



Annual Report

2022-23

www.boundaries.scot

Chair's foreword

I was very pleased to welcome two new Commissioners, Martin Smith and Alan Stewart, following an open recruitment competition run by Scottish Government, and know they will bring a valuable input to our work. I was delighted too that Dr Sue Walker kindly agreed to accept appointment as interim Deputy Chair until December 2023 ensuring the Commission benefits from her sound judgement and deep experience while a further recruitment round is undertaken.

I would like to put on record the gratitude of Boundaries Scotland to outgoing chair Ronnie Hinds. His leadership over the last 10 years was focused, insightful and demonstrated his deep knowledge of local government, Scotland's public body landscape and its geography and demographics. We also thank Roland Bean and Jon Collins whose terms as Commissioners ended in 2023. Both brought a unique perspective to the work of the Commission bringing enormous experience from their long careers in local government. We wish them all well in their future endeavours.

Three main issues dominated our agenda in 2022-23. First, the continuing implications of the Scottish Parliament decision to reject our recommendations for electoral arrangements in two council areas, Highland and Argyll and Bute, despite the Local Government, Housing and Planning Committee noting it had no concerns over the way Boundaries Scotland carried out the reviews. This links to the second issue which is how the current electoral reform work being conducted by Scottish Government can lead to improvements in the legislative framework within which we work, including the approval mechanisms used.

We identified a number of possible improvements, including around access to data, which we submitted to the Scottish Government consultation exercise.

We particularly welcome opportunities for improvements to the approval process in line with international best practice, specifically to ensure that it recognises the important principal of Boundaries Scotland's independence and evaluates us in terms of our compliance with legislative requirements, thus avoiding the potential for partisan considerations coming into play. We have welcomed the opportunity to engage with the Scottish Government on this work thus far and look forward to future such opportunities.

The third issue is the 2nd Review of Scottish Parliament boundaries and regions. We began this work in September 2022 and it will be our principal review activity until we report in May 2025. The public consultation on our initial proposals has closed and we have begun analysing those responses so that we can identify improvements for revised proposals. We seek to engage constructively and positively with all who have an interest and will look forward to hearing further views on our proposals as the review progresses.

Ailsa Henderson

Chair, Boundaries Scotland

August 2023

Boundaries Scotland

Annual Report 2022-23

This report covers the period 1 April 2022 to 31 March 2023. Copies are available from our website (www.boundaries.scot), or by request from our Secretariat.

The Commission

Background

Boundaries Scotland are responsible for:

- reviews of local authority areas in Scotland;
- reviews of electoral arrangements for local authorities; and
- reviews of Scottish Parliament constituencies and regions.

Our duties and powers pertaining to local authority areas and electoral arrangements for local authorities are detailed in the 1973 Act.

Our duties and powers pertaining to the Scottish Parliament are detailed in the Scotland Act 1998.

We are an advisory non-departmental public body (NDPB) sponsored and wholly funded by the Scottish Government. We are an independent and non-political body.

Membership

The 1973 Act specifies that our membership comprises a Chair, Deputy Chair and up to four further Commissioners.

Members are appointed on a fixed-term basis and posts are filled through open competition using the procedures laid down by the Office of the Commissioner for Public Appointments in Scotland. Appointments are made by Scottish Ministers.

Chair

The Chair from 1 September 2013 until 31 May 2023 was Ronnie Hinds.

Deputy Chair

Ailsa Henderson was appointed Deputy Chair from 1 December 2017, and reappointed until 30 November 2025. She was previously a Commissioner, having been appointed on 1 September 2013.

Commissioners

The Commission can have up to four Commissioners in addition to the Chair and Deputy Chair. During 2022-23 four Commissioners were in post:

Roland Bean was a commissioner from 1 November 2013 until 31 May 2023.

Susan Walker was a Commissioner from 1 November 2013 until 31 May 2023.

