THE HONOURABLE SOCIETY OF
THE INNER TEMPLE

THE INNER TEMPLE COMMITTEES
A GUIDE FOR CHAIRS AND MEMBERS

This short guide is intended to be read together with the paper dated 4 March 2021 on The Operation of the Inn's Committees (attached), and serves as an aide memoire of a briefing given by Master Treasurer and Master Griffiths on 15 December 2021 for all those involved in Committee work and as Masters and Assistant Masters of Activities.

The purpose of the briefing (which has been recorded for future reference) is to explain and clarify the objectives and responsibilities of those involved in these critical areas of the Inn's governance. This guide is divided into the following parts:

I: Preparation for the Meeting

II: Running an Effective Meeting

III: Matters to attend to after the Meeting

IV: Longer term Matters

I: Preparation for the Meeting

1. Pre-meeting Liaison
    (1) With the Committee Secretary: all the Inn's Committees are staffed by efficient Secretaries who prepare the Meeting Agenda and supporting papers. There is a need for the Chair to be involved in this, not merely to shape the content, but also to structure the order in which items are to be dealt with (see Part II below). An actual meeting to run through the Agenda and papers is advisable – and makes for a good relationship between the Chair and the Secretary.
    (2) With Members: the Chair will usually wish to delegate items on the agenda to Members, to encourage involvement (see Part II below). Do not wait until the meeting itself to do this; fix it up beforehand.
2. The Importance of Proper Preparation

(1) Try to avoid the submission of last minute material: sometimes, this is unavoidable, but if it becomes a habit, it will look as if the Committee administration and leadership is ill-organised.

(2) Sometimes, it will be evident in advance that Members will wish to raise topics or present particular views. Consider carefully whether this is likely to be the most effective use of Committee time, or whether it may not be better to suggest that the Member write a short paper for discussion at the next meeting.

II: Running an Effective Meeting

3. Signs of a committee going wrong:

(1) The **Chair dominates** and members make no difference. In some cases, a Member may dominate, with the same effect.

(2) Discussion expresses **opinions** without identifying and implementing **actions**.

Linked to problem 2 is:

(3) Discussion exposes **criticisms**, but does not reach **solutions**.

4. No committee meeting should last more than an hour.

(1) After an hour, the busiest and possibly most effective members will have to leave.

(2) If meetings tend to last more than an hour, some members will dread them and are less likely to attend at all.

5. How to make a one-hour meeting as effective as possible:

(1) A well planned agenda.

(2) Supporting papers.

6. The well planned agenda:

(1) The ORDER of items is important (although the order may of course have to give way as circumstances dictate).

(a) The most important item should always come first.

(i) When time runs out, less important items will be dealt with swiftly. If they come early, they will ramble over time better spent on other items, which are then squeezed.

(ii) Also, difficult things should always come before easy things. "Swallow the frog". People are fresher and better able to tackle difficult items at the start than at the end.

(b) To promote (a), the formal parts which **have** to come first (apologies for absence, approval of minutes) should be dealt with in seconds, not minutes.

(2) Think about the time needed for each item on the agenda. If you struggle to timetable it in the hour, you might drop or postpone items. However, it is not Inner Temple practice to mark estimated timings on the agenda itself, because timing must ultimately depend on what happens during the meeting, and we do not like to impose or even suggest a guillotine.

(3) Allocate a person to speak to each item on the agenda, and ideally identify that person in advance. It should NOT necessarily be the Chair.

7. Supporting papers:

(1) A supporting paper will focus the thoughts of the person presenting an agenda item.

(2) A supporting paper can be read in advance, enabling meeting time to focus only on highlights and summary.

(3) A supporting paper can be read by those who do not attend the meeting.

(4) A supporting paper makes minute taking easier and is a matter of record in itself.

(5) A supporting paper should ideally be no more than two pages long, and be in “House” format.

8. Running the agenda as Chair:

(1) Rather than “X says Y and I agree, does anyone disagree?” (which stifles discussion) OR “Does anyone have any thoughts on topic Z” (which opens it up too much), say “X will speak to this” [and ideally X has written a paper, which can be only half a page, the shorter the better], then listen, then EITHER say “Is everyone happy with that” and endorse (if that is the obvious course) OR “Any comments on that?” if it is not so obvious and you want to open up discussion.

