



Hampshire ALC Key Topic Note – Working Groups

Many parish/town councils will appoint working groups (or advisory groups) to assist them in their work and these can be very helpful in doing the background work to enable a council or committee to make a decision on a particular project/idea.

Working groups are not committees or sub committees and are not empowered to make decisions on behalf of the council. They are 'task and finish' groups so they are appointed to carry out a particular task and, once that task is complete, they should be disbanded.

Often a council or committee will need to carry out some investigative work prior to making a decision. For example, an agenda item may say that the parish council want to consider rewilding some verges in the parish. Before they can make a decision, councillors may want to know whether they are permitted to plant wildflowers, what the cost of any licences may be and what the ongoing maintenance costs are. A working group could be appointed at a meeting with the specific task of doing the investigative work and reporting back to council with their recommendations by a specified date.

Terms of Reference

When a working group is appointed by the council/committee, clear terms of reference should be set out (please refer to our separate template 'Working Groups Terms of Reference'). Terms of Reference should include the following items:

Purpose of the working group

The group should have a clearly defined purpose. This could be a number of tasks or one specific task, but it should be clear. For example, the purpose could be "to investigate options for a new speed limit reduction sign and bring recommendations to the council for a decision".

Membership

The terms of reference should state the number of councillors required on the working group and when they should be appointed. Sometimes working groups are appointed at the annual meeting in May, but often working groups are appointed as and when required.

Membership may also include members of the public or other people with specialist knowledge of the subject. The terms of reference should reflect who else will be involved and the numbers allowed.

It may be that the working group are given permission in the terms of reference to appoint members of the public as required and this is acceptable. Working groups are permitted to

be entirely made up of members of the public and, if the council or committee agrees this, the terms of reference should be really clear about the items listed in this guidance.

Councils may also wish to consider whether the working group should include the clerk or another member of staff. The clerk should always be consulted about this prior to any appointments as they will need to consider other tasks and workloads for members of staff.

Lead Member

The council should appoint a lead member of the group and that person should be responsible for driving the group forward by organising meetings and keeping the council/committee informed of progress.

Working group remit

The remit of the group should be set out detailing all the tasks that need to be completed in order for the group to report back to the council or committee and make informed recommendations. This may be a series of steps or just one or two simple tasks.

Reporting requirements

It should be clear from the outset how and when the group will report back to the council or committee. The group may be required to provide a report from each meeting or notes/minutes from their meetings. In some instances, it may be that the group will bring forward a recommended proposal at the end of their investigative work for the council/committee to discuss and agree.

Meetings

The terms of reference should set out how and when meetings are held. As this is a working group, meetings are informal and do not need to be held in public. They therefore do not require an agenda or minutes to be published. They are permitted to meet remotely and this may save time for all involved. Or the group may want to meet on a specific day a month in the parish office or village hall. It is useful, though, if the group has some structure so a list of items to be discussed should be circulated by the lead member so that everyone knows what to expect and if they need to do any preparatory work.

Decisions of the working group

It is best practice for minutes to be taken for each working group meeting although these do not have to be published in the same way as for a council or committee meeting. The terms of reference could simply state that decisions are made by a majority of members voting in favour of what is proposed. It should be clear though that the working group are simply making recommendations and are not making decisions on behalf of the council or committee, particularly where the decision has a financial implication.

Completion of tasks

Once the working group has reported back to the council/committee, or made appropriate recommendations, it should be disbanded. The terms of reference agreed at the start can simply state that this is the case.

Essential Resources

Hampshire ALC Template: Working Group Terms of Reference
Hampshire ALC Key Topic: Committees and Sub-Committees

Hampshire ALC Key Topic: Council Meetings

NALC LTN 1: Councils Powers to Discharge their Functions

NALC LTN 7: Non-Councillor Members of Committees

This document reflects our advice based on our understanding of the current legislation and guidance and our knowledge of the sector. It is not however intended to be formal legal advice.

For more complex issues we are able to obtain initial specialist advice on legal, employment, financial and planning matters as part of your membership fee. Please contact us to access this service.