

POLITICAL PARTIES, ELECTIONS AND  
REFERENDUMS ACT 2000



---

**THE SPEAKER'S COMMITTEE  
ON THE ELECTORAL  
COMMISSION**

---

**FIFTH REPORT 2020**

**Work of the Committee in 2019–20**

*Presented to Parliament pursuant to paragraph 1(1) of Schedule 2  
to Political Parties, Elections and Referendums Act 2000*

*Ordered by the House of Commons  
to be printed 13 October 2020*

## The Speaker's Committee

The Speaker's Committee is appointed in accordance with the provisions of section 2 of the Political Parties, Elections and Referendums Act 2000 to perform the functions conferred on it by that Act.

### Membership

[Rt Hon Sir Lindsay Hoyle MP](#), Speaker of the House of Commons (Chair)

[Rt Hon Michael Gove MP](#), Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster

[Luke Hall MP](#), Minister of State for Regional Growth and Local Government

[Craig Mackinlay MP](#)

[Christian Matheson MP](#)

[Karl McCartney MP](#)

[Cat Smith MP](#)

[Owen Thompson MP](#)

[William Wragg MP](#), Chair of the Public Administration and Constitutional Affairs Committee

### Previous Publications

Third Report 2020 was published 21 July 2020 as HC 627 of Session 2019–21

Second Report 2020 was published 21 July 2020 as HC 626 of Session 2019–21

First Report 2020 was published 21 April 2020 as HC 277 of Session 2019–21

First Report 2019 was published 8 July 2019 as HC 2513 of Session 2019

Fourth Report 2018 was published 28 November 2018 as HC 1786 of Session 2017–19

Third Report 2018 was published 15 November 2018 as HC 1727 of Session 2017–19

Second Report 2018 was published 24 October 2018 as HC 1639 of Session 2017–19

First Report 2018 was published 14 March 2018 as HC 901 of Session 2017–19

First Report 2017 was published 27 February 2017 as HC 1031 of Session 2016–17

Second Report 2017 was published 6 November 2017 as HC 535 of Session 2017–19

Third Report 2017 was published 14 December 2017 as HC 688 of Session 2017–19

### Contacts

The Secretary of the Speaker's Committee is Kevin Maddison.

Correspondence should be addressed to:

The Secretary of the Speaker's Committee

Journal Office

House of Commons

London SW1A 0AA

Email: [speakerscommittee@parliament.uk](mailto:speakerscommittee@parliament.uk)

# Contents

---

<b>Work of the Committee in 2019–20</b>	<b>3</b>
Membership	3
Meetings	4
Parliamentary Accountability	4
Appointment of Electoral Commissioners	4
Appointment of the Chair of the Local Government Boundary Commission for England	5
Financial Scrutiny	5
<b>Appendix: Minutes of the Speaker’s Committee</b>	<b>7</b>

## Work of the Committee in 2019–20

1. The Speaker’s Committee on the Electoral Commission (SCEC) is a statutory body established under the Political Parties, Elections and Referendums Act 2000 (PPERA). Its work relates to the Electoral Commission and the Local Government Boundary Commission for England (LGBCE).

2. Under paragraph 1(1) of Schedule 2 to the PERA, the Speaker’s Committee is required to report to the House of Commons not less than once a year on the exercise of its functions. The last annual report covered the period from 1 April 2018 to 31 March 2019. This report covers the period from 1 April 2019 to 31 March 2020.

### Membership

3. The Committee has nine members, five of whom are members of the House of Commons who are not Ministers and are appointed by the Speaker. One member—a Member of the House of Commons who is a Minister with responsibilities in relation to local government—is appointed by the Prime Minister. The *ex officio* members are the Minister for the Cabinet Office, the Chair of the Public Administration and Constitutional Affairs Committee, and the Speaker of the House of Commons, who chairs the Committee.

