



# Annual Report 2020- 21

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## Chair's foreword

In 2020-21 our primary task was to progress our reviews of the six council areas covered by the Islands (Scotland) Act 2020, prior to submitting our Final Proposals to Scottish Ministers in May and June 2021.

We undertook these reviews in two phases, firstly focusing on the three wholly islands council areas, Orkney, Shetland and Na h-Eileanan an Iar. In 2020-21 most of our work concerned the reviews of Argyll and Bute, Highland and North Ayrshire. This timing made it possible for our proposals in these areas to take into account the changes made by the Scottish Elections (Reform) Act 2020 to allow use of 2 and 5 member wards across Scotland.

We consulted on our proposals for Argyll and Bute, Highland and North Ayrshire with the three Councils from July to September 2020, and held a public consultation between November and January, before deciding upon our Final Proposals and preparing our reports for submission to Scottish Ministers.

Throughout the year we adapted well to the changes to working life caused by the coronavirus pandemic, holding our own meetings, and our meetings with stakeholders, online. We were grateful to our Secretariat for assisting us to work safely and effectively while coping with the day-to-day challenges of working from home.



**Ronnie Hinds**  
Chair, Boundaries Scotland  
August 2021

# Boundaries Scotland Annual Report 2020- 21

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This report covers the period 1 April 2020 to 31 March 2021. Copies are available from our website ([www.boundaries.scot](http://www.boundaries.scot)), or by request from our Secretariat.

# 1. The Commission

## 1.1. Background

Boundaries Scotland was renamed by the Scottish Elections (Reform) Act in 2020. Prior to this, we were known as the Local Government Boundary Commission for Scotland (LGBCS) which was established by the Local Government (Scotland) Act 1973. We 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.

## 1.2. 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.

### 1.2.1. Chair

The Chair is Ronnie Hinds who was appointed for a 4 year term starting on 1 September 2013, and reappointed for a further 4 years until 31 August 2021. This appointment was extended until 31 May 2022 to cover the time period until the Scottish Parliament completes its consideration of the Islands Reviews, including any further work Parliament may ask the Commission to carry out on those Reviews.

### 1.2.2. Deputy Chair

The Deputy Chair is Ailsa Henderson who was appointed for a four year term starting on 1 December 2017.

She was previously a Commissioner, having been appointed for a 4 year term starting on 1 September 2013, and reappointed prior to becoming Deputy Chair.

### 1.2.3. Commissioners

The Commission can have up to 4 Commissioners in addition to the Chair and Deputy Chair. Currently there are 4 Commissioners in post:

- Roland Bean, appointed for a 4 year term starting on 1 November 2013 and reappointed for a further four years until 31 October 2021. This appointment was extended until 31 May 2022 to cover the time period until the Scottish Parliament completes its consideration of the Islands Reviews, including any further work Parliament may ask the Commission to carry out on those Reviews.
- Susan Walker, appointed for a 4 year term starting on 1 November 2013 and reappointed for a further four years until 31 October 2021. This appointment was extended until 31 May 2022 to cover the time period until the Scottish

Parliament completes its consideration of the Islands Reviews, including any further work Parliament may ask the Commission to carry out on those Reviews.

- Gordon Macmillan, appointed for a 4 year term starting on 19 November 2018; and
- Jonathan Collins, appointed for a 4 year term starting on 21 May 2019.

### **1.3. Code of Conduct**

We have a Code of Conduct issued in 2014 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.

### **1.4. 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.

## **2. Secretariat**

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.

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.

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

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 2020-21, the proportion of Secretariat staff costs assigned to support the Commission was as follows:

<b>Post</b>	<b>Full- time equivalent</b>
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	0.24
General Office Manager	0.5
<b>Total</b>	<b>3.24</b>

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.

### **3. Review activity**

#### **3.1. Meetings**

The Commission met 6 times during 2020-21, reflecting the workload in undertaking reviews of electoral arrangements for six local authority areas with inhabited islands. We place minutes of meetings and copies of our discussion papers on our website on a phased basis at appropriate stages during our reviews.

#### **3.2. Administrative Area reviews**

In 2020-21 we gave consideration to two requests for Administrative Area reviews, one of the boundary between East Dunbartonshire council area and Glasgow City council area at Maxwell Avenue / Westerton Avenue in Glasgow; and one of the boundary between Angus council area and Dundee City council area at Liff. In each case we did not consider that there was strong evidence presented that a review of the boundary was in the interests of effective and convenient local government at this time.

