



Factsheet P2 Procedure Series

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House of Commons Information Office

Departmental Select Committees

Departmental select committees are cross-party groups of MPs responsible for the scrutiny of government departments. There are 19 such committees, with between 11 and 14 members each, as laid out in Standing Order No. 152 of the House of Commons.

Select committees have been used by the House for centuries for many different purposes. A small group of Members can gather information and produce detailed reports much more easily than the House as a whole. The present system of committees monitoring government departments was established in 1979. Modifications to the titles and remits of the committees have been regularly made since then to reflect changes in government departments, but the structure remains essentially the same.

Their role is to examine the 'expenditure, administration and policy' of the relevant government department and its 'associated public bodies': those public bodies include, for example, the NHS, regulators and quangos

Committees determine their own subjects for inquiry, gather written and oral evidence (and sometimes information from visits in the UK or overseas) and make reports to the House which are printed and placed on the Internet. The Government must subsequently reply to any recommendations within two months.

This Factsheet and links to further sources mentioned are available on the internet at:
<http://www.parliament.uk/factsheets>

Background

The present system of departmentally-related select committees has existed for thirty years. On 25 June 1979 the House agreed to what is now Standing Order No. 152 which essentially provides that for each major government department there will be a select committee to scrutinise its work. The remit of each committee is to examine the 'expenditure, administration and policy' of the Government departments and its 'associated public bodies' which can include regulators, non-departmental public bodies and other "quangos".

Every government department is shadowed by a committee¹, and the remit and number of committees changes to reflect changes in the make-up of the Government. Recent changes have included the creation of the "Energy and Climate Change Committee" to examine the performance of the new Department of Energy and Climate Change and establishment of the Business Innovation and Skills Committee and the Science and Technology Committee (though these two Committees will not take effect until 1 October 2009).

Committees decide upon their own subjects for inquiry within the broad scope of their remit. They seek written evidence from people and organisations with an interest in their inquiries, and anyone can submit such evidence to the inquiry. The committees will usually also invite a selection of witnesses to give oral evidence. The cross-examination of witnesses takes place in public. The government department will usually be asked to produce detailed written evidence on all aspects of the subject being examined and the Minister responsible will normally be asked to give oral evidence on the topic.

Once a committee has concluded its evidence gathering it will usually agree and publish a report on the matter considered. These reports will generally include recommendations directed to the government department. Once the report has been published, the department in question must respond to those recommendations within 60 days. This response is also normally published by the committee as a public document.

The work of the committees is governed by the Standing Orders of the House. These rules set out their membership, remit and powers; any change to the Standing Orders must be approved by the House.

The Chairman and Membership

The composition of departmental select committees reflects that of the House. A majority of the members of a select committee belong to the governing party, while the others are drawn from opposition parties. The proportions will vary according to the total number of seats each party has in the House. For smaller parties, this means that they will not have a member on each select committee. The size of a departmental select committee varies between 11 and 14 Members.

The names of Members to serve on each committee is proposed by the another committee called the Committee of Selection at the start of each Parliament and agreed by the House. Changes in membership can only occur with the approval of the House. As a rule this only takes place when the status of the Member changes. The membership of select committees is confined, as a matter of practice, to back-bench MPs. Ministers, opposition front-bench spokesmen and party whips do not normally serve on departmental select committees. The current membership of any committee can

¹ For a complete list see annex 1

be found on its website.²

By convention, the allocation of chairmanships is divided among the political parties, also based on the overall composition of the House. This means that while most committee chairmen are members of the governing party, some committees are chaired by an opposition MP; for example at the moment the Defence Committee has a Conservative chairman and the Justice Committee is chaired by a Liberal Democrat. Although the parties decide between them which chairmanships will go to a member of which party, the committees themselves decide who their chairman will be; though in effect their choice is restricted to members of one party. Typically chairmanships are given to experienced, long-serving MPs and some are ex-Ministers.

Chairmen of departmental select committees receive an additional salary for their work of around £15,000.

Chairmen of select committees have few formal powers and can only vote in the event of a tie, but they play a key role in leading the committee's work and setting the agenda.

