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The Backbench Business Committee

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Contents:

1. Background
2. Membership of the Backbench Business Committee
3. The Approach of the Backbench Business Committee
4. Impact of the Backbench Business Committee



Contents

Summary	3
1. Background	4
1.1 Wright reforms	4
1.2 Establishment of the Backbench Business Committee	4
2. Membership of the Backbench Business Committee	6
2.1 Election of members	6
2.2 Election of the Chair	6
2.3 Representation of smaller parties	7
3. The Approach of the Backbench Business Committee	8
3.1 Time given to backbench business	8
3.2 Selection of subjects for debate	8
The Backbench Business Committee and e-petitions	9
3.3 The types of debate the Committee can schedule	9
4. Impact of the Backbench Business Committee	11
4.1 Accountability and responsiveness	11
4.2 Holding the Government to account	11

Summary

The Backbench Business Committee has responsibility for scheduling non-ministerial business in the House of Commons. Standing Orders provide for it to schedule business on 35 days or their equivalent, in each session. At least 27 days are for debates in the House of Commons Chamber and the rest in Westminster Hall. The Backbench Business Committee also has responsibility for choosing the number and subjects and format of topical debates.

The Committee consists of a chair and seven other members. The chair is elected at the beginning of each session, by the whole House. In March 2012, the House passed a motion to require the chair to come from a party not in Government. The House changed the way in which members of the Committee were elected but agreed that they should continue to be elected each session. Members of the Backbench Business Committee are elected by their own party, in the same way that members of select committees are elected. Provision was also made to permit members of the smaller parties in the House to take part in discussions of the Backbench Business Committee.

1. Background

1.1 Wright reforms

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.¹ 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.²

The Reform Committee's report, *Rebuilding the House*, was published on 24 November 2009.³ 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.⁴

1.2 Establishment of the Backbench Business Committee

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.⁵ 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 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 changes.⁶ These motions were never considered by the House.

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

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

⁶ Select Committee on Reform of the House of Commons, [Rebuilding the House: Implementation](#), 15 March 2010, HC 372 2009-10

the proposed committee for management of backbench business".⁷

The House agreed motions to establish the Backbench Business Committee on 15 June 2010.⁸

The House Business Committee was not established whilst the Coalition Government was in office. Subsequent Governments have confirmed or announced no plans to establish it.⁹

⁷ HM Government, [The Coalition: Our Programme for Government](#), May 2010, p27

⁸ HC Deb 15 June 2010 c842. For further more information about the establishment of the Backbench Business Committee see Library Standard Note, [Reform of the House of Commons: The establishment of a Backbench Business Committee](#), SN05269

⁹ For more information, see the House of Commons Library Briefing Paper, [House Business Committee](#), SN06394

2. Membership of the Backbench Business Committee

Summary

The Committee consists of a chair and seven other members, elected at the beginning of each session. On 12 March 2012, the House made changes to the way in which members of the Backbench Business Committee were elected; to require the chair to come from the Opposition; and to give the Committee the power to invite Members from parties not represented on the Committee to attend its meetings.

2.1 Election of members

Unlike other Select Committees, the Backbench Business Committee is reconstituted in each session, with Members put forward from their parties.

On 12 March 2012, the House resolved that it endorsed the principle that parties should elect members of the Backbench Business Committee each Session and thereafter when a vacancy arises in a secret ballot of all Members of that party by whichever transparent and democratic method they choose.

In effect, Members of the Backbench Business Committee are elected by their own party, in the same way that members of select committees are elected.

2.2 Election of the Chair

The Committee's first Chair, Natascha Engel MP, was elected on 22 June 2010. The Chair was not allocated by party, as was the case with other select committees, but by a vote of the whole House.¹⁰

In March 2012, the House passed a motion to require the chair to come from a party not in Government. This decision added what is now paragraph (c) to Standing Order 122D (1):

(c) No member may be a candidate for the chair of the committee if that Member's party is represented in Her Majesty's Government.

(d) Each nomination shall consist of a signed statement made by the candidate declaring their willingness to stand for election, accompanied by the signatures of not fewer than twenty nor more than twenty-five Members, of whom no fewer than ten shall be members of a party represented in Her Majesty's Government and no fewer than ten shall be members of a party not so represented or of no party.¹¹

¹⁰ [HC Deb 22 June 2010 c165](#)

¹¹ See [Standing Order 122D \(1\)](#)

Natascha Engel was re-elected Chair of the Backbench Business Committee for the 2012-13, 2013-14 and 2014-15 sessions.¹²

Ian Mearns was elected Chair of the Backbench Business Committee at the beginning of the 2015 Parliament.¹³ He has been re-elected unopposed at the beginning of subsequent sessions and Parliaments, most recently on 27 January 2020.¹⁴