4. The ex-officio members of the Committee over this period were:

#### *Speaker*

- Rt Hon John Bercow MP (until 4 November 2019);
- Rt Hon Sir Lindsay Hoyle MP (from 4 November 2019)

#### *Minister for the Cabinet Office*

- Rt Hon Sir David Lidington MP (until 24 July 2019)
- Rt Hon Oliver Dowden MP (24 July 2019 to 13 February 2020)
- Rt Hon Michael Gove MP (from 13 February 2020)

#### *Chair of the Public Administration and Constitutional Affairs Committee*

- Sir Bernard Jenkin MP (until 6 November 2019)
- William Wragg MP (from 27 January 2020)

5. The appointed members of the Committee over this period were:

#### *Member appointed by the Prime Minister as a minister with responsibility for local government*

- Rt Hon Rishi Sunak MP (until 24 July 2019)
- Luke Hall MP (30 September to 6 November 2019)

*Members appointed by Mr Speaker*

- a) prior to the dissolution of Parliament on 6 November 2020
- Kirsty Blackman MP
  - Gloria De Piero MP
  - Andrea Jenkyns MP
  - Jessica Morden MP
  - Bridget Phillipson MP
- b) appointed on 21 January 2020
- Karl McCartney MP
  - Craig Mackinlay MP
  - Christian Matheson MP
  - Bridget Phillipson MP
  - Owen Thompson MP

## Meetings

6. The Committee met three times during the period covered by this report. The minutes of the Committee’s meetings are reproduced in Appendix A. Officials from the Electoral Commission attended part of the second meeting.

## Parliamentary Accountability

7. The Committee provides a mechanism for Members of Parliament to ask questions in the House of Commons about the work of the Electoral Commission and the LG BCE. Bridget Phillipson MP acted as the Committee spokesperson during the period covered by this report. She replied to four substantive and eight supplementary questions on the floor of the House and to forty-four questions in writing.

## Appointment of Electoral Commissioners

8. The Electoral Commission was established by Parliament as a body independent of the Government. The Political Parties, Elections and Referendums Act 2000, as amended by the Political Parties and Elections Act 2009, provides for the Electoral Commission to have nine or ten Commissioners.<sup>1</sup> Up to six are ‘ordinary’ Commissioners who may not be members or employees of a political party.<sup>2</sup> These Commissioners are recruited by competition, under a procedure put in place and overseen by the Speaker’s Committee. Four Commissioners are persons put forward by the registered leader of a qualifying political party<sup>3</sup> for consideration for appointment; they are described in the statute as

---

1 PPERA s1(3) as amended by s6 of the Political Parties and Elections Act 2009

2 PPERA s3(4)

3 PPERA s3A(2)

‘nominated’ Commissioners. While there are restrictions on their political activity, they are permitted to be members of parties, and to have been active in their party within the previous five years.<sup>4</sup>

9. Pursuant to Section 3 of the PPERA, the Speaker’s Committee on the Electoral Commission is responsible for determining and overseeing the procedures for selecting candidates to be put forward for appointment or re-appointment as Electoral Commissioners. The candidates for these posts are approved by the House of Commons and appointed by the Queen. During the process of making appointments, the Committee has regard to the Governance Code for Public Appointments.

10. Over the period covered by this report, the Committee oversaw the process for the re-appointment of one Electoral Commissioner. The Committee’s First Report of 2019, HC 2513, set out the procedures and process followed for the re-appointment of Rob Vincent CBE. The House approved a motion for a humble Address praying that Her Majesty would reappoint Mr Vincent with effect from 1 January 2020 for the period ending 31 December 2023.

## **Appointment of the Chair of the Local Government Boundary Commission for England**

11. Under the Local Democracy, Economic Development and Construction Act 2009, which created the Local Government Boundary Commission for England (LGBCE), the Speaker’s Committee is responsible for overseeing the process for appointing the Chair of the Commission. All other appointments to the Commission are the responsibility of the Ministry for Housing, Communities and Local Government. The Committee did not appoint a Chair of the LGBCE during this period.

## **Financial Scrutiny**

12. The Committee’s role is to examine the estimates of resources needed for both the Electoral Commission and the LGBCE. It must also consider one statutory five-year plan and one value for money study in relation to each body during the life of a Parliament. The Speaker’s Committee has the power to require further such studies and reports to be produced as and when it sees fit.

