

**POLITICAL PARTIES, ELECTIONS AND
REFERENDUMS ACT 2000**



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

FIRST REPORT 2020

Work of the Committee in 2018–19

POLITICAL PARTIES, ELECTIONS AND
REFERENDUMS ACT 2000



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

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to be printed 21 April 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

[Craig Mackinlay MP](#)

[Christian Matheson MP](#)

[Karl McCartney MP](#)

[Bridget Phillipson MP](#) (Committee spokesperson)

[Owen Thompson MP](#)

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

Previous Publications

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

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Work of the Committee in 2018–19

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 13 June 2017 to 31 March 2018. This report covers the period from 1 April 2018 to 31 March 2019.

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. Over this period, the members of the Committee were
 - a) Rt Hon John Bercow MP -Speaker (ex-officio)
 - b) Sir Bernard Jenkin MP - Chair of the Public Administration and Constitutional Affairs Committee (ex-officio)
 - c) Rt Hon David Lidington MP - Minister for the Cabinet Office (ex-officio)
 - d) Rt Hon Rishi Sunak MP (appointed by the Prime Minister as a minister with responsibility for local government)
 - e) Kirsty Blackman MP (appointed by the Speaker)
 - f) Gloria De Piero MP (appointed by the Speaker)
 - g) Andrea Jenkyns MP (appointed by the Speaker)
 - h) Jessica Morden MP (appointed by the Speaker)
 - i) Bridget Phillipson MP (appointed by the Speaker)

Meetings

5. The Committee met twice during the period covered by this report. The minutes of the Committee’s meetings are reproduced in Appendix A. The Chair of and officials from the Electoral Commission attended parts of both meetings and those of the LGBCE attended part of the second meeting at the invitation of the Committee. The Committee also took a number of decisions outside meetings by correspondence.

Parliamentary Accountability

6. 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 LGBCE. Bridget Phillipson MP acts as the Committee spokesperson and answers questions on behalf of the Committee. During the period covered by this Report, Bridget Phillipson replied to twenty-five questions on the floor of the House and to thirteen questions in writing.

Appointment of Electoral Commissioners

7. 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.¹ Up to six are ‘ordinary’ Commissioners who may not be members or employees of a political party.² 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 party³ for consideration for appointment; they are described in the statute as ‘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.⁴

8. 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 Code of Practice for Ministerial Appointments to Public Bodies.

9. Over the period covered by this report, the Committee oversaw the process for the appointment of three Electoral Commissioners.

10. The Committee’s Second and Third Reports of 2018, HC 1639 and HC 1727, set out the procedures and process followed for the recruitment of three nominated commissioners to replace John Horam, David Howarth and Bridget Prentice. The House approved the motion that an Humble Address be presented to Her Majesty to appoint Lord Gilbert of Panteg, Alastair Ross and Joan Walley on 21 November 2018.

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.

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

2 PPERA s3(4)

3 PPERA s3A(2)

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

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 Supplementary Estimates and Main Estimates for both the Electoral Commission and the Local Government Boundary Commission for England (LGBCE).

15. The Committee agreed a Supplementary Estimate for 2018–19 for the LGBCE involving a switch of £18,000 from the voted Resource Departmental Expenditure Limit to the voted Capital Departmental Expenditure Limit.

16. In relation to the LGBCE's Main Estimate, the Committee agreed a voted Resource Departmental Expenditure Limit for 2019–20 of £2,192,000, a voted Capital Departmental Expenditure Limit of £50,000, and a voted resource Annual Managed Expenditure of £60,000, as consistent with the economical, efficient and effective discharge of its functions in that year.

17. The Committee agreed a Supplementary Estimate for 2018–19 for the Electoral Commission. This has three elements to it:

- i) reducing capital expenditure by £130,000 reflecting the deferral of some IT improvements into 2019–20;
- ii) reducing forecast depreciation by £200,000, partly reflecting changes in the way the Commission calculated depreciation and partly consequent on the above reduction in capital expenditure;
- iii) a one-off increase in Annual Managed Expenditure of £224,000. This was to take on board a National Audit Office-mandated change in how the Commission calculated dilapidations provisions.

18. In relation to the Electoral Commission's Main Estimate, the Committee agreed a voted Resource Departmental Expenditure Limit for 2019–20 of £18,325,000 a voted Capital Departmental Expenditure Limit of £990,000, and a voted resource Annual Managed Expenditure of £115,000, as consistent with the economical, efficient and effective discharge of its functions in that year.

Appendix: Minutes of the Speaker's Committee

Speaker's Committee for the Electoral Commission Formal Minutes of the meeting on 21 November 2018 at 4pm, Committee Room 20, Upper Committee Corridor

Mr Speaker (Chair)	Kirsty Blackman
Sir Bernard Jenkin (ex-officio)	Andrea Jenkyns
Bridget Phillipson	Gloria de Piero

(Private)

1. **The Committee approved the Formal Minutes of the meeting on 27 March.**

The minutes were agreed without modification.

2. **Consideration of the Chair's draft report on the work of the Committee 2017–18.**

The Committee agreed to publish the report in w/c 26 November.

3. **Appointment of nominated Electoral Commissioners**

The Committee was updated on the appointment process for the nominated Electoral Commissioners.

4. **Any other business**

There was no other business.

5. **Informal briefing from the Electoral Commission on accountability**

The Committee received a briefing from Bob Posner, Director of Political Finance and Regulation; Kieran Rix, Director of Finance and Corporate Services; and Andy O'Neill, Head of the Electoral Commission, Scotland, about the proposals to establish the Electoral Commission's accountability to the Scottish Parliament and the National Assembly for Wales in areas which have been devolved to these bodies under the Scotland Act 2016 and the Wales Act 2017.

[The Committee adjourned at 4.41 pm

Speaker's Committee for the Electoral Commission
Formal minutes of the meeting on 18 March 2019 at 5pm,
Committee Room 6

Sir Bernard Jenkin (ex-officio) Kirsty Blackman
 Andrea Jenkyns Bridget Phillipson
 Gloria de Piero

(Private)

1. Appointment of temporary Chair

The Committee appointed Sir Bernard Jenkin to act as Chair in the absence of Mr Speaker.

2. Consideration of formal minutes of the previous meeting

The Committee agreed the minutes without modification.

3. Reappointment of an Electoral Commissioner

The Committee considered the reappointment of Mr Rob Vincent as an Electoral Commissioner.

The Committee agreed to reappoint Mr Rob Vincent as an Electoral Commissioner for a term of four years, ending on 31 December 2023, subject to statutory consultation with the party leaders.

(Public)

4. Oral evidence from the Electoral Commission on their Main Estimate 2019–20

Witnesses:

- Sir John Holmes, Chair of the Electoral Commission
- Bob Posner, acting Chief Executive of the Electoral Commission
- Kieran Rix, Director of Finance and Corporate Services at the Electoral Commission

5. Oral evidence from the Local Government Boundary Commission for England (LGBCE) on their Main Estimate 2019–20

Witnesses:

- Professor Colin Mellors, Chair of the LGBCE
- Jolyon Jackson, Chief Executive of the LGBCE

(Private)

6. Consideration of the Main Estimates for the Electoral Commission and the LGBCE

The Committee considered this matter, having regard to the advice submitted by HM Treasury.

The Committee approved the Main Estimate of the Electoral Commission 2019–20 and the Main Estimate of the Local Government Boundary Commission for England 2019–20.

[The Committee adjourned at 6.02pm