Gordon Macmillan, was appointed for a four-year term starting on 19 November 2018; and reappointed for a second four-year term until 19 November 2026.

Jonathan Collins was appointed in May 2019 and completed his four-year term in May 2023.

Code of Conduct

We have a Code of Conduct issued in June 2022 by Scottish Ministers under the Ethical Standards in Public Life etc. (Scotland) Act 2000. The Code of Conduct is available on our website. A copy can be provided on request.

Register of Commissioners' Interests

We maintain a Register of Interests of Commissioners, in accordance with the Commissioners' Code of Conduct. The Register of Interests is reviewed annually and is available on our website. A copy can be provided on request.

Secretariat

The Secretary is currently Isabel Drummond-Murray who has been in post since October 2014.

The work of the Secretariat includes:

- facilitating boundary reviews;
- dealing with the everyday administrative matters relating to our business such as finance, purchasing and accommodation;
- liaising with other UK Commissions and government departments with an interest in boundary matters; and
- responding to general and other correspondence concerning boundary issues.

We are supported by a small Secretariat. Schedule 4 to the Local Government (Scotland) Act 1973 provides that Scottish Ministers may appoint a Secretary to the Commission, after consultation with us. The Secretary, who is the Secretariat's senior officer, is normally a civil servant assigned from the Scottish Government.

Most staff members are employed full-time, with their time allocated between support for us and for the Boundary Commission for Scotland which is responsible for reviewing constituencies for the United Kingdom Parliament. The Secretariat is funded separately by the Office of the Secretary of State for Scotland for that work.

Staff of the Secretariat are also normally assigned from the Scottish Government. The number of staff assigned is dependent on the volume of review activity and the need to develop, maintain and update information systems and respond to enquiries etc. During the year 2022-23, the proportion of Secretariat staff costs assigned to support the Commission was as follows:

Post	Full-time equivalent
Secretary	0.5
Review Manager	0.5
Deputy Review Manager	0.5
Review Officer	0.5
Finance and Governance Officer	0.5
IT and Database Manager	0.22
General Office Manager	0.5
Total	3.22

In August 2022 the Finance and Governance officer (B1) left and the post was reviewed, regraded to B2 and filled in March 2023

Review activity

Meetings

The Commission met 6 times during 2022-23. We place minutes of meetings and copies of our discussion papers on our website on a phased basis at appropriate stages during our reviews.

Administrative Area reviews

In 2022-23 we did not undertake any administrative reviews

Electoral reviews

In 2022-23 we did not undertake any reviews or interim reviews of electoral arrangements

Review of Scottish Parliament Boundaries

On 1 September 2022 we announced the start of the Second Periodic Review of Scottish Parliament Constituencies and Regions. Using electorate data from that date we prepared provisional proposals for public consultation which commenced in May 2023. We engaged with stakeholders, meeting the Standards, Procedures and Public Appointments Committee of the Scottish Parliament on 3rd November 2022 and attending a drop in session hosted by the Committee on 29 March 2023.

The statutory deadline for the Review's completion is 1 May 2025.

Other activities

We have engaged with Scottish Government over the lessons learned from the Scottish Parliament's decision not to approve our recommendations for electoral arrangements for two council areas. Scottish Government's work around electoral reform provided an opportunity to consider whether improvements to the legislation could be made, and also to other aspects of our work. These include the date for submission of the next set of reviews of electoral arrangements, access to the electoral data we use to support reviews and improvements to the approval process in line with international best practice. Our response to the electoral reform consultation is available on the Scottish Government website.

UK Boundaries Commissions 'Annual Meeting

In November 2022 we were represented by Mr Collins at the annual meeting of the UK Boundaries Commissions which was held in Cardiff. The Deputy Chair, Professor Henderson, also participated in her capacity as a member of the Boundary Commission for Scotland. The annual meeting is an important opportunity for sharing information and experience with other Commissions.

