THE SPEAKER’S COMMITTEE ON THE ELECTORAL COMMISSION

FIRST REPORT 2013

Appointment of an Electoral Commissioner for Wales

Presented to the House of Commons in pursuance of paragraph 1(1) of Schedule 2 of the Political Parties, Elections and Referendums Act 2000

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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.

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Second Report 2011 was published in September 2011 as HC 1478 of Session 2010–12
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First Report 2012 was published in March 2012 as HC 1897 of Session 2010–12
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Third Report 2012 was published in June 2012 as HC 201 of Session 2012–13

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Introduction

1. The Electoral Commission was established by Parliament as a body independent of Government. The Chair of the Electoral Commission and the other Electoral Commissioners are appointed by Her Majesty the Queen, following an Address from the House of Commons. The Speaker’s Committee on the Electoral Commission is required by s3 of the Political Parties, Elections and Referendums Act 2000, as amended by the Political Parties and Elections Act 2009, to oversee the procedure for selecting candidates for appointment to the Electoral Commission. Candidates’ names are put before the House with the agreement of the Speaker.

2. This report provides information about the procedure followed by the Speaker’s Committee during the selection of a candidate to replace Ian Kelsall OBE DL as the Electoral Commissioner with a special interest in Wales. Mr Kelsall’s term of office ended on 31 December 2012. We are grateful to him for the contribution he has made.

The selection process

3. In March 2012 the Committee appointed the following independent panel to identify possible candidates for the post:
   - Dame Denise Platt DBE (Chair)
   - Mr Gary Streeter MP (representing the Speaker’s Committee)
   - Jenny Watson (chair of the Electoral Commission)
   - Dr Sara Wheeler (Office for Public Appointments in Wales)

4. Although the post of Electoral Commissioner is not regulated by the Commissioner for Public Appointments, the Committee agreed that it was desirable that this appointment should be treated, so far as possible, as though it were subject to such monitoring. Dr Wheeler was invited to be an independent assessor on the panel; she acted in accordance with the principles of the Code for Public Appointments in relation to ‘upper tier’ appointments and played a full part in the panel’s work and discussions.

5. The Committee informed the panel that it should consider how to encourage applications from the private sector, with a view to providing the Electoral Commission with a range of experience at board level. The person specification in the recruitment pack listed experience of the private sector under the ‘desirable’ criteria.

6. The Committee also determined initially that, in view of the current restraints on public expenditure, there should be a maximum advertising budget of £7,600. Recruitment consultants should not be used.

7. The panel began work in April and its Chair made a preliminary report to the Speaker in July. The post had been advertised in English and Welsh in the Sunday Times online and
on other websites. The advertisement had also been circulated by the Welsh government to organisations and individuals on its database, and was sent by the panel, with an accompanying letter, to the CBI and Chambers of Commerce in Wales and to Wales in London. These steps were taken to attract the attention of a wide pool of potential applicants, including individuals from the private sector.

8. Dame Denise Platt reported that in spite of these efforts only 17 applications were received, from which the panel selected four candidates for interview. Following interview the panel determined that three of the four candidates did not meet the criteria for appointment. The fourth only just met the criteria for appointment and had minimal private sector experience. The panel advised that it was then unable fully to recommend a candidate: it asked the Committee to agree to appoint an executive search company which might actively encourage further applications, particularly from the private sector, so that the panel might make its final decision having considered a wider field.

9. The Committee agreed to the appointment of an executive search company with a budget that should not exceed £15,840 to cover both the costs of the search and related expenses for further meetings of the panel and candidates. Following a tendering exercise Davidson & Partners were recruited. The application of the candidate who, at interview, had just met the criteria was held until the search and further interviews had been completed.

10. As a result of the executive search company’s work eight further applications were submitted. Based on these written submissions, six candidates were shortlisted for interview. This second round of interviews took place on 20 November. Dame Denise Platt reported again to the Speaker, providing the panel’s unanimous recommendation that four of the candidates met the appointment criteria, with one being particularly suited to the Commission’s requirements.

11. The Committee is entirely satisfied that the selection process was rigorous and that the panel discharged its duties conscientiously and with all due regard to the requirements of thoroughness, fairness and propriety. The Committee is grateful to Dame Denise and her fellow panel members.

**The candidate**

12. The unanimous view of the panel was that Gareth Halliwell should be the next Commissioner with a special interest in Wales. Mr Halliwell has an extensive business background gained working in senior positions for Diageo plc. He has acquired international expertise including accountability for developing and delivering business strategies, major capital project developments, operational performance improvements and transformational change management programmes. Mr Halliwell was born in Wales and returned to Wales three years ago following his business career. The panel’s recommendation was endorsed by the Committee on 4 December.

