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Senedd Cymru | Welsh Parliament

**Y Pwyllgor Busnes | Business Committee****Rhannu swydd cadeirydd pwyllgor | Committee chair job sharing**

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**Written evidence for potential for job-sharing in the role of committee chair****Dr Larissa Peixoto Gomes University of Edinburgh**

The Senedd has called for a consultation job-sharing for the role committee chair. This contribution lays out examples from other countries with similar characteristics that are relevant to Wales in this context. Below are the points of consultation:

- Principles which could guide any development of a model for job sharing in the role of committee chair;
- Potential advantages or benefits which could arise from Members job sharing in the role of committee chair, including for Members, committees, stakeholders and the Senedd as a whole;
- Potential disadvantages or challenges which could arise from Members job sharing in the role of committee chair, including for Members, committees, stakeholders and the Senedd as whole;
- Observations on the potential impact of Members job sharing in the role of committee chair on the Senedd's overall scrutiny capacity;
- Suggestions for any practical or detailed matters which would need to be outlined in the Senedd's Standing Orders, or any associated guidance/protocol, relating to the operation of job sharing in the role of committee chair;
- Any potential procedural or other barriers to the implementation or effectiveness of job sharing in the role of a committee chair, and how these could be addressed;

- Any relevant examples of models of job sharing in a chairing role for a committee or another similar body, and any reflections on their operation;
- Any other matter related to the consideration of job sharing in the role of a committee chair.

The Senedd has inquired about guiding principles, advantages and disadvantages, potential impact over capacity and the Standing Orders, barriers to implementation, and relevant examples. These are intertwined, as this is one area of political institutions where practice has indeed come first and path dependence has led the way (Mahoney and Thelen, 2010).

Job-sharing in politics has the potential to **improve inclusivity, power sharing, and cooperation** as well as **decrease workloads** for all members. In leadership positions, the standard has been the “chair and deputy” model, but the Senedd has the potential to innovate and rethink how this is done, whether symbolically, practically or both.

No evidence on job-sharing in the committee chair role was identified, nor any cost benefit analysis on the current chair-deputy model. There are analyses on these being leadership positions and their roles in various chambers and how they can be exclusionary, often leading to the same actors being placed in more powerful positions (O’Brien, 2012; Bolzendahl, 2014; Peixoto Gomes, 2019; Javed and Malik, 2021). The model itself, however, has not been questioned.

This document follows the practical examples analysed, the principles derived from them, advantages and disadvantages identified, and possibilities for innovation by the Senedd. It is not a manual or a rulebook, but intended to bring a fresh perspective to the considerations being made by the Senedd.

## **Examples**

In the UK, norms on committee systems are varied. In Scotland, orders 6 and 12 determine that the parliament decides who is eligible to be chair of a committee (chairs being named conveners) and if committees will have a deputy chair or not. In the House of Commons, chairs of select committees are elected by the House (Standing Orders, 122B), without any deputies. In Northern Ireland, the Standing Orders (n. 48) determine that for statutory committees, the nominating officer of the party with the highest number of members in a committee will nominate who is to be the chair or deputy chair, since there is no determination of proportionality in membership.

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Principles of standing orders have arisen out of practice, with modifications being put in place as required by each country and legislature. Therefore, this evidence is written taking into consideration some examples from countries that have national legislatures of similar size to the Senedd and might, consequently, be in a similar position as far as capacity. However, some have different legislative prerogatives, such as the submission of bills. A decolonial and postcolonial choice was made to analyse Latin American, Eastern European, and African countries.

Table 1 summarises the findings for Cabo Verde, Lithuania, Uruguay, Panama, and Paraguay. Both Panama and Paraguay include the role of secretary, while Cabo Verde determines that all parties are recognised with a role of deputy when they do not have the chair. In Uruguay, the secretary role is provided by an employee of the Chamber. Essentially, the provision of additional support beyond the role of deputy seems to be common, but is not, necessarily, a political role.

