

Somerset West and Taunton Council

Member Working Group Protocol

1.0 Introduction

- 1.1 There is no legal definition of a Member Working Group. SWT defines a Working Group as consisting '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 Group 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 (parent body);
 - Such other body as the parent body decides; or
 - An officer.
- 1.3 The term "Working Groups" refers to all informal bodies appointed by the Council, Executive, Scrutiny Committee and Audit, Governance and Standards Committee.
- 1.4 The purpose of this Protocol is to give guidance in relation to the operation of Working Groups.

2.0 Convening of, and appointment to Working Groups

- 2.1 The Council, Executive, Scrutiny Committee, Audit, Governance and Standards Committee and the Chief Executive may establish a Working Group or amend the Terms of Reference of existing Working Groups.
- 2.2 In establishing Working Groups, the appointing body or person will determine the precise Terms of Reference of the Working Group (having regard to the Terms of Reference of any other Working Groups) and (if appropriate) duration of the Working Group.
- 2.3 Where a report is taken through the democratic process to set up a Member Working Group, the Terms of Reference shall be drafted as part of the Committee Report. Where the resolution to set up a Member Working Group arises from a motion to Full Council, the Terms of Reference shall be drafted by the relevant officer(s) and discussed and approved at the first meeting of the Working Group.
- 2.4 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 in the best interest of the Council and local people.

2.5 Council Working Group

- 2.5.1 Where Council resolves to set up a Working Group, this will consist of the eight Members, and be politically balanced.
- 2.5.2 Group Leaders will provide details of the Councillors to be on the Working Group.
- 2.5.3 The first item of business of the Working Group will be to nominate a Chair for the duration of the Working Group
- 2.5.4 The Working Group is not a decision making body and recommendations will be made back to Council for consideration.

2.6 Executive Working Group

- 2.6.1 Where the Executive resolves to set up a Working Group, this will consist of the relevant Portfolio Holder plus seven Members and be politically balanced.
- 2.6.2 Group Leaders will provide details of the Councillors to be on the Working Group.
- 2.6.3 The Portfolio Holder will be the Chair of the Working Group.
- 2.6.4 The Working Group is not a decision making body and recommendations will be made back to the Executive for consideration.

2.7 Scrutiny Committee Working Group

- 2.7.1 A Working Group arising from the Scrutiny Committee will be formed from Members from that Committee only – unless they resolve to expand the membership.
- 2.7.2 The Committee will determine who is on the Working Group.
- 2.7.3 The Working Group does not have to be politically balanced and the Scrutiny Committee shall determine the membership.
- 2.7.4 The first item of business is to nominate a Chair but it should be a Member from the Scrutiny Committee
- 2.7.5 The Working Group is not a decision making body and recommendations will be made back to the Scrutiny Committee for consideration and then continue along the democratic path to the appropriate decision making body.

2.8 Audit, Governance and Standards Committee Working Group

- 2.8.1 A Working Group arising from the Audit, Governance and Standards Committee will be formed from Members from that Committee only – unless they resolve to expand the membership.
- 2.8.2 The Committee will determine who is on the Working Group.
- 2.8.3 The Working Group does not have to be politically balanced and the Audit, Governance and Standards Committee shall determine the membership.
- 2.8.4 The first item of business is to nominate a Chair but it should be a Member from the Audit, Governance and Standards Committee.
- 2.8.5 The Working Group is not a decision making body and recommendations will be made back to the Audit, Governance and Standards Committee for consideration and then continue along the democratic path to the appropriate decision making body.

2.9 Licensing Committee Working Group

- 2.9.1 A Working Group arising from the Licensing Committee will be formed from Members from that Committee only – unless they resolve to expand the membership.
- 2.9.2 The Committee will determine who is on the Working Group.
- 2.9.3 The Working Group does not have to be politically balanced and the Licensing Committee shall determine the membership.
- 2.9.4 The first item of business is to nominate a Chair but it should be a Member from the Licensing Committee.
- 2.10 The Planning Committee will not have Member Working Groups. This is due to the fact that the Development Management function is carried out by the Planning Committee and this would not warrant a Working Group. Planning Policy would sit under the remit of the Executive and/or Full Council and either of these bodies would have the remit to set up a Working Group.

3.0 Agendas, Reports and Minutes

- 3.1 The agendas for Working Groups will be circulated 3 days before the meeting is scheduled to take place, along with any accompanying papers. The Governance Team will assist in the preparation and despatch of agendas and accompanying papers – and this will be available for Members on the Working Group through the private section of mod.gov.
- 3.2 Support for working parties will be provided by the appropriate professional officer(s) and the Governance Team.