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1 Exec-appointments.com (a website affiliated to the Financial Times); Golwg 360 (an online Welsh-language current events magazine; the Electoral Commission and Cabinet Office public appointments websites.
Statutory consultation

13. Section 3(2)(b) of the Political Parties, Elections and Referendums Act 2000, as amended, also requires that the proposal to appoint a member of the Electoral Commission be the subject of consultation with the registered leader of each registered party to which two or more Members of the House of Commons then belong. The Speaker accordingly wrote to the leaders of the qualifying parties on 18 December 2012, providing an opportunity for comment by 21 January 2013. Those leaders who responded were content with the proposed appointment. The responses received are reproduced at Appendix C.

14. The Speaker’s Committee believes that Mr Halliwell, whose *curriculum vitae* is appended to this Report, has both the experience and the personal qualities to be an effective member of the Electoral Commission. It therefore invites the House to approve the decision of the panel, endorsed by the Speaker’s Committee, to recommend Mr Halliwell for appointment as an Electoral Commissioner for a four-year period, with effect from 13 March 2013.
Appendix A: Role and person specification

The role and job description

Electoral Commissioners are responsible for:

- Setting the overall strategic direction of the Commission and ensuring delivery of its strategic goals within the statutory framework and with the resources determined by Parliament to ensure public confidence in democracy.

- Setting the Commission’s regulatory priorities and monitoring its regulatory activity in the areas of both party and election finance and electoral administration. This includes oversight of the publication of statutory election reports.

- From time to time, taking regulatory decisions on key issues within the Commission’s remit. This may include deciding the appropriate response to significant breaches of the regulatory framework for political parties and candidates.

- Ensuring efficient and effective use of public funds and that the Commission operates within the limits of its statutory authority to high standards of governance.

- Serving as a member on the Audit or Remuneration and Human Resources Committees if required and participating in informal reference groups from time to time.

- Performing any other roles or functions which the Commission asks them to discharge personally.

- Specific to the Commissioner for Wales will be responsibility for participating in stakeholder relations and public affairs activities from time to time in relation to Wales.

Person specification

Experience - essential

Candidates should be able to demonstrate substantial successful experience of:

- Contributing to the leadership and strategic direction of a complex organisation with multiple stakeholders operating in a political environment. This will include experience in a non-executive role.

- Understanding the regulatory environment, from a regulator or regulated perspective.

- Operating in an environment where decisions taken by the organisation are under constant scrutiny, from the regulated community, by politicians, and from the media.
• Corporate governance, particularly experience gained from the private sector including reviewing financial and other resource plans.

• Equality and diversity and an understanding of its relevance to the work of the Electoral Commission, including a broad appreciation of Welsh current affairs and cultural linguistic context.

**Skills and knowledge - essential**

Candidates should be able to demonstrate that they have:

• Highly developed political understanding and awareness including the ability to work closely with colleagues from within political parties.

• Excellent analytical ability and in particular the ability to think clearly about regulatory decisions from a principles-based perspective.

• The ability to apply regulatory frameworks in and to a political environment.

• The ability to scrutinise and challenge from a non-executive perspective, including the ability to comment on issues involving a wide range of conflicting viewpoints.

• Knowledge of key corporate governance issues including those with particular relevance to the work of the Commission.

• Excellent interpersonal and communication skills with the ability to win the confidence of colleagues and operate as a team player.

• Complete integrity and a commitment to transparency in decision making and a knowledge of, and commitment to, the principles of public life.

• The ability to work in a bilingual environment including the use of simultaneous translation facilities.

**Desirable criteria**

• In terms of the current composition of its current board the Commission would welcome applications from people who have experience of the private sector. This might include, but not be limited to, financial or audit experience.

• The Electoral Commission works both in Welsh and English therefore the ability to speak Welsh would be advantageous.
Appendix B: Curriculum vitae of Gareth Halliwell

Gareth Halliwell

Profile

I am a multi-lingual professional with extensive international experience in the global beverage industry including full accountability for developing and delivering leading-edge business strategies, major capital project developments, operational performance improvements and transformational change management programmes with multi-million pound profit and loss responsibility.