13. The Speaker’s Committee must decide whether it is satisfied that the estimates and plans are consistent with the economical, efficient and effective discharge of each body’s functions. If it determines that they are not, it must modify them as necessary. In carrying out its work, the Committee consults with the Treasury and has regard to reports received from the National Audit Office concerning each body’s use of resources.

14. In the period covered by this report the Committee considered and approved a Supplementary Estimate for the Electoral Commission for the 2019–20 financial year. It also considered and approved Main Estimates for the 2020–21 financial year for both the Electoral Commission and the Local Government Boundary Commission for England (LGBCE), along with five-year plans for both organisations.

---

4 PPERA s3(4) and s4(4A)

15. The Electoral Commission's Supplementary Estimate had three elements to it:

- (1) £2.5 million to enable the Electoral Commission to repay a draw-down from the Treasury's contingencies fund to cover the costs of the 2019 general election. Costs incurred by the Commission included: £1.5 million on a public awareness campaign; £103,000 on guidance materials; and £535,000 on additional temporary staff.
- (2) £220,000 to cover the costs of overseeing and supporting elections to the Northern Ireland Assembly, in the event they needed to take place.
- (3) £285,000 in annual management expenditure to make accounting provision for unplanned costs, for instance in the event of unexpected litigation expenditure

The Committee agreed to elements (1) and (3). It asked that element (2) be removed from the Estimate as by the time of the Committee meeting it had become apparent that elections to the Northern Ireland Assembly would not be taking place.

16. In relation to the Electoral Commission's Main Estimate for 2020–21, the Committee agreed a voted Resource Departmental Expenditure Limit of £21,552,000, a voted Capital Departmental Expenditure Limit of £1,301,000, and a voted resource Annual Managed Expenditure of £400,000, as consistent with the economical, efficient and effective discharge of its functions in that year.

17. The Committee also agreed the Electoral Commission's five-year plan as being consistent with the economical, efficient and effective discharge of its functions. The Committee noted the Electoral Commission's intention that it serve is an interim plan as, subject to the Committee's views, the Commission planned to bring an updated plan to the Committee at a later stage.

18. In relation to the LGBCE's Main Estimate, the Committee agreed a voted Resource Departmental Expenditure Limit for 2019–20 of £2,320,000, and a voted Capital Departmental Expenditure Limit of £50,000, as consistent with the economical, efficient and effective discharge of its functions in that year. The Committee also agreed the LGBCE's five-year plan as being consistent with the economical, efficient and effective discharge of its functions.

19. The Committee considered value-for-money studies in relation to both bodies submitted to it by the Comptroller and Auditor General. It took account of these studies in examining the bodies' Estimates and plans.

# Appendix: Minutes of the Speaker's Committee

---

## Speaker's Committee for the Electoral Commission Formal Minutes of the meeting on 25 June 2019 in the Speaker's study

Kirsty Blackman MP   Bridget Philipson MP  
Jessica Morden MP

(Private)

### 1. **Appointment of temporary Chair**

The Committee appointed Bridget Phillipson to act as Chair in the absence of Mr Speaker.

### 2. **Consideration of formal minutes of previous meeting**

The Committee agreed the minutes without modification.

### 3. **Appointment of Accounting Officer**

The Committee discussed this matter.

The Committee agreed to designate Bob Posner as Accounting Officer of the Electoral Commission, under paragraph 19 of Schedule 1 of the Political Parties, Elections and Referendums Act 2000.

### 4. **Reappointment of an Electoral Commissioner: Chair's draft report**

The Committee agreed the Chair's report.

The Committee agreed to publish the report.

[The Committee adjourned



## Speaker's Committee for the Electoral Commission Formal Minutes of the meeting on 22 January 2020 in the Speaker's study

Mr Speaker, in the Chair

Karl McCartney Christian Matheson

Craig Mackinlay Bridget Phillipson

Apologies: Oliver Dowden, Owen Thompson

(Private)

### 1. Declaration of interests

Members declared their interests as listed in the [Register of Members' Financial interests as at 11 January 2020](#).

