands on' training and induction of Secretariat staff and Assistant Commissioners for the next review. (Action: BCE)
- 3) Whilst we recommend consultation on this issue in relation to future reviews, we note that there are likely to be substantial advantages in the adoption of the regional approach in relation to future reviews in England. (Action: BCE)
- 4) Review the operation and interplay of the statutory rules during the 2013 Review, in particular to review the appropriateness of 5% as the mandatory electorate tolerance figure and/or whether there should be provision for it to be waived in exceptional circumstances. (Action: sponsor department)
- 5) Review the policy to only consider splitting wards in exceptional and compelling circumstances and, if appropriate, put arrangements in place to facilitate the consideration of split ward options in future reviews. Consider whether polling districts or other alternatives might be used as building blocks for the review in place of wards. (Action: BCE)
- 6) Small region-specific teams of Assistant Commissioners should be established to assist in weighing the evidence and making recommendations for revised proposals for future reviews. Each team should again have a clearly defined 'lead' member, responsible for the ultimate delivery, coherence, quality and cost of their team's output. Resources made available to each region need to reflect the complexity of the task. (Action: BCE)
- 7) Consideration should be given to identifying at a relatively early stage of the review a 'lead' Commissioner for each region of England, generally on the basis of three regions for each Member. Consideration should be given to whether there should be greater involvement of each lead Commissioner in the ongoing analysis work of the Assistant Commissioner teams prior to their reports being submitted to the full Commission. (Action: BCE and sponsor department)
- 8) Substantive work on boundaries on future Reviews should be preceded by at least one meeting with the representatives of all main political parties having English seats in the House of Commons, to outline and

- discuss the BCE's intended policies and procedures for conducting the review. (Action: BCE)
- 9) A 'Guide to the Review' information booklet should continue to be produced for each future review, explaining the statutory framework and the policies and procedures the BCE will be following. (Action: BCE)
 - 10) Consider a reduction in the number of places of public deposit. (Action: BCE and legislators)
 - 11) The BCE should look to improve the availability and interactivity of information via its consultation website at future reviews, particularly as regards: a) availability of electronic shape files; b) search and filter mechanisms for accessing published records of representations received; and c) provision of user-editable electronic mapping. (Action: BCE)
 - 12) Consider whether there may be a better approach to determining the timing and location of public hearings. (Action: BCE and sponsor department)
 - 13) Retain the non-adversarial approach to public hearings and the system of pre-booking speaking slots. Reduce the default speaking slot to ten minutes and retain flexibility for 'on the day' speakers. Publish advice as to when a hearing might be closed prior to the advertised period in circumstances where there are no further registered speakers. (Action: BCE)
 - 14) Continue close working relationship with OS, with named individuals on both sides, and explore the possibility of BCE having a GIS-experienced individual seconded to it from OS during future reviews. (Action: BCE and OS)
 - 15) There should be earlier engagement of BCE Secretariat with relevant internal service areas of the sponsor department to identify and address prior to the live review the potential issues that arise from the BCE's particular circumstances. (Action: BCE)
 - 16) Establish from the outset of the review the structure and format of the evidence packs for (Assistant) Commissioners, and of the representations for publication. Use this to inform the detailed specification for how representations are to be submitted and processed, ideally using a single supplier to support the consultation website and linked database of representations. (Action: BCE)
 - 17) Recognised project management discipline should be applied to all future reviews, though consideration should be given to merging the role of Project Manager into that of Deputy Secretary to the Commission. (Action: BCE)
 - 18) Ensure maximum flexibility in staff recruitment during review, and consider sharing of staff resource with a compatible organisation. (Action: BCE and sponsor department)

- 19)The BCE should use specialist support for the recruitment of Assistant Commissioners, and will need to establish the source of that support prior to the next review. (Action: BCE)**
- 20)Review and update the job description, induction and training for Assistant Commissioners, in order to define more clearly and manage expectations. (Action: BCE)**
- 21)Establish an editorial board to review draft regional reports from Assistant Commissioners and provide feedback. (Action: BCE)**

