

Electoral Reform – presentation of review recommendations

Purpose

1. This paper considers the presentation of the Commission's reports from the 5th Reviews of Electoral Arrangements and whether future reports should be presented differently.

5th Review Final Recommendations Reports

2. At its meeting on 25 March 2019 the Commission asked the Secretariat to revisit examples of 5th Review reports to consider how content might be presented differently in future in anticipation of changes to the approval process.
3. The Secretariat has considered two of the reports where recommendations were not accepted by Ministers: Dundee and Scottish Borders. In both reports detailed coverage was given to the reasons for the Commission's decisions at each stage of the process and to explaining the pros and cons of options. However, there was no mention of the implications of **not** accepting the Final Recommendations. The Commission may wish to consider in future including a paragraph on this. For Dundee as an example, such a paragraph might have set out issues such as:

“If the Commission's recommendations are not accepted and the status quo is retained then:

- Forecast parity in 2 wards will be 10% or over whereas no wards are forecast to exceed 10% in the Commission's recommendations
- Overall average forecast from parity for the council area is 6% rather than 3%
- Dundee City Council would retain 29 councillors rather than the 31 recommended making the council area under-represented compared to other councils with which it was categorised”

4. Given much of the opposition in Dundee related to community ties it may have helped to provide additional analysis of this and stronger rebuttal of some of the arguments. For example, the report could have argued more clearly that it was only the introduction of multi-member wards in 2007 that resulted in a single ward covering all of Broughty Ferry; it is therefore debatable whether West Ferry becoming part of a different ward had the impact claimed by those opposed to the proposals.
5. Both reports relied heavily on referring the reader to papers available online. The reports for Dundee and Scottish Borders each refer to 7 background papers and 8 sets of minutes. There may be benefit in future reports in considering provision of more information in the report itself as it is hard to judge whether the average reader would seek out the background papers and associated minutes and it is possible that some relevant information may not be as accessible as it could be. In particular discussion of options considered and rejected may be worth explaining in more detail. This is likely to assist any Committee consideration of Commission reports if a parliamentary procedure for approval is introduced.
6. Linked to this, the Secretariat considers it may be helpful to provide an executive summary in the form of a statement of compliance with the legislation. This would set out clearly the steps the Commission has taken and could take the form of a signed statement of compliance. This would focus on the

requirements of the Local Government (Scotland) Act 1973, namely effective and convenient local government, consultation and the Schedule 6 Rules. This would leave no doubt in the mind of the reader that an independent Commission had weighed all the legislative factors appropriately. A template is attached at Appendix A.

7. Finally, both reports could perhaps have better addressed the issues raised in consultation in particular to rebut those that are based on misunderstanding. The report for Dundee City council area did include a paragraph relating to the concerns of local residents not being supported by evidence eg impact on postcodes, property prices, insurance premiums and so on. It will be worth ensuring that such concerns are directly addressed in all cases in future rather than relying on general text in background information.
8. In the report for Scottish Borders the 31 public responses to the consultation on ward boundaries are summarised in 3 themes but those themes are not then all addressed in the section on “Developing our Final Recommendations” and not all responses fitted within the three themes. An individual respondent looking to see how their concerns had been addressed would need to find the relevant online meeting paper. Such a respondent may be more likely to continue lobbying after the publication of a Commission report than if the report itself had directly addressed the concerns raised. Inclusion of additional information in the reports would need to be balanced against the need to ensure reports remain readable and not so lengthy and detailed that key information cannot be easily drawn out.

Conclusion

9. The Commission is invited to consider the issues raised in this paper with a view to informing decisions about presentation of future reports in due course.

**Secretariat
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