



House of Commons  
Liaison Committee

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# Changing committee practice and procedure: enhancing effective working

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First Report of Session 2017–19





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**First Report of Session 2017–19**

*Report, together with formal minutes relating  
to the report*

*Ordered by the House of Commons  
to be printed 27 March 2018*

## The Liaison Committee

The Liaison Committee is appointed to consider general matters relating to the work of select committees; to advise the House of Commons Commission on select committees; to choose select committee reports for debate in the House and to hear evidence from the Prime Minister on matters of public policy.

### Current membership

[Dr Sarah Wollaston MP](#) (*Conservative, Totnes*) (Chair)

The Chairs of the following Select Committees are members of the Liaison Committee:

Administration—[Sir Paul Beresford MP](#) (*Conservative, Mole Valley*)

Backbench Business—[Ian Mearns MP](#) (*Labour, Gateshead*)

Business, Energy and Industrial Strategy—[Rachel Reeves MP](#) (*Labour, Leeds West*)

Defence—[Dr Julian Lewis MP](#) (*Conservative, New Forest East*)

Digital, Culture, Media and Sport—[Damian Collins MP](#) (*Conservative, Folkestone and Hythe*)

Education—[Robert Halfon MP](#) (*Conservative, Harlow*)

Environment, Food and Rural Affairs—[Neil Parish MP](#) (*Conservative, Tiverton and Honiton*)

Environmental Audit—[Mary Creagh MP](#) (*Labour, Wakefield*)

European Scrutiny—[Sir William Cash MP](#) (*Conservative, Stone*)

Exiting the European Union—[Hilary Benn MP](#) (*Labour, Leeds Central*)

Finance—[Chris Bryant MP](#) (*Labour, Rhondda*)

Foreign Affairs—[Tom Tugendhat MP](#) (*Conservative, Tonbridge and Malling*)

Health and Social Care—[Dr Sarah Wollaston MP](#)— (*Conservative, Totnes*)

Home Affairs—[Yvette Cooper MP](#) (*Labour, Normanton, Pontefract and Castleford*)

Housing, Communities and Local Government—[Mr Clive Betts MP](#) (*Labour, Sheffield South East*)

International Development—[Stephen Twigg MP](#) (*Labour (Co-op), Liverpool, West Derby*)

International Trade—[Angus Brendan MacNeil MP](#) (*Scottish National Party, Na h-Eileanan an Iar*)

Justice—[Robert Neill MP](#) (*Conservative, Bromley and Chislehurst*)

Northern Ireland Affairs—[Dr Andrew Murrison MP](#) (*Conservative, South West Wiltshire*)

Petitions—[Helen Jones MP](#) (*Labour, Warrington North*)

Privileges—[Sir Kevin Barron MP](#) (*Labour, Rother Valley*)

Procedure—[Mr Charles Walker MP](#) (*Conservative, Broxbourne*)

Public Accounts—[Meg Hillier MP](#) (*Labour (Co-op), Hackney South and Shoreditch*)

Public Administration and Constitutional Affairs—[Mr Bernard Jenkin MP](#) (*Conservative, Harwich and North Essex*)

Regulatory Reform—[Stephen McPartland MP](#) (*Conservative, Stevenage*)

Science and Technology—[Norman Lamb MP](#) (*Liberal Democrat, North Norfolk*)

Scottish Affairs—[Pete Wishart MP](#) (*Scottish National Party, Perth and North Perthshire*)

Selection—[Bill Wiggin MP](#) (*Conservative, North Herefordshire*)

Standards—[Sir Kevin Barron MP](#) (*Labour, Rother Valley*)

Statutory Instruments—[Derek Twigg MP](#) (*Labour, Halton*)  
Transport—[Lilian Greenwood MP](#) (*Labour, Nottingham South*)  
Treasury—[Nicky Morgan MP](#) (*Conservative, Loughborough*)  
Welsh Affairs—[David T.C. Davies MP](#) (*Conservative, Monmouth*)  
Women and Equalities—[Maria Miller MP](#) (*Conservative, Basingstoke*)  
Work and Pensions—[Frank Field MP](#) (*Labour, Birkenhead*)

### **Powers**

The powers of the Committee are set out in House of Commons Standing Order No. 145. The Standing Orders are available on the Internet via [www.parliament.uk](http://www.parliament.uk).

### **Publications**

Committee reports are published on the [publications page](#) of the Committee website and in print by Order of the House.

