PARLIAMENTARY TIME IN THE COMMONS

The UK Government is responsible for allocating most parliamentary time, within the framework set down by Standing Orders. Standing Orders provide that government business has precedence at every sitting of the House of Commons except, in each Session, for:

- 20 days for Opposition Days
- 13 Fridays for private Members’ bills
- 35 days for debates determined by the Backbench Business Committee. Although the Government does not determine what subjects are debated on these occasions, it does determine when time is allocated to them.

BACKBENCH BUSINESS COMMITTEE

The Backbench Business Committee was established by the House of Commons on 15 June 2010. Its Chair was elected directly by the House on 22 June and its members on 29 June. This is the first business committee of any kind to be established by the House.

The Committee has responsibility for scheduling debates on the 35 days allocated, at least 27 of which will take place in the House of Commons Chamber. On 21 July 2010 the Committee published a Special Report which outlined their general approach. The Committee meets weekly to consider suggestions for debates from Members as well as subjects arising from select committee work, ministerial statements, Early Day Motions, representations made at business questions, and public petitions. Debates will take a number of different forms including: debates on motions that the House has considered a particular subject; substantive motions; presentation of select committee reports; and questions on Written Ministerial Statements or other Government announcements.
Since its establishment there have been:

Half days assigned for issues including:

- Privacy and the Internet; Fisheries; Parliamentary reform; Onshore wind energy; Future of the Coastguard service; Student visas; and Co-operatives and mutuality in the economy

Half days with motions assigned for issues including:

- Banking reform; Consumer credit regulation and debt management; Future inter-parliamentary scrutiny of EU foreign, defence and security policy; Fish discards and 2012 Common Agricultural Policy reform; and Rural broadband and mobile coverage

Whole days with motions assigned for issues including:

- Prisoner voting; and a National referendum on the European Union.

On 27 October, following the debate on a National referendum on the European Union, which had started as an e-petition, the Chair of the Committee raised concerns about a large increase in demand for debate time as a direct result of the introduction of e-petitions.

The Chair, Natascha Engel, wanted to know if the Leader of the House of Commons, who assigns debate time and had given the Backbench Business Committee the role of dealing with e-petitions, would allocate extra time, ring-fenced specifically for e-petitions.

The Leader, Sir George Young, started by congratulating the Committee on its handling of the three petitions which had passed the threshold for debate in the House. He concluded that there would be an opportunity to review both the e-petition regime and the work of the Backbench Business Committee, and that as the Procedure Committee is conducting a broader review of the parliamentary calendar, Ms Engel’s concerns would be addressed.

In July 2010 the House of Commons Library produced a paper on the Backbench Business Committee which provides further information on the Committee’s origins. This is attached in the annexe.

**Chair of the Backbench Business Committee**

Natascha Engel was elected as the Chair of the Backbench Business Committee on 22 June 2010. The election was held by secret ballot using the Alternative Vote system.

**Biography**

Ms Engel was born and raised in Berlin, Germany.
She has three sons, Malek, Anton and Lukas, and is married to Dave who is a vet.

Before she became an MP, Ms Engel worked on the political wing of the trade union movement.

Ms Engel first became involved in politics through the union movement. She worked as a subtitler for Teletext for deaf and hearing-impaired people, where she joined BECTU and became an activist.

Up to 2003, Ms Engel set up the Trade Union Co-ordinating Committee which brought all unions with Political Funds together to run a joint Political Fund Ballot campaign.

Before this, Ms Engel spent a year working at the Smith Institute, a think tank set up in memory of the late Labour leader John Smith. She was Programme Director and focused on Regional Economic Policy, women at work, and Employment and Skills policies.

From 1998 up to the 2001 General Election, Ms Engel worked in the Trade Union Liaison Office at the Labour Party starting out as Policy Co-ordinator and eventually taking over as Trade Union Liaison Officer for the General Election.

After this she joined the first intake of the TUC’s flagship Organising Academy where she worked as an organiser for the print union, GPMU.

**Parliamentary career**

Ms Engel has served as the Labour Member for North East Derbyshire 2005-10, for North East Derbyshire (revised boundary) since 6 May 2010 general election.

PPS to: Peter Hain as Secretary of State for Work and Pensions 2007-08, Liam Byrne as Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster 2008-09, John Denham as Secretary of State for Communities and Local Government 2009-10

Member of the Work and Pensions Select Committee from 2005 to 2007
Member of the Select Committee on the Reform of the House of Commons (Wright Committee) from 2009-2010.

Ms Engel's political interests include youth policy, welfare rights, constitutional and Parliamentary reform, energy and climate change.

