

4. Questions to Ministers without notice - The Chief Minister

4.1 Deputy R.G. Le Hérisssier:

Just seamlessly following on, I wonder if the Chief Minister could tell the House what his commitment is to succession planning and could he comment on the fact that the way it is working at the moment is in total contradiction to the establishment of an effective succession planning policy?

Senator T.A. Le Sueur (The Chief Minister):

I remain committed to succession planning but it is against a very difficult background where staff are reluctant, as I said earlier, to put their head above the parapet and very often are content at middle-grade levels of remuneration with what they are getting at the moment. Wherever we can we encourage that to take place but, at the end of the day, we should have the best person in the post to do the job best.

4.1.1 Deputy R.G. Le Hérisssier:

Supplementary. Does he not think it odd that the Fire Service, which has got years and years of local appointees, all of a sudden people have become reluctant to stand for the higher position?

Senator T.A. Le Sueur:

That may be the case but we have to face reality.

4.2 Deputy T.M. Pitman:

In his position with the States Employment Board, can the Chief Minister explain how a situation such as at the airport where an individual is employed under contract with N.A.T.S. (National Air Traffic Services) I believe but is not a States employee, can be consistent with the employment of States employees legislation? Specifically, how can such an individual discipline States staff or indeed be disciplined himself, if that were necessary?

Senator T.A. Le Sueur:

I do not know if I fully understand the question but if a person is employed by a third party organisation to do a piece of work, that person has no authority other than within the terms of the contract under which he is employed.

4.2.1 Deputy T.M. Pitman:

Sorry, supplementary. Is the Chief Minister then saying that this situation, as I have described it, does not exist at the airport because I would have to disagree with him?

Senator T.A. Le Sueur:

I am not aware of the precise situation which the Deputy has tried to describe to me and so I am unable to give him a proper answer. He will have to see me afterwards and try and explain it more clearly to me.

4.3 Deputy A.E. Jeune:

Could the Chief Minister please advise who sat on the S.E.B. (States Employment Board) Panel in the decision-making on the director of Property Holdings contract cessation? Thank you.

Senator T.A. Le Sueur:

That is not a matter for the States Employment Board; it is a matter which the States Employment Board has delegated at the start of its term of office to the Chief Executive of the States.

4.3.1 Deputy A.E. Jeune:

Would the Chief Minister then be willing to look at his own Chief Officer's role in relation to the failings of Lime Grove House? Thank you.

Senator T.A. Le Sueur:

I am sure that will all form part of the ongoing inquiry being carried out by the relevant Scrutiny Panel and they will come up with recommendations, which I will then look at very carefully.

4.4. The Deputy of St. Martin:

The Magistrate Designate has been away from his desk for some considerable time, which must be very distressing for the Magistrate and of course very costly to the public. Is the Chief Minister able to give Members an update and, in particular, when the Magistrate will be able to resume his full duties?

Senator T.A. Le Sueur:

I only wish I could. The Magistrate Designate is still subject to ongoing inquiries and until those inquiries are complete I am unable to give the Member or anybody else any further words of comfort.

4.4.1 The Deputy of St. Martin:

Could I just ask a supplementary? Has the Chief Minister been making any inquiries with the possibility of getting people to expedite those inquiries so in fact the matter could be moved forward?

Senator T.A. Le Sueur:

Yes, regularly but the general response is that it is an inquiry being carried out by international authorities. What I am really saying is it is difficult to tell people in other countries how quickly to do their inquiries.

4.5 Senator F. du H. Le Gresley:

As chairman of the States Employment Board, is the Chief Minister concerned about the high turnover of senior officers in the Treasury and Resources Department and, if not, why not?

Senator T.A. Le Sueur:

I am concerned that there is a higher turnover of staff than I would like in the States generally. Turning over staff can, in some cases, be beneficial in that new blood comes in but the lack of continuity is often a problem and does lead to additional resource pressures. I am sure that the current Treasurer of the States and the Minister for Treasury and Resources are well aware of that, as indeed are all other Chief Officers in other departments as well. But staff turnover these days is, I am afraid, a fact of life.