The proportionality principle is key for membership, but not necessarily central to being chairs and deputies; all countries have elections internal to committees, except for Cabo Verde, where chairs are selected by party groups.

**TABLE 1: SUMMARY OF PROCEDURES ANALYSED**

COUNTRY	Population size (million)	Legislature size	Reference	Summary
<b>CABO VERDE</b>	0.593	72	Capítulo Artigos 24, 26	IV, Proportionality principle for committee membership and leadership; Party groups select the chairs of their committees; Each party group is entitled to a deputy

<b>LITHUANIA<sup>1</sup></b>	2.8	141	Part III, Chapter IX, Article 46	Proportionality principle for committee membership and leadership;  Chair and deputy chairs are elected by the committee and approved by the whole house and must be from different political groups
<b>URUGUAY</b>	3.4	80	Capítulos III and XIX, Artículos 16, 17 and 123	The Chamber president designates committee members with input from parties/party groups; Committees annually elect one chair and one deputy chair, with secretary roles being performed by Chamber employees
<b>PANAMA</b>	4.4	71	Título III, Artículos 42 to 45	Proportionality principle for membership and consensual nominations; electoral procedure for membership should consensus fail; Elections within committees for chair, deputy chair, and secretary
<b>PARAGUAY</b>	6.7	130	Título IX, Capítulo 6, Artículos 176 and 180	Proportionality principle for membership;  Elections within committees for chair, deputy chair, and secretary

<sup>1</sup> For Lithuania, a translated version supplied by the Seimas was used.

## Principles from practice

### *Vernacular*

Although the expression "job-sharing" has become part of the Senedd vernacular and the British labour market, the most used system in legislative committees has been that of deputy chair. Indeed, job-sharing seems to mostly be a British expression that is not descriptive of other labour models in the world, especially in politics. Therefore, serious thought must be given to what is aimed by using "job-sharing" as the jargon, given that it might have implications for the chosen model. Is job-sharing used because it is meant to refer to equal partners or because it is the expression *du jour*?

Implications of the latter could be:

1. Will obligations and privileges be shared equally and procedurally defined?
2. Since procedural definitions do not take into account varied needs, would co-chairs be able to define their own schedule?
  - a. For example, one positive aspect of job-sharing is that people with various disabilities are able to participate in the workplace by not adhering to the 9to-5 or to the 7 or 8 hours a day model of work. Often, this means 50% of the workload, but it can mean a few hours a week. Would this type of flexibility be possible in job-sharing the chair role?
3. If co-chairs can share their workload however they see fit, does that have implications for how privileges are shared?
4. If co-chairs have differences of opinion, regardless of party affiliation, how would those be resolved? Would one have a final say or would the Llywydd have to mediate?
5. Would both (or more) co-chairs have to be present at all committee meetings or events?
  - a. If we are assuming a model where MSs are able to be chair or co-chair and be a member of an additional committee as is the case in many countries, how would this affect capacity?
  - b. Would they trade off in who leads the meeting?

These are not meant to be an exhaustive list, but demonstrate that there are many considerations to make when creating something new. Job-sharing for a chair role is not the same as job-sharing for a regular job.

On the other hand, if what is meant by job-sharing is, in fact, the possibility of someone taking over in the absence of the primary, then these implications

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have been discussed and resolved in other countries. The chair is the main recipient of any privileges, but also holds the majority of responsibilities; the deputy takes over when the chair is absent, meaning differences of opinion would not be relevant. If the chair is permanently absent, the deputy takes over and a new one is elected or appointed.

### *Capacity*

The committee system is the standard method to facilitate how a legislative house works. One basic principle of a functioning committee is that it has “sufficient administrative capacity, including qualified staff to support MPs in carrying out their law-making and oversight work”.<sup>2</sup>

The Senedd will be increasing its size to 96 members,<sup>3</sup> which should decrease the pressure on capacity somewhat, but that is a consideration both in why and how to develop job-sharing models in its established roles.

