

Guide to Business Committee

May 2021

This guide relates specifically to the Business Committee and its functions.

It covers the following areas:

- Chair, membership and meetings of the Committee;
- the roles and responsibilities of the Committee, with regard to: the organisation of Senedd business; committee structures and membership; legislation; budgets; and general practice and procedures in the Senedd.



The Welsh Parliament is the democratically elected body that represents the interests of Wales and its people. Commonly known as the Senedd, it makes laws for Wales, agrees Welsh taxes and holds the Welsh Government to account.

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Welsh Parliament
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Where reference is made to the Presiding Officer in this guide, the Deputy Presiding Officer is also able to exercise the same functions in the absence of or at the request of the Presiding Officer.

For further information on Plenary business, contact Chamber Secretariat (0300 200 6384 / 0300 200 6385 chamber.secretariat@senedd.wales). For advice on the tabling or laying of business, contact the Table Office (0300 200 6388 / 0300 200 6387 table.office@senedd.wales).

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- The organisation of Senedd business
- Committee structures and membership
- Legislation
- Budgets
- General practice and procedures in the Senedd

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A. Introduction

- 1.** The Business Committee is responsible for the organisation of Senedd Business. The functions and remit of the Business Committee are set out in Standing Orders. Its role is to “facilitate the effective organisation of Senedd proceedings” as stated in Standing Order 11.1.
- 2.** It is chaired by the Presiding Officer and other Members are the Minister with responsibility for government business and the Business Manager of each of the political groups. Historically, the Deputy Presiding Officer has been a standing invitee.
- 3.** Business Committee usually meets once a week during sitting weeks to organise Plenary business. Its other functions include proposing the committee structure and committee remits, agreeing timetables for the consideration of legislation by committees, and making recommendations on the general practice and procedure of the Senedd.

B. Chair, Membership and meetings of the Business Committee

Chair

4. The Presiding Officer chairs the Business Committee (Standing Order 11.5(i)). In the absence of the Presiding Officer, the Deputy Presiding Officer may chair in accordance with Standing Order 6.18.

Membership

General

5. Other than the Chair, the other members of the Committee are nominated by each political group represented in the Senedd. One member is nominated from each political group. They are usually the Business Managers of the respective groups.

6. Three or more Members who are not members of a political group can form a grouping for the purpose of nominating one of its Members to be appointed to the Business Committee.

7. Where the number of Members who are not a member of a political group is such that it is (for that reason only) not possible for them to form a political group or grouping (and thus do not have a representative on the Business Committee), each such Member is entitled to attend proceedings of the Committee and may vote (see paragraphs 18-23 for more information on voting in the Business Committee).

Motion to appoint members to the Committee

8. The motion to appoint the membership of the Committee is tabled by the Minister with responsibility for government business, as soon as possible after he or she is appointed by the First Minister after a Senedd election (Standing Order 11.3). The motion must be supported by at least two-thirds of Members voting. No amendments may be tabled to this motion.

9. If the motion is not passed, the Minister with responsibility for government business must table a motion to determine the size of the Business Committee.

10. Places on the Committee would then be allocated to political groups to reflect their overall representation in the Senedd using the d'Hondt system for

allocation of Committee places (Annex to Standing Order 17). Each political group would then determine the Member(s) to be allocated from their group.

Substitutions

11. A Committee member who has given advance notice to the Presiding Officer may be represented at a meeting of the Business Committee by a member of the same political group (Standing Order 17.48). The nominated Member can then participate in all aspects of Committee proceedings as if he or she were a member of it (including participating in any votes).

Meetings

12. The Business Committee must meet at least once every two sitting weeks (Standing Order 11.8).

13. Historically, the Business Committee has met on a weekly basis every Tuesday morning.

14. Business Committee meetings can take place in public or in private (Standing Order 17.42). However, it usually meets in private in order to consider the organisation of business.

15. The Business Committee publishes the agenda and minutes of each meeting to the Senedd internet pages. The agenda is usually published the Friday before a meeting, and the minutes a week after. Private papers are not published.

16. Business Committee proceedings are facilitated by the Business Committee Secretariat, who circulate the relevant papers 2 working days prior to each meeting. The Clerk of the Business Committee is the Head of Chamber Secretariat. Other senior Senedd and government officials attend to advise the Members.

