

AG/SC/137

PRIVILEGES AND PROCEDURES COMMITTEE

(9th Meeting)

25th April 2012**PART A**

All members were present, with the exception of Connétable L. Norman of St. Clement, Deputy K.L. Moore and Deputy J.A. Martin, from whom apologies had been received.

Connétable A.S. Crowcroft of St. Helier, Chairman  
 Senator S.C. Ferguson  
 Senator Sir P.M. Bailhache  
 Deputy M. Tadier

In attendance -

Mr. J. Rogers, Chairman, States Members' Remuneration Review Body (item No. A1 only)  
 Mr. J. Mills, States Members' Remuneration Review Body (item No. A1 only)  
 Mrs. D. Abbot-McGuire, Finance and Administration Manager (item No. A3 only)  
 Mrs. L. Hart, Assistant Greffier of the States (item No. A5 only)  
 M.N. de la Haye, Greffier of the States  
 Mrs. A.C. Goodyear, Clerk to the Privileges and Procedures Committee

Note: The Minutes of this meeting comprise Part A and Part B.

Minutes.

A1. The Minutes of the meetings of 14th March 2012 (Part A only), having been previously circulated, were taken as read and were confirmed. It was agreed that the Minutes of the meetings of 19th March 2012 (Part B) and 11th April 2012 (Part A and Part B) would be considered at the Committee's next scheduled meeting.

States  
 Members'  
 Remuneration  
 Review Body  
 1240/3(73)

A2. The Committee received a draft report and proposition entitled: 'States Members' Remuneration Review Body: revised terms of reference'. The Chairman welcomed States Members' Remuneration Review Body Chairman, Mr. J. Rogers, and Review Body member, Mr. J. Mills, to the meeting.

The Chairman thanked the SMRRB for its work to date. Those present discussed the possible introduction of a pension scheme for States members. The Committee recalled that the SMRRB had previously recommended the introduction of a pension scheme, however, the Committee as previously constituted had not pursued the matter further due the economic climate and funding constraints under the States' Comprehensive Spending Review. It was agreed that the report of the SMRRB, R.62/2009, which contained the recommendation that a pension scheme for States members be developed, should be included on the agenda for consideration at the Committee's next scheduled meeting. It was noted that severance pay had been considered by the SMRRB, but that the Review Body considered that pensions were of a higher priority.

It was noted that the SMRRB intended to make a submission to the Electoral Commission as it was considered that decisions taken by the Commission in relation to the number and mandate of States members could give rise to matters in relation to States members' remuneration, including whether the introduction of differential pay would be appropriate. It was noted that the SMRRB would consider the level of remuneration for States Members in 2013 during the forthcoming months and would take into account the work of the Electoral Commission.

Those present had regard for the draft report and proposition entitled: 'States Members' Remuneration Review Body: revised terms of reference,' which proposed the introduction of a rolling membership on the Review Body and the consolidation its terms of reference. The Committee had regard for paragraph 3(i) of the Review Body's terms of reference and discussed whether it was possible to define 'a reasonable standard of living'. It was noted that there had been a desire to retain an equal level of remuneration for all States members. It was suggested that components could be introduced in respect of expenses. The Committee noted that some members were allocated office facilities by departments by virtue of their role as a Minister or Assistant Minister, for example, while others did not have such facilities. The view was expressed that appropriate resources should be provided to all States members.

The Committee, having considered the content of the draft report and proposition in respect of the membership and terms of reference of the SMRRB, accordingly agreed that it should be lodged *au Greffe* for debate by the States. Having been thanked by the Chairman for their attendance, Mr. Rogers and Mr. Mills accordingly withdrew from the meeting.

The Greffier of the States was requested to take the necessary action.

States  
Assembly first  
quarter  
financial  
report.  
422/10/1(53)

A3. The Committee received the States Assembly first quarter financial report and welcomed Mrs. D. Abbot-McGuire, Finance and Administration Manager.

The Committee noted the content of the report and that the total level of expenditure in the first quarter of 2012 was £1,027,513 against a total budget for the year of £5,296,100. The Committee requested further details in respect of the cost of printing publications for States members and it was agreed that this information would be provided at a future meeting. With regard to printing costs, it was noted that States members required hard copies of propositions in order to be able to refer to them during debates, as laptop computers were not permitted within the States Chamber. It was agreed that the proposition of the Committee as previously constituted entitled: 'Hand-held devices in the States Chamber: trial' (P.77/2011 refers) and the relevant amendment (P.77/2011(Amd.) refers) should be included on the agenda for consideration at the next scheduled meeting of the Committee. Having had regard for the remainder of the financial report, the Committee asked that the income line be included in future quarterly reports.

Having been thanked for her attendance by the Chairman, Mrs. Abbot-McGuire withdrew from the meeting.