4.6 The Deputy of St. John:

The Chief Minister has been sitting quietly while the Minister for Treasury and Resources has been grilled by Members today. Given that Lime Grove House is a live issue, is the Minister happy or otherwise that the full Council of Ministers did not partake in any full debate around the Minister's table in relation to the recent events of either purchasing or otherwise of that property?

Senator T.A. Le Sueur:

As the Minister for Treasury and Resources indicated earlier this afternoon an offer was made and it was my impression that a deal had been agreed at, I think, of £8.25 million, subject to minor details and on that basis I and, I think, all the Ministers were very happy. When I first took office I had an earlier staged visit to police headquarters and was appalled to see the conditions under which staff currently worked and I was determined that they should be able to

find a new headquarters as soon as expeditiously and sensibly possible. I was pleased that we were making progress and I am disappointed to see that that progress did not come to fruition.

4.6.1 The Deputy of St. John:

Supplementary. The Minister says: "My impression that an agreement had been reached." Can he explain what he means by "my impression", please?

Senator T.A. Le Sueur:

The heads of agreement were agreed between me, the States and the vendor. Those heads of agreement were understood and accepted by both. Sadly, until the contract was signed, there is always a chance of a slip and in this case a slip did occur.

4.7 Deputy M.R. Higgins:

Earlier this year during a visit to India by his Assistant Minister for Foreign Affairs and the Minister for Treasury and Resources, the Island suffered the humiliation of India refusing to sign a Tax Information Exchange Agreement (T.I.E.A.) with Jersey. Will the Chief Minister advise the Assembly what the current situation is with regard to this T.I.E.A., what the problems are and when it will be signed?

Senator T.A. Le Sueur:

A decision not to sign that T.I.E.A. at the time was made for very good and sound sensible reasons, which I thoroughly endorse. Since that time we have been working closely with the Indian authorities in order to ensure that the T.I.E.A. can be signed and I am very hopeful that that will be signed certainly within the next 2 months at the latest.

4.7.1 Deputy M.R. Higgins:

Supplementary because the Minister said "for good reasons" but did not explain what those reasons are; would he kindly inform the Assembly?

Senator T.A. Le Sueur:

That there was a clause in the agreement which I was not happy was in the best interests of the Island that we should sign, and we have been finding ways of making sure that that clause is interpreted in the right way.

Deputy M.R. Higgins:

Sir, sorry, this is ...

The Bailiff:

Deputy Shona Pitman. You have had your 2 questions, I am afraid, Deputy.

4.8 Deputy S. Pitman:

Does the Chief Minister agree that Ministers work well as a team with their Assistant Ministers, as described earlier by the Minister for Treasury and Resources, that when he is out of the Island his Assistant Minister stands in? If so, could he explain why he has stood in for the Minister for Social Security when he has been away?

Senator T.A. Le Sueur:

When a Minister is out of the Island he is required to advise me of this and to the extent that Ministerial Decisions need to be made it is the Chief Minister's duty to nominate a Minister to stand in for that person. The person nominated can be myself or another Minister.

4.8.1 Deputy S. Pitman:

May I ask the Chief Minister then what the use of Assistant Minister is if the Chief Minister has to stand in?

Senator T.A. Le Sueur:

The States of Jersey Law requires that only a Minister can exercise certain Ministerial functions and in the absence of the Minister those functions cannot be exercised by an Assistant Minister; they have to be exercised by a Chief Minister or another Minister.

4.9 Senator A. Breckon:

Earlier today the House were informed that the *Machinery of Government Review* lodged on 16th May in the name of the Council of Ministers had been withdrawn. Can the Chief Minister say why and what will happen next?

Senator T.A. Le Sueur:

I became concerned that we were having a number of different bites at the cherry, so to speak, in respect of States reform and I was anxious that the proposal put forward by the Privileges and Procedures Committee last week, in respect of the Electoral Commission, should be given a fair chance and that should encompass a broad agreement. Otherwise there is a danger of 2 or 3 streams of work going on in parallel, possibly with conflicting results and I thought this was not in the best interests of the States for efficiency.