### 2. Committee spokesperson

Mr Speaker informed the Committee that he had asked Bridget Phillipson to continue acting as spokesperson.

### 3. Consideration of formal minutes of previous meeting

The Committee agreed the minutes without modification.

### 4. Discussion with Electoral Commission

Bob Posner, Chief Executive, and Kieran Rix, Director of Finance and Corporate Services, Electoral Commission, were questioned on the Commission's Supplementary Estimate for 2019–20.

### 5. Electoral Commission Supplementary Estimate 2019–20

The Committee agreed the Electoral Commission's Supplementary Estimate for 2019–20, subject to the removal of £220,000 included for possible elections to the Northern Ireland Assembly, which was no longer required.

### 6. Electoral Commission designation of posts

The Committee agreed to a proposal from the Chief Executive of the Electoral Commission to extend the designation of posts under paragraph 11B of Schedule 1 to the Political Parties, Elections and Referendums Act 2000.

[The Committee adjourned

## **Speaker's Committee for the Electoral Commission Formal Minutes of the meeting on 24 March 2020 in the Speaker's study**

Mr Speaker, in the Chair

Karl McCartney      Bridget Phillipson  
Christian Matheson

Apologies: Michael Gove, Craig Mackinlay, Owen Thompson

(Private)

### **1. Minutes of last meeting**

The Committee agreed the minutes without modification.

### **2. Local Government Boundary Commission for England Main Estimate 2020–21 and five-year plan 2020–21 to 2024–25**

The Committee noted the changes to the LGBCE Estimate arising as a result of revisions to Treasury accounting guidance. It considered the advice provided by the Treasury and agreed the revised Estimate and five-year plan as being consistent with the Commission's economical, efficient and effective discharge of its functions.

### **3. Electoral Commission Main Estimate 2020–21 and five-year plan 2020–21 to 2024–25**

The Committee noted the letter the Speaker had received from the Minister for the Constitution and Devolution. It agreed to seek further information about the Electoral Commission about its plans to increase its capacity for prosecutions.

The Committee considered the advice provided by the Treasury and agreed the Estimate and five-year plan as being consistent with the Commission's economical, efficient and effective discharge of its functions.

### **4. Committee Annual Report 2018–19**

The Committee agreed its Annual Report for 2018–19.

### **5. National Audit Office reports on the Electoral Commission and Local Government Boundary Commission for England**

The Committee considered the reports produced by the National Audit Office on the Electoral Commission and Local Government Boundary Commission for England. It agreed that thanks should be passed to the NAO for their work on the reports, and that the NAO should be given permission to publish them.

### **6. Appointments to the Electoral Commission and Local Government Boundary Commission for England.**

The Committee considered correspondence from the Chief Executive and Chair of the Electoral Commission and the Chief Executive of the LGBCE. It agreed to a number of steps in relation to forthcoming appointments:

- The Committee agreed to seek written feedback on the performance of the Chairs of the LGBCE and Electoral Commission before considering whether they should be recommended for reappointment.
- The Committee agreed to recommend Alasdair Morgan for reappointment as the SNP-nominated Electoral Commission and to commence a process of consultation with the leaders of registered political parties.
- The Committee agreed to put in place a process for the appointment of the Electoral Commissioner for the smaller parties.
- The Committee agreed to consult the Scottish Parliament and National Assembly for Wales respectively on the appointment of the lead Commissioners for Scotland and Wales.
- The Committee agreed to put in place a process for the recruitment of a lead Commissioner for Northern Ireland.

#### **7. Appointments to the Electoral Commission and Local Government Boundary Commission for England.**

The Committee came to the following resolution—

*That the Committee may take decisions by email correspondence, provided that: a) proposed decisions are first sent by email to all members of the Committee; and b) members of the Committee are given 24 hours from the email being sent to object to any proposed decision*

[The Committee adjourned