Key strengths

- Establishing performance-focused work cultures and leading and developing large successful multidisciplinary workforces.
- Managing international large-scale capital and business improvement projects.
- Creating, developing and executing new concepts and working methods to improve performance in all areas of responsibility.
- Gaining approval and support for initiatives from shop-floor to board level.
- Setting and managing budgets, monitoring performance and contributing to the strategic thinking, planning, and financial control of the total business.
- Problem solving: diagnosing, evaluating options and finding optimum solutions.

Career

Joopy WWB Comércio de Bebidas S.A., Carnaxide, Portugal  July 2006–Present

Non-Executive Director

Currently UK-based Non-Executive Director of this young Portuguese private company (2006) engaged in the procurement, sales and shipment to export markets of a portfolio of Portuguese Wines and International spirits.

Banks (Barbados) Breweries Ltd  Oct 2006–Oct 2008

Operations Manager, Banks Brewery, Wildey, Bridgetown, Barbados, W.I.

Recruited from semi-retirement by Banks’ Group CEO to support their flagship Banks Brewery business, servicing the domestic and local export market with beverages including Banks beer, Guinness stout and a range of other non-fermented beverages.
In November 2007, after a full year in this role, I was requested to run the brewery with full profit and loss responsibility reporting to the Group CEO pending recruitment of a local Caribbean General Manager. Successful recruitment was achieved by October 2008 precipitating my return to the UK to resume my semi-retirement in South Wales.

**Guinness / Diageo plc** 1993-2005

Diageo, formed in 1998 by the merger of Guinness plc. and Grand Met. plc., the world’s largest beverage alcohol company. Brands include Guinness, Gordon’s, Johnnie Walker, Smirnoff and Bailey’s.

*Supply Director, Red Stripe, Kingston, Jamaica.* 2000-2005

Board member reporting to the Managing Director, responsible for operation and management of total supply chain comprising brewery production, inbound and outbound logistics, distribution centres, procurement, finance, HR and operational risk teams.

**Previous career included:**


Implementation Manager, SAP Integrated Business Programme, Dublin, ROI. 1999-2000

Technical Director, Guinness Nigeria Plc, Lagos, Nigeria 1995-1999

Director of Engineering and Technology, Guinness HQ, London, UK. 1993-1995


UK Technical Manager

Guinness Overseas Ltd 1974-1985


**Education**

BSc. (with distinction) in Mechanical Engineering, Glamorgan 1969-1973

Polytechnic (Now Glamorgan University of Wales), Treforest, Glamorgan, S. Wales.

**Professional qualifications**

Chartered Engineer and Fellow of the Institution of Mechanical Engineers
Member of the Institute of Brewing and Distilling
Member of European Federation of National Engineering Associations (FEANI).
Personal information and interests

Languages: French – fluent; Spanish – working; German - basic.
Recreations: Golf; fitness; travel; reading; gardening; solving crosswords; theatre and cinema; listening to music and following rugby and athletics.
Appendix C: Responses to statutory consultation with the party leaders

a) From Rt Hon David Cameron MP, The Prime Minister and leader of the Conservative Party

Thank you for your letter of 18 December, consulting me on the proposed appointment of Mr Gareth Halliwell as an Electoral Commissioner with responsibility for Wales, replacing Ian Kelsall OBE.

I am encouraged by the process which has been conducted to shortlist and select Mr Halliwell as an Electoral Commissioner, particularly following the concerns I have raised previously in correspondence on these matters. I am particularly pleased that initial applicants were invited to apply through a fully open competition based on merit and, when that did not prove successful, recruitment consultants were employed to identify further candidates, especially from the private sector.

On that basis, and having considered Mr Halliwell’s professional background and experience, I am content for a motion to be made in the House of Commons to the effect that an Address be presented to Her Majesty the Queen seeking the appointment of Gareth Halliwell as an Electoral Commissioner for the standard term of four years.

10 January 2013

b) From Rt Hon Nick Clegg MP, Leader of the Liberal Democrats and Deputy Prime Minister

Thank you for your letter of 18 December consulting me as leader of the Liberal Democrat party on the proposed appointment of Gareth Halliwell as an Electoral Commissioner with responsibility for Wales.

I am content to endorse the Panel’s recommendation that Gareth Halliwell be appointed as an Electoral Commissioner for the standard term of four years and happy for him to proceed to the statutory stages of the recruitment process.

January 2013

c) From Leanne Wood AM/AC, Leader of Plaid Cymru

Thank you very much for your letter of 18 December regarding the proposed appointment of an Electoral Commissioner with responsibility for Wales. Please accept my apologies for the delay in responding to your letter.

I confirm that I have no opposition to the nominated candidate and look forward to working with them closely on related issues in coming years.

23 January 2013