If the aim to create a job-sharing/deputy role is to increase capacity, then thought must be given to how the workload will be shared and the expectation that co-chairs will always be present together. It is important to realise that individuals will determine their own methods of working within a team despite formal rules. In situations where it possible and even likely that one individual has the potential to take advantage of another, this has to be given special consideration. In a chair/deputy model, expectations are clearly laid out and simple; in a co-chair model, the rules are unclear and an impartial mediator in politics is difficult to find to resolve what would normally be a labour dispute.

In most countries, chairs and deputies are allowed to be members of other committees and often alternates in an additional one, but not allowed to chair any committee, even temporary ones.

### *Proportionality and democracy*

Membership in committees often follows the proportionality of the chamber, sometimes leading to either candidate appointments or direct appointments to committee chair and deputy chair. The proportionality principle is based on the premise that committees are doing the work the whole plenary would – they are descriptive representatives of the whole house (Pitkin, 1972). If the committee is meant to facilitate the work of the chamber by sharing the

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<sup>2</sup>

<https://www.parliamentaryindicators.org/indicators/effective/parliamentary-organization/parliamentarycommittees>

<sup>3</sup> <https://www.gov.wales/senedd-reform#130539>

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workload to smaller groups, it follows that these groups should look like that chamber, and the principle taken into account is that of party (or party group) representation.

This leads to the consideration of the democratic principle, that is, are the roles to be elected or appointed and appointed by who. As it stands, the whole plenary of the Senedd elects each committee chair, with regards, but no mandate, to follow proportionality, in distributing those roles. In other legislatures, when that option is present, it is more common that committee members are the voters. Appointments are also common, particularly when rules state that the largest party in the committee defines the chair, but this was only identified in one of the countries analysed here.

Elections can lead to open animosity, especially in polarised climates, while appointments tend to be more consensual, as they often follow a proportional division of committee assignments. On the other hand, appointments are known to lead to women and other minority members being left out of the debate room and the chair roles.

### **Advantages and disadvantages**

The main disadvantage from any power sharing arrangement is polarisation. If the chair and deputy or co-chairs of a committee are from opposing parties or even opposing factions within the same party in a polarised situation, they may have issue sharing the role. This could be framed as an advantage, as cooperation might become the framework on which that chamber is built; but it would require a very solid foundation of cooperation throughout the legislature and the political system as a whole.

This would be best solved in the selection model, rather than the election model. For example, given the proportionality principle, once committees are assigned to parties, it might be that the party would select for both roles. Another possibility is that the second largest party within the committee is assigned the deputy chair. Although they might be opposing parties, if that rule is ingrained, then there is no reason to argue.

If the model selected is a free election among members, then it is likely that one would end up with a chair and deputy chair from the same party or alliance. However, it is also possible to define that committee members must vote for different parties for each role, as it is done in Lithuania. It can also be

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stated that set of chair and deputy chair must not be of the same gender, keeping in mind that this often leads to women in the deputy seat.

That might be the main advantage of the job-sharing jargon: if these individuals are both occupying the same role, then the possibility for formal gender differences is much lower, as long as the 50/50 rule stands. But formality and practicality can be very different and this should be ignored when writing future rules. What are the current informal practices in the Senedd? How could they prevent certain rules from functioning properly due to “how things are done”? How do they be shaped to already conform to certain common inoffensive practices as to not so strongly disturb the Senedd’s day-to-day?

Especially in larger countries, committees might have their own board, with a chair and deputy, as well as other roles or more than one deputy (one example is Brazil, one exception is South Africa). As outlined above, all countries have at least one deputy, often one secretary, and possibly other members. This might stretch the capacity of the Senedd too thin, as members might find themselves too dedicated to one committee rather than another.

### *Scrutiny*

The impact over scrutiny depends on the choices made not only procedurally but by party groups. It is rare that standing orders include that committees should be assigned based on the representatives’ experience and interest on the topic – and often it is party allegiances, networking, and seniority that determine who gets what assignment once the proportionality principle is taken care of (Peixoto Gomes, 2019).