17. Unless otherwise stated in Standing Orders, the Business Committee, as a Committee of the Senedd, adheres to Standing Order 17; the operation of Committees.

Voting

18. The Business Committee usually operates by consensus and, where possible, decides matters without resorting to a vote. Should a formal vote be necessary, the Business Committee is required by Standing Orders to adhere to the procedures outlined below.

The chair

19. The chair may vote only in the exercise of a casting vote (except in the specific circumstance outlined in paragraph 22 below). If required to exercise his or her casting vote, the chair must vote:

- i. in favour, where further discussion is possible;
- ii. against, where further discussion is not possible.

Weighted voting

20. Unlike voting in other committees, voting in Business Committee is weighted according to the size of the political group each of its members represents.

21. Each member of the Committee (other than the chair) holds one vote for each member of the political group (or grouping) which they represent. The Presiding Officer and Deputy Presiding Officer are included for the purposes of calculating the number of members of a group (or grouping).

22. Each member who is not a member of a political group (or for numerical reasons a grouping) is entitled to attend Committee proceedings and vote. If the chair is not a member of a political group (or grouping), then they may vote individually in addition to holding the casting vote.

Example A: Weighted voting

Political group	Number of Members of the Senedd	Number of votes held by the group's Business Committee representative
A	30 Members (including the PO and 11 members of the government)	30
B	15 Members	15
C	10 Members	10
D	5 Members (including the DPO)	5

Qualified weighted voting

23. Some decisions of the Business Committee are subject to “qualified weighted voting” under Standing Order 11.5(iv). This means that a member of the Committee representing a political group (or grouping) with an executive role will have their votes reduced by the number of members in their group that are also members of the government. This applies when the Committee is determining the organisation of Senedd business in Plenary and proposing the titles and remits of committees.

Example B: Qualified weighted voting

Political group	Number of Members of the Senedd	Number of votes held by the group’s Business Committee representative
A	30 (including the PO and 11 members of the government)	19
B	15	15
C	10	10
D	5 (including the DPO)	5

C. The role and responsibilities of the Committee

24. The Business Committee's role is to "facilitate the effective organisation of Senedd proceedings" as stated in Standing Order 11.1. As such, its role is broad.

25. The Business Committee's main responsibilities are listed in Standing Order 11.7 and include:

- commenting on proposals for the organisation of government business in Plenary;
- organising Senedd business in Plenary;
- proposing the titles and remits of committees;
- making recommendations on the general practice and procedures of the Senedd in the conduct of its business; and
- undertaking the functions assigned to the Committee elsewhere in Standing Orders, including agreeing and publishing the Senedd timetable and timetables for the consideration of Bills.

Organisation of Plenary Business

26. The Business Committee's key function is to comment on and agree the organisation of business in Plenary meetings which it does on a weekly basis for the three weeks ahead (see paragraphs 38 to 42). To facilitate forward planning and to establish a regular pattern of Plenary business, the Committee is also responsible for agreeing the Senedd Timetable.

Senedd Timetable

27. The Senedd Timetable provides a general framework for the use of Senedd time, for periods of not less than six months. The Business Committee must publish a timetable from time to time (Standing Order 11.9), that

- outlines timetables of Plenary meetings;
- establishes the times available for committee meetings;
- establishes times available for meetings of political groups;
- outlines recess dates; and

- outlines dates for questions for oral answer by the First Minister, Welsh Ministers, Counsel General and the Senedd Commission.

28. In formulating the timetable, the Committee must have regard to the family and constituency/regional responsibilities of Members, and their likely travel arrangements (Standing Order 11.10), and as such, should normally seek to avoid timetabling business before 9.00am and after 6.00pm.

29. In accordance with Standing Orders, the Business Committee has the flexibility to decide when different categories of Plenary business can be taken within the boundaries set by the Senedd Timetable. This flexibility is provided in order to ensure that the Committee is able to respond to the demands of business. Examples of this flexibility include allowing the Business Committee to decide in broad terms the order of different categories of business in Plenary, although government items “must usually” be taken first (Standing Order 12.6(ii)).

30. The Committee must also establish the frequency of certain types of business such as Short Debates, debates on motions tabled by Members, debates on Members’ legislative proposals and the frequency of any associated ballots to determine the name of the Member or Members who may bring forward such business.

