

STATES OF JERSEY



MACHINERY OF GOVERNMENT: ESTABLISHMENT OF MINISTERIAL BOARDS AND REVISED SYSTEM OF SCRUTINY (P.120/2010) – SECOND AMENDMENT

**Lodged au Greffe on 28th September 2010
by the Deputy of St. Peter**

STATES GREFFE

MACHINERY OF GOVERNMENT: ESTABLISHMENT OF MINISTERIAL
BOARDS AND REVISED SYSTEM OF SCRUTINY (P.120/2010) –
SECOND AMENDMENT

PAGE 2, PARAGRAPH (a)(iv) –

In paragraph (a)(iv), after the words ‘properly constituted Board meeting’ insert the words “, with minutes of the meeting recorded by an officer provided by the Greffier of the States,” and after the words “set out in Annex 1 to Appendix 1” insert the words “except that for the third paragraph under the heading “Administrative arrangements and support” (which begins with the words “The Boards will be supported”)” there shall be substituted the paragraph set out in the Appendix to the amendment of the Deputy of St. Peter dated 28th September 2010.

DEPUTY OF ST. PETER

REPORT

Within the body of the report accompanying P.120/2010, on page 14 it states –

“The Boards will be supported by a specific officer working as part of a team of such officers managed centrally from the Chief Minister’s Department. Officers will work closely with the departmental officers, as there will clearly be significant overlap between the papers prepared for consideration by Ministers and papers considered by the Board, and similar overlap between conclusions of the Board and subsequent Ministerial Decisions made by the Minister. Officers supporting the Boards will collate relevant papers for discussion, record action points and conclusions arising from each meeting, and support specific lines of interest in terms of administration and research functions. Each officer would be able to service more than one Board.”

One of the main criticisms of the Ministerial system has been the limited access to information, particularly in relation to Ministerial Decisions and the background as to how such decisions were reached. If this proposed new system is to be a significant improvement on the existing structure, then it is vital that all members feel that they will have better access to information relating to the decision-making process and that accurate and impartial records of that process are maintained.

The Greffier of the States and his officers have recorded the minutes of successive Committees of the States during the years when that system was in place and latterly have provided support for the Council of Ministers, Privileges and Procedures Committee and the Planning Applications Panel, as well as a number of other States-appointed bodies. The States Greffe officers produce accurate, impartial and objective records of meetings. There is an inherent danger that minutes produced ‘in house’ by officers under the auspices of the Chief Minister’s Department could be regarded as partial and subject to possible internal influences. This could undermine the sense of transparency and inclusivity which the main proposition seeks to foster amongst both States Members and members of the general public. If the minutes are created and held in the States Greffe, as they were under the Committee system, then Members can be satisfied that they are an accurate and objective record of Ministerial Board meetings which can be accessed when necessary.

Financial and manpower implications

The current proposal within the accompanying report seeks to transfer 5 of the current Scrutiny posts to the Chief Minister’s Department. It is envisaged that those posts will be used to employ officers to service the Boards and produce minutes. This amendment would seek to retain the 5 Scrutiny posts within the States Greffe so that team could service the Boards. It would therefore be cost-neutral.

Annex 1 to Appendix 1 of P.120/2010

Substituted third paragraph under heading ‘Administrative arrangements and support’

“The proceedings of the Boards will be recorded by a specific officer working as part of a team of such officers from the States Greffe. These officers will liaise with relevant departmental officers over the preparation of the agenda and the collation of the necessary supporting papers. There will clearly be significant overlap between any papers prepared for consideration by the Minister by his or her Department and papers to be considered by the Board and then a similar overlap between conclusions of the Board and subsequent Ministerial Decisions made by the Minister. Departmental officers will collate relevant papers for discussion by the Boards and support specific lines of interest in terms of administrative and research functions. Officers of the States Greffe would be able to service more than one Board and would be responsible for recording action points and conclusions arising from each meeting. Each individual Department, when required, will be expected to provide all other support, including professional, technical or other assistance to the Board on behalf of the Minister.”