Code of  
Practice on  
Public Access  
to Official  
Information:

A4. The Committee received the 2011 Annual Report on the number of requests received by departments which mentioned the Code of Practice for Public Access to Official Information.

The Committee noted that, in accordance with Standing Order 128(g) of the

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2011 Annual  
Report.  
955/1(10)

Standing Orders of the States of Jersey it was the responsibility of the Committee “to keep under review the procedures and enactments relating to public access to official information and the procedures relating to access to information for elected members”. The report was compiled on an annual basis and detailed the number of requests that had been received by departments which had mentioned the Code of Practice on Public Access to Official Information. Some departments were of the view that the figures did not provide an accurate reflection of the number of requests for information that were received during the year, as many requests did not mention the Code and were dealt with as business as usual. It was noted that the process for dealing with requests for official information would change with the implementation of the Freedom of Information (Jersey) Law 2011, which legislation had been adopted by the States in May 2011 (P.39/2011 refers). Having considered the content of the report, the Committee agreed that it wished to ascertain what progress had been made to date in respect of the implementation of the Freedom of Information (Jersey) Law 2011. The Committee also wished to ascertain whether funding would be allocated in the Medium Term Financial Plan to meet the costs associated with the implementation of the legislation. The Chairman was requested to write to the Chief Minister in this regard.

The Committee, having noted the content of the Annual Report on the Code of Practice on Public Access to Official Information, asked the Chairman to prepare a foreword to be circulated to members by electronic mail and agreed that the report should then be presented to the States. The Committee Clerk was requested to take the necessary action.

Standing  
Orders:  
answers to  
questions.  
P.30/2012  
450/2/1(69)

A5. The Committee, with reference to its Minute No. A4 of 4th January 2012, received the proposition: ‘Standing Orders: answers to questions,’ lodged *au Greffe* on 26th March 2012 by Deputy G.P. Southern of St. Helier (P.30/2012 refers).

The Committee recalled that on 21st October 2011 the Deputy had lodged a proposition in the same terms which been withdrawn on 20th March 2012 (P.132/2011 refers). The Committee received the comment which it had presented to the States in respect of the earlier proposition, and, having considered its content, agreed that it wished to present the same comment to the States in respect of P.30/2012 as that which it had presented in respect of P.132/2011. The Greffier of the States was requested to present the comment to the States at the earliest opportunity.

Standing  
Orders and  
Internal  
Procedures of  
the States sub-  
committee:  
proposed  
Business  
Management  
Committee.  
465/4(11)

A6. The Committee, with reference to its Minute No. A10 of 14th March 2012, received a report from the Standing Orders and Internal Procedures review sub-committee regarding business management. Assistant Greffier, Mrs. L. Hart, was present for the consideration of this item.

The Committee recalled that the sub-committee had proposed the establishment of a Business Management Committee which would prepare a paper in advance of each States meeting setting out the priority of items on the Order Paper and indicating the length of time that each item of debate was expected to take. It was noted that there would be a risk that the length of debate would expand to fill the allotted time under such a system. At the present time, business was being conducted in a manner which enabled it to be completed within a reasonable timeframe, although it was noted that this had not always been the case and that the length of sittings might once again expand. It was proposed that, should a Business Management Committee be introduced, it would be on a trial basis, and would shadow the current arrangements. The Committee noted the procedures in other

jurisdictions, including New Zealand and Australia.

It was agreed that the matter should be given further consideration at a future Committee meeting.

Machinery of  
government:  
Sub-  
committee.  
1240/22/1(61)

A7. The Committee, with reference to its Minute No. A11 of 14th March 2012, received correspondence dated 5th April 2012 from the Chairman of the sub-committee for the review of the Machinery of Government, Deputy M. Tadier, in connexion with the sub-committee's terms of reference.

The sub-committee had been invited by the Committee to discuss its terms of reference with the Chief Minister. While the sub-committee had not been minded to approach the Chief Minister directly in this regard, the Chairman had indicated that members would be content to discuss the sub-committee's terms of reference with any States member who wished to do so. Deputy Tadier provided an oral update in respect of the work of the sub-committee and it was noted that interviews with key stakeholders, including Ministers and Assistant Ministers, would be undertaken in early course. The position was noted.

Work  
programme.

A8. The Committee, with reference to its Minute No. A12 of 14th March 2012, received its ongoing work programme.

The Review of  
the Roles of  
the Crown  
Officers.  
R.143/2010  
499/3(22)

A9. The Committee, with reference to Minute No. A9 of 10th March 2011 of the Committee as previously constituted, received a request from the Chairman that it review the position in respect of the findings of the report entitled: 'The Review of the Roles of the Crown Officers' (R.143/2010 refers). It was agreed that the report should be placed on the agenda for consideration at the next scheduled meeting.