Categories of Plenary business

31. Standing Order 11 defines the two categories of business in Plenary meetings: government business and Senedd business. The Business Committee’s role in relation to government business is advisory; and decision-making in relation to Senedd business.

Government business

32. Government business in Plenary, including the length of time to be allocated to an item, is determined by the government (Standing Order 11.12). It is presented to the Business Committee by the Minister with responsibility for government business. The Business Committee’s role is to comment (not decide or agree upon) the organisation of government business.

33. The government may decide to make changes to its business in light of the comments from the other Business Managers. However, this is a matter for the government.

34. Government business includes proceedings on (Standing Order 11.18):

- oral questions (other than oral questions to the Commission);
- any urgent debate proposed by a member of the government;¹
- statements by a member of the government;
- legislation where the Member in charge of the legislation is a member of the government; and
- any motion tabled by a member of the government.

Senedd business

35. Senedd business in Plenary is determined by the Business Committee, as required by Standing Orders 11.7(ii) and 11.13. The Business Committee is responsible for deciding whether an item of Senedd business should be allocated time in Plenary and, if so, how much time it should be given.

36. If agreement by consensus cannot be reached, any decision on Senedd business is subject to qualified weighted voting, in accordance with Standing Order 11.5(iv). More information on qualified weighted voting is given in paragraph 23.

37. Senedd business includes all items of business except those outlined in paragraph 34. Examples include proceedings on:

- oral questions to the Senedd Commission;
- committee reports;
- legislation where the Member in charge of the legislation is not a member of the government;
- Short Debates; and
- any motion tabled by a Member who is not a member of the government.

Business Statement and Announcement

38. The organisation of business is considered by Business Committee each week. This constitutes consideration of:

¹ A "member of the government" means the First Minister, a Welsh Minister, the Counsel General or a Deputy Welsh Minister.

- “This Week’s business” – a document which contains both government and Senedd business for that calendar week;
- the 3 week timetable of government business, submitted by the government, starting from the following sitting week; and
- the 3 week timetable of Senedd business, prepared by Business Committee Secretariat, starting from the following sitting week.

39. Each week the Senedd sits in Plenary, the Minister with responsibility for government business makes a *statement* in Plenary about the organisation of government business, as well as *announcing* the organisation of Senedd business. This is called the Business Statement and Announcement.

40. The Business Statement and Announcement must be made in each week that the Senedd meets in Plenary (Standing Order 11.11). It must set out business for the following week (forming the basis for the Plenary Agenda) and the provisional business for the two subsequent weeks thereafter.

41. Members are permitted to ask questions on the Business Statement . This is an opportunity for Members to request that the government makes a statement or holds a debate in the Siambr on a matter of concern to the Member.

42. As well as being subject to an oral statement in Plenary, the Business Statement and Announcement is also made available on the Senedd website. A link is provided in each relevant Plenary Agenda also.

Voting Time

43. “Voting Time” for each Plenary meeting is agreed by Business Committee at its weekly meeting.² It is usually a time or point during the same day’s agenda, no earlier than which all necessary votes for the day are taken.³

44. Decisions (or votes) on motions and amendments in Plenary may occasionally be taken immediately after they are debated. Any motions or amendments may be “agreed on the nod” at the end of proceedings on that item of business (i.e. no member has objected to their being agreed). However, if a

² According to Standing Order 11.15, the Government decides when any votes on its business are taken, while the Business Committee decides when any votes on Senedd business are taken. The established practice is that voting on Senedd and government business take place at the same “voting time”.

³ For Stage 3 proceedings (or Report Stage) where the Senedd is considering amendments to a Bill, any votes are taken during the course of proceedings, and may not be deferred to voting time. A precedent has been set for voting on all other items of business to be taken prior to the beginning of Stage 3 proceedings.

Member objects, the usual practice is that any votes necessary are deferred to “Voting Time”.

45. The Business Committee may also decide, in accordance with Standing Order 11.15(ii), that an item of business referred to in the Business Statement and Announcement may not be subject to “agreement on the nod”. If such a decision is taken, the Business Committee will allocate a time or point during the day’s Plenary business at which the relevant vote is to be taken. This is marked on the Plenary Agenda in advance of the meeting.

Suspending Standing Orders to bring forward items of Plenary business

46. The Business Committee may occasionally receive requests to suspend Standing Orders in order to bring forward items of business which have not previously appeared on the Business Statement and Announcement. This is usually because they are unforeseen items of business that need to be dealt with as soon as possible but, under normal circumstances, are subject to certain periods of notice.

