

WORKING GROUPS

Recommendations:

- i. To reverse the previous decisions taken by the Full Council on working groups in May 2023 (Minute 39/23(b)) and May 2024 (Minute 45/24), enabling the Council to start afresh (RESOLUTION REQUIRED);
- ii. To adopt a new policy relating to working groups (SUPPORTING PAPERS) (RESOLUTION REQUIRED);

1. Introduction

The Locum Clerk has issued new guidance on the establishment and operation of working groups. As a result, there is a new for the Town Council to start afresh.

2. The role of working groups in the life of a local council – and their limitations

The Council's decisions and activities are informed by a structure of committees, sometimes sub-committees, and working groups.

The principal difference between committees/sub-committees and working groups is that the former are permanent ('standing') and the latter are (normally) for short-term goals. They are typically 'task-and-finish' or advisory groups.

'Short-term' should be interpreted as being within the next 12 months.

Decisions can be delegated by the Full Council to committees and sub-committees, but not to working groups (in the same way that decisions cannot be delegated to individual councillors). In other words, working groups have no powers at all to make decisions, nor can they spend money on behalf of the Council.

Instead, working groups explore options and make recommendations to their parent body, be that the Full Council or the relevant committee.

The number of working groups at any one time will be determined by the Council's resources including the time of councillors and officers. Typically, a town council has less than 5 working groups at any one time and may not have any at all.

For major council projects that are likely to run over several years, a working group can be set up to focus simply on one stage or feature, rather than having a single working

group running the entire length of the project. A good recent example of this was the working group that met to evaluate the tenders received for the feasibility review of options for The Regal and to make a recommendation to the Full Council.

The alternative to a working group is the appointment of a 'liaison councillor' to engage with local stakeholders about a specific issue and to feedback the perspectives and advice of those stakeholders, for example local voluntary organisations and institutions.

3. Democratic process, including requirements

Working groups fall under the democratic process.

Establishment

The establishment of a working group must be approved by the Council, even if their sponsoring/reporting body is a committee.

Terms of reference

A working group must have terms of reference - in the form of a document - and these need to be approved by the Council at the time of the group's inception. A template has been created for this.

Membership

Unlike committees/sub-committees, working group membership can extend to non-elected people such as council officers and non-councillors, if that is provided within their terms of reference. However, non-elected members do not have voting rights.

The number of councillor members should be an odd number, typically three, five or seven.

Records of meetings

Agenda for and notes of each meeting of a working group need to be created and stored. Copies need to be provided to the Council Office Team.

The convenor of the working group is responsible for ensuring that agendas and notes are created, and for their safe storage, including the by the Council Office Team.

Number of meetings

It is for the working group determine the number of their meetings.

Officer attendance

Unlike the Council or a committee, a working group meeting does not require the

attendance of an officer. However, the Town Clerk may require an officer to attend a working group meeting, for example the lead technical officer relevant to the subject under consideration.

Public attendance and access

Unlike the Council or a committee, the public and press do not have a right to attend a working group meeting. This is because working groups cannot make decisions and their recommendations will in any case become public when they are considered by their parent body.

However, a member of the public can request meeting papers which will be made available unless they relate to a private matter as defined in the law.

DETAILED POLICY**1. ROLE, DUTIES AND RESPONSIBILITIES OF A WORKING GROUP**

- a. The role of a working group is to consider specific issues as directed by the Town Council including:
 - i. To examine an issue in detail, read reports and related materials, gather expert advice, consider all options, and make recommendations, if this is the scope of a short-term, ad hoc working groups
 - ii. Other 'ongoing' working groups may be formed to look at the regular activities of the Council (or a committee). However, this will not be typical of a working group and a more suitable alternative might be the creation of a standing 'sub-committee' as provided for in Standing Orders
 - iii. Short-term should be interpreted as within 12 months of the working group's inception
 - iv. Long-running council projects – spanning several years – may find that a working group to look at a particular stage or feature, may be more effective than having the same working group for the life of the project
 - v. An alternative to working group is the appointment of a 'liaison councillors' to engage with, and feedback from, local people and groups on a particular subject. The 'liaison councillor' has no decision-making powers
- b. To recommend where necessary other Council Members, especially if a Member wishes to stand down from the working group they have been appointed to.
- c. To co-opt where necessary non-council members to have input or provide advice, for example council officers and residents
- d. To make full and detailed recommendations to their parent body, be that the Full Council or a relevant Committee.
- e. To maintain notes of all meetings, including agendas, decisions, and formulation of recommendations
- f. To answer questions from the parent body so that clear decisions and actions are agreed.
- g. The number of working groups at any one time will be determined by the resources of the Council including the time of officers and Council Members
- h. The subject matter of a working group must relate to the statutory responsibilities of the Council or be a realistic and legitimate supplementary contribution to the work of one of the 'principal authorities' (district or county)

2. TOWN COUNCIL AND WORKING GROUP RELATIONSHIP

- a. A working group must be established at a meeting of the Full Council; a committee or sub-committee does not have delegated authority to create a working group
- b. The Town Council must direct the working group and set clear terms of reference from its inception regarding objectives, scope, methodology, outcome, outputs, timescale, the convenor/chair, and allowance (or not) for non-elected members
- c. Proposed terms of reference must be available at the inception of a working group
- d. The role of the Town Council is to question and challenge, where necessary, the recommendations of the working group, to openly demonstrate that all suitable considerations including options have been considered.
- e. The questioning and challenging will be at a Full Council meeting to ensure full transparency in the eyes of the electorate, unless it is a matter that has been delegated to a committee or sub-committee
- f. A working group must have a named parent body to whom it reports, be that the Full Council or one of the Council's committees.
- g. A working group has no decision-making powers at all, only to make recommendations to their parent body
- h. No matters may be delegated for decision-making to a working group

3. WORKING GROUP TERMS OF REFERENCE

- a. A quorum for a working group meeting will be a minimum of three Town Councillors.
- b. Working group meetings will be arranged as and when required; there may only be a need for one meeting
- c. Councillor membership of a working group must be an odd number
- d. Details of future meetings will be circulated by the convenor of the working group to all Councillors.
- e. Any councillor can attend any meetings of a working group
- f. The objectives of a working group will be set by the Full Council
- g. A working group does not require the attendance of an officer, but the Town Clerk may require a council officer to attend a working group meeting, for example the most relevant technical officer to the subject
- h. The convenor of the working group has a duty to ensure that the meeting documents (agenda and meeting notes at a minimum) are created and supplied to the Town Council Office for storage
- i. A working group may have non-elected members, for example council officers and representatives of local groups or residents with appropriate expertise, provided this is provided for in the terms of reference
- j. Non-elected members of a working group do not have voting rights
- k. Non-councillor members of a working group must be approved by the Full

Council

- l. Members of the public who serve as members of a working group must sign a GDPR form and the convenor of the working group has a duty for making sure this happens and the relevant documents are provided to the Town Council Officer for storage
- m. Members of the public and press do not have a right to attend meetings of a working group, but can request and be provided with meeting papers provided they do not private matters as defined in law
- n. Meetings of a working group will not appear in the Council's schedule of meetings
- o. The continuation of all extant working groups will be reviewed at the Annual Meeting of the Full Council
- p. The Town Clerk will monitor and evaluate the activities of a working group, including it workload, or may delegate this to another officer
- q. Where possible the distribution of documents and information will be via email.
- r. Recommendations will be presented by the chair of the working group
- s. Working group meetings should not be held on licensed premises.

Karen Crowhurst,
Locum Town Clerk

Luke Whitcomb,
Meetings Officer

12 August 2024