Chairs tend to take on more administrative roles within committees, leading meetings, assigning tasks, scheduling and attending public hearings. Usually, it is not their role to participate in the discussion. A deputy would mean that an additional person would be excluded from the official scrutiny. Therefore, this might have an impact on who is left out on scrutinising a bill or government action. However, the Senedd might choose to decide that chair and deputy are allowed to give their opinions, although it would be indicated that they should at least not lead the session.

It is expected that all members of a committee are aware of its proceedings, but it is the case that some legislatures designate specific members to be discussants of particular topics. In Uruguay, if a committee member is a dissonant voice, they have to present a document (*informe*) to that effect

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(Artículo 134). Portugal and countries that were colonised by it, such as Angola, Brazil, Cabo Verde, and Timor-Leste have used the role of the rapporteur (*relator*), a committee member who is previously designated by the chair to do an in-depth scrutiny and report on a bill or government action so that the committee can then deliberate. The role of the rapporteur is also present in the French Assemblée Nationale, but for the whole committee, rather than per issue. This role is often argued for internally in the committee and decided by the chair – which could mean more delegated roles and more capacity for scrutiny, especially if the chair and deputy are no longer included in the scrutiny process.

## **Summary and conclusion**

This evidence has laid out some points of consideration for job-sharing in the committee chair roles of the Senedd. These were:

1. There needs to be a clear reason as to the use of job-sharing as the preferred jargon
2. That reason should be procedurally defined due to various interpretations and implications
3. The worldwide model used has been chair/deputy, but there is no clear reason as to why other than path dependence, including through colonisation
4. Countries with similar characteristics have chosen to follow proportionality principles for committee membership and democratic principles for leadership
5. The overall evidence demonstrates skewed outcomes for committee leaderships with men often being selected to be committee leaders, particularly of committees with high symbolic value
6. The advantage in capacity is clear, but other roles can be considered as well
7. Any other advantages would be up to innovations made by the Senedd

I believe there is room for the Senedd to be innovative in its reimagining of this procedural rule (Capoccia and Kelemen, 2007). For example, **self-appointment for election** of committee chair strengthens the democratic principle and those elections should be taken seriously, rather than be a power play among party leaders. The committee system is already a reinforcer of the proportionality principle, so this would not be a threat. However, there is the possibility to reconsider how membership to committees is thought of as well, perhaps

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including experience and knowledge more clearly rather than at the pleasure of the party leader.

A procedural reinforcement would be required to ensure that larger parties would not impose their own will on all committees, the simplest solution being that **chair and deputy must from different parties**. In order to avoid future disagreements, that these could previously agree on a ticket and be **elected as a duo** might be helpful.

As far as inclusivity goes, there could be **term limits** imposed on committee chairmanship, which would enable more members to compete and share the role. Rather than annual elections, that would take up too much valuable time and disrupt processes, every two years seems more reasonable – but this arbitrary and depends really on how the Senedd works. A rule that determines that **tickets must be of mixed genders** or that alternate genders must be elected each term to the chair role (if selecting the chair/deputy model) could facilitate women's access to those roles. Although gender is not the only group that faces issues of access to leadership roles, this would be a massive innovation that depends on a binary rule. Another way of phrasing it would that a **member of ticket must be a protected characteristic** in accordance with the Equality Act 2010.

Job-sharing is extremely helpful in the workplace to include those who need some form of part-time work for any reason. In politics, it has helped to create new ways to include individuals with different accessibility needs and with caring responsibilities. For the committee chair role, it is likely that one can count on its flexibility to allow chair and deputy to find their best system of working. The imposition of job-sharing rules might become too unforgiving and impractical and could lead to co-chairs simply falling into a leader and deputy system informally. The concern would be that this would lead to marginalised individuals be official co-chairs, but have no real power, privileges, or voice. To word the Standing Orders in a way that this does not happen might simply not be possible and adhering to a system with more clearly defined expectations while innovating other aspects could be more beneficial to members and the institution as a whole.

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<sup>4</sup> Standing orders usually suffer small modifications every few years, leading to some using their original date of publication as their date for citation, while others prefer the date of last amendment.

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