3.3 Where possible, draft minutes of the meetings will be circulated within five working days of the meeting. They will be issued to the Chair for review before being circulated to the Working Group Members.

4.0 Working Group Meetings

4.1 Order of business for the first meeting of the Working Group

4.1.1 At the first meeting of the Working Group, the Order of Business shall be as follows:

- a) To elect the Chair of the Working Group (if appropriate)
- b) To appoint the Vice-Chair of the Working Group
- c) To receive any apologies for absence
- d) To review the Terms of Reference for the Working Group
- e) To complete the Working Group scoping document (Annex 1)
- f) To consider any other business set out in the agenda
- g) To determine the frequency of meetings (taking into account the workload of officers and Committees – which take precedence)
- h) To determine the date of next meeting

4.2 Order of business for meetings of the Working Group

4.2.1 At the meetings of the Working Group, the Order of Business shall be as follows:

- a) To receive any apologies for absence
- b) To approve the minutes of the last meeting;
- c) To receive an update on any action points arising from previous meetings
- d) To consider any other business set out in the agenda
- e) To determine the date of next meeting

5.0 Conclusion of the Working Groups

5.1 Once the work of the Working Group is drawing to a close, the appropriate officer(s) will draft the Working Group report. This will be taken through the officer process of consultation with, and comments from the relevant officer(s) where appropriate.

5.2 The draft report will first be discussed with the Chair and Vice-Chair of the Working Group before being added to the agenda of the next available Working Group meeting.

5.3 The draft report and any recommendations, and the decision to agree to move the report along the appropriate democratic pathway, shall be decided by a simple majority of those Members present at the meeting.

5.4 Once the Working Group have agreed the draft report, it will then continue along the appropriate democratic pathway:

- Council Working Group – Report to Full Council
- Executive Working Group – Report to Executive (and on to Full Council if appropriate)
- Scrutiny Committee Working Group – Report to the Scrutiny Committee and on to Executive (and Full Council if appropriate)
- Audit, Governance and Standards (AGS) Committee Working Group – Report to the AGS Committee and on to Full Council (via Executive if appropriate)

6.0 Quorum

- 6.1 For Council and Executive Working Groups with eight Councillors, the quorum will be a minimum of five Members. In the event of the absence of the Chair and Vice-Chair, a temporary Chair will be selected for the duration of the meeting only.
- 6.2 For Scrutiny Committee, Licensing Committee and Audit and Governance Committee Working Groups, which will likely have a smaller number of Members, the quorum will be a minimum of three Members. In the event of the absence of the Chair and Vice-Chair, a temporary Chair will be selected for the duration of the meeting only.

7.0 Location of Meetings

- 7.1 Meetings of all SWT Working Groups shall take place virtually.

8.0 Access to meetings by the Press and Public

- 8.1 As Working Groups are not public meetings the Press and the Public will not be able to attend

MEMBER WORKING GROUP

SCOPING DOCUMENT

NAME OF WORKING GROUP:

CHAIR:

MEMBERS:

Cllrs

LEAD OFFICERS :

SUBJECT TO BE REVIEWED:

REASON(S) FOR THE REVIEW :

IDENTIFY APPROPRIATE CORPORATE AIMS :

TERMS OF REFERENCE :

This Working Group will:

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SCOPE, AIMS AND OBJECTIVES OF REVIEW : (Remember to consider what is NOT to be included in the review)

- Purpose:

METHOD(S) OF REVIEW (HOW WILL THE REVIEW BE CONDUCTED?) :

BENEFITS TO THE COUNCIL AND LOCAL COMMUNITY:

KEY ISSUES AND RISKS :

IMPLICATIONS :

(Financial and Legal implications particularly will need to be considered and signed off by the relevant officer)

DOCUMENTARY RESEARCH AND EVIDENCE :

E.g. Is there any National or local guidance or research into this subject? Is there any best practice guidance available?)

RESOURCE IMPLICATIONS OF REVIEW:

E.g. implications on officer resource or impact on the Council's budget.

EXTERNAL ADVISORS:

Does the Working Group wish to invite any involvement from external advisors?

TIMESCALES :	ESTIMATED	REVISED (include reasons)	ACTUAL
First meeting of Working Group			
Milestone 1:			
Milestone 2:			
Milestone 3:			
Draft Report:			
Report :			

PROJECT OUTCOMES

CONCLUSIONS :

RECOMMENDATIONS :

EXECUTIVE CONSIDERED :

OUTCOME :

FOLLOW UP :

REVIEW OF PROCESS/COMMENTS :

SIGNED OFF BY CHAIR :

DATE :