

Member Working Groups – Briefing Paper**1 Introduction**

1.1 The Council has a number of Member Working Groups (MWGs) – currently there are around 30 (excluding joint and outside bodies on which BHCC is represented by elected members).

1.2 In general, MWGs are established in order to reduce the burden on committees or to mitigate risks associated with committee decision-making. It should be acknowledged that MWGs have a vital role to play in the smooth running of the Council’s governance system and it is important that any changes do not compromise this.

1.3 However, there are also risks associated with MWGs. These include:

- That the burden imposed by a MWG on elected members and/or officers outweighs any advantage it confers;
- That MWGs that originally had a clear purpose may come to outlive their usefulness (but it’s harder to close down a MWG than it is to set one up);
- That over time MWGs may be subject to mission-creep, ending up undertaking tasks that were not intended for them. This may be a particular risk where a MWG does not regularly report back to a committee.
- That MWGs risk muddying the waters of governance, confusing what should be clear lines of accountability to and between committees.

2 Types of member Working Group

MWGs are varied, but, broadly speaking, may be divided into three categories:

2.1 Permanent MWGs. These are MWGs that are established by PRG or Full Council for a specific purpose. They are likely to be ‘standing’ groups (i.e. permanent rather than task & finish) and are constitutional bodies.

EXAMPLE 1

Asset Management Board. The AMB was set up by PRG following a Policy Panel recommendation. The AMB ensures that there is cross-party member engagement on plans to dispose of assets well ahead of any committee decision, reducing the risk of a decision being delayed or rejected because members have not been sufficiently involved in the process.

2.2 Ad Hoc MWGs. These MWGs are established by, and generally report back to, policy committees. They are time-limited. Both Ad Hoc and Permanent MWGs will typically be ‘active’ bodies: i.e. their members make comments or agree recommendations which are passed on to the parent committee.

EXAMPLE 2

(Adult Social Care) Performance Improvement Group. PIG is an informal meeting of Health & Wellbeing Board (HWB) and Health Overview & Scrutiny Committee (HOSC) members set up to look at social care performance issues.

PIG receives detailed briefings on social care performance, with the option of escalating specific issues to the HWB or the HOSC. This means that members can explore aspects of performance in more detail than would be possible at committee; that they can consider the most up to date performance data, including data which is not currently in the public domain; and that the HWB and

HOSC are not over-burdened with performance reports to note.
The PIG was established by and reports back to the HWB.

2.3 Informal MWGs. These MWGs have generally not been formally established by a committee. Typically, they are a way of rationalising officer briefings to different political groups and putting them on a slightly more official footing. Most informal MWGs will be 'passive' in that members are just receiving briefings rather than being asked to identify issues to be referred to committee or to comment on recommendations to committee.

EXAMPLE 3

Health & Social Care Integration Cross-Party Member Working Group. HASC officers had been briefing political groups separately on the progress of integration planning. Establishing the WG means that officers can brief the groups jointly rather than individually, holding one meeting instead of three. Having a WG for this also means that there is consistency in terms of the information provided.

3 Ways Forward

The challenge is to suggest ways of improving and rationalising BHCC MWGs, whilst appreciating both that there are several different types of MWG which may require a varied approach; and that almost all MWGs were established with the intention of reducing committee workload or risk, which means we need to be careful of unintended consequences when trying to rationalise them.

3.1 Proposals for Change

- The fact that we move into a new electoral cycle in May 2019 presents an opportunity to re-set the clock. It is therefore proposed that all current MWGs are reviewed in advance of the May 19 elections. However, decisions on which MWGs to continue should be reserved for the new Council.
- Appointments to MWGs are typically made at Annual Council. Since the new Council is not formally constituted until the May 2019 Annual Council meeting, it would not be practical to change MWGs at this point. It is therefore proposed that the existing MWGs continue until the review is completed.
- There will then be a report to PRG detailing which of the permanent MWGs should be retained, and which discontinued. The report will be informed by the pre-May 19 review of MWGs, but will represent the views of the post May administration.
- Ad Hoc MWGs are time-limited task & finish bodies established by Policy Committees. Ad Hoc MWG Terms of Reference and membership should be agreed by the Policy Committee when it establishes the MWG via a committee report. Ad Hoc MWGs must run for no longer than six months, although the originating committee may choose to extend the life of an Ad Hoc MWGs for one additional period of six months. If there is a requirement for an Ad Hoc MWG to run for longer than one year, it must be established as a permanent MWG.
- The ability of Policy Committees to establish Ad Hoc MWGs is in addition to the ability to establish Policy Panels to undertake short, sharply focused pieces of work.

- All existing Ad Hoc MWGs will be discontinued by May 2019. Therefore, if there is a need to continue an Ad Hoc MWG post-May, it will need to be re-established by the relevant Policy Committee.
- Permanent MWGs (i.e. any MWG with an anticipated life of more than six months) may only be established by PRG or by Full Council.
- All permanent MWGs must be reviewed biennially and should only be renewed if there is clear evidence of their effectiveness.
- In order that parent committees maintain oversight of permanent MWGs and to ensure that there is no mission-creep over time, the Chair and/or Deputy Chair of the relevant policy committee should be a member of the MWG.
- The suggestions above are intended, to a degree, to formalise the MWG process in order to ensure that all MWGs truly add value. Whilst this introduces some new administrative burdens, these should be outweighed by efficiency gains. However, there is a risk that this would represent a disproportionate burden on informal MWGs. These groups offer unambiguous efficiency gains in terms of delivering single rather than multiple briefings and it would seem perverse to make them harder to establish. It is therefore proposed that informal MWGs should not be subject to the above rules. However, informal MWGs should only be used as a short-term measure; any MWG that is required to meet more than 2-3 times should be formally established as an Ad Hoc or permanent MWG.

3.2 These proposals will:

- a) provide a mechanism for ceasing MWGs that are surplus to requirement;
- b) ensure that future Ad Hoc MWGs are established with the explicit consent of a policy committee;
- c) limit the risk of mission-creep by including the relevant committee Chairs/Deputy Chairs as permanent MWG members;
- d) time-limit MWGs so that they do not exceed their useful life-span, whilst recognising that some MWGs may need to run for two years or more;
- e) avoid the risk of over-formalising the most informal member meetings.

3.3 **Appendix 1** to this paper provides a list of current MWGs.