Background - A New Legislative Framework

In February 2011 the PVSC Act gained Royal Assent. Part 2 of that Act made significant and fundamental changes to the Parliamentary Constituencies Act 1986 ('the 1986 Act'), which establishes the statutory parameters within which the BCE is required to work in reviewing parliamentary constituency boundaries. The full text of the 1986 and PVSC Acts (together with their explanatory notes) can be viewed at www.legislation.gov.uk, but the key changes made by the PVSC Act relevant to how a constituency review is conducted are:

- The number of seats in the House of Commons to be absolutely fixed at 600. There was previously a target number (613), but with some flexibility allowed;
- A prescribed end date for the first review following the PVSC Act to formally report its recommendations, with subsequent reviews and reports to follow at fixed intervals of five years thereafter. Previously, general reviews were expected to be conducted on a frequency with a wide window (most recently every eight to 12 years);
- No constituency recommended (except four 'protected' constituencies the Act specifically prescribes) to have an electorate which can be more than 5% difference from the UK 'electoral quota' figure (the mean average electorate across the 596 non-'protected' constituencies of the UK, as at a date prescribed in the legislation). There was previously no minimum or maximum prescribed for constituency electorates, with broad parity in electorate size being one of a number of factors the BCE would aim to take into account (most of those other factors being replicated in the PVSC Act, but still on a non-mandatory basis, contrasted with the now-mandatory electorate size requirement);
- Changes to the statutory sequence of key stages of a review, i.e. publication of information during the review by the BCE, and consultation periods on that information, and;
- Abolition of public inquiries and their replacement with hearings which were expressly conducted during, and forming part of, the representations process.

These statutory amendments had a significant impact on the way in which the BCE conducts a review, either in the considerations that had to be fed into the substantive development of proposals, or in the administration that supports the process. These impacts are explored in more detail in the body of this report.

Chronology and key data from the 2013 Review

Dates	Activity
Jul - Sep 2010	PVSC Act starts substantive Parliamentary passage in House of Commons. Small core BCE team of seven established to begin planning and preparation for general review on proposed new arrangements.
Dec 2010 – Feb 2011	Recruited four additional specialist staff. Requirement for public hearings during initial consultation period inserted into PVSC Act late in Parliamentary passage. PVSC Act receives Royal Assent on 16 February, and BCE formally commences work on 2013 Review on 22 February.
Mar 2011	BCE recruits further staff (to total complement of 21) and begins training them in specialist review work. Public consultation on sub-division of review work in England into nine regions.
Apr 2011	First policy meeting of Commissioners with representatives of main Parliamentary political parties in England. Work commences on development of initial proposals.
May 2011	Second policy meeting of Commissioners with representatives of main Parliamentary political parties in England.
Jun 2011	Publication of 'Guide to the 2013 Review' information booklet. Commissioners meeting formally signs off initial proposals.
Jul 2011	27 Assistant Commissioners appointed (following open public competition run through the Appointments Commission). Publication-related work on initial proposals.
August 2011	Public Hearings Co-ordinator recruited.
Sept – Dec 2011	Publication of initial proposals in September, followed by 12-week consultation period. 36 public hearings held during weeks five to ten of consultation period. 38,648 written representations were received, of which 22,310 were unique, and 1,305 oral representations were made at the public hearings. Ten temporary support staff recruited to assist in dealing with this surge of work.
Jan – Feb 2012	Preparation of initial consultation responses for publication. Temporary support staff leave by end of this period.
Mar – Apr 2012	Publication of initial consultation responses, followed by four-week consultation period. 9,584 representations were received, of which 4,968 were unique. Collation of 'evidence pack' for each of nine

	region-based Assistant Commissioner teams, submitted to them at end of this period.
May – Jul 2012	Assistant Commissioner teams work through evidence and develop recommendations, with technical and admin support from Secretariat. Formal reports for each region submitted to Commissioners in early July, and Commissioners determine revised proposals at end of July.
Aug – Sep 2012	Publication-related work on revised proposals.
Oct – Dec 2012	Publication of revised proposals, followed by eight-week consultation period. 4,978 written representations received, of which 3,906 were unique.
January 2013	Collation of responses into 'evidence pack' for each region, and beginning of analysis work. At end of January, the ERA Act gained Royal Assent, section 6 of which had the effect of terminating the 2013 Review early. Although this section was not ultimately brought into force until 23 April, BCE ceases substantive work on the 2013 Review at the end of January.