Francesca McGrath
SPiCe
28 October 2011
The Backbench Business Committee

Standard Note: SN/PC/05654
Last updated: 22 July 2010
Author: Lucinda Maer
Section Parliament and Constitution Centre

The Backbench Business Committee was created at the start of the 2010 Parliament, with the Standing Order changes made on 15 June 2010. This followed recommendations made by the Select Committee on Reform of the House of Commons in November 2009 and agreed in principle by the House in March 2010. The Chair of the Committee was elected by secret ballot of the whole House on 22 June 2010; with the Committee members also elected by secret ballot of the whole House on 29 June. The Liberal Democrat and Conservative members of the Committee were elected unopposed.

The Backbench Business Committee has responsibility for scheduling debates on 35 days, at least 27 of which will take place in the House of Commons Chamber. On 21 July 2010 the Committee published a Special Report which outlined their general approach. The Committee will meet weekly to consider suggestions for debates from Members as well as subjects arising from select committee work, ministerial statements, Early Day Motions, representations made at business questions, and public petitions. Debates will take a number of different forms including: debates on motions that the House has considered a particular subject; substantive motions; presentation of select committee reports; and questions on Written Ministerial Statements or other Government announcements.

The dates of future ‘backbench business’ debates will be decided by the Government, but the Committee has said that it may press for debates if none are forthcoming at a particular time. The Committee's initial approach will be to publicise the dates allocated to backbench business on the Order Paper so submissions on subjects to be debated can be received. Once the debate topic has been decided upon, the Committee's decision along with its reasons will also appear on the Order Paper. The Committee has indicated that they would adapt their approach if necessary to meet the needs of backbenchers, the House and the public.

The first half day debate scheduled by the Backbench Business Committee was on 20 July 2010 on the subject of 'Information for backbenchers on statements' which raised concerns about Government policy announcements made outside the House.
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5 The first debate scheduled by the Backbench Business Committee

1 Background

On 15 June 2010 the House of Commons agreed motions to establish a Backbench Business Committee with responsibility for scheduling non-ministerial business in the new Parliament. This had been recommended by the Select Committee on Reform of the House of Commons. The Reform Committee was a time-limited committee chaired by Tony Wright which was tasked to look into the scheduling of business in the House, the nomination of members and chairs of select committees, and the public initiation of proceedings in the House.

The Reform Committee’s report, Rebuilding the House, was published on 24 November 2009. The Reform Committee recommended that backbench business should be organised by a Backbench Business Committee, responsible for all business which was not strictly ministerial. That committee would then join with the representatives of the Government and Opposition in a House Business Committee which would be obliged to come up with a draft agenda for the week ahead. This agenda would then be put to the House for its agreement.

On 4 March 2010 the House of Commons agreed that a Backbench Business Committee should be established to schedule non-ministerial business in time for the new Parliament. The House also approved the establishment of a House Business Committee during the course of the next Parliament. On 11 March Members of the Reform Committee tabled motions on the Remaining Orders and Notices section of the Order Paper in order to give effect to the resolution of the House on the backbench business committee, and to set a

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1 HC Deb 15 June 2010 c842. For more information about the establishment of the Backbench Business Committee see Library Standard Note, SN/PC/5269, Reform of the House of Commons: The establishment of a Backbench Business Committee
2 For more information about the Select Committee on Reform of the House of Commons see Library Standard Note, SN/PC/5294, The Report of the Select Committee on Reform of the House of Commons, Rebuilding the House
3 Select Committee on Reform of the House of Commons, Rebuilding the House, 24 November 2009, HC 1117 2008-09
4 For more information see Library Standard Note SN/PC/5294, The Report of the Select Committee on Reform of the House of Commons: Rebuilding the House
5 HC Deb 4 March 2010 c1099
timetable for the establishment of the House business committee. On 15 March the Committee published a report, Rebuilding the House: Implementation, which set out the explanation for the proposed Standing Order changes⁶.

The Labour Government published their proposed Standing Order changes on 25 March. The Standing Order changes were not brought to the House for a decision before the dissolution in April 2010.

The Coalition Agreement between the Conservative and Liberal Democrat parties stated that the new Government would implement the recommendations of the Wright Committee in full, “starting with the proposed committee for management of backbench business”⁷. The House agreed motions to establish the Backbench Business Committee on 15 June 2010⁸.