(2) As Chair, you should aim for the LAST word, not the first. If you state a position first, you stifle discussion. If you wait, your view can be informed by the discussion, and you are also more likely to be stating a consensus.

(3) If a Chair finds themselves in effect in the position of a casting vote, board of management best practice indicates that this should normally be in favour of the status quo.

(4) If a controversial decision is coming up and has to be determined at a meeting, it will almost certainly be too late if the Chair does not grapple with it in advance and expects to resolve it at the meeting itself.

(5) DO wrap up discussion firmly and cleanly, preferably no later than the end of the allocated time slot. Possible outcomes are:

(a) You encapsulate the consensus, possibly with your own emphasis (as Chair, you can usually carry any reasonable position). The matter is then decided.

(b) You encapsulate a binary option, and decide by vote (rarely necessary).

(c) You think further work or discussion is required. In that case:

(i) Delegate to one or more people to do more work and implement (with the benefit of the discussion); or

(ii) Delegate to one or more people to do more work and report back to the next meeting.

(6) Whatever you do, please ensure you summarise for each agenda item what happens next, and do not leave the Secretary to guess at follow-up actions. Some Chairs are sure they have been clear, even where they haven't!

9. Delegation:

(1) Taking everything on yourself is not working hard or being conscientious. It is control freakery and bad chairmanship!

(2) Hence, you should routinely identify someone else to speak to agenda items (and write a supporting paper).

(3) Working parties are the best way of getting things done between meetings, and refining issues for decision at meetings.

(4) You should not generally be on any working party yourself.

(5) When two people disagree, put them both on the working party so that they can sort it out.

10. How to assign delegated tasks:

(1) To the obvious expert(s) on the committee if they exist.

(2) To the person who wants or volunteers to do it. Don't hesitate to ask for volunteers.

(3) To the person who has not yet been delegated. Ideally, everyone should be involved in the work of your committee in some way. The most junior or diffident members may need to be given tasks without waiting for them to volunteer. They will welcome it, even if they hesitate to put themselves forward.

11. Whenever anyone has a criticism, constructive or not, consider asking THEM to solve the problem they have identified. They are the best person to solve the problem they have identified. For example "Could you send me a quick email with your proposed alternative wording along those lines?".

12. Final thoughts:

(1) Involve everyone.

(2) Thank everyone.

III: Matters to attend to after the Meeting

13. Minutes

(1) These are drawn up promptly by the Secretary. The Chair should approve as quickly as possible, while the meeting memory is fresh.

(2) The Chair might want to give the Secretary guidance on the type of minute required, depending on the issue. It might sometimes need to be near-verbatim, or fleshed-out action points might suffice, but usually something in between will be appropriate.

(3) The Chair should check the Minutes against the list of action points (see below), to ensure that nothing has been left out.

14. Action Points

(1) The aim should be to record the list of actions required as soon as possible, so that the Secretary can ensure that the points are dealt with before the next meeting.

(2) At the following meeting, the agenda should include an item recording the action points agreed at the last meeting, together with a summary of what has been done in response.

IV: Longer term Matters

15. The first meeting of the year

(1) This should set the tone for the year.

(2) Members should be introduced, and invited to give a pen sketch of themselves.

(3) The Chair should deliver a pep talk, stressing the importance of regular attendance, of pre-reading, and of volunteering to carry out specific tasks.

The Chair should also set out the aims for the year. Most of these will be obvious, and will follow on from the financial planning discussed with the Finance Sub-Committee in the budget and five-year planning rounds, and from the Inn's corporate objectives for the year.

16. The last meeting of the year

(1) Time should be devoted to setting aims for the following year.

(2) It will also be useful to assess the extent to which the last year's aims have been achieved.

(3) The Chair should also thank the Members for their work, and note that some will move on to other tasks as part of the Committee membership restructuring that is carried out by the Principal Officers (see below).

17. Committee Membership Restructuring

(1) Each year, the Principal Officers and the Sub-Treasurer review the membership of the Inn's Committees and Societies.

(2) The Principal Officers are dependent for their Committee selection on thorough reports from Chairs concerning their Members. Towards the end of each year, the Head of the Sub-Treasurer's Office will assist in this process by providing a list of matters for Chairs to consider when making their recommendations.

