

## **Research tender:**

### **UK inter-parliamentary relations**

#### **1. About the Institute of Welsh Affairs**

We are the Institute of Welsh Affairs; Wales' leading think tank. We challenge, inspire and drive change, and make Wales a better place to live and work for everyone. We are independent of government and political parties. We bring together experience and expertise from all backgrounds to collaborate on the most important issues facing Wales. We come up with ambitious but practical and informed ideas to improve Wales' democracy, public services and economy. Our vision is to create a Wales where everyone can thrive.

#### **2. Overview**

The IWA are developing a substantive project proposal to enhance inter-parliamentary relations (IPR) in the UK. As part of this work, we are seeking to appoint an organisation or consultant to deliver the initial desk and field research to inform the project's development.

#### **3. Context**

##### **a. UK Inter-parliamentary relations**

For the purposes of this project, we understand inter-parliamentary relations (IPR) to mean the relationships and interactions between the UK's legislatures: the Houses of Parliament in Westminster, the Scottish Parliament, the National Assembly for Wales, and the Northern Ireland Assembly. We will consider relationships with other British legislatures, such as the Channel Islands, and international examples, but they are not our core focus in this exercise.

IPR exist at various levels of each institution, including between Speakers and Presiding Officers, Committees, and officials, and include both formal and informal

relationships. In 2018, Adam Evans proposed that different levels of IPR can be viewed in three main strands<sup>1</sup>:

1. parliament - parliament
2. committee - committee
3. official - official

In a 2002 paper, Barry Winetrobe also included a 4th strand<sup>2</sup>:

4. Member - member (this is treated distinctly as a strand of IPR by Winetrobe in his 2002 paper)

The reasons for investing in and developing IPR are varied and closely tied to the particular context of individual and collective institutions. However, reasons may be grouped into broad themes, which include but may not be limited to:

- Purpose: this may include time and subject specific activity, as well as habitual arrangements
- Transparency: this may include building or developing good governance processes which build public trust and confidence
- Knowledge exchange: this may include opportunities to exchange knowledge, learn lessons, collaborate on common challenges and share best practice amongst parliaments. It may also include socialisation, whereby individuals doing similar or complementary roles in different institutions get to know each other on a personal basis
- Accountability: this may include scrutiny of executives or intergovernmental relations, to avoid gaps in scrutiny, in particular of non-legislative arrangements.

To date, 'IPR in the UK has largely relied upon informal, bilateral and ad-hoc arrangements'<sup>3</sup>. Much IPR currently happens behind closed doors with only limited communications about the event and discussion through social media or communiques, raising significant questions about the value of current IPR arrangements with regards to transparency, effective knowledge exchange and accountability. This was highlighted in the 2017 report by the House of Commons Public Administration and Constitutional Affairs Committee who noted in respect of

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<sup>1</sup> Adam Evans (2018): Inter-parliamentary relations in the United Kingdom: devolution's undiscovered country?, Parliaments, Estates and Representation, DOI: [10.1080/02606755.2018.1487648](https://doi.org/10.1080/02606755.2018.1487648)

<sup>2</sup> House of Lords Select Committee on the Constitution (2002): [Devolution: Inter-institutional relations in the United Kingdom](#)

<sup>3</sup> House of Commons Public Administration and Constitutional Affairs Committee (Nov, 2016): [The Future of the Union, part two: Inter-institutional relations in the UK](#)

the Speaker and Presiding Officer quadrilaterals the ‘lack of transparency regarding the agenda and conclusions of these meetings is unsatisfactory’.

IPR matter in particular in the UK because of the complex features of constitutional arrangements which include: the asymmetric devolution settlements for Northern Ireland, Scotland and Wales; the intersection of reserved and non-reserved policy across institutions and the subsequent potential for scrutiny deficit of intergovernmental debate and decisions; the relative youth of the devolved parliaments versus the established traditions of Westminster; and the spectrum of views on and understanding of devolution and sovereignty.

### **b. The problem**

The process of devolution has resulted in complex, asymmetric arrangements between the institutions of the three devolved nations and Westminster. Each set of devolved institutions - both the legislature and the executive - have a specific set of arrangements and powers. One unifying feature during the period since 1997 has been the UK’s membership of the European Union, which has provided a unifying framework for law and policy across the 4 nations of the UK.