For more detailed information on the background to these reforms see the Library Standard Notes:

- SN/PC/5294, The Report of the Select Committee on Reform of the House of Commons, Rebuilding the House
- SN/PC/5368, Reform of the House of Commons: Decisions taken on 22 February and 4 March 2010
- SN/PC/5269, Reform of the House of Commons: The establishment of a Backbench Business Committee

2 Role

The Backbench Business Committee is responsible for scheduling non-ministerial business in the House. Standing Order No 14 (1) provides that:

> Save as provided in this order, government business shall have precedence at every sitting.

One of the exceptions provided for, agreed by the House on 15 June 2010, is that:

> ‘(3A) Thirty-five days or its equivalent shall be allotted in each session for proceedings in the House and in Westminster Hall on backbench business of which at least twenty-seven shall be allotted for proceedings in the House; the business determined by the Backbench Business Committee shall have precedence over government business (other than any order of the day or notice of motion on which the question is to be put forthwith) on those days; and the provisions of paragraph (2)(c) of this Standing Order shall apply to any of those days taken in the House in the form of half-days.

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⁶ Select Committee on Reform of the House of Commons, Rebuilding the House: Implementation, 15 March 2010, HC 372 2009-10
⁸ HC Deb 15 June 2010 c842.
(3B) For the purposes of paragraph (3A) above, a Thursday sitting in Westminster Hall at which the business is appointed by the Backbench Business Committee shall count as one half-day and a topical debate shall count as one quarter-day.

(3C) Backbench business comprises all proceedings in the Chamber relating to any motion or order of the day except:

(a) government business, that is proceedings relating to government bills, financial business, proceedings under any Act of Parliament, or relating to European Union Documents, or any other motion in the name of a Minister of the Crown;

(b) opposition business under paragraph (2) above;

(c) motions for the adjournment of the House under paragraph (7) of Standing Order No. 9 (Sittings of the House), private Members’ motions for leave to bring in bills under Standing Order No. 23 (Motions for leave to bring in bills and nomination of select committees at commencement of public business) and private Members’ bills under paragraphs (4) to (9) below;

(d) proceedings relating to private business;

(e) any motion to amend this order or Standing Order No. (Backbench Business Committee);

(f) business set down at the direction of, or given precedence by, the Speaker.

(3D) The proceedings to be taken as backbench business shall be determined by the Backbench Business Committee, as set out in Standing Order No. (Backbench Business Committee).’

The Backbench Business Committee therefore schedules business on 35 days or their equivalent, at least 27 of which will be in the House of Commons and the rest in Westminster Hall. ‘Backbench business’ is defined by exclusion – that it, it is all business which is not Government business, opposition business, motions for the adjournment of the House, private business, amendments to Standing Order 14, or business set down at the direction of the Speaker. The Backbench Business Committee also has responsibility for choosing the number and subjects and format of topical debates.

3 Membership

Natascha Engel was elected as the Chair of the Backbench Business Committee on 22 June 2010. The election was held by secret ballot using the Alternative Vote system. The results of the election were as follows:

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Votes received</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Natascha Engel</td>
<td>202</td>
<td>ELECTED</td>
</tr>
<tr>
<td>Sir Alan Haselhurst</td>
<td>173</td>
<td></td>
</tr>
</tbody>
</table>

One invalid ballot paper was received.
The members of the Backbench Business Committee were directly elected by the House on 29 June 2010 using the Single Transferrable Vote system. There were certain restrictions on the party affiliations of the Committee members, and on the gender balance. The process was described in the Commons Briefing Note on the elections as follows:

15. The ballot will be counted under the Single Transferable Vote system. The votes are counted with reference to a quota, which is the number of votes a candidate requires to be elected. The quota is the number of valid votes cast divided by the number of places to be filled plus one (8 in this election). 4

16. Any candidate elected with more votes than the quota has surplus votes transferred to the remaining candidates in proportion to the next stated preferences on the elected candidate’s ballot papers.

17. Votes cast for a candidate who is excluded from the ballot with the lowest number of votes at a stage in the count are transferred using the next stated preferences on those ballot papers.

18. The Order of the House of 15 June provides that constraints shall be applied to the count so that of those elected:

- such a number of candidates shall come from each party represented in the House or those of no party as shall be determined and announced in advance by Mr Speaker, in such a way as to ensure that the Committee including the Chair reflects as closely as possible the composition of the House; and

- at least two women and two men shall be elected.

If a continuing candidate cannot be elected because of the constraints above, then the candidate’s votes are transferred according to the next stated preferences on the papers9.

In the event, the Conservative and Liberal Democrat candidates stood unopposed, so elections only took place for the Labour members.