Select Committee staff

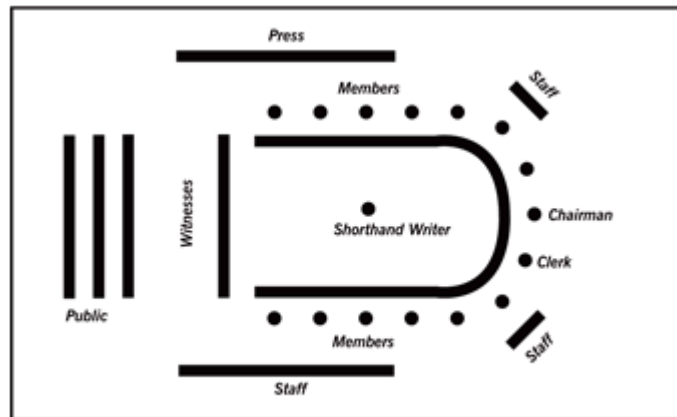
Each Committee has a team of staff. It is led by the Clerk of the Committee. The Clerk works closely with the Chairman in managing the committee's programme of inquiries. There will be a number of staff to look after the administrative support for the committee and others whose principal task is to gather and analyse evidence, advise the committee on lines of inquiry and questioning and help in the drafting of reports. Committees also contract with "specialist advisers", who are often academics but are also drawn from among other people with specialist knowledge in a particular area, to advise on technical matters concerning an inquiry.

Meetings

Committees tend to meet once or twice a week when Parliament is sitting, although they can meet more often. At any one meeting a committee can take evidence from one or more witnesses. Witnesses often represent organisations, although some are invited as individuals. When witnesses are being questioned the meetings are almost always in public, but the committees are not allowed by the rules of the House to admit the public to any other parts of their meetings.

In a meeting the members sit around a horse-shoe shaped table with the Chairman in the middle (as below). This is a less adversarial layout than the Floor of the House and encourages committees to act in a more collaborative fashion. In general select committees like to proceed on the basis of consensus.

² http://www.parliament.uk/business/committees/cm_select.cfm



The arrangement of a select committee room

How committees work

Committees carry out scrutiny of the work of government departments in a number of different ways. The most common of these is an inquiry into a particular subject or area of government policy.

A standard pattern for an inquiry is:

- The committee chooses a subject of inquiry and announces it in a press notice with a call for evidence.
- Written evidence is received and analysed and oral evidence is invited from key witnesses.
- Study visits may be conducted at home and abroad so Members can gain first-hand knowledge of the issues.
- The Chairman's draft report is considered and agreed by the committee and published.
- The Government subsequently responds to the report's recommendations.
- The report and the Government's response may then be debated.

These stages are described in more detail below.

Inquiries

Inquiries can focus on many areas including topical issues, specific areas of departmental spending and the scrutiny of draft bills. Committees usually try to examine the overall programmes of departments at least annually and will sometimes conduct "blue sky" inquiries into areas where policy is still undeveloped. Sometimes committees revisit previous reports to examine developments in that area.

Once the subject of the inquiry has been decided, the Committee will publish a "terms of reference" indicating the issues they wish to address and the points they wish the submitted evidence to cover. These are made public via the Committee's website and a press release. At any one time a committee may be conducting several inquiries into different issues.

Evidence

After publishing its terms of reference, a committee seeks written evidence from interested parties (although anyone can submit relevant information). The government department is also asked to provide detailed written evidence on the inquiry topic. Committees have the power to call for "persons, papers or records", though these powers do not in general apply to Ministers and their

departments. Although the existence of these powers to demand that witnesses attend or that evidence is submitted are an important underpinning of the committees' role, they are rarely used.

Once written evidence has been received, Committees invite a limited range of individuals or representatives of organisations to give oral evidence to supplement what has been said in their written evidence. During these sessions Members have the opportunity to gain a deeper insight into the issues and follow-up on points raised by the witness' written evidence.

Nearly all evidence sessions are held in public, and transcripts of the session are published on the committee's website soon after the session.