#### **3.3. Electoral reviews**

##### **3.3.1. Second Periodic Review of Scottish Parliament Boundaries**

In anticipation of an expected postponement of the statutory deadline of 1 May 2022 for completion of the next review, we chose to defer the Second Periodic Review of Scottish Parliament Boundaries until closer to the date of the next deadline.

In June 2020, the Scottish Elections (Reform) Bill was passed by the Scottish Parliament and this moved the statutory deadline to 1 May 2025.

### **3.3.2. Interim Review of Scottish Parliament Boundaries.**

We did not carry out any of Interim Reviews of Scottish Parliament boundaries this year.

### **3.3.3. Islands Reviews**

Having completed our consultations for the council area wholly made up of islands, Na h-Eileanan an Iar, Orkney Islands and Shetland Islands in 2019-20, in 2020-21 we focused on the council areas which included part of the Mainland: Argyll & Bute, Highland and North Ayrshire.

The legislation governing our reviews requires us to make proposals for the number of councillors on each council and the number and boundaries of wards for the election of those councillors. The Islands (Scotland) Act 2018 allowed for the use of 1 and 2 member wards, in addition to then current 3 or 4-member wards, where a ward includes an inhabited island.

The Scottish Elections (Reform) Act 2020, passed in June 2020, allowed us to consider use of 2 and 5 member wards in all council areas.

Having met Argyll and Bute, Highland and North Ayrshire Councils between October and December 2019 to provide background to the Review and discuss our approach, we considered our options for the council areas between February and April 2020.

After deciding on our Initial Proposals for councillor numbers and ward boundaries, we held a two-month statutory consultation with the councils between July and September 2020. Where we received responses from the councils, we considered these and developed further proposals for a twelve-week public consultation, which we held from November 2020 to January 2021.

From March 2021 we considered the responses to the public consultations, and in June 2021 submitted our Final Proposals and reports for each council area to Scottish Ministers.

### **3.3.4. Interim Reviews of Local Authority Electoral Arrangements**

During 2020-21 we did not carry out any Interim Reviews of electoral arrangements for council areas.

## **4. Other activities**

### **4.1. UK Boundaries Commissions' Annual Meeting**

In December 2020 we were represented by the Chair at the annual meeting of the UK Boundaries Commissions which was held online. The Deputy Chair, Professor Henderson, also participated in her capacity as a member of the Boundary Commission for Scotland.

### **4.2. Electoral Reform**

The Scottish Elections (Reform) Act was passed by the Scottish Parliament on 3 June 2020, and became an Act on 8 July 2020. We gave evidence to Parliament during 2019-20 as part of Parliament's consideration of the Bill.

The Act changed our name and several aspects of our work:

- as of 14 May 2021 we became “Boundaries Scotland”, having previously been called the Local Government Boundary Commission for Scotland (LGBCS);
- it changed term lengths for the Scottish Parliament and Local Government from four years to five years;
- it allowed us to recommend two and five member wards for all local authorities in Scotland in addition to three and four member wards, and one member wards where the ward consists wholly or partly of one or more inhabited islands;
- it changed the approval process for our recommendations so that they are now subject to affirmative procedure in Parliament before they are implemented - previously Scottish Ministers decided whether to implement our Reviews;
- it also allows Parliament to also ask us to reconsider our Proposals, and submit a further report, the Proposals contained within which are also subject to affirmative procedure before they are implemented;
- it changed the scheduling of our reviews of local authority electoral arrangements to every fifteen years rather than every eight to twelve.
- it changed the deadline for submission for the 2<sup>nd</sup> Review of Scottish Parliament Boundaries from 1 May 2022 to 1 May 2025;
- and it made minor changes to publicity arrangements for reviews of Scottish Parliament Boundaries.

### **4.3. 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.

### **4.4. 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.

### **4.5. Liaison with others**

#### **4.5.1. 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.

#### **4.5.2. 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.

#### **4.5.3. 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.

#### **4.5.4. Other organisations**

The Secretariat has maintained its contacts with other interests including the Convention of Scottish Local Authorities (COSLA), the Association of Electoral

Administrators; the Scottish Assessors' Association Electoral Registration Committee; the Electoral Commission, Electoral Management Board and other UK Boundary Commissions.

## 5. Governance

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

### 5.1. 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, which allowed 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 which allowed 2 and 5 member wards throughout Scotland.

Our reviews of Scottish Parliament constituencies 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.

For more details of the changes to legislation which affects us and our work made by the Elections Scotland (Reform) Act, see Electoral Reform 4.2, above.

The legislation can be found at [www.legislation.gov.uk](http://www.legislation.gov.uk)

### 5.2 Directions from Ministers

Section 14(1) of the Local Government (Scotland) Act 1973 requires us to carry out a review of all administrative area 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 administrative 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.