2.3 Representation of smaller parties

Initially all the members of the Backbench Business Committee were elected by the whole House. The Standing Orders establishing the Committee made it impossible for Members from smaller parties to be nominated to the Committee, as its membership had to correspond to “the party compositions determined by the Speaker in a way which, taking into account the party of the chair, reflects the composition of the House”.¹⁵

The resolution of 12 March 2012 removed the requirement for the whole House to elect members from Standing Order No 122D. As in the election of members of other select committees, the House endorsed “the principle that parties should elect members of the Backbench Business Committee each Session and thereafter when a vacancy arises in a secret ballot of all Members of that party by whichever transparent and democratic method they choose”. It also added a provision to the Standing Order to permit members of the smaller parties in the House to take part in discussions of the Backbench Business Committee.¹⁶

In the remaining part of the 2010 Parliament, the Committee invited Pete Wishart (SNP) to attend its meetings and take part in its proceedings, in order to represent the views of the minority Opposition parties (pursuant to Standing Order No. 152J (7)).¹⁷

¹² House of Commons news, [Natascha Engel Elected Chair of the Backbench Business Committee](#), 11 June 2014

¹³ [HC Deb 18 June 2015 c469](#)

¹⁴ [HC Deb 27 January 2020 c558](#)

¹⁵ House of Commons, [Standing Orders of the House of Commons – Public Business – 2011](#), December 2010, HC 700 2010-12, Standing Order No 122D(2); Procedure Committee, [2010 elections for positions in the House](#), 31 October 2011, HC 1573 2010-12, para 55; Procedure Committee, [2010 elections for positions in the House: Government’s Response to the Committee’s Fifth Report of Session 2010-12](#), 16 February 2012, HC 1824

¹⁶ [HC Deb 12 March 2012 cc35-68](#). For more information about the original procedure for the election of the chair and members of the Backbench Business Committee see Library Standard Note, SN/PC/6290, [Election of the chair and members of the Backbench Business Committee](#)

¹⁷ Backbench Business Committee, [Backbench Business Committee: Membership of the committee during the 2010 Parliament](#)

3. The Approach of the Backbench Business Committee

3.1 Time given to backbench business

The Backbench Business Committee is responsible for scheduling non-ministerial business in the House. Standing Order No 14 (4) provides that the Backbench Business Committee schedules business on 35 days or their equivalent in each session, at least 27 of which take place in the House of Commons Chamber and the rest in Westminster Hall.

'Backbench business' is defined by exclusion – that is, 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.

The Government decides which days of the week will be given to the Backbench Business Committee for its debates and the amount of time available varies each month. Once the Backbench Business Committee has selected a subject for debate, it will allocate it to one of the available days and publish details on its website and in the House of Commons Order Paper.

The Chairman of Ways and Means is responsible for determining the business taken in Westminster Hall. The Backbench Business Committee and the Liaison Committee decide the subjects of debates on Thursday afternoon; and the Backbench Business Committee also decides the subject of one 90-minute debate each week.¹⁸

3.2 Selection of subjects for debate

The Committee meets weekly on Tuesdays to hear representations from MPs (in person) for debates in backbench time.¹⁹ In weeks where there is no time available for Backbench Business, the Committee will postpone taking a decision until more time becomes available.²⁰

The Committee can consider any subject for debate. This includes subjects raised in national or local campaigns, reports by select committees and other groups and issues suggested by constituents, including by people who have signed an e-petition or a traditional paper petition (there is no restriction on the number of signatures required).

It is not possible for the Backbench Business to allocate debates on all the subjects which are suggested. The Committee selects topics for debates on their merits and considers criteria including;

- topicality and timing;

¹⁸ [HC Deb 24 February 2015 cc239-245](#) (see Charles Walker, c241); Procedure Committee, *Business in Westminster Hall*, 13 October 2014, HC 236 2014-15; and *Business in Westminster Hall: Government response and revised Standing Order No. 10*, 5 February 2015, HC 1035 2014-15

¹⁹ UK Parliament website, [How members can suggest a debate](#).

²⁰ UK Parliament website, [Backbench Business Committee](#).

- why holding a debate is important;
- the number of MPs who are likely to take part;
- whether a debate has already been held or is likely to be arranged through other routes; and
- whether a substantive motion has been put forward for a debate in the Chamber.²¹

The Backbench Business Committee and e-petitions

In the summer of 2011, the Government introduced a new website for registering e-petitions. The Government announced that any e-petition that reached 100,000 signatures would be passed to the House of Commons Backbench Business Committee. The Committee could determine whether the e-petition should be debated.