### **Committee staff**

The current staff of the Committee are Sarah Hartwell-Naguib (Clerk), Anita Fuki (Senior Committee Assistant), and Liz Parratt (Media Officer).

### **Contacts**

All correspondence should be addressed to the Clerk of the Liaison Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 5657; the Committee's email address is [liaisoncommittee@parliament.uk](mailto:liaisoncommittee@parliament.uk). Media inquiries should be addressed to Liz Parratt on 020 7219 1708.

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## Introduction

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1. This report proposes two minor changes to the practice and procedures of the House relating to its select committees. There is a consensus in the Liaison Committee that these adjustments would enhance the effective working of the House's committees. The proposals concern:

- simplified arrangements for joint working between committees, and
- the admission of a member of a Chair's personal staff to deliberative meetings of committees.

2. We raised these suggestions with the Procedure Committee and have taken account of its suggestions about the need to safeguard committee confidentiality and to ensure that the presence of Chair's staff is only permitted by unanimous consent. We believe the proposals set out below contain the necessary safeguards and would be uncontroversial. We hope these can be agreed by the House on the basis of this report. In the case of the admission of Chair's staff, we are proposing (as the Procedure Committee suggested) a pilot phase only at this stage.

# 1 “Guesting” of members between committees

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3. Standing Order No. 137A, which makes various provisions for committees to work together, was first made in 2001. It has been amended in the light of experience to make these procedures easier to operate and more efficient. In recent years committees have made increasing use of powers to work together; since the start of this Parliament four committees have conducted a joint inquiry and produced a joint report on Air Quality; the “Committees on Arms Export Controls” have resumed their joint working which has been going on since 2001; and there have been at least eight examples of joint inquiries between two committees.<sup>1</sup> This trend seems set to continue and possibly intensify.

4. The Standing Order is designed specifically to facilitate joint working between two or more committees. For most formal proceedings it requires a quorum of two from each participating committee,<sup>2</sup> and for the choice of a Chair or consideration of draft reports a quorum of three (or the quorum of the relevant committee if greater).<sup>3</sup> There are, however, examples of inquiries where a committee would have found it useful to be able to involve a single member of another committee in a piece of work rather than conduct a joint inquiry or evidence session. For example, the Chair of the International Development Committee attended an evidence session of the Foreign Affairs Committee on the violence in Rakhine State, but was not able formally to participate in proceedings.<sup>4</sup> The Petitions Committee almost always invites the relevant subject committee to take part if it is going to be taking evidence on a topic within the remit of that committee. Our proposal is modestly to add to the provisions of S.O. No. 137A to enable a committee to invite a “guest” from another committee without the procedural and practical barriers of convening a full joint sitting or setting up a joint inquiry. For example, it would also be helpful for members of the Petitions Committee to take part in another Committee’s evidence session, if it was relevant to a petition, helping petitioners’ voices to be heard in a wider range of parliamentary business, as well as raising the profile of committee work with petitioners.

5. We discussed this proposal with the Procedure Committee which agreed with our case but highlighted the importance of any invitation to a member of another committee to participate in proceedings being made on the basis of a formal resolution of the host committee.<sup>5</sup> We agree.

6. The Regulatory Reform Committee already has power to invite any Member of the House to participate in its evidence sessions.<sup>6</sup> Our proposal is to borrow from this provision but to restrict the Members eligible to be invited to members of other

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1 The Environmental Audit, Environment, Food and Rural Affairs, Health and Social Care and Transport Committees conducted a joint inquiry into Air Quality (Report published 15 March 2018, HC433).

2 Paragraph (2) OF S.O. No. 124, inserted on 5 July 2001.

3 Committees cannot agree a report jointly but where they each separately agree identical reports, paragraph (2) of S.O. No. 137A provides for them to be published as a “joint report”.

4 10 October 2017.

5 See Annex 1.

6 S.O. No. 141(13). Standing Order 152H(3) already provides for committees on National Policy Statements to invite members of other committees to participate in proceedings.

committees to which this order applies, while extending the provision to allow them to attend deliberative meetings as well as public evidence sessions. ***We therefore recommend adding the following sub-paragraph to paragraph (1) of S.O. No. 137A:***

***(e) to invite members of any other committee to which this order applies to attend any meeting and, at the discretion of the chair, ask questions of witnesses or otherwise participate in its proceedings; but no member of another committee so invited may move any motion or amendment, vote or count towards the quorum.***

## 2 Attendance of a Chair's personal staff at private committee meetings

7. Select committees and their sub-committees are required by the rules of the House to deliberate in private but have the power, under Standing Order No. 125, to admit the public to oral evidence sessions. During their private meetings only members of the committee and staff who are employed by the House to facilitate the administration and operation of the committee, are allowed in the room.<sup>7</sup> Personal staff of Members of Parliament who are not employees of the House are, for these purposes, treated as members of the public.<sup>8</sup> There was a broad consensus on the Liaison Committee that it would be helpful to Chairs of Committees if they were able to bring one nominated member of staff with them to private deliberative meetings to facilitate such matters as diary management and information flow.