Development of proposals & handling representations

Preparation for the review

One of the difficulties with the 2013 Review was that the statutory framework was finalised relatively late in the process, with changes being made even in the closing stages of the passage of the Bill.

Such late changes limited the nature, extent and the value of the preparatory work the BCE was able to undertake. They prevented the BCE from being able to commence preparatory work for the review as early as it would have liked. Such preparatory work could have usefully included such practical issues as the training of staff on the basis of finalised rules, which would have contributed significantly to the efficient development of the initial proposals.

Although the BCE was ultimately able to deliver its initial proposals within a reasonable timeframe (and in accordance with its own project plan for the review overall), the quality of the initial proposals may have benefited from a longer lead time following the final establishment of the statutory rules.

Conclusion: A longer period of time between settling the statutory framework and commencement of work on developing initial proposals may improve process. (Action: BCE and sponsor department in the case of future legislative change)

Once the statutory framework had been finalised, the significantly different nature of the rules meant that there was less available in the way of useful direct precedent to fully prepare Secretariat review staff and Assistant Commissioners for the exact nature of the task as now defined in the Act. The only existing examples of materials relevant to developing constituency proposals and publication material that could be utilised during induction and training came from the previous general review of constituencies, which had been conducted under the previous statutory framework and was thus not always useful as a direct comparator.

Fortunately, as the 2013 Review was able to complete the majority of its stages, it has produced a range of useful materials relevant to developing constituency proposals under the new scheme which can be used as more accurate and effective training material during preparations for the next review. This should give BCE staff and Assistant Commissioners a clearer understanding of the sort of challenge they will face and expectations regarding the format of their ultimate written output.

Conclusion: The availability of examples and materials from the 2013 Review can and should be used in the ‘hands on’ training and induction of Secretariat staff and Assistant Commissioners for the next review. (Action: BCE)

Sub-division of England into nine regions

One of the first steps the BCE took in the substantive development of proposals was to address the question of whether to sub-divide England into nine distinct areas, being the nine regions defined for the purpose of elections to the European Parliament.

The possibility of such a sub-division had been specifically provided for in the PVSC Act, in recognition of the fact that a general review of constituencies in England is a significantly larger task in England than in any of the other three parts of the UK. Sub-dividing the single entity of England into slightly smaller units makes the task of developing and considering viable alternative constituency layouts far more manageable not just for the Commission but also, importantly, for those wishing to participate in and contribute to the review. The retention of ‘hard boundaries’ (i.e. boundaries that no constituency should cross, unless a really compelling justification was put forward) at the still relatively high level of the English regions does not overly limit flexibility to develop alternatives within each region or the country as a whole, and provides a sensible practical framework within which proposals and counter-proposals for constituencies can be developed and debated.

The BCE consulted in advance on its proposal to establish hard boundaries for the regions. Whilst there were some limited objections, the proposal attracted widespread support and was adopted for the 2013 Review. As envisaged, it made the task more manageable throughout the life of the review. For instance, it enabled the BCE to allocate Commissioners, Assistant Commissioners and Secretariat staff to specific regions, allowing them to develop a deep and detailed understanding of those regions.

Conclusion: Whilst we recommend consultation on this issue in relation to future reviews, we note that there are likely to be substantial advantages in the adoption of the regional approach in relation to future reviews in England. (Action: BCE)

Conflicting statutory rules

Amongst those with knowledge and/or experience of working to draw up electoral boundaries, it is apparent that there is a tension between the key factors that most people consider are important in the process. One of the most testing issues in the context of the revised statutory framework has been the requirement to reconcile the

need to adhere to a fixed electorate tolerance (i.e. within 5% of the electoral quota) with the need to respect local ties and/or existing constituency boundaries. The BCE recognises that part of the reasoning behind the mandatory 5% rule was the marked variation from electoral quota which had arisen in constituency representation under the previous system of reviews.

Some of the tension between these objectives could be alleviated by retaining the mandatory maximum and minimum electorates (this being the only mandatory rule that really causes issues in England), but allowing some scope for departure from such parameters in exceptional circumstances. It is important to place such consideration in context, however, because whilst there may have been a very small number of instances where such an exception might have assisted in creating a constituency which would have better reflected other statutory considerations and commanded more local support, there is also real benefit in the existence of a clear non-negotiable rule, in terms of ensuring that the review and proposals and counter-proposals are kept within manageable bounds.

