



# Annual Report 2021-22

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## Chair's foreword

In 2021-22 our primary task was to complete and submit our reviews of the six council areas covered by the Islands (Scotland) Act 2018. The Act required us to review the electoral arrangements for the six council areas containing inhabited islands, and we began these reviews in January 2019, beginning with Na h-Eileanan an Iar, Orkney and Shetland. Having considered responses to our public consultations on our proposals for Argyll and Bute, Highland and North Ayrshire, we agreed our final proposals in Spring 2021. We submitted our proposals for all six council areas to Scottish Ministers in May and June 2021.

In Autumn 2021 we gave evidence to the Scottish Parliament's Local Government, Housing and Planning Committee which considered our proposals. The committee recommended acceptance of four of our reviews but rejection of the reviews for Highland and Argyll and Bute council areas. The Scottish Parliament subsequently adopted our proposals for Na h-Eileanan an Iar, North Ayrshire, Orkney, and Shetland council areas. We have concerns about the approval process which we have shared with the Committee and with Scottish Ministers. As an independent Commission, we wish Scotland to reflect international best practice in boundary-making and while we welcome scrutiny of our work we believe it must be based on the process we follow within the legislation to avoid the risk that elected bodies might seek to unduly influence electoral matters in which their members have an interest. This is an issue on which we will continue to engage with Scottish Ministers and the Scottish Parliament.

During 2021-22 the year we continued to adapt to the changes to working life caused by the coronavirus pandemic, holding our meetings online, and in hybrid fashion. Our Secretariat have been working partly from home and partly in our office. We remain indebted to them for assisting us to work safely and effectively throughout this difficult period.



**Ronnie Hinds**  
Chair, Boundaries Scotland  
July 2022

# Boundaries Scotland

## Annual Report 2021-22

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This report covers the period 1 April 2021 to 31 March 2022. 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, and again until 31 May 2023 to cover the time period of the Scottish Parliament's consideration of the Islands Reviews, and the beginning of our work on the Second Periodic Review of Scottish Parliament Constituencies and Regions.

### 1.2.2. Deputy Chair

The Deputy Chair is Ailsa Henderson who was appointed for a four year term starting on 1 December 2017, and reappointed until 30 November 2025.

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, and again until 31 May 2023 to cover the time period of the Scottish Parliament's consideration of the Islands Reviews, and the beginning of our work on the Second Periodic Review of Scottish Parliament Constituencies and Regions.

- 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, and again until 31 May 2023 to cover the time period of the Scottish Parliament's consideration of the Islands Reviews, and the beginning of our work on the Second Periodic Review of Scottish Parliament Constituencies and Regions.
- 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 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.

### **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.

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.

During the year 2021-22, 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	0.22
General Office Manager	0.5
<b>Total</b>	<b>3.22</b>

### **3. Review activity**

#### **3.1. Meetings**

The Commission met 6 times during 2021-22, reflecting the workload of completing reviews of electoral arrangements for six local authority areas with inhabited islands, and assisting the Scottish Parliament's consideration of our reviews. 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 2021-22 we gave consideration to a request for an Administrative Area review of the boundary between Angus council area and Dundee City council area at Liff. In this case we did not consider that there was sufficient evidence presented that a review of the boundary was in the interests of effective and convenient local government.

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

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

In 2021-22 we undertook preliminary planning for the Second Periodic review of Scottish Parliament Constituencies and Regions.

We expect to commence this review in autumn 2022. The statutory deadline for the Review's completion is 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 held a twelve-week public consultation between November 2020 and January 2021 on our revised proposals for electoral arrangements for Argyll & Bute, Highland

and North Ayrshire; in Spring 2021 we considered the responses to the consultation, and agreed our Final Proposals for those areas.

In May and June 2021 we submitted our Final Proposals for electoral arrangements for all six council areas which include inhabited islands to Scottish Ministers: Argyll & Bute, Highland, Na h-Eileanan an Iar, North Ayrshire, Orkney Islands and Shetland Islands.

In Autumn 2021 members of the Commission gave evidence to the Scottish Parliament's Local Government, Housing and Planning Committee in support of its consideration of the Commission's Proposals.

Following the recommendation of the committee, the Parliament voted to adopt our recommendations for Na h-Eileanan an Iar, North Ayrshire, Orkney Islands and Shetland Islands; but not to adopt our recommendations for Argyll & Bute and North Ayrshire.

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

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 January 2022 we were represented by the Chair and Mr Collins 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. 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.

### **4.3. 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.

### **4.4. Liaison with others**

#### **4.4.1. 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. We are in discussion with the Scottish Government on the approvals process for our future reviews.

#### **4.4.2. 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.

#### 4.4.3. 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.

#### 4.4.4. 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.

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

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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 2021-22, the Secretariat responded to 12 FOI enquiries addressed to the Commission. We responded to all of the requests within twenty working days as required by legislation, and no requests for a reviews 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.nrsotland.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 paper 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 2021-22 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 2021-24 Corporate Plan, apart from the "Research & Strategy" and "Review Costs headings (see notes under those budget headings below).

<b>Financial Performance</b>		
<b>April 2021 - March 2022</b>		
	<b>Expenditure</b>	
	<b>Budget (£)</b>	<b>Actual (£)</b>
Staff Costs	168,301	165,113
Commissioners' Fees	22,974	17,866
Accommodation	25,819	22,963
Administration	44,700	17,522
Travel and Subsistence	2,000	0
Research & Strategy	37,000	0
Review Costs	21,824	27,111
<b>Total</b>	<b>322,618</b>	<b>250,575</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).

### 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 2021-22 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 have remained unchanged since 2013-14.

The underspend in Commissioners' fees and expenses is due to: holding fewer meetings than budgeted for, particularly meetings such as seminars in association with research work not being required (see Research & Strategy, below); 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, 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, lower spending than forecast on rebranding (when the Commission's name changed in May 2021), in addition to lower training and office costs than budgeted, due in part to working arrangements during the coronavirus pandemic, 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 continued impact of coronavirus we did not have any such costs in 2021-22.

#### **7.6. Research & Strategy**

Research & Strategy included provision for us to host seminars, and to commission opinion polling and academic research on areas related to our work. 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.

This budget heading was called "Legal & Strategy" in the 2021-24 Corporate Plan. During the year the £5,000 set aside for legal costs was incorporated within "Review Costs", because any legal advice was expected to relate directly to reviews. This reduced this heading from £42,000 to £37,000, with the category heading being renamed "Research & Strategy".

#### **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 costs.

During the year £5,000 was added to the Review Cost budget to cover legal advice (see Research & Strategy, above).

The higher than budgeted Review Costs in 2021-22 are due to: additional costs for publicising the conclusion of the Islands Reviews; and higher costs than budgeted for the use of a consultation portal, printing and final report production and legal advice. The additional spending on Review Costs was offset by lower costs under the other budget headings.

## **8. Work programme for 2022-23**

### **Local government electoral reviews**

In 2021-22 the Scottish Parliament did not approve our recommendations for electoral arrangements for Argyll & Bute and Highland council areas. Scottish Ministers are obliged by legislation to request us to give further consideration to our proposals in these areas and we will take this forward when asked to do so. We will continue our engagement with the Scottish Government and the Scottish Parliament on the approvals process for our future local government reviews.

**Administrative area reviews**

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

**Scottish Parliament Reviews**

We will begin the Second Periodic Review of Scottish Parliamentary boundaries 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:

Expenditure Heading	Expenditure in 2021-22 (£)
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 2021-22.

### 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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