The following Members were elected:

- Mr David Anderson (Lab)
- Mr Peter Bone (Con)
- Philip Davies (Con)
- Jane Ellison (Con)
- John Hemming (LD)
- Mr Philip Hollobone (Con)

9 Commons Briefing Note, No 7, 16 June 2010, Ballots for the election of the Backbench Business Committee.
• Alison Seabeck (Lab)

There was some debate when the Standing Orders relating to the Committee were passed about the fact that the Committee’s size meant that there would be no nationalist or other minority party representation on the Committee. More detailed information about the processes used for the elections is set out in the Commons Briefing Note, Ballots for the election of the Backbench Business Committee.

4 The Approach of the Backbench Business Committee

On 21 July 2010 the Backbench Business Committee published its first Special Report, Provisional Approach Session 2010-11. This set out the way in which the Committee intended to operate, although the Committee indicated that they would adapt this if necessary to meet the needs of backbenchers, the House and the public.

4.1 Time given to backbench business

Firstly, with regards to the time to be given to backbench business, the Committee explained that it will remain the Government’s responsibility to designate which days should be taken as backbench days. The Committee stated that it expected “to be given two or three weeks’ notice of the specific days on which backbench business will be taken”. The Committee stated that there might also be occasions on which they would press the Government to allow a backbench business day in the near future even if it was not planned.

4.2 Selection of subjects for debate

The Committee went on to explain how it would select the topics to be debated. The Committee will meet once a week to consider:

• Suggestions for debates made directly by Members;
• Early Day Motions tabled and the weight and breadth of support they have received;
• Public petitions recently presented to the House;
• Select Committee reports recently published or due to be published, or other select committee activity;
• Representations made at Business Questions for subjects to be debated;
• Petitions published on the Downing Street website – until such a time as when an electronic petitions system for the House of Commons is established;
• Recent ministerial statements and announcements outside the House;

10 See for example Pete Wishart at HC Deb 15 June 2010 c807
11 House of Commons Backbench Business Committee, Provisional Approach 2010-11, 21 July 2010, HC 334 2010-11 5
12 Ibid, para 25
13 Ibid, para 2
• Recent major events; and

• Other substantive motions.

The Backbench Business Committee said they would work closely with the Liaison Committee in considering select committee work for debate. The Liaison Committee will continue to decide on select committee reports for debate on Estimates Days in the Chamber and in Westminster Hall.

The 35 days which the Government had given for backbench time includes a number of days which have in recent years been given to specific debates that are repeated from Session to Session such as the Welsh Affairs debate and the debate on International Women’s Day. The Backbench Business Committee stated that:

The Committee intends to start from the presumption that – for the first session – we will continue to recommend debates on the same subjects... at appropriate times, provided there is sufficient support among Members for each such debate. We will then review the level of participation and adjust accordingly.

The Committee seeks views on the form of the four single days of general debate on any topic usually taken on the last day before the main recesses. These could continue as debates in which a Member can raise any issue and the Deputy Leader of the House gives a general reply at the end. Another option would be to devote the first half of such days (i.e. three hours) to a specific topical subject (with the appropriate minister replying) and then use the remaining half day for the normal general debate. We believe that backbench members should receive a substantive reply from the relevant department to the points they raise in such debates.

The Committee expressed its desire to preserve the concept of topical debates whilst making them more responsive and flexible. It explained that it may propose that time is set aside for a topical debate without recommending the subject and exact time until, say, 48 hours before the debate itself. For main debates, the Committee stated that it intended:

...to recommend and announce the subject at least on the Thursday in the week before the debate and preferably on the Thursday two weeks before, to allow Members to plan accordingly.

The Committee set out a timetable indicating how it would work. There would be a four week cycle during which time the Government would, in week one, indicated a day for backbench business to be taken 3 or 4 weeks in the future. The Backbench Business Committee would advertise this on the Order Paper and intranet. In week two, proposals from Members and other sources would be considered, and the subject would be announced in Business Questions, and on the Order Paper and website. In weeks three and four, timing and speaking arrangements would be confirmed by the Committee, and the debate would take place.

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14 Ibid, paras 9-10
15 Ibid, para 11
16 Ibid, para 23
4.3 Operation of the debates

The Committee stated that in most cases they expected that backbench debates would be opened by one of the Members who proposed the subject, and that a minister would speak at the end of the debate. Proceedings on backbench business would take different forms such as:

- Debate on a motion “The the House has considered the matter of x”;
- Debate on a substantive motion in the terms of an Early Day Motion already tabled;
- A more specific motion recommended by the Backbench Business Committee, for instance to approve certain recommendations of a select committee report or take note of a government publication;
- No substantive motion, when a select committee report is presented, or perhaps when a minister is questioned on a recent written ministerial statement, statutory instrument or EU document.