The 2013 Review was the first to use mandatory maximum and minimum electorates for constituencies and, with the benefit of this experience, it may be appropriate to examine in the context of setting the rules for future reviews whether the current statutory 5% tolerance allowed from the electoral quota is the most appropriate figure and/or the merits or otherwise of provision for departure from that parameter in exceptional circumstances.

Recommendation: Review the operation and interplay of the statutory rules during the 2013 Review, in particular to review the appropriateness of 5% as the mandatory electorate tolerance figure and/or whether there should be provision for it to be waived in exceptional circumstances. (Action: sponsor department)

The building blocks of constituency mapping

As the BCE outlined in the Guide to the 2013 Review, it retained its policy of using a local authority ward (known as an electoral division in some councils) as the smallest 'building block' in the creation of constituencies, unless there were exceptional and compelling circumstances indicating a need to do otherwise.

In the event, the 2013 Review saw only a single instance across the whole of England where the BCE considered there was no alternative but to split wards, to deal with an otherwise intractable problem (the composition of the Forest of Dean, Gloucester, and Tewkesbury constituencies).

However, the electorate size of some wards – primarily in some urban areas – is so large as to make them effectively immovable, as the ward electorate is larger than the difference between the minimum and maximum permitted electorates for a constituency (i.e. to add one such ward to a constituency currently just below the minimum would take its electorate size to above the maximum). Having a number of such large wards in the same area can present real difficulties when trying to establish a viable and realistic set of proposals that fits well with the other statutory factors. For example, in Birmingham while keeping wards whole had advantages it also necessitated a significant reshuffling of the constituency boundaries across the city in order to comply with the mandatory electorate tolerance rule¹.

For future reviews it may therefore be appropriate to consider more favourably the possibility of splitting a ward, particularly where those wards have large electorates. This should still only be an option that is pursued on an exceptional basis. Wards or electoral divisions are generally well recognised locally and there will also be a number of administrative issues to overcome if exploration of split ward options is to become more feasible in practice. In particular, there is currently no sub-ward administrative unit that has both an electorate dataset and electronic shape files available in a consistent format across the whole of England.

In future reviews, consideration should also be given to whether there are viable smaller alternatives to wards (such as polling districts) for use as the basic building blocks in a review. Smaller sized building blocks would provide greater flexibility in producing constituencies which both met the statutory parameters for electorate size and respected the other statutory factors such as local ties.

Conclusion: Review the policy to only consider splitting wards in exceptional and compelling circumstances and, if appropriate, put arrangements in place to facilitate the consideration of split ward options in future reviews. Consider whether polling districts or other alternatives might be used as building blocks for the review in place of wards. (Action: BCE)

Region-specific and ‘lead’ Commissioners and Assistant Commissioners

From the start of the 2013 Review, each Assistant Commissioner was appointed to one of nine three-person teams, each of which was focused on one of the English regions. Taking a region-specific approach for the Assistant Commissioners was widely felt to be a successful approach, allowing them to build up a depth of knowledge and understanding of their designated region, as well as a strong working relationship with a matching small group of region-specific officials in the Secretariat.

¹ For a specific and detailed examination of the difficulties of ward electorate size, see paragraphs AC16 onward in the 2013 Review revised proposals report for the Yorkshire and The Humber region.

Operating as part of a small team was also thought to be successful, as it allowed them to 'peer review' and test the robustness of the reasoning and conclusions at a very detailed level before submitting them to the Commissioners. Additionally, the designation of a 'lead' Assistant Commissioner within each region-specific team was considered necessary to help resolve differences of opinion within the team, and provide clear leadership and personal responsibility for ensuring that the work of the team was completed and delivered to the Commissioners on time and to a good standard.

BCE also quickly learned that it was more problematic to resolve issues in some regions than others and that this did not relate to the size of the region. In some regions the geographical juxtaposition of major urban areas and their rural hinterland and other constraining geographical features proved to be as problematic as the absolute size of a region. This in turn made different demands on the resources required for each region.