8. We recognise the need to respect the wishes of other members of committees other than the Chair. In particular, we note the concerns discussed with the Procedure Committee “about the potential risks to Committee confidentiality from allowing the admission of persons not on the House staff to private meetings of committees for the purposes of supporting the Chair”.<sup>9</sup> We agree that any power for a Chair to be accompanied by a member of their staff would need to be closely circumscribed. The Procedure Committee suggested that, subject to suitable safeguards being put in place, it would support a proposal for a pilot of changed arrangements under the authority of a resolution of the House. They asked that safeguards include a requirement for the unanimous consent of committee members, and that any arrangement should be subject to conditions agreed in advance.

9. ***We recommend a pilot allowing the admission of a nominated member of Chair's staff to private committee meetings; and accordingly propose the following motion for consideration by the House:***

***“That, until the end of this Session, notwithstanding Standing Order No. 125 (Select committees (admission of the public)), the chair of a select committee may, with leave of that committee, be accompanied at meetings other than oral evidence sessions by a single, nominated member of his or her personal staff, subject to any further conditions set from time to time by any resolution of the Liaison Committee; and those conditions must include provision for the exclusion of any such person if any member of that committee indicates objection at any time.”***

We believe that this formulation would be clear in restricting permission to only one member of staff nominated by a Chair, and would preserve the right of any member of the committee to veto such an arrangement. The Liaison Committee would monitor and evaluate the impact of the resolution during a pilot phase (until the end of the Parliament).

7 A committee cannot meet formally and make decisions without a Clerk present.

8 Specialist Advisers, who are employed by the House by the decision of the whole committee, fall into the category of staff of the House.

9 See extract of letter from Chair of the Procedure Committee (5 February 2018) in Annex 1.

# Conclusions and recommendations

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## “Guesting” of members between committees

1. We therefore recommend adding the following sub-paragraph to paragraph (1) of S.O. No. 137A:

*(e) to invite members of any other committee to which this order applies to attend any meeting and, at the discretion of the chair, ask questions of witnesses or otherwise participate in its proceedings; but no member of another committee so invited may move any motion or amendment, vote or count towards the quorum. (Paragraph 6)*

## Attendance of a Chair’s personal staff at private committee meetings

2. We recommend a pilot allowing the admission of a nominated member of Chair’s staff to private committee meetings; and accordingly propose the following motion for consideration by the House:

*“That, until the end of this Session, notwithstanding Standing Order No. 125 (Select committees (admission of the public)), the chair of a select committee may, with leave of that committee, be accompanied at meetings other than oral evidence sessions by a single, nominated member of his or her personal staff, subject to any further conditions set from time to time by any resolution of the Liaison Committee; and those conditions must include provision for the exclusion of any such person if any member of that committee indicates objection at any time.” (Paragraph 9)*

## Annex: Extracts from relevant correspondence

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### **Letter from Charles Walker MP, Chair of the Procedure Committee, to Dr Sarah Wollaston MP, Chair of the Liaison Committee, dated 5 February 2018**

#### ***Standing Order changes affecting select committees***

Thank you for coming to the Procedure Committee on 31 January for what was a very constructive discussion on the procedural changes affecting select committees indicated in your letter of 17 January.

It was very helpful to be able to discuss the Liaison Committee's proposals in greater detail, and I hope you will agree that a substantial measure of consensus was achieved.

To run through the matters discussed in turn:

#### ***Joint meetings of select committees: "guesting"***

The Procedure Committee recognises the case for a Standing Order change which would allow a select committee to invite a nominated member of another committee to participate in oral evidence sessions with witnesses where it would otherwise be difficult to meet the quorum requirement under SO No. 124(2) for joint meetings of select committees under SO No. 137A(1)(b).

Such participation would require the minuted agreement of the sending committee and the receiving committee, and would generally be expected to take place as part of existing joint activities between committees.