Reports

When a committee has completed taking oral and written evidence, a draft report is prepared by the Chairman together with the committee staff. Members of the committee then have the opportunity to consider the draft report in detail. This is usually an informal process and may continue over several meetings. A draft report may go through several iterations. The report must finally be formally approved by the whole committee. Although committees generally aim to agree a report by consensus, occasionally a committee may vote. The results of these votes are recorded in the formal minutes published with the report. Once agreed, a report is published, usually within a week or so and also made available to the public on the committee's website.

Government replies

Government departments are expected to respond to committee reports within 60 days. The response normally takes the form of a memorandum to the committee which is then published by the committee as a "Special Report". Sometimes the Government will publish a response itself as a White Paper. Committees will occasionally publish a further report of their own addressing the Government response.

Debates on reports

Once a report and government response has been published the Committee has the option of recommending it for debate. These debates mainly take place in Westminster Hall on Thursday afternoons, but on three days in each Session (so called "Estimates Days") reports may be debated on the floor of the House. In 2007, there were 23 debates in Westminster Hall on committee reports and in total 25 reports from 14 select committees were debated. Debates can provide the opportunity for MPs to question a Minister at length about issues, and enable those Members who do not serve on the committee to express their interest in the issue.

Reports are also frequently "tagged" to debates which take place. This is where there is a note on the House's agenda ("Order Paper") indicating that a report from a committee is particularly relevant to a debate on some matter.

Some committees choose to follow up their past reports in other ways, including asking a Minister to give further evidence as policy develops or the situation changes.

Non-departmental Committees

There are other select committees of the House which do not shadow one particular Government department but have characteristics in common with the departmental select committees. Some of these are described below.

Liaison Committee

The Liaison Committee is made up of the chairmen of all the select committees of the House of Commons. It considers matters affecting select committees generally and occasionally makes reports on matters of general concern relating to select committees. It publishes an annual review of the work of the select committees. Since 2002, the Prime Minister has appeared twice a year before the Committee to discuss "international and domestic affairs".

Public Accounts Committee

The Committee of Public Accounts (usually known as the Public Accounts Committee or PAC) is the oldest select committee in continuous existence (since 1862) and examines public spending across all government departments. It pays particular attention to whether the money allocated by Parliament to different areas of government activity has been spent effectively, economically and efficiently. It meets twice a week when the House is sitting and deals with a different subject each time. It only takes evidence from civil servants, not from Ministers or other witnesses (except on very rare occasions). It does not look at whether policies are right or wrong, only the way in which the money has been spent on delivering them. It is supported in its work by the National Audit Office (which has a staff of about 700) which is led by the Comptroller & Auditor General.

European Scrutiny Committee

The European Scrutiny Committee "seeks to influence UK Ministers on EU proposals and hold UK Ministers to account for their activities in the Council". It examines all documents produced by the EU institutions and questions Government departments on their impact on the UK. Most documents are passed or "cleared" without further action but for documents of "legal or political importance" the Committee has the power to question the Government department further before allowing the Government to proceed with agreement. For more controversial policies the Committee can ask for a debate in a European Committee on the document where Members can question the Government Minister on the proposal before its adoption.

Environmental Audit Committee

The Environmental Audit Committee was established in 1997 to consider to what extent the policies and programmes of all government departments and non-departmental public bodies contribute to environmental protection and sustainable development. It audits the performance of departments and public bodies against targets that are set for them by Ministers.

In 2005 the Committee decided to focus on climate change in recognition of the growing urgency of the threat posed by climate change and the cross-departmental nature of most of the issues that relate to it.

Public Administration Select Committee

The Public Administration Select Committee scrutinises the work the Parliamentary Commissioner for Administration and the National Health Service in England (the "Ombudsman") and matters relating to the quality and standards of administration provided by civil service departments and other matters relating to the civil service. It interprets its remit very widely, and has become in effect a departmental select committee for the Cabinet Office and other government offices which are located at the centre of government rather than specific departments.

Committee on Issue of Privilege (Police Searches on the Parliamentary Estate)

This committee was appointed by Order of the House of Commons on Monday 13 July 2009 following the search of a Members office. The committee states its purpose is: "to review the internal processes of the House administration for granting permission to such action, to consider any matter relating to privilege arising from the police operation, and to make recommendations for the future." Like other select committees it has the power to send "for persons, papers and records." The committee is due to report to the House by 31 December 2009³.