Conclusion: Small region-specific teams of Assistant Commissioners should be established to assist in weighing the evidence and making recommendations for revised proposals for future reviews. Each team should again have a clearly defined 'lead' member, responsible for the ultimate delivery, coherence, quality and cost of their team's output. Resources made available to each region need to reflect the complexity of the task. (Action: BCE)

The Commission had to consider how it would receive and consider the reports of the Assistant Commissioners. The Commissioners decided it would not be a constructive use of resources for each Commissioner to examine in the fullest detail the report of every region. To avoid duplication it was decided that the Deputy Chairman and the two Commissioners would each take lead responsibility for three regions. Following the previous point, the regions were allocated based on the degree of perceived difficulty so that the burden on each Commissioner was broadly even. In practice this entailed the lead Commissioner leading the work of the Commissioners in the examination of the analysis and conclusions of the Assistant Commissioner teams in each of the assigned three regions. This was felt to have worked as a practical and sensible division of the task between the Commissioners.

Whilst each Commissioner had read and carefully considered all the material raised by the Assistant Commissioners in their reports, and subsequently at meetings of all the Commissioners with each regional team the teams were examined orally about their analysis and conclusions, the Commissioners did feel there was scope to re-examine their involvement. Their concern centred on process and the facts that: a) the constraints inherent in producing viable solutions for each region meant that it

was difficult for the Commissioners to adjust the final package solution produced by the Assistant Commissioner team for each region; and b) that inevitably the lead Commissioner for the region under examination was in a better position to pursue the most detailed issues than colleague Commissioners.

There are to a considerable extent intractable issues which have to balance the time availability of Commissioners over what is inevitably a constrained period towards the end of the review period and the resources available to support their more detailed involvement. In practical terms, given constraints on time and cost, the Commissioners cannot replicate the detailed work by Assistant Commissioners over a period of several months, but must confine their role to enabling themselves to conduct critical enquiry of their work and reports with the assistance of the members of the Secretariat responsible for the specific regions, who were very familiar with the detailed issues. The use of Assistant Commissioners to develop final proposals was a practical necessity in view of the volume of representations received in England.

Conclusion: Consideration should be given to identifying at a relatively early stage of the review a 'lead' Commissioner for each region of England, generally on the basis of three regions for each Member. Consideration should be given to whether there should be greater involvement of each lead Commissioner in the ongoing analysis work of the Assistant Commissioner teams prior to their reports being submitted to the full Commission. (Action: BCE and sponsor department)

Communications with stakeholders

Pre-launch policy and information meeting(s) with political parties

Before substantive work on constituency boundaries commenced, the Commissioners held two meetings with designated representatives of the three main political parties having English seats in the House of Commons. The purpose of these meetings was to discuss the BCE's plans and policies for how the 2013 Review would be conducted. The minutes of the meetings were published on the BCE's website.

These constructive meetings were felt to be a useful method to identify and address at an early stage any possible issues that the political parties might have with the BCE's methodology. They also allowed the Commission to discuss with party representatives what would be most helpful in terms of the process, especially in terms of the hearings. It also allowed the political parties maximum time to prepare themselves administratively to respond to the various consultation stages of the review. Accordingly, it would be sensible to continue the arrangement in future reviews.

**Conclusion: Substantive work on boundaries on future Reviews should be preceded by at least one meeting with the representatives of all main political parties having English seats in the House of Commons, to outline and discuss the BCE's intended policies and procedures for conducting the review.
(Action: BCE)**

Publication of 'Guide to the Review'

Once the Commissioners' policies and procedures had been settled (after discussions with the main political parties), the BCE published a 'Guide to the 2013 Review'. Much like the 'Information booklet' associated with general reviews conducted by the BCE previously, the Guide sought to set out and explain – in a manner readily understood by the lay person as well as a boundary review expert – both the statutory framework for the review, and the policies and procedures that the BCE would be employing within that framework.

The Guide was well-received and was considered to be a useful single source for an explanation of the process of reviewing parliamentary boundaries in England, particularly in the light of a new statutory framework. As such, it is recommended that an equivalent Guide be produced at each future review, both to increase transparency of the process and to encourage participation.