47. Whilst any Member may table a motion to suspend Standing Orders, any proposal to suspend Standing Orders for this purpose is usually agreed first by the Business Committee with a motion to suspend Senedd Business tabled in the name of the Presiding Officer, and motions to suspend government business tabled by a government minister.

Other considerations relating to the organisation of Plenary business

Allocation of time between categories of Plenary business

48. Standing Order 11.17 states that, in a Senedd year, the aggregate of time allocated to government and Senedd business must be in the proportion of 3:2 respectively. Ensuring that this balance is achieved is a matter for the Business Committee.

Protection for certain items of Plenary business

49. In accordance with Standing Order 11.21, time must be made available by the Business Committee in each Senedd year for the following items of business to take place in Plenary:

- the policy and legislative programme of the Welsh Government;
- opposition debates;

- debates proposed by Members who are not Ministers;
- debates on committee reports;
- Short Debates; and
- Member proposed legislation.

Committee structures and membership

50. The Business Committee is responsible for proposing the names and remits of Senedd committees (Standing Order 16). It must do this as soon as possible after an Senedd general election. It is also responsible for tabling motions relating to the membership and chairs of committees (Standing Orders 17.2 – 17.16).

51. In proposing the committee structure, the Business Committee must ensure that it meets certain requirements and that there are responsible committees to carry out the key functions specified in Standing Orders. It must ensure that:

- every area of responsibility of the government and associated public bodies is subject to the scrutiny of a committee or committees (Standing Order 16.4(i);
- all matters relating to the legislative competence of the Senedd and functions of the Welsh Ministers and of the Counsel General are subject to the scrutiny of a committee or committees (Standing Order 16.4(ii); and
- where reasonably practicable, there is a broad balance between the delivery of responsibilities to:
 - i. examine the expenditure, administration and policy of the government and associated public bodies; and
 - ii. examine legislation (Standing Order 16.4(iii).

52. The Business Committee may table a motion proposing to alter the number, title or remit of any committee during the course of a Senedd if it appears necessary to do so (Standing Order 16.3).

53. The Senedd must also consider a motion tabled by the Business Committee to agree the allocation of chairs to groups, and the membership of each committee. When tabling these motions, the Business Committee must ensure that:

- the balance of chairs across the committees reflects the political groups to which the Members belong;
- where reasonably practicable, every Member who does not belong to a political group is offered a place on at least one committee; and
- where reasonably practicable, the total number of places on committees allocated to Members belonging to each political group is at least as great as the number of Members belonging to the political group.

54. In practice, the political groups inform the Business Committee which Members will represent them on each committee on which they hold a place.

55. When a vacancy occurs on a committee, the Business Committee must consider what effect this may have on the membership of that committee, and of any other committee, and must, as a result, consider if it needs to table a motion proposing changes to the membership of any committee within the Senedd.

Scrutiny of Senedd Bills

Timetabling

56. The Business Committee is responsible for publishing the timetable for any consideration of a Bill by a committee. The dates for Plenary stages (i.e. the Stage 1 debate on the general principles of a Bill or Stage 3 proceedings on amendments to a Bill) (Standing Order 26.7) are determined as part of the Committee's usual consideration of the organisation of plenary business, with the Committee deciding on the scheduling of non-government Bills, and the government scheduling government Bills.

57. In practice, once a Bill is introduced, or shortly beforehand, the Member in charge will write to the Business Committee proposing a timetable for any committee stages:

- Stage 1: the deadline to report on the general principles of the Bill by a committee;
- Stage 2: the provisional deadline for completion of the detailed consideration by a committee of any amendments tabled to the Bill (subject to the Senedd's agreement of the general principles of the Bill at Stage 1).

58. Before agreeing the timetable, the Business Committee will consult with the proposed responsible committee about the timetable. The Business Committee may make subsequent changes to a timetable, as it considers appropriate, but must give reasons for such changes. The timetable, and any subsequent changes, must be published on the Senedd website.