Risk Management

Jointly with the Boundary Commission for Scotland, we have developed a risk management policy which is available on our website. A copy can be provided on request. In line with the policy we maintain a risk register which is reviewed regularly.

Staffing and training

We continue to review our staffing level, and staff and Commissioners' training requirements in order to ensure we can meet our review requirements.

Liaison with others

Scottish Government

We continue to have regular contact and dialogue with the Elections and FOI Division within the Scottish Government who are our sponsor department.

Ordnance Survey

The Secretariat continues to work with Ordnance Survey to ensure that we have access to the optimum set of mapping data products to support our work, and that we receive technical advice on the deployment of those products.

National Records of Scotland

The Secretariat liaises regularly with staff of the National Records of Scotland on shared interests concerning geographic information and electoral statistics.

Other organisations

The Secretariat has maintained its contacts with other interests including the Association of Electoral Administrators; the Scottish Assessors' Association Electoral Registration Committee; the Electoral Commission, Electoral Management Board and other UK Boundary Commissions.

Governance

Our Governance documents can be found on our website, or a copy can be provided on request. Please see: www.boundaries.scot/corporate-documents

Legislation

Our local government work is governed by the Local Government (Scotland) Act 1973, specifically sections 12 to 28 and Schedules 4 and 6. This Act was amended to change our name to Boundaries Scotland, by the Elections Reform (Scotland) Act 2020.

The number of councillors in each local authority electoral ward is governed by the Local Government (Scotland) Act 2004, which was amended by the Islands (Scotland) Act 2018, to allow for 1 and 2 member wards in local authority areas with inhabited islands (see Islands reviews 3.2.2, above); and the Elections (Reform) Scotland Act 2020 to allow for 2 and 5 member wards throughout Scotland, these in addition to the 3 and 4 member wards.

Our reviews of Scottish Parliament constituencies and regions are governed by the Scotland Act 1998 as amended in 2016, and by the Elections (Reform) Scotland Act 2020, which changed the latest date by which we must submit the next review report from 1 May 2022 to 1 May 2025.

The legislation can be found at www.legislation.gov.uk

Directions from Ministers

Section 14(1) of the Local Government (Scotland) Act 1973 requires us to carry out a review of all local authority boundaries every 8 to 12 years after 1996. Scottish Ministers have issued a further Direction to us instructing us not to carry out any such reviews in the period to 31 May 2022. The Commission has never carried out a review of all local authority boundaries under Section 14(1) due to Ministerial Directions in force in earlier years.

This Direction does not prevent us from carrying out ad-hoc reviews under section 14(2) of the 1973 Act. However, such reviews are currently limited by a second Direction from Scottish Ministers instructing us not to undertake reviews under section 14(2) of the Act in the period ending on 30 September 2023 other than a review that would potentially directly affect not more than 500 electors.

National Performance Framework

Scottish Government intends that public bodies should align the outcomes of their activity with the Government's National Performance Framework and the associated National Outcomes. Our work contributes to the following National Outcomes:

- *We respect, protect and fulfil human rights and live free from discrimination.*
- *We live in communities that are inclusive, empowered, resilient and safe.*
- *We value, enjoy and protect and enhance our environment.*

The first and second of these reflect the desired result from successful definition of effective and convenient local government electoral arrangements and Scottish Parliament boundaries, so that as far as possible people's votes have equal weight, and electoral boundaries do not divide communities.

The third reflects the environmental desirability of effective use of resources.

We therefore believe the principals governing our work require us to simultaneously meet the performance indicators at the end.

Further information on the National Performance Framework is available at <https://nationalperformance.gov.scot/>

Management Statement and Financial Memorandum

We have a Management Statement and Financial Memorandum agreed with the Scottish Government. The Management Statement sets out the broad framework within which we operate, while the Financial Memorandum sets out certain aspects of the financial framework in greater detail. Both are in the process of being reviewed and replaced with a new Framework Document based on the Model Framework issued by Scottish Government.