4.4 The accountability of the Backbench Business Committee to the House

The Committee lastly turned to its own accountability to backbench Members. The Chair of the Committee, Natascha Engel, had at various points before being elected chair, expressed a concern that the Backbench Business Committee did not replace one powerful elite, the usual channels, with another small group of backbench members. The Committee’s report stated that:

In the 15 June debate on the Standing Orders establishing the Committee, a case was made for the Committee to operate openly but no change was made to the House’s normal practice that select committees only meet in public when taking oral evidence from witnesses. We intend to operate as openly as possible and will seek to achieve this in a number of ways:

- Like other select committees we will deliberate in private
- We will take some evidence in public – although we expect public evidence sessions to be short. This will enable Members to put the case publicly for particular subjects to be debated on backbench business days. Since this will be a formal evidence session, it may be televised and recorded for broadcast on Parliament’s website.
- We will publish the decisions we make with the reasons for them
- A Committee website will show requests made and decisions taken
- We are asking the Table Office to publish in the Order Paper each sitting day a separate section for future backbench business in the same way as there is a section (formerly called remaining orders) for future government business.

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17 See for example HC Deb 15 June 2010 c796
18 See the Backbench Business Committee pages on the Parliament website
19 Ibid, para 18
An example of the Backbench Business section of the Order Paper from 21 July 2010 shows the future dates, subjects, and origins of the subject matter as follows:

**Tuesday 27 July**

*General Debate: Matters to be considered before the forthcoming adjournment.*
*The Committee has chosen the usual format for business on the last day before the main recesses in which a Member can raise any issue. The Committee will consider suggestions for changes to the format of such days in future.*

(By backbench days allocated to date: 1.5; days remaining to be allocated 33.5).

**Next available backbench day**

Natascha Engel

Mr Philip Hollobone

Mr Peter Bone

Mr David Anderson UK

**ARMED FORCES IN AFGHANISTAN**

That this House supports the continued deployment of UK armed forces in Afghanistan.

*The Committee chose this subject to enable backbench members to debate a matter of current importance. Members of the Committee have tabled this motion to enable the debate to take place on a substantive motion.*

**Subsequent backbench day**

General Debate on the Future of the UK’s Armed Forces.

*This subject was suggested by the Defence Select Committee*\(^{20}\).

The Report also made reference to the concerns raised about the lack of nationalist and other minority party representation on the Committee:

We are conscious that the small size of the Committee and the parliamentary conventions on party representation on committees exclude the minor parties from membership. We are keen to be open to the views of the 23 Members who belong to small parties or none and will always be willing to hear the views of such Members in person at our meetings\(^{21}\).

\(^{20}\) Order Paper, Future Business: Part B: Backbench Business, 21 July 2010

\(^{21}\) Ibid, para 20
The first debate scheduled by the Backbench Business Committee took place on 20 July 2010. The motion first appeared on the Future Business part of the Order Paper on 13 July 2010. The Committee scheduled a half day debate on the motion:

That this House commends the Speaker on the action he has taken over the past year to reassert the principle that Ministers ought to make statements to the House before they are made elsewhere; notes that paragraph 9.1 of the Ministerial Code says that when Parliament is in session, the most important announcements of Government policy should be made in the first instance in Parliament; believes that compliance with this principle is essential for backbenchers to be able to represent the interests of their constituents and hold the Government to account; and invites the Procedure Committee to consider how the rules of the House could be better used or, if necessary, changed to ensure compliance with this principle and to develop a protocol for the release of information.

The debate was opened by the backbench Member and member of the Backbench Business Committee, Phillip Hollobone. The Leader of the House, Sir George Young, took part in the debate. The Chair of the Backbench Business Committee, Natascha Engel, closed the debate. She stated that:

I cannot begin to say what a pleasure it is to wind up this debate. It is absolutely historic; it is the very first time that Back Benchers have chosen the subject for debate in Back-Bench time. The number of Members who are here and who have taken part in the debate, when there is a one-line Whip and they could have gone home, is testament to its enormous importance to everybody in the House.

This debate is important because it goes to the heart of what we are trying to do on the Backbench Business Committee—that is, address some of the frustrations and anger that Back Benchers have felt for years and years. We want, as Back Benchers, to do our job better, and the job that we want to do is hold the Executive to account. That is important because if we do our job better, the Executive do their job better. It is an absolute win-win; when the Executive do their job better, they make better law and Parliament looks much better to the outside world.

The motion was agreed without division.

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22 HC Deb 20 July 2010 c244 9
23 HC Deb 20 July 2010 c287
24 Ibid, c288