The Procedure Committee would in principle be content to support a proposal for change to Standing Orders which gave effect to this arrangement, in effect allowing a guest from one committee to ask questions at an oral evidence session convened by another.

#### ***Chair's assistants at private meetings***

I know you will have taken note of the concerns raised in our discussion about the potential risks to Committee confidentiality from allowing the admission of persons not on the House staff to private meetings of committees for the purposes of supporting the Chair. While it was asserted during the meeting that unauthorised disclosures of information are typically made by Members, that is not always the case: in a report of May 2009 the Standards and Privileges Committee remarked on the serious effect on trust relationships within the Culture, Media and Sport Committee following the leak of sensitive committee information to the press via political party staff members who were associates of a Member's researcher.

We recognise the case for a pilot scheme to be implemented to allow a nominated staff member to attend certain elements of private committee meetings for the purposes of

supporting the work of the Chair: permission to attend should be subject to the unanimous consent of Committee members, and subject to parameters agreed in advance and made available to all members of the Committee.

The pilot would require the House to agree to give the committee or committees designated to take part in the pilot the power to admit persons other than House staff to private meetings of committees. Should suitable safeguards be put in place we would be content to support a proposal to implement such a pilot. It would be for the Liaison Committee to monitor implementation and evaluate the benefits.

...

I am copying this letter to Bernard Jenkin and to the Leader of the House.

### **Letter from Dr Sarah Wollaston MP, Chair of Liaison Committee, to Charles Walker MP, Chair of Procedure Committee, dated 17 January 2018**

#### ***Making changes to Standing Orders***

Thanks very much for your time on the phone yesterday. I thought it would be helpful if I wrote to update you following my meeting yesterday with the Leader of the House in which we discussed items which I have also raised with you in correspondence.

The Leader agreed that my proposal for adding to S.O. No 137A(1) in order to give committees the power to invite members of other committees to join them in formal meetings, and participate in asking questions during evidence sessions, appeared uncontroversial. The Leader was, in principle, content for a relevant motion to be tabled in her name.

However, the need for the agreement of the Government, Opposition and SNP Whips was noted, both for this and for other proposed changes. This agreement is more likely to be forthcoming if tightly drafted amendments are suggested, and if reassurance can be provided that Members on all sides are unlikely to raise objections to the changes.

I am therefore looking to you and your Committee to help take this forward. It would be extremely helpful to know your views on the detail of the suggestion for change outlined in my letter of 29 November 2017, or whether alternative drafting would be more appropriate.

I also raised with the Leader the suggestion that a Chair's researcher should be allowed to attend private meetings of committees, subject to the agreement of the full committee. This would likely require a change to Standing Orders which may be possible if there is broad agreement. Again, any amendment to Standing Orders would need to be carefully drafted. I am hoping that you and your Committee would be able to advise on appropriate wording for a Standing Order, as well as commenting on the suggested change (see my letter of 1 December 2017). The Leader gave her in-principle agreement for an amendment to be tabled in her name.

...

I have been invited to attend your Committee on 31 January at 2.30pm. The Liaison Committee will be meeting later that day and I would like to be able to update members on progress on these issues. If it would be helpful for us to have a meeting beforehand, do let me know.

### **Letter from Dr Sarah Wollaston MP, Chair of Liaison Committee to Rt Hon Andrea Leadsom MP, Leader of the House, dated 11 January 2018**

#### ***Liaison Committee***

Thank you for agreeing to meet me next week, I hope this will be the start of regular engagement between us in our respective roles. It may be possible for us to work together to resolve some of the difficulties that Committee chairs raise through the Liaison Committee.

I thought it would be helpful to update you in advance of our meeting on matters that the Liaison Committee is currently pursuing. I enclose copies of my correspondence with the Chair of the Procedure Committee raising matters, some of which would require changes to Standing Orders.

One matter which I am keen to pursue is a Standing Order amendment to allow easier cooperation between committees when examining witnesses by generalising the power given to any committee considering a National Policy Statement under S. O. No. 152(H)(3) to invite members of other committees to participate in proceedings (and to ask questions of witnesses).

...

### **Letter from Dr Sarah Wollaston MP, Chair of Liaison Committee, to Charles Walker MP, Chair of Procedure Committee, dated 1 December 2017**

#### ***Attendance of Chair's staff at private meetings***

I wrote to you recently following the first meeting of the Liaison Committee seeking the support of the Procedure Committee for the prompt resolution of an issue relating to the attendance and participation of other Members (not members of the Committee) in Committee meeting and evidence taking.