Speaker's Committee for the Independent Parliamentary Standards Authority

Following the passing of the *Parliamentary Standards Act 2009*, the Independent Parliamentary Standards Authority (IPSA) was created. The IPSA website www.theipsa.co.uk/ states that it has the powers to "decide what allowances MPs will receive and how they will be administered" and that it will "pay MPs' salaries and allowances and draw up a code of conduct including provisions for the registration of MPs' financial interests."

The Speaker's Committee for the Independent Parliamentary Standards Authority was nominated on 29 October 2009. The membership of the committee consists of the Speaker of the House of Commons; the Leader of the House of Commons; the chair of the House of Commons Committee on Standards and Privileges and five members of the Commons appointed by the House who are not Ministers. The responsibility of the committee is to agree the Speaker's nominations for membership of the IPSA Board and for the Commissioner for Parliamentary Investigations. In addition, the committee will review the estimate (budget) in consultation with the Treasury and decide whether it is satisfied that it is consistent with the efficient and cost effective discharge by the IPSA of its functions.

Regional Committees

Regional Committees are the newest family of select committees, with eight of them having come into existence on 1 January 2009. Their remit is to examine the regional strategies and the work of regional bodies for the regions of England. The eight regional committees are as follows: the East Midlands Regional Select Committee; the East of England Regional Select Committee; the North East Regional Select Committee; the North West Regional Select Committee; the South East Regional Select Committee; the South West Regional Select Committee; the West Midlands Regional Select Committee and the Yorkshire and the Humber Regional Select Committee.⁴

On 25 June 2009 the House agreed to the establishment of a regional committee for London taking the total to nine. As well as examining the Government's regional policies for London this committee will also look at the Government's relationship with the Greater London Authority. Each committee has a maximum of nine members, and are expected to meet much less frequently than departmental select committees. The Chairmen of these committees do not receive an extra payment.

³ http://www.parliament.uk/parliamentary_committees/policesearches.cfm

⁴ http://www.parliament.uk/mpslordsandoffices/mps_and_lords/selcom.cfm

Annex 1 - The Departmental Select Committee system

As of 4 November 2009, the 19 departmental select committees are as follows:

Business, Innovation and Skills
Children, Schools & Families
Communities and Local Government
Culture, Media and Sport
Defence
Energy and Climate Change
Environment, Food and Rural Affairs
Foreign Affairs
Health
Home Affairs
International Development
Justice
Northern Ireland Affairs
Science and Technology
Scottish Affairs
Transport
Treasury
Welsh Affairs
Work and Pensions

Further reading

House of Commons Library Standard Note.
Regional Accountability at Westminster.
SN/PC/04411

The work of committees in 2007-08.
First Report from the Liaison Committee.
HC 291 2008-09

Shifting control? Aspects of the executive-
parliamentary relationship
House of Commons Library Research Paper
00/92

Departmental Select Committees
House of Commons Library Research Paper
02/35

First Report from the Modernisation
Committee HC 224 2001-02

Shifting the balance: Unfinished Business.
First Report from the Liaison Committee.
HC 321 2000-01

Select Committee on Modernisation of the
House of Commons
HC 530 2007-08

Report from the Select Committee on
Procedure. HC 588 1977-78

Pay for select Committee Chairmen
Sixth Report from the Standards and
Privileges Committee. HC 1150 2002-03

The Challenge for Parliament – Making
Scrutiny Work.
Hansard Society. 2001

Power on the back benches?
Hawes, D. Bristol University
School for Advanced Urban Studies. 1993.

The new roles of Parliamentary committees
Longley, L and Davidson, R.
Frank Cass. 1998.

The new select committees. 2nd ed.
Drewry, G (ed).
Clarendon. 1989.

The Departmental Select System
House of Commons Library Research Paper
09/55

Links

Guide for Select Committee Witnesses
<http://www.parliament.uk/commons/selcom/witguide.htm>

How Parliament works page
<http://www.parliament.uk/about/how/committees/select.cfm>

Select committee calendar
http://www.parliament.uk/what_s_on/hoc_news3.cfm

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