4.9.1 Senator A. Breckon:

Is the Chief Minister really saying that the machinery of government and the operation of Ministers is the same as the work that is going to be done by P.P.C.?

Senator T.A. Le Sueur:

I am saying that the terms of reference for the Electoral Commission were very broad indeed.

4.10 Deputy G.P. Southern:

Will the Chief Minister outline for Members what progress has been made on pay terms and conditions in negotiations with public sector workers?

[17:15]

Will he justify in particular the States Employment Board decision not to award a 5 per cent pay increase to senior and specialist nurses, as recommended by not just one but 2 reviews?

Senator T.A. Le Sueur:

As far as terms and conditions are concerned, meetings are being organised with different union representatives. There were 2 scheduled for last week; one was postponed until this coming Thursday but those meetings are going ahead and I am confident that they will, although no doubt be subject to detailed discussion, produce results in the fullness of time. As far as the award to medical staff are concerned, that was discussed in considerable detail with nursing representatives and rather than across the board payout it was agreed that there should be selective increases focused on certain grades. Clearly, in that sort of situation, there are winners and losers and while I have heard a couple of complaints from the losers I have heard nothing from the winners.

4.10.1 Deputy G.P. Southern:

This is a nonsense answer but never mind, we will leave it. Does the Chief Minister still have the negotiating position that he is going to offer something like £7 million in terms of a pay award this year to public sector and take away £7 million from terms and conditions? What sort of an offer is that?

Senator T.A. Le Sueur:

I am not sure that is meant to be a serious question. The fact is that we do need to modernise our terms and conditions if the States is going to have a sustainable way of producing a proper

workforce and Business Plan going forward. The sooner we start to change those terms and conditions the better and I hope that all staff and Members will work together to achieve that objective.

4.11 The Deputy of St. Mary:

A very simple question; who is the Chief Executive of the States?

Senator T.A. Le Sueur:

At the moment we have an Acting Chief Executive whose name is, I am sure, known to all Members and he is there until the start of next year. It was agreed earlier in the year and notified to Members that that would be the situation pertaining.

4.11.1 The Deputy of St. Mary:

Thank you, supplementary, if I may. I only ask that because the person in question was referred to as the Chief Executive on a recent press release. Can the Chief Minister tell me when the Chief Executive is appointed presumably he subscribes to some kind of oath of office or declaration of what his role is; is he seen to be working for the people of the Island, the States Assembly or the Council of Ministers?

Senator T.A. Le Sueur:

The Chief Executive is employed by the States of Jersey Employment Board under the terms of the Employees of States ... I cannot remember the name of the law but it was passed in 2005 and it has a rather long title, but he is employed under that law just like any other States employee.

4.12 Deputy R.G. Le Hérissier:

Could the Chief Minister tell us the skills and attributes that he feels should be found in his successor and who does he think in the House comes near to possessing those skills and attributes? **[Laughter]**

Senator T.A. Le Sueur:

Everyone in this House possesses different skills and attributes and it will be for States Members at the time to decide which mix of those skills and attributes they believe is most important to see the Island through for the future.

4.12.1 Deputy R.G. Le Hérissier:

Could the Chief Minister give his assessment of what he thinks they are?

Senator T.A. Le Sueur:

I think you need patience, understanding, tolerance, tact, foresight, an open mind and sometimes a fairly thick skin. **[Laughter]**

4.13 Deputy T.M. Pitman:

I would like to thank the Chief Minister for his endorsement of me as Chief Minister firstly **[Laughter]** and then I would like to ask the Chief Minister, my open vote to the Chief Minister proposition has got wide public support; does he feel himself that that would be a way forward for more transparency or does he have a chosen heir apparent?

Senator T.A. Le Sueur:

I have no chosen heir apparent and if I did that would be a matter for my own personal consumption. It is up to the Members of this Assembly to vote for who they believe is the right person for the post.

The Bailiff:

Very well, that brings questions to the Chief Minister to an end.