The Procedure Committee, which had not been consulted in advance of the Government's announcement, held a short inquiry and recommended that the Standing Orders should be changed to allow the Backbench Business Committee to schedule debates on government e-petitions between 4.30 and 7.30 pm on a Monday in Westminster Hall. The House agreed to the change on 17 July 2012.²²

In May 2014, the Government brought forward for debate a proposal to allow the Procedure Committee to carry out an inquiry into implementing a better system for e-petitions. The Procedure Committee carried out an inquiry and reported in December 2014. Their report recommended that the House set up a Petitions Committee which would consider both e-petitions and paper petitions, would be able to take a range of relevant actions on petitions, and would oversee a major improvement in the advice and assistance offered to petitioners. On 24 February 2015 the House agreed Standing Order changes to implement them from the start of the new Parliament.

The Petitions Committee now determines whether e-petitions should be debated in Westminster Hall, on a motion that the e-petition has been considered. If the Petitions Committee decided that a petition should be debated in the main House of Commons Chamber, it would take that request to the Backbench Business Committee.²³

3.3 The types of debate the Committee can schedule

The Backbench Business Committee has the authority to schedule the following debates in back-bench time:

- General debates or debates on a substantive motion in the main Chamber. These can be 90 minutes, 3 hours or full day debates.
- General debates in Westminster Hall. These can be 90 minutes, allocated either for a Tuesday or a Thursday; or for 3 hours allocated for a Thursday.

²¹ UK Parliament website, [Backbench Business Committee](#)

²² Backbench Business Committee, *Work of the Committee in the 2010-2015 Parliament*, 26 March 2015, HC 1106, p. 18

²³ Backbench Business Committee, [E-petitions](#)

10 The Backbench Business Committee

- Select Committee Report launches. This motion enables the Chair of a select committee to present a report within five sitting days of its publication. The Chair will speak for up to 10 minutes and then take questions from Members on issues relating to the report for another 10 to 15 minutes.²⁴

²⁴ Backbench Business Committee, [How Members can suggest a debate](#)

4. Impact of the Backbench Business Committee

4.1 Accountability and responsiveness

A criticism of the previous system for scheduling business was that it generated long, predictable debates of little concern to the outside world. A review of first session of the Backbench Business Committee conducted by David Foster, at Birkbeck College London, found that in its inaugural session, the Backbench Business Committee increased the topicality of, and public interest in, Commons debates. For example, viewing figures for BBC Parliament and Parliament TV show that on occasion they attracted 3-4 times more viewers than average. The numbers of signatures on petitions that became the subject of debates are also indicative of heightened public interest – 674,000 people signed the petition on the Fish Fight campaign.

Foster also argued that the Committee also ameliorated another common criticism the former system for scheduling business – that important issues were kept off the agenda because they were uncomfortable for the government. For example, these included a debate on Afghanistan, which allowed parliament its first vote on the subject since the conflict began, and debates on immigration and membership of the European Union.²⁵

4.2 Holding the Government to account

Backbench motions, when agreed to, become Resolutions of the House, but these are not binding on the Government. For instance, the House voted 147 votes to 28 on 25 October 2012 to suspend the badger cull, and agreed without a vote on 23 June 2011 to “direct the Government to use its powers under section 12 of the *Animal Welfare Act 2006* to introduce a regulation banning the use of all wild animals in circuses to take effect by 1 July 2012”. The Backbench Business Committee reported that many people could not understand why these decisions of the House were not then implemented.²⁶

The motions provide an opportunity for backbenchers to raise their concerns and to force a Minister to the despatch box to answer them. The Backbench Business Committee has stated that if backbench motions were binding on the Government, then the result would be that backbench debates would be heavily whipped and each motion defeated.²⁷

In March 2015, the Backbench Business Committee recommended some mechanisms for “improving the way in which Government

²⁵ David H. Foster, “Going ‘Where Angels Fear to Tread’: How Effective was the Backbench Business Committee in the 2010–2012 Parliamentary Session?”, *Parliamentary Affairs* (2013), pp. 116-134

²⁶ Backbench Business Committee, *Work of the Committee in the 2010-2015 Parliament*, 26 March 2015, HC 1106, p. 8

²⁷ Backbench Business Committee, *Work of the Committee in the 2010-2015 Parliament*, 26 March 2015, HC 1106, p. 8

12 The Backbench Business Committee

responds to backbench debates” in particular an undertaking that the Government will issue a written ministerial statement after each debate setting out the action it proposes to take in response; and the greater monitoring by departmental select committees of the follow-up to debates.²⁸

²⁸ Backbench Business Committee, [Work of the Committee in the 2010-2015 Parliament](#), 26 March 2015, HC 1106 2014-15, p. 3, paras 18-27 and para 81

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