Conclusion: A ‘Guide to the Review’ information booklet should continue to be produced for each future review, explaining the statutory framework and the policies and procedures the BCE will be following. (Action: BCE)

Accessibility of consultation material

The legislation only requires the BCE to publish its proposals in at least one place of public deposit in each constituency. In the event, the BCE provided nearly three times this number of places of public deposit for hard copies of the proposals. Copies were placed in over 1400 places of public deposit around England at both the initial and revised proposals stages.

Production and distribution of this much hard copy material was a significant logistical task, delivered at significant cost. A sampling of the usage rates at a representative spread of the places of public deposit indicated that there was very little demand to see these hard copy materials, even in areas where the BCE’s proposals were relatively controversial. In many places, there were no requests to view the material at all.

There is clearly a balance to be struck in ensuring those who do not have digital access are not disadvantaged, but on the evidence of the recent review the sparse use made of deposited material suggests that on value for money grounds a reduction in places of deposit should be implemented. Also, it may well be the case that by the next review there will be an even greater public expectation and acceptance of access to materials being primarily on line and digitally.

Conclusion: Consider a reduction in the number of places of public deposit. (Action: BCE and legislators)

To counter-balance any reduction in the availability of hard-copy material, the BCE should also look to improve the operation of its website during a review period. Whilst it presented its proposals clearly in static form on its website during the 2013 Review, there were a number of aspects in which the BCE did not meet the expectations of its stakeholders as regards the provision of information electronically to the standard it would have liked. Examples include:

- A failure to have the electronic ‘shape files’ (which represent the shape of the proposed constituency boundaries within mapping software) available for distribution at the same time as the initial proposals were published;
- No easy way to search or filter by geographical area or area of interest the representations published at the secondary consultation stage; and
- No way to interact with the static mapping published as part of the proposals, e.g. to allow modification and submission back to the BCE electronically by way of graphical counter-proposal.

These are all specific areas where the BCE can therefore usefully look to improve the nature of its consultation website during future reviews.

Recommendation: The BCE should look to improve the availability and interactivity of information via its consultation website at future reviews, particularly as regards: a) availability of electronic shape files; b) search and filter mechanisms for accessing published records of representations received; and c) provision of user-editable electronic mapping. (Action: BCE)

Public hearings

Public hearings were one of the main areas in which the statutory framework for reviews had changed fundamentally. The public hearings were very different from the 'local inquiries' that were held as part of reviews under the old statutory framework. Public hearings were specifically intended to be different from the former 'local inquiries', in particular in relation to their timing and conduct.

Local inquiries in the old system could be held wherever the BCE considered they would be of particular use. The BCE would therefore wait until a written consultation identified an area of particular controversy and then determine to hold a local inquiry there. A local inquiry could last several days, and generally involved detailed evidence being given by witnesses with cross-examination. Cross-examination and submissions were often undertaken by lawyers.

By contrast, the following requirements apply in relation to public hearings under the new legislation:

- all hearings to be held within a six-week period during the ten-week initial consultation period;
- no more than five hearings per region; and
- each hearing to be no longer than two days in length.

These constraints create a number of issues for the modern review. In particular, the requirements oblige the BCE either to try to predict where the areas of controversy might arise, or else – as in the 2013 Review – simply arrange for public hearings to be held in broadly evenly distributed population centres within each region, with relatively good transport infrastructure. In the 2013 Review, this resulted in very disparate attendance figures at public hearings, from the very low numbers seen in places such as Sheffield and Luton, to over-subscribed venues such as Birmingham and Maidstone.

Whilst the legislation continues to require public hearings to be held during the initial consultation period, there is little that can be done to avoid this rather 'hit and miss'

outcome as regards the location of public hearings. Any amendment to the legislation in order to allow for the initial consultation to identify controversial areas beforehand would need to allow sufficient time between the consultation period and hearings for suitable venues to be identified and booked, which would necessarily then lengthen the overall period the review would take to complete.

Conclusion: Consider whether there may be a better approach to determining the timing and location of public hearings. (Action: BCE and sponsor department)

The concept of the public hearing was intended to be a move away from the adversarial nature of the former 'local inquiries', both in terms of their role as part of the presentation of representations (as opposed to being held after the written consultation process) and their procedure.