When we have carried out such reviews in the past, this has been in cases where a new development has taken place across council area boundaries, such as in our review of the boundary between Glasgow City council area and North Lanarkshire council area at Cardowan, by Stepps, which came into force on 1 April 2019.

### 5.3 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.

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

### 5.4 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.

### 5.5 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.

### 5.6 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.

### 5.7 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.

## 6. 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.

### 6.1. 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.

## 6.2. Enquiries

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 2020-21, the Secretariat responded to 6 FOI enquiries addressed to the Commission. No requests for a review were made. Enquiries are reviewed to assess whether they indicate possible improvements to our procedures or the need for additions to our website.

## 6.3. 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/>

## 6.4. 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.

## 7. Expenditure

Our expenditure for the year 2020-21 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.

The budget shown in the table below is from the our 2020-23 Corporate Plan.

However, we had agreed with our sponsor department in the Scottish Government when we received our letter of allocation in June 2020 that we would not spend more than £387,000. In July 2020, taking into account the progress of the Islands Reviews and the likely effect of the coronavirus pandemic on the Review timetable we agreed to make available a further £50,000 to be spent elsewhere, and that we would not spend more than £337,000. In November 2020 we advised our sponsor department that we would not spend more than £265,000, making a further £72,000 available for other purposes.

<b>Financial Performance</b>		
<b>April 2020 - March 2021</b>		
	<b>Expenditure</b>	
	<b>Budget (£)</b>	<b>Actual (£)</b>

Staff Costs	167,673	157,166
Commissioners' Fees	41,547	17,121
Accommodation	23,557	22,451
Administration	39,660	18,684
Travel and Subsistence	2,000	48
Legal and Research	34,500	0
Review costs	127,302	34,688
<b>Total</b>	<b>436,239</b>	<b>250,158</b>

### 7.1. 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 on Staff Salaries is due to the Scottish Government's pay settlement for 2020-21 being lower than that forecast in the Corporate Plan.

### 7.2. 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 2020-21 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 a Commissioner increased by £2 per day in 2013-14.

The underspend in Commissioners' fees and expenses is due to: holding fewer meetings than budgeted for; Commissioners not taking part in meetings in association with revised proposals or local inquiries (neither of which were required); additional meetings such as seminars in association with research work (see Legal & Research, below) not being required; and online meetings meaning no travel and subsistence expense claims.

### 7.3. 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.

### 7.4. Administration

Administration costs include office equipment and furniture, stationery and other consumables, telephone, website costs, internet and email, publications and

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advertising, staff and commissioner training, computer software maintenance, support and licence fees.

The underspend in Administration costs is chiefly due to contingency funds not being required to be spent, reductions in office and external training costs due to coronavirus, and savings on some IT costs.

### **7.5. 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. Due to the impact of coronavirus our travel and subsistence costs in 2020-21 were very low.

### **7.6. Legal and Research**

Legal and Research included provision for us to host seminars, commission opinion polling and academic research on areas related to our work; and to access legal advice. Due to the impact of the coronavirus pandemic on our work and wider public life we did not carry out any such activity this year.

### **7.7. 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.

The underspend on Review Costs in 2020-21 is due to: funds set aside for revised proposals and local inquiries as part of the Islands Reviews which were not required; funds set aside for visits by Commissioners and Secretariat to visit local authority areas being reviewed and public meetings in support of the Islands Reviews which were not possible because of coronavirus; some costs associated with final reports for the Islands Reviews being spent in 2021-22 rather than 2020-21; some consultation and publicity costs being less than budgeted for; and funds set aside for administrative area reviews of local authority areas which were not required.

## **8. Work programme for 2021- 22**

### **Local government electoral reviews**

We submitted our Reviews of the 6 local authority areas specified under the Islands Act to Scottish Ministers in May and June 2021.

We will provide any assistance requested by Parliament in its consideration of those Reviews, and undertake any further work that may be required.

### **Administrative area reviews**

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

### **Scottish Parliament Reviews**

We will begin preparations for the Second Periodic Review of Scottish Parliamentary boundaries, which we expect to commence in Autumn 2022.

**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.

**9. Further information**

If you have a query which cannot be answered by this report or our website ([www.boundaries.scot](http://www.boundaries.scot)) please do not hesitate to contact us either by e-mail, telephone or in writing. Please see the front page 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:

<b>Expenditure Heading</b>	<b>Expenditure in 2020- 21 (£)</b>
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. We made no such payments during 2020-21.

### **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, as reported in section 3.3.

### **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.



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