(3) The Chair and Secretary should carefully review the attendance record of members. There should be a good reason for keeping on a member who has attended, say, fewer than half of the Committee meetings.

18. Ensuring the Succession

(1) One of the most important functions of the Chair is to consider who might eventually succeed that Chair in the role. Ultimately, this is a matter for the Principal Officers, but they will be guided by the views of the Chair.

(2) The Chair should have a Vice-Chair who can stand in, sometimes with no notice, and who should be familiar with the main issues. This is also a good way to identify future Chairs, though a Vice-Chair will not necessarily take over when their Chair moves on.

GF
MG
11.12.21

BENCH TABLE

4 March 2021

Item 9: The operation of the Inn's Committees - A Note by the Treasurer – February 2021

Introduction

One silver lining to the pandemic cloud has been the increased opportunity for the Treasurer to attend nearly all the Inn's committee meetings over the course of 2020. Ordinarily, I would by now have handed over to the Reader, with little time to pass on any observations (the more so because there is unlikely to be much interest in the views of yesterday's man), but since I am with you for another year, I pass on these thoughts for Committee Chairs and Secretaries, for what they are worth.

General

The Inns of Court are unusual in combining an extensive committee structure, peopled substantially by barristers and judges, with a professional staff. They depend both upon the staff running matters professionally, and on Committee members and Chairs treating their roles attentively. Appointment as a Committee member is not merely a privilege, but also an opportunity to play a part in shaping the direction and performance of the Inn. The role of the Chair is correspondingly more important.

Barristers – and particularly the majority who are self-employed – are not necessarily aware of the skills needed to run committees effectively. My overall observation of the Inn's committees over the last many months is that there is some disparity in the way Committees are run. Some are brisk and efficient, with properly advanced aims and periodic assessments of achievements and failures. Others are less directed and controlled, with no evident aim or assessments.

Some Committees are undoubtedly too large, serving as a convenient means for some members to appear to be involved in the affairs of the Inn, but who in reality achieve very little, attend rarely, and seldom read papers. The larger the Committee, the less likely it is that members will come prepared to contribute to discussions.

I chaired a Bar Council committee for some years, and in that capacity served on the Council's General Management Committee. Chairs of Bar Council committees are required to set out their aims at the beginning of each year (some of which are pre-ordained); present a quarterly report to GMC on the extent to which those aims have been achieved; and present an annual report to Bar Council on the general work of their committees. At the end of each year, the Bar Council committee Chairs assess the extent to which their committee members have assisted with the work of the committee, and refresh the membership accordingly. There are always many more who wish to serve than there are places – just like the Inn.

I do not suggest that the Inn needs an equivalent level of formality for its committee work, but I offer for your consideration these suggestions, which I consider should be circulated to new Committee members and Chairs in future. It would also be desirable for the Inn to arrange an end-of-year or start-of-year seminar on being a successful Committee member or Chair.

Defining Committee aims

At the end of each year, the Sub-Treasurer devises corporate objectives for the Inn, building on the previous year. These are then discussed and agreed in the Executive Committee and Bench Table around the turn of the year, ready for implementation over the course of the new year. One important aspect to this (although there is room for it to be carried out in greater depth) is the opportunity it provides to consider what lessons can be learned from the Inn's successes and failures in relation to the previous year's objectives.

I think that it would help for each Committee (and by this I mean the main Committees: E&T, Estates, Library, International, EDI Sub-Committee, BLC, as well as primary sub-committees such as Advocacy Training) similarly to devote time in a meeting towards the end of each year to setting their aims for the following year, and measuring the extent to which the targets for the last year have been achieved. The aims should be capable of being accommodated on one side of A4. Most of them will be obvious, and will follow on from the financial planning discussed with the Finance Sub-Committee in the budget and five-year planning rounds.

Planning

We are all very busy, especially those with heavy court practices, and the need for the Chair to discuss the agenda with the Committee Secretary is (I suspect) often allowed to slip. It is important for the Chair to take time to scrutinise the draft agenda and papers in order to ensure that major issues are taken forward expeditiously. It is also necessary to plan for meeting dates with a good lead-time, with last-minute changes (which may make it difficult for others to attend) happening only rarely.