In line with this intention, the BCE issued guidance to the Chairs of the hearings (who were usually the lead Assistant Commissioners appointed to each region) advising as a general rule the restriction of questions put to a speaker to ones of clarification and ensuring that those questions should normally be directed through the Chair. Discretion existed to allow a departure from this if the circumstances justified it. This approach was generally welcomed by participants, particularly those unused to public speaking. Even those keen to challenge the evidence presented recognised that the secondary consultation process provided a more appropriate opportunity to do that.

The BCE put in place a system to allow people to book a speaking slot at a hearing in advance. This was intended both to give those wishing to contribute some certainty in advance that they would be able to do so at a set time and to help those running the hearing to ensure it ran smoothly. This pre-booking system was helpful, though the slots generally proved too long for most participants. Around 10 minutes was found in practice to be sufficient for the great majority of contributors. The pre-booking system should therefore be used again in future, though it will remain important to try to retain flexibility to allow people to speak outside the timed slots, even when they only express a wish to do so 'on the day'.

A secondary issue which arose for the Chairs of the hearings was what action they should take when hearings ended prior to the two days allotted and where there were no further notified speakers. This was a matter for the discretion of the Chair, but it would be helpful for the next review if the guidance included information as to the circumstances in which the Chair might close a hearing within the two day allotted period in circumstances where there are no further registered speakers. This will avoid members of the public deciding to turn up unannounced late in the process

with the expectation that they will be heard, even if the hearing has had no business to conduct for most of the day.

Conclusion: Retain the non-adversarial approach to public hearings and the system of pre-booking speaking slots. Reduce the default speaking slot to ten minutes and retain flexibility for ‘on the day’ speakers. Publish advice as to when a hearing might be closed prior to the advertised period in circumstances where there are no further registered speakers. (Action: BCE)

Working with Ordnance Survey (OS)

The BCE continued its tradition of effective working with OS to produce the high quality mapping material that is essential to a constituency boundaries review. Key to this success was careful forward planning and close working on the detailed specification with named individuals on both sides. This close working relationship should be replicated in future reviews.

It would be worth exploring for future reviews the possibility of the BCE taking an individual from OS on secondment for the duration of a review, who could function as the BCE's technical mapping expert. This individual should be experienced in the use of whatever underlying mapping software is used for the BCE's Geographic Information System (GIS) in future.

Recommendation: Continue close working relationship with OS, with named individuals on both sides, and explore the possibility of BCE having a GIS-experienced individual seconded to it from OS during future reviews. (Action: BCE and OS)

Working with the sponsor department

The BCE maintained a good working relationship with the sponsor team within Cabinet Office throughout the review, with regular meetings at official level for the purposes of governance monitoring and general progress reporting. There were some difficulties encountered when dealing with other parts of the sponsor department not so used to the particular requirements of the BCE, e.g. HR, Finance, and IT support functions. These primarily concerned the suitability of specific aspects of standard Cabinet Office policies for the particular circumstances of the BCE during a live review. In the event, most issues were overcome or worked around, though often not until late in the day.

Conclusion: There should be earlier engagement of BCE Secretariat with relevant internal service areas of the sponsor department to identify and

address prior to the live review the potential issues that arise from the BCE's particular circumstances. (Action: BCE)

Internal matters, including project & resource management

Processing of representations received

The Secretariat experienced difficulties at the initial proposals stage with the processing of representations received in response to the consultation. The Secretariat had accepted representation in hard copy, via e-mail and also uploaded via the BCE website, but the combining of all these different formats into a single consistent format for the purpose of storage in a single database and subsequent publication for the secondary consultation proved extremely resource intensive. This was due to the need to classify ('tag') all relevant information in each representation, as well as the mechanical process of changing the format of many representations.

Even with the amount of time invested in the process of categorisation and logging the representations, there remained difficulties in preparing the material for publication and transmission to Assistant Commissioners in such a way as to make it easily accessible.

These issues were addressed to a large extent by the time of the consultation on the revised proposals. The consultation website was adapted to interface more directly with the database where representations would be stored, and specialist support was procured to provide quick and consistent categorisation and collation of representations into the database (including ensuring that all representations in the database were put in a consistent format). By the end of the review, the preparation of the evidence packs for Commissioners was progressing much more smoothly than previously, due to a clearer understanding from the outset of what the finished product should look like.

