

Privileges and Procedures Committee

Machinery of Government Sub-Committee

(10th Meeting)

18th October 2024

Part A (Non-Exempt)

All members were present, with the exception of Deputy L.V. Feltham of St. Helier Central and Connétable K. Shenton-Stone of St. Martin, from whom apologies had been received.

Deputy T.A. Coles of St. Helier South
Deputy H.L. Jeune of St. John, St. Lawrence and Trinity
Deputy R.L. Kovacs of St Saviour
Deputy M. Scott of St. Brelade

In attendance -

Y. Fillieul, Assistant Greffier of the States, Chamber and Members' Support
J. Lepp, Research and Project Officer
C. Fearn, Secretariat Officer, Specialist Secretariat, States Greffe
E. Patterson, Assistant Secretariat Officer, Specialist Secretariat, States Greffe

Note: The Minutes of this meeting comprise Part A only.

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| Minutes. | A1. The Minutes of the meeting held on 20th September 2024, having previously been circulated, were taken as read and were confirmed. |
| Work Programme. | A2. The Sub-Committee, with reference to its Minute No. A3 of 20th September 2024, agreed and noted its ongoing work programme. |
| Proposed amendments to Standing Orders Nos. 113 and 115: update. | <p>A3. The Sub-Committee, with reference to its Minute No. A3 of 20th September 2024, considered a report which had been prepared by Ms. J. Lepp, Research and Project Officer, in connexion with proposed amendments to Standing Orders Nos. 113 and 115.</p> <p>The Sub-Committee recalled that it had proposed the following amendments to Standing Order No. 113, which set out the selection process for the Chief Minister and Ministers in situations other than those which followed an ordinary election, and Standing Order No. 115, which set out the process for nominating a Chief Minister:</p> <p style="padding-left: 40px;">in the event of the death of a serving Chief Minister, the timeline to elect a replacement ought to be extended to a period of 3 weeks. This would allow for a 7 day period of respect, followed by a 2 week window to allow for nominations to be submitted by interested parties and the election of the new Chief Minister to take place. It was noted that the incumbent Deputy Chief Minister would step up during this period.</p> <p>- in the event of a successful 'vote of no confidence' against the Chief Minister, the period of 24 hours allowed for interested parties to submit their intention to stand for election of Chief Minister, along with 6 signatures of support from</p> |

sitting Members and a manifesto, would be extended to 3 working days. The Sub-Committee felt that the current time limit had proved to be problematic and stressful for candidates following the approval of 'P.1/2024 - Vote of no confidence' in January 2024.

Deputy T.A. Coles of St. Helier South, Chair, added that within the allotted 2 week nomination period, it would be necessary for a designated individual to officially call for the election of a new Chief Minister, and he questioned who would be held responsible for assuming this duty. The Assistant Greffier of the States, Chamber and Members' Support, assured Deputy Coles that the intricacies of this process would be clarified during the consideration of the proposed amendments by the Privileges and Procedures Committee (PPC).

The Sub-Committee recalled that Connétable K. Shenton-Stone of St. Martin had undertaken to table these proposed amendments to Standing Orders for further discussion with PPC, and Deputy Coles confirmed that he intended to raise the matter at the forthcoming meeting of PPC on 21st October 2024.

Democratic
Accountability
and
Governance
Sub-
Committee
Report:
implemen-
tation of
Ministerial job
descriptions.

A4. The Sub-Committee considered a report entitled 'Ministerial Job Descriptions', which had been prepared by Ms. J. Lepp, Research and Project Officer, in connexion with the Democratic Accountability and Governance Sub-Committee (DAGS) Report (R.23/2022 referred) – Recommendations on Training and Development. The Sub-Committee also received and noted comments from Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter, Chief Minister, on the recommendations of the DAGS Report.

The Sub-Committee noted that the DAGS Report had recommended that each Ministerial role should be accompanied by a general job description, which would assist Members and new candidates in understanding their roles and responsibilities. In response to this recommendation and in accordance with Article 30A of the States of Jersey Law 2005, the former Chief Minister, Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter, had provided a report entitled 'Ministerial Responsibilities' (R.10/2023 referred) outlining the remit of Ministerial roles and associated responsibilities.

The Sub-Committee was advised that Ministerial powers were prescribed in legislation, which could be delegated to Assistant Ministers or officers through Schemes of Delegation. Deputy M. Scott of St. Brelade highlighted that despite efforts to provide succession planning in relation to the unanticipated absence of the Chief Minister, further clarity was required regarding the delegation of portfolios to Assistant Ministers, as this was not applied consistently across Ministries. The Sub-Committee also discussed the delegation of decision making capabilities to Assistant Ministers in circumstances where the Minister was conflicted, and some concerns were raised regarding the public perception of the same. Deputy T.A. Coles of St. Helier South, Chair, advised that an overarching description of what each role entailed, including a list of responsibilities and a delegation of the laws which Ministers were responsible for, would be a useful tool for all Members and that a standardised template for these descriptions could be generated. The Sub-Committee subsequently agreed that in the event of a Minister becoming unexpectedly incapacitated, the appointment of a 'Principal Assistant Minister', who was sufficiently briefed on the Minister's responsibilities and portfolios, would enable a smooth and formal transition in unprecedented circumstances.

Having considered the matter, the Sub-Committee agreed that the Ministerial job descriptions outlined in R.10/2023 required further detail regarding the specific legislation Ministers were responsible for and what the different roles entailed. The

Sub-Committee requested that a letter be drafted to the Chief Minister to apprise him of the Sub-Committee's stance on the matter, and to determine whether he intended to produce a document equivalent to R.10/2023 for the current Government.

Amending the timing of the monthly meetings.

A5. Deputy T.A. Coles of St. Helier South, Chair, was of the view that the allotted one hour timeslot for meetings of the Sub-Committee was too short to provide sufficient consideration to agenda items. The Sub-Committee agreed that future meetings would be scheduled from 11.00 am – 12.30 pm.

Date of next meeting.

A6. The Sub-Committee noted that the next meeting will be held on 22nd November 2024, in the Le Capelain Room from 11.00 am – 12.30 pm.