Data protection

We handle personal information in conformance with the Data Protection Act 2018, and the General Data Protection Regulations (GDPR).

We have a privacy policy for handling any personal information contained in representations made during public consultations on our proposals.

Equality issues

We have an Equality Statement setting out our approach to equality and diversity issues. The Statement is available on our website, or a copy can be provided on request.

Reporting requirements

Part 3 of the Public Services Reform (Scotland) Act 2010 specifies certain reporting requirements for Scottish public bodies. For ease of reference, we have placed all of the information required in Appendix A.

Enquiries and public information

We use our website to inform the public about our work. In addition, the Secretariat responds to requests for information made by email, letter or phone.

Information Papers

We keep up to date our series of Information Papers and Quick Guides. The full set of Information Papers and Quick Guides is available on our website.

Freedom of Information

We have adopted the Scottish Information Commissioner's Model Freedom of Information Publication Scheme, and published our resulting Guide to Information: these are available from the FOI and Copyright section of our website.

During 2022-23, the Secretariat responded to 13 FOI enquiries addressed to the Commission. No requests for a review of our responses were made. Enquiries are reviewed to assess whether they indicate possible improvements to our procedures or the need for additions to our website.

Website

Our website remains the primary means for us to make information available. We update the website with all the material which we publish. We completed a project to refresh our website in summer 2019. An archive version of our website containing historical material is maintained by the National Records of Scotland, and a link to the archive is available on our website.

<https://webarchive.nrscotland.gov.uk/20190111180009/http://lgbc-scotland.gov.uk/>

Minutes and meeting papers

We publish the minutes of our meetings on our website periodically.

Our meeting papers since 2017 are available on our website and earlier meeting papers are available on our archive website. Normally, we publish meeting papers once we have concluded our discussions on a particular topic or on completion of a particular stage of a review, and have agreed and published the minutes for the relevant meeting. Where the meeting papers include a draft of a document which is later published in its own right (such as our Annual Reports and Corporate Plans), we do not normally publish the draft.

Expenditure

Our expenditure for the year 2022-23 is set out under broad headings in the table below. After setting the initial budget, the Secretariat re-forecasts expenditure during the year, and keeps the sponsor department informed of the likely expenditure for the year.

Financial Performance		
April 2022 – March 2023		
	Expenditure	
	Budget (£)	Actual (£)
Staff Costs	203,143	165,510
Commissioners' Fees	17,145	20,148
Accommodation	25,259	18,029
Administration	37,952	16,654
Travel and Subsistence	2,000	410
Review Costs	63,477	25,730
Total	348,976	246,481

Staff salaries

Salary costs are determined by the pay arrangements for our staff, who are employees of the Scottish Government. We share staff with the Boundary Commission for Scotland (BCS). BCS's share of the staff salaries are paid for by the Office of the Secretary of State for Scotland (OSSS). The underspend was largely caused by carrying a vacancy between August 2022 and March 2023.

Commissioners' fees and expenses

Commissioners' fees and expenses are determined by the Scottish Government and cover attendance at our scheduled meetings and associated preparation, meetings held with other UK Boundary Commissions, periodic meetings with Ministers, giving evidence to Parliament when required and ad hoc meetings held with other bodies. Expenses reimbursed to Commissioners, such as travel costs, are recorded under this heading. Where such costs were paid in advance by the Secretariat, they are recorded under Travel and Subsistence, or Review Costs (see below). Commissioners' fees are paid on a daily basis for each meeting. The fee rates during the year 2022-23 were:

- Chair £347 per day
- Deputy Chair £252 per day
- Commissioner £219 per day

The Chair's fee has remained unchanged since August 2007 and the fees for the Deputy Chair and Commissioners have remained unchanged since 2013-14.

Accommodation

We share accommodation with the Boundary Commission for Scotland. The figures shown in the above table in respect of accommodation reflect our share of rent, business rates, utilities and services such as insurance, management fees and office cleaning.

