

Local Protocol – Working Parties

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1. Introduction

- 1.1 There is no legal definition of a working party. Generally, however, a working party consists of a small group of members (but with officers in attendance at meetings to provide support and advice) with the remit to consider policies and specific matters. They have a particular role in relation to projects which need to be completed within a specified time period.
- 1.2 A working party conducts its business on a less formal basis than that of a committee. It does not have any decision-making powers and can only make recommendations to the body from which it was formed, or to such other body as the parent body decides, or to an officer.
- 1.3 The term “working parties” refers to all informal bodies appointed by the Council, its committees (including the Overview and Scrutiny Board), the ~~Executive Cabinet~~ and ~~Executive Cabinet~~ committees.
- 1.4 The purpose of this Protocol is to give guidance in relation to the operation of working parties. ~~A Good Practice Guide for overview and scrutiny has been prepared and provides supplementary guidance to this Protocol (and the Constitution generally is set out at Article 5) in relation the work of overview and scrutiny.~~

2. Appointment of Working Parties

- 2.1 The Council, its committees, the ~~elected Mayor~~Leader of the Council, other individual members of the ~~Executive Cabinet (where they have been give delegated authority to do so)~~, the ~~Executive Cabinet~~, ~~Executive Cabinet~~ Committees and the Chief Executive may establish a working party or amend the terms of reference or membership of existing working parties. In establishing working parties, the appointing body or person will determine the precise terms of reference of the working party (having regard to the terms of reference of any other working parties), initial membership and (if appropriate) duration of the working party.
- 2.2 In exercising the powers under paragraph 2.1 above the appointing body or individual shall seek to ensure that member and officer time and the financial resources of the Council are used in such way as he/she/it considers to be ~~is~~ supporting the delivery of the Council’s priorities and in the best interest of the Council and local people.
- 2.3 Working parties considering non-executive functions will be appointed in accordance with the principles of political balance.

3. Agendas, Reports and Minutes and Methods of Working

- 3.1 Sometimes working parties will act in the manner of “consultative panels” receiving reports from officers on potentially sensitive or controversial matters on which they will be expected to provide guidance to the decision maker. On other occasions working parties will be tasked with investigating complex policy issues and will be expected to formulate recommendations for the Council, the ~~Executive Cabinet~~ (including the ~~elected Mayor~~Leader of the Council, individual members of the ~~Executive Cabinet~~ and committees of the ~~Executive Cabinet~~), officers with delegated authority or the Overview and Scrutiny Board.

- 3.2 The working party will be expected to conduct its business in accordance with its terms of reference.
- 3.3 An agenda for a working party meeting will normally be sent out prior to a meeting of the working party setting out its business. The Governance Support Team will assist in the preparation and despatch of agendas where required.
- 3.4 Where a working party is undertaking consultative work or policy development, the relevant Director or Executive Head (or his/her nominated representative) will provide the principal support to the working party (in the form of advice on the subject concerned) and will be responsible for arranging for notes of working party meetings to be produced and circulated to members of the working party. He/she will also be responsible for drafting reports on behalf of the working party.
- 3.5 It is at the discretion of each working party whether it shall invite external representatives e.g. stakeholders or business representatives and members of public to assist with its work. The role of such representatives would be to act as advisors to the working party using their particular expertise/experience. External representatives attending consultative working parties do so in a voluntary capacity and will not receive any remuneration.

4. Access to Meetings by the Press and Public

- 4.1 It is at the discretion of the Chairman/woman of each working party whether the press and public shall be permitted to attend any meetings. Details of meetings where the press and public can attend will be set out on the Council's published notice of meetings. A working party may resolve to exclude the press and public if they consider it to be in the best interests of the Council or local people.

5. Access to Information by the Press and Public

- 5.1 Agendas for those working party meetings that are open to the press and public will be sent to the press prior to the meeting. Supporting documentation supplied to the working party may be provided to the press and public where appropriate. Documentation that, in the opinion of the lead officer, contains exempt and/or confidential information will not be available to the press and public.

6. Access to Information by Non Working Party Members

- 6.1 All non-working party members including the elected Mayor/Leader of the Council will be entitled to receive documentation submitted to working parties in accordance with Standing Order E210 in relation to Access to Information and the need to know principles.

7. Interests of Members and Officers

- 7.1 The elected Mayor, All elected members, co-opted members and officers when attending meetings of working parties shall declare any interests and shall not take part in any discussions where the nature of the interest means that to take part would be in breach of the respective Codes of Conduct for Members and Employees.

8. Procedures at Meetings of Working Parties

8.1 Election of Chairman/woman

Working parties shall elect a chairman/woman at their first meeting. In the case of the Chairman/woman being absent a Chairman/woman shall be elected for that meeting. ~~The Chairman/woman will have a second or casting vote.~~ The chairman/woman will normally be an elected member. However, it may be appropriate to elect an external representative as a working party's chairman/woman depending on the type of its work. Members of the Cabinet Executive shall not normally chair meetings of working parties unless a majority of members of the working party are also members of the Cabinet Executive.

8.2 Participation of the Press and Public

Members of the public and the press may wish to make a contribution at a meeting of a working party. The Chairman/woman has the discretion to determine whether he/she allows a member of the public or the press to speak at a meeting of a working party. If a member of the public or the press wishes to speak they shall advise the Chairman/woman prior to the meeting or indicate their wish to speak by raising their hand during the meeting.

8.3 Formulation of Recommendations

A recommendation arising from the deliberations of a working party will normally be reached by a consensus. It may, however, be appropriate to determine a way forward by taking a vote on a proposal. In such circumstances, the recommendations before the working party shall be determined by a simple majority of those members present in the room at the time proposal was put. The Chairman/woman will have a second or casting vote.

9. Application of Standing Orders – TO BE CHECKED ONCE DOCUMENT FINALISED TO ENSURE NUMBERS CORRECT

9.1 The following Standing Orders shall be used as guidance only in relation to the operation of working parties:-

- a) Standing Order A4 – Time and place of meetings
- b) Standing Order A11 – Duration of meeting
- c) Standing Order A21 – Record of attendance
- d) Standing Order A26 – Disturbance by members of the public
- e) Standing Order A27 – Use of Cameras and tape and video recorders
- f) Standing Order B2 – Appointment of substitute members

g) Standing Order E10 – Exclusion of access by the public to meetings

f) Standing Order E11 – Exclusion of access by the public to reports
E20 – Exempt and confidential information

References to the “Council” or the “Committee” shall be read as the “Working Party” and references to the “Chairman/woman of the Council” or “Vice-chairman/woman of the Council” being read as the “Chairman/woman” or “Vice-Chairman/woman”.