There was another issue which the Committee hoped could be resolved swiftly, subject to the support of the Procedure Committee.

The Liaison Committee was overwhelmingly of the opinion that it would be a considerable help to Chairs of Committees if they were able to bring one nominated research assistant with them to private meetings. However, under standing orders, committees only have power to admit members of the public during the taking of evidence (S.O. No.125). We recognise that any general relaxation of this rule would require the agreement of the House, but we believe that for the small change we are recommending it would be sufficient to have the consent of the Procedure Committee, unless your Committee felt it

needed a higher level of authorisation. It is also important that the power would be closely circumscribed and that the rights of other members of committees were respected. I hope you would consider it sufficient if your Committee reported a resolution to the House along the following lines:

That the Chair of any select committee or sub-committee with power to send for persons, papers and records may, with leave of the committee or sub-committee, invite one member of his or her personal staff to attend its private meetings, provided that:

- (a) this permission does not extend to times when a committee or sub-committee is considering any draft report;
- (b) if at any time a member of a committee or sub-committee indicates his or her objection to the presence of such a person, that person will immediately withdraw without any question being put;
- (c) no such person may participate in any proceedings of a committee; and
- (d) the presence of any such person is formally noticed in the minutes of a committee.

I believe that this formulation would be clear in restricting this permission to only one member of staff nominated by a Chair, and would preserve the right of any member of the committee to veto such an arrangement.

### **Letter from Dr Sarah Wollaston MP, Chair of Liaison Committee, to Charles Walker MP, Chair of Procedure Committee, dated 29 November 2017**

#### ***Attendance of members of other committees and other updates***

I am writing following the first meeting of the Liaison Committee to seek the support of the Procedure Committee on a proposed amendment to Standing Orders to facilitate easier cooperation between committees when examining witnesses. It would also be good to be updated on other matters on the agenda of the Procedure Committee.

Standing Order No. 137A makes provision for concurrent meetings of committees. However, procedurally it is a little cumbersome. The need for a simpler and more easily used provision has been urged on a number of occasions. A particular issue is the problem of a member of another committee being unable to participate in a meeting without a quorum of their own committee members being present. I am seeking an amendment that would enable such a member to ask questions of witnesses and would also allow committees more widely to use their discretion in allowing members with a key interest to join them on occasion.

The simplest way to achieve this would be to generalise to all select committees the power given to any committee considering a National Policy Statement under S. O. No. 152(H) (3) (also a power of the Regulatory Reform Committee under S.O. No. 141(13)) to invite members of other committees to participate in their proceedings. This could be done by adding this power to S.O. No. 137A(1) as follows:

( ) to invite Members of the House who are not members of the committee to attend, and, at the discretion of the chair, take part in, its proceedings, but such Members may not move any motion or amendment to any motion or draft report, nor vote nor be counted in the quorum of the committee.

I believe this would be an uncontroversial and straightforward change which would likely be passed with little or no debate.

It might be simplest to replace sub-paragraph (1)(a) of S.O. No. 137A with this provision.

That sub paragraph currently reads:

to communicate its evidence to any other select committee or subcommittee of either House of Parliament or to the Scottish Parliament, the National Assembly for Wales or the Northern Ireland Assembly or to any of their committees; provided that evidence from the National Audit Office shall first have been agreed between that Office and the government department or departments concerned;

The provisions of that sub-paragraph are pretty much obsolete in the era of electronic publication of evidence when this material is publicly available on the internet and have not, I am advised, been used for many years.

I will be writing to the Leader of the House separately on this matter, but the support of the Procedure Committee would be very welcome.

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I would be very happy to meet you to discuss these matters further if you would find that helpful.

# Formal minutes

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**Tuesday 27 March 2018**

Members present:

Dr Sarah Wollaston, in the Chair

Damian Collins	Nicky Morgan
Yvette Cooper	Dr Andrew Murrison
Mary Creagh	Neil Parish
David T. C. Davies	Tom Tugendhat
Meg Hillier	Derek Twigg
Mr Bernard Jenkin	Stephen Twigg
Dr Julian Lewis	Pete Wishart

Draft report (*Changing committee practice and procedure: enhancing effective working*), proposed by the Chair, brought up and read.

*Ordered*, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 9 read and agreed to.

Annex agreed to.

*Resolved*, That the Report be the First Report of the Committee to the House.

*Ordered*, That the Chair make the Report to the House.

[Adjourned till Wednesday 25 April 2018 at 6.00 pm