Involving the membership

Many of the meetings I have attended involve most of the talking being done by the Chair (and in some cases the Secretary), with little involvement from the members, some of whom may feel disenfranchised. Most of the members are keen to be involved, but in practice they are not called upon to do very much, if anything. Without specific taskings or invitations to contribute to discussion, the more junior members may feel that it is not their place to speak up, given the almost invariable attendance by Benchers of long standing.

I think that it would be valuable for the Chair to allot tasks, so far as possible, both to maintain commitment by those involved, and also to energise those who appreciate that their time will come. The use of sub-groups for specific tasks can also be a good idea, although Chairs should check whether staff advice and support might be desirable, if available.

Measuring achievements

It is no good setting aims unless some form of monitoring is carried out from time to time to see whether they are being achieved. I suggest that this be done on an annual basis, to inform the setting of aims for the following year.

I make two further suggestions. First, lists of action points and responsibilities should be circulated soon after every meeting, with the formal draft minutes to follow on later (as now). Sometimes the gap between meeting and minutes is very long indeed, with the result that the momentum to achieve objectives can be lost.

Secondly, I suggest that a running tally be kept, with each meeting agenda including a paper recording the action points agreed at the last meeting, together with a summary of what has been done in response. Some of the Committee Secretaries already do this – but it will be better if this is published to the members, so that all are able to see at a glance what progress is being made. I annex an example from the Outreach Committee.

Refreshing the membership

It should be seen as a privilege to be a member of an Inn Committee – but it should also be recognised that membership denies a place to others who wish to be appointed. I suggest that the Chair deliver a pep talk at the first meeting of the year, stressing the importance of regular attendance, of pre-reading, and of volunteering to carry out specific tasks. That meeting will also provide a good opportunity for Chairs to introduce new members to the Committee, and to introduce existing to new members.

At the end of the year, the Chair and Secretary should carefully review the attendance record of members. There should be a good reason for keeping on a member who has attended, say, fewer than half of the meetings. In addition to this, the Principal Officers are dependent for their Committee selection on thorough reports from Chairs concerning their members. Towards the end of each year, the Head of the Sub-Treasurer's Office will assist in this process by providing a list of matters for Chairs to consider when making their recommendations.

At the same time, the Chair should keep in mind that larger committees are more complex to run, particularly when a topic arises on which all members will have a view. Situations like this call for careful control by the Chair.

Feedback for Chairs

Our Committee Secretaries are knowledgeable and experienced, and have thoughts which they will no doubt wish to share with their Chairs if invited, concerning the way in which the Committee has been run over the years, with suggestions for possible improvement. I for one would be grateful to receive such feedback (and have invited the Sub-Treasurer to provide it): I have never been trained to chair a committee, and suspect that there is much that I do that could be improved. Secretaries are unlikely to volunteer feedback, however, and I suggest therefore that Chairs make it their practice to invite it from time to time – and, indeed, give regular feedback to Secretaries (so that there are no surprises at annual appraisal time).

End note

In setting down these thoughts, I am conscious that you may have further and better ideas. Do please pass them on to the Sub-Treasurer!

Guy Fetherstonhaugh, February 2021

Annex: example of record of committee achievement (provided by the Outreach Committee – partly modified)

Last Agenda Item	Minute	Action required	Update
Item Five: To discuss the Social Mobility Employer Index report	The Committee noted the report, and were especially pleased that we are still included despite the increasing number of entrants each year. The Committee asked if we could publish the socio-economic background of our membership and of the students applying for it.	The Outreach Manager agreed to share this data where we have it for attendees at our Insight Evenings and for PASS participants. They also agreed to share the most recent PASS annual review with the Committee, so that everyone can access the feedback and case studies.	**Completed**: Socio-economic background data on Insight Evening attendees has been included in the activities update which has been shared with the Committee. The 2019 PASS annual review has also been shared with the Committee.
Item Seven: To discuss the Schools Resource proposals from the Open University and Young Citizens	The Open University proposal was felt to be the most focused and the least expensive. The Committee agreed that the resources, once created, should be shared on a very limited scale with schools we have existing connections with and with 14-16 year olds known to Committee members in order to test them finally before being made available to the public.	The Committee agreed to set up a sub-group to work on this resource. The Outreach Manager will share draft content from the Open University with sub-group members as soon as possible.	**Ongoing**: The Outreach Manager has been liaising with the Open University on an ongoing basis and hopes to share the first draft of the resources with the sub-group before the end of the year.
[*etc*]			