Administration

Administration costs include office equipment and furniture, stationery and other consumables, telephone, website costs, internet and email, training, computer software maintenance, support and licence fees and other IT costs.

The underspend in Administration costs is chiefly due to contingency funds not being required to be spent.

Travel and subsistence

Travel and subsistence includes rail, air and car-hire costs incurred by the Secretariat and Commissioners in the course of official business, which does not relate directly to a review (such costs fall under Review Costs). Travel and subsistence costs are paid at the same rate that applies to staff of the Scottish Government.

Review costs

Review costs cover those items directly attributable to the conduct of our reviews of electoral arrangements, such as newspaper advertising, the use of a consultation portal or specialist printing costs, and holding public meetings, including any associated travel and accommodation costs.

The underspend on review costs arose because the budget had allowed for the first consultation on Scottish Parliament constituency proposals to take place within the year but this was deferred to 2023-24.

Work programme for 2023-24

Scottish Parliament Review

We will continue our work on the Second Periodic Review of Scottish Parliamentary boundaries holding consultations on our proposals for constituencies and regions and conducting local inquiries as necessary.

Electoral Reform

We will continue to engage with Scottish Government on their work around electoral reform.

Local government electoral reviews

We have no plans to conduct any other reviews of electoral arrangements

Administrative area reviews

We will consider any requests for minor reviews of administrative area boundaries of council areas, and progress any such reviews we decide to conduct.

Other activity

We will carry out our governance functions throughout the year to ensure that we manage the Commission's operations efficiently and cost effectively, and meet the requirements of our Management Statement and Financial Memorandum from the Scottish Government.

Updated membership

We plan to recruit an additional Commissioner so our membership comprises a Chair, Deputy Chair and four Commissioners.

Further information

If you have a query which cannot be answered by this report or our website (www.boundaries.scot) please do not hesitate to contact us either by e-mail, telephone or in writing. Please see the rear cover of this report for our contact details.

Appendix A - specified reporting

Part 3 of the Public Services Reform (Scotland) Act 2010 requires public bodies to publish specified items of information at the end of each financial year. This Appendix provides that information.

Expenditure on named matters

The Act requires us to publish a statement on any expenditure on the following matters. We do so below:

Expenditure Heading	Expenditure in 2022-23 (£)
Public relations	nil
Overseas travel	nil
Hospitality and entertainment	nil
External consultancy	nil

Note on Public relations

In the course of our reviews we may publicise our proposals or recommendations through public notices in newspapers or posts, both free and paid-for, on social media. We do not consider that this constitutes public relations expenditure.

Expenditure in excess of £25,000

The Act requires us to publish details of any payment made during the year in excess of £25,000. In March 2023 we paid £25,700 to Delib Ltd for use of their consultation portal software (£11.9k), geospatial tool (£12.9k) and training (£0.7k).

Remuneration above £150,000

The Act requires us to publish details of any Commissioners or staff remunerated above £150,000 during the year: there were no such individuals.

Sustainable growth

The Act requires us to publish a statement on the steps taken to promote and increase sustainable growth through the exercise of our functions:

We align our work with the Scottish Government's purpose of delivering sustainable growth through identification of the relevant parts of the National Performance Framework to which our work contributes.

Efficiency, economy and effectiveness

The Act requires us to publish a statement on the steps taken to improve efficiency, economy and effectiveness in the exercise of our functions:

The Scottish Government encourages improvement of efficiency, economy and effectiveness through shared services. We participate in shared services through:

- occupation of office accommodation owned and managed by another public sector body;
- a shared Secretariat with the Boundary Commission for Scotland;
- use of Scottish Government framework contracts and electronic purchasing card for purchase of supplies and services.

Boundaries Scotland
Thistle House
91 Haymarket Terrace
Edinburgh
EH12 5HD

www.boundaries.scot

Telephone: 0131 244 2001

Email: boundaries.scot@scottishboundaries.gov.uk