59. Further information on the legislative process can be found on the [legislation pages](#) of the Senedd website.

Consent in relation to UK Parliament Bills

60. When the UK Parliament wishes to legislate on a subject that has been devolved to the Senedd, convention requires it to receive the consent of the Senedd before it may pass the legislation in question. Such consent is given by the agreement of a Legislative Consent Motion (LCM). Standing Order 29 requires a legislative consent memorandum to be laid to provide information about the relevant UK Parliament Bill and to inform the Senedd's consideration of the LCM.

61. In accordance with Standing Order 29.4, the Business Committee may refer any legislative consent memorandum to a committee, or committees, for consideration before the LCM is debated by the Senedd (Standing order 29.4).

62. If a legislative consent memorandum is referred to a committee, or committees, for consideration, the Business Committee must establish and publish a timetable for the committee, or committees, to consider and report on it.

Timetable for the consideration of the Annual Budget

63. The Senedd is required to consider the Annual Budget Motion every year, usually at the end of the autumn term. This consists of a motion to approve the final budgets of the government and Commission, and the estimates of the Auditor General for Wales and the Public Services Ombudsman for Wales. The Business Committee is responsible for publishing the timetable for consideration of the government's draft budget and the date on which the Annual Budget Motion is tabled.

Government Budget

64. The timetable for consideration of the draft budget for the government is normally published by the Business Committee soon after summer recess, in consultation with the government and the committee responsible for delivering the financial scrutiny function.

65. This provides committees with sufficient notice to plan their scrutiny process within the allocated timeframe.

66. The timetable consists of:

- the date by which a Welsh Minister will publish the outline and detailed proposals for the draft budget for the government, as notified to the Business Committee by the Minister with responsibility for government business;
- the deadline by which the responsible committee must report to the Senedd on the outline proposals for the government. This deadline is determined by the Business Committee, but the committee responsible for finance must normally be given at least 8 weeks to report on the outline budget proposals and must always be given at least 5 weeks to report, and other committees must be given at least 5 weeks to consider the detailed budget proposals; and
- the date by which a Welsh Minister will table the annual budget motion, as notified to the Business Committee by the Minister with responsibility for government business.

67. At the request of the Minister with responsibility for government business, the Business Committee may make subsequent changes to the published timetable (Standing Order 20.6). The Business Committee must then publish the revised timetable.

Commission Budget

68. If there is a UK Government or Welsh Government Spending Review, the Business Committee may agree to a request from the Commission to specify different dates by which the Commission can lay their draft budget (Standing Order 20.20).

69. If the Business Committee does agree to a change, it must notify the Senedd by laying a report.

General Practice and Procedures

70. The Business Committee also plays a key procedural role, with Standing Orders providing mechanisms for the Committee to make recommendations on the general practices and procedures of the Senedd.

71. Standing Order 33 allows the Business Committee to recommend changes to Standing Orders, as outlined below. The Committee is also responsible for considering other procedural matters arising out of its consideration of changes to Standing Orders.

72. Additionally, the Presiding Officer, in consultation with the Business Committee, may issue written guidance to Members with regards to the proper conduct of Senedd proceedings (Standing Order 6.17). That 'Guidance' was first published on 4 June 2019 and is updated regularly.

Remaking and Revision of Standing Orders

73. Only the Business Committee may table a motion to remake the Standing Orders or revise Standing Orders (Standing Order 33.2).

74. However, if at least six Members propose to the Business Committee that the Standing Orders should be remade or revised, the Business Committee must, within a reasonable time, consider and report on the proposal (Standing Order 33.1).

Other occasional functions of the Business Committee

Senedd Commission

75. The Business Committee is responsible for tabling motions relating to the membership of the Senedd Commission. As soon as possible after a Senedd general election, the Senedd must consider a motion by the Business Committee proposing the names of the four members to be appointed members of the Senedd Commission (Standing Order 7.1).

76. It is the responsibility of the four largest political groups to inform the Committee of the name of the member to be included in the motion, but, if there are fewer than four political groups it is for the Business Committee to determine the name(s) of any additional Member(s).

77. If a Member tables a motion to give special or general direction to the Commission under Standing Order 7.11, the Business Committee must report on whether time should be made available to debate such a motion.

Special Senedd Procedure

78. Where the Presiding Officer reports to the Senedd that a petition must be considered by the Senedd in relation to subordinate legislation subject to special Senedd procedure, the Business Committee must refer such a petition (and any

counter-petition) to a committee to consider the petition (and counter-petition) and report (Standing Order 28).