However, whilst Brexit presents the possibility of removing the ‘unifying framework’ of EU law, the status quo is arguably untenable. The complexity of devolution arrangements, the political incongruence of the four executives, and the very real consequences of insufficient scrutiny of shared policy areas all indicate that informal and ad hoc arrangements for IPR are unsustainable.

At the time of writing, there is no degree of certainty about the nature, shape or timing of Brexit, or indeed if it will take place at all. The prospect of Brexit has already publicly exposed the shortcomings of arrangements for effective intergovernmental relationships (IGR) within the UK, which included the well-publicised shortcomings of the Joint Ministerial Committee as a forum for intergovernmental discussion and agreement, and the political fall-out over the repatriation of powers from the EU in the European Union (Withdrawal) Bill. There is also a substantial body of academic work which considers the effectiveness of arrangements for IGR in the UK.

### **c. The gap**

By comparison, IPR has received far less public and academic attention both pre-Brexit and now. At this time of huge political flux, it is vitally important that there is robust, thorough scrutiny of the decisions and actions of the four governments of the UK. The possibility of a radical change to the constitutional

positions of the four nations outside the EU, in particular with relation to Northern Ireland and Scotland, means such scrutiny and established spaces for co-operation and joint working are increasingly essential to safeguard our democracy.

#### **4. IWA IPR research project**

Our aim through this exercise is to consider the variety and effectiveness of current models for IPR in the UK, and explore potential options for building upon existing models and so improving transparency, understanding and accountability in IPR across the UK. Whilst this exercise is being undertaken by the Institute of Welsh Affairs, we are committed to gathering UK-wide perspectives on this shared challenge.

We are seeking to tender the field research which will underpin this work to an organisation or consultant to deliver. We propose to undertake a rapid desk-based review of existing IPR literature, and a series of interviews with officials, academics and politicians across the four nations of the UK to seek answers to the following questions:

- Do you agree with our assessment of IPR above? Have we missed anything? If yes, what?
- What is the scale and nature of IPR activity across the UK?
- Of those examples, which do you consider to be more effective or less effective, and why?
- Are you aware of other international examples of IPR that may contribute to the UK framework of IPR forums?
- What specifically may they contribute?
- How might more effective IPR arrangements be started in the UK? What would need to be in place?

Working with the successful organisation / consultant we will also review existing and alternative models against what we are describing as a “scale of acceptability” which will attempt to map activity across seven key challenges: four of which refer to the measures of the value of IPR, and three refer to the political acceptability of IPR.

- purpose
- transparency
- knowledge exchange
- accountability
- formality
- functionality (including flexibility and intensity)
- sovereignty

We acknowledge this will be a rudimentary assessment of the value of existing and potential models of IPR. However we intend this research to be a useful starting point for an informed, open and constructive discussion about the value and future of IPR in the UK.

## **5. Resource and Structure**

Amount for organisation/consultant: **circa £5k**

The organisation/consultant will initially work with the IWA in finalising the research scope.

Key requirements include:

- a desk based review of existing evidence
- interviews with a sample of officials, academics and politicians, to be agreed with the IWA
- test emerging findings with the project steering group
- a written report in the IWA house style with key findings.

The IWA will then work with the organisation/consultant to finalise the report ready for launch. The organisation/consultant will be expected to attend one launch event.

## **6. Timescales**

The deadline for applying for this tender is **5pm Monday 19th August 2019.**

If required, we will hold **telephone interviews 21 August 2019.**

The outline timescale for this research is:

- research scope to be agreed (mid August 2019)
- desk research to be carried out (September 2019)
- draft desk research findings paper to be submitted (October 2019)
- interviews carried out (Autumn 2019)
- draft interview findings paper submitted to the IWA (December 2019)
- discussion and agreement of key findings with project steering group and recommendations (early January 2020)
- Draft project report in IWA house style submitted (mid January 2020)
- Final report agreed (end of January 2020)

## **7. How to apply**

To apply for this tender please send a CV and covering letter setting out how you would approach delivering this research to Rhea Stevens, Policy, Projects & External Affairs Manager, at [rhea.stevens@iwa.org.uk](mailto:rhea.stevens@iwa.org.uk) by **5pm Monday 19th August 2019**.

To discuss this tender, please contact Rhea Stevens, Policy, Projects & External Affairs Manager, at [rhea.stevens@iwa.org.uk](mailto:rhea.stevens@iwa.org.uk).