

Somebody Ought To Do Something

"Never doubt that a small group of committed citizens can change the world, indeed it is the only thing that ever has"

Margaret Mead, Social Anthropologist

Chapter Five Consultation Processes



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Chapter Five - Consultation Processes

The Parliamentary process

The key things which affect education are often in the detail of the legislation produced by the House of Commons and the House of Lords, although this detail is often ignored by the media.

Accurate information about the process of law making is most easily obtained via the parliamentary website www.parliament.uk. You can also phone the information office at the House of Commons (020 7219 3000) to get an update on what is happening to specific pieces of legislation.

From Bill To Act - The Parliamentary Process

Legislation is usually introduced after a process of consultation involving the publication of first a Green Paper, then a White Paper and then a Bill. Printed – but costly – copies are available from The Stationery Office (HMSO). They can also be downloaded from the Parliament website <http://www.parliament.uk/> or your MP may provide a copy.

Green Papers

A Green Paper will set out the government's intention in broad terms and perhaps indicate alternative views on which government is seeking opinion.

White Papers

The White Paper is a consultation document describing proposed legislation and which sets a time limit for response. The Department for Education and Skills website <http://www.dfes.gov.uk/> gives details of white papers, how to respond and the relevant time limits.

Although recent experience suggests that few changes are made following consultation on the White Paper, you should still respond. Occasionally, enough pressure does produce some change and it is important to raise awareness for later campaigning.

During the discussion of the White Paper, allies can get together to put forward amendments.

Once the consultation process is over the government's lawyers draw up the Bill based on the White Paper.

Bills

Most Bills start in the House of Commons and progress to the House of Lords, though it is possible for the process to work the other way round (except for certain Finance Bills). Whichever House the Bill starts in, it must go through the same stages in the other House. If it is amended in one House, it must go back to the other one for consideration and approval of the amendments.

First Reading When a Bill is published this is the introduction of the Bill to the House. There is no debate.

Second Reading follows, in not less than ten days, and allows the main purpose of the Bill to be debated and a vote taken.

Somebody Ought To Do Something

Chapter Five - Consultation Processes

Committee Stage Usually about two weeks later the Bill passes to the Standing Committee. The Standing Committee is made up of about eighteen MPs from all parties, roughly in proportion to the number of seats each party holds in the Commons.

They discuss the Bill clause by clause and vote on any proposed amendments. Any committee member may propose amendments. Standing Committees are always open to the public. Contact sympathetic MPs if you want to try and get amendments tabled.

The Committee Stage in the House of Lords takes place in the front of the whole chamber.

Report Stage to the whole House is usually about two weeks after the committee stage. It provides an opportunity for amendments to be tabled and those accepted by committee to be re-examined.

Third Reading This often follows almost immediately. The Bill then passes to the other House where it goes through the same procedure.

Once all amendments have been agreed by both Houses of Parliament, the Bill will go for Royal Assent when it becomes an Act.

The House of Lords can delay a Bill for up to a year.

Lobbying

“Lobbying” is the process of seeking to persuade legislators (Members of Parliament or Peers) to amend draft legislation to suit your purpose. It is difficult to bring about such changes, but you should try and lobby by:

- Contacting your own MP. Encourage as many campaign supporters as possible to contact their MPs.
- Contacting MPs and Lords who you think are sympathetic. You can check how MPs and Lords have voted at <http://www.publicwhip.org.uk/> or <http://www.theyworkforyou.com/> and use this as a guide. You can also watch for any public statements that suggest sympathy.
- Working with other groups and organisations who share your aims

Regulations and Circulars

An Act may give the Secretary of State power to introduce regulations which have the force of law but can be changed at any time.

Circulars set out guidelines for the implementation of the law.

The Education Select Committee

The Education Select Committee is not involved in the process of legislation leading to an Education Act. The Select Committee is an investigative committee, empowered to take evidence from Ministers, civil servants and citizens. The Committee decides its topic for investigation and invites interested parties to supply evidence. Anyone can do so.

The Committee can carry out an effective scrutiny of the workings of government and call ministers and experts to give evidence.

Somebody Ought To Do Something

Chapter Five - Consultation Processes

The Committee meets regularly (and normally in public). The meeting dates are published on the parliamentary website http://www.parliament.uk/parliamentary_committees/education_and_skills_committee.cfm . It is made up entirely of backbenchers with a membership of about eleven, weighted slightly in favour of the majority party. Its membership lasts for the duration of a Parliament. The Chair can be from the opposition or the government.

The final report will contain their findings and recommendations. Ministers usually publish a response to the final report of the committee. The proceedings of the Committee and its final report are published by the Stationery Office as is the Ministerial response.

You can write to the Select Committee by writing to the Clerk whose name will be available from the House of Commons Information Office or find them on the Parliamentary website, along with minutes of all the meetings

The Select Committee can be quite critical of government policy or performance and their reports can provide useful evidence for campaigns as they contain Ministers' responses to questioning.