Conclusion: Establish from the outset of the review the structure and format of the evidence packs for (Assistant) Commissioners, and of the representations for publication. Use this to inform the detailed specification for how representations are to be submitted and processed, ideally using a single supplier to support the consultation website and linked database of representations. (Action: BCE)

Project management

The Secretariat adopted rigorous formal project management discipline from the beginning, recruiting a dedicated project manager prior to the formal commencement of the review and continuing with highlight reports, workstream meetings, and pro-active management of a risk register throughout the life of the review until the formal

project closedown. This helped ensure that the review was well on course to deliver to time and under budget by the time it was ended.

Conclusion: Recognised project management discipline should be applied to all future reviews, though consideration should be given to merging the role of Project Manager into that of Deputy Secretary to the Commission. (Action: BCE)

Fluctuations in workload

The timetabling of a review produces significant variations in the workload of BCE at different points in the life-cycle of a review. Whilst a 'core' of just over 20 permanent staff worked through the bulk of the review period, at various times - particularly during the initial consultation period and leading up to the secondary consultation period – there was a need for substantial overtime and appointment of additional temporary staff. The issue of this fluctuation is compounded by the unpredictable nature of some of the work, in particular the unknown quantity and complexity of representations that will be received in response to each consultation stage.

As the timings of some of the busiest elements of the review are prescribed in the legislation, there is little that the BCE can do itself to smooth out the peaks and troughs of work. However, aside from legislative change, the BCE Secretariat should aim to continue to work closely with the sponsor department HR team, to ensure maximum flexibility is available to recruit additional staff at very short notice if necessary. Additionally, consideration should be given to the possibility of the Secretariat sharing staff resource with another compatible organisation in the interests of efficiency.

Recommendation: Ensure maximum flexibility in staff recruitment during review, and consider sharing of staff resource with a compatible organisation. (Action: BCE and sponsor department)

Assistant Commissioners

The BCE recruited 27 Assistant Commissioners via an open public competition. As a relatively small body, the BCE was not resourced itself to deal with the large volume of applications that this approach generated, so the selection process was administered by the Appointments Commission. This process worked well, although the job specification could probably be improved for future reviews, using the benefit of the experience of the 2013 Review to determine more clearly the skill-set and likely time commitment. With the demise of the Appointments Commission as part of the process of public bodies reform, there will be a question as to where BCE can

source specialist recruitment support for the recruitment of Assistant Commissioners for future reviews.

Conclusion: The BCE should use specialist support for the recruitment of Assistant Commissioners, and will need to establish the source of that support prior to the next review.

For the 2013 Review, the induction and training process and materials for Assistant Commissioners were based on the training given to Assistant Commissioners in previous reviews, suitably amended to reflect the anticipated impact of the changes to the statutory framework. In practice, some elements of the Assistant Commissioner training proved to be less useful than others and in some cases created expectations that turned out to be incorrect as the review progressed. Examples include matters such as: the amount of time the work would require; the structure and length of the ultimate report on the region to Commissioners; and the extent to which Assistant Commissioners were independent of the BCE (as opposed to assisting the Commissioners discharge their statutory function). This in turn created significant subsequent work for the Secretariat and Commissioners in management of the expectations of some Assistant Commissioners. This could be addressed by modifying the training and guidance for the Assistant Commissioners prior to the next review.

Conclusion: Review and update the job description, induction and training for Assistant Commissioners, in order to define more clearly and manage expectations. (Action: BCE)

In seeking to establish a common 'look and feel' in the structure and approach of the ultimate product of the Assistant Commissioners' work (i.e. their final region-based reports to the Commissioners), the Secretariat established an 'editorial board' of senior managers as the forum through which drafts would be reviewed and feedback provided to the Assistant Commissioner teams. This approach worked well, resulting in an end product that clearly showed the independent thinking in the substantive analysis of the different Assistant Commissioners, whilst being set within a structural and editorial framework that was common across all the regional reports.

Conclusion: Establish an editorial board to review draft regional reports from Assistant Commissioners and provide feedback. (Action: BCE)