

CHAIRMEN'S COMMITTEE

Meeting of Chairmen held on 20th April 2006

Present	Deputy R C Duhamel, President Deputy G P Southern Deputy S C Ferguson Deputy J. G. Reed
Apologies	Deputy R.G. Le Hérissier, Vice-President Deputy F J Hill Deputy P J D Ryan
Absent	
In attendance	Mrs. K. Tremellen-Frost, Scrutiny Manager Miss S. Power (Scrutiny Officer - for a time) Mr. W. Millow (Scrutiny Officer - for a time)

Ref Back	Agenda matter	Action
1.	Minutes of previous meetings The Minutes of the 24th March and 6th April 2006 were approved and signed.	
2. 24.03.06 item 9	Scrutiny Website Action Group [SWAG] No contact had yet been made between Deputies Duhamel and Ferguson with the above group. It was noted that Deputy J. Gallichan had expressed a wish to join the group and that she had offered to become a scrutiny "pivot" for public engagement. It was agreed that Deputies Duhamel and Ferguson would discuss matters with Deputy Gallichan in the first instance.	RD/SF
3.	Quarterly Financial Report - 1st quarter The Committee noted and approved financial reports for each of the Panels, PAC and the general scrutiny budget for the 1st quarter. Deputy J. Reed expressed his concern that there were no manpower figures and without these the picture was incomplete. Deputy Reed advised that he would discuss the matter with the Greffier and Assistant Greffier of the States.	JR
4. 24.03.06 item 11	PAC carry-forward request to Minister Treasury and Resources Deputy Ferguson had received a reply from the Minister of Treasury and Resources regarding the £30,000 carry-forward request. Deputy Ferguson briefed the Committee that it was the view of that Minister that the Public Accounts Committee did not require a budget. Deputy Ferguson would follow up the matter.	SF
5. 17.02.06 item 1	Corporate Services Panel - Sexual offences (Jersey) Law 200- Review The Panel noted the number of officer hours spent undertaking	

	<p>the above review and the number of hours worked which were supplementary to normal working hours where Time in Lieu could be taken.</p> <p>On a related matter the Social Affairs Panel was awaiting a reply from the Minister, Home Affairs regarding work undertaken by that Department on the above and the abuse of trust. If this was not forthcoming, the Committee agreed that it would support the Social Affairs Panel in progressing the matter.</p> <p>If relevant information was not forthcoming within two weeks from the Minister providing details of the consultation that the department had carried out, a letter would be written from the Chairmen's Committee requesting the information.</p>	
<p>6.</p> <p>24.03.06 item 11</p>	<p>Social Panel split</p> <p>The Committee considered a draft report and proposition in respect of the above which had been prepared by the Greffier of the States.</p> <p>The Committee considered issues relating to the proposed division, namely the number of members available to form another Panel, the consequences of a possible reshuffle, the amount of work involved in serving on two Panels and the effect on ongoing reviews.</p> <p>It also considered the names of the Panels as it was felt that Social panel 1 and Social Panel 2 was lacking in imagination.</p> <p>Furthermore, if a fifth Panel were created that would mean a Chairmen's Committee of eight members and it considered whether the additional independent members would be required. It was noted, however, that this would require a further amendment to Standing Orders.</p> <p>The Committee agreed substantial changes to the report and proposition and the Manager was asked to amend the draft, circulate to all Chairmen and subsequently to all Scrutiny Panel members.</p> <p>It was agreed to aim at lodging the report and proposition at the beginning of May.</p> <p>In conjunction with the above, a list of scrutiny topics considered for review which had been rejected or deferred due to insufficient room in the Panel's programme (or because there were insufficient resources) to accommodate additional review topics should be prepared by each Panel and submitted to the scrutiny office and Deputy Duhamel in the near future.</p>	<p>KTF</p> <p>Panels</p>
<p>7.</p> <p>24.03.06 item 13</p>	<p>Access to legal advice</p> <p>The Committee noted that the matter was scheduled for consideration by the Council of Ministers on 20th April, however had been deferred to its meeting of 27th April due to the absence of a number of Ministers on 20th April.</p> <p>It was agreed that an email should be sent to the Chief Minister</p>	

	<p>expressing the disappointment of the Chairmen's Committee that this delay had arisen and remind him that this was delaying the lodging of the Code of Practice for Scrutiny Panels and PAC.</p>	<p>KTF</p>
<p>8.</p> <p>24.03.06 item 14</p>	<p>Strategic Plan</p> <p>The Committee recalled that it had previously agreed that a co-ordinated scrutiny approach to the Strategic Plan would be more beneficial than independent Panel amendments. It also recalled that it had been agreed to submit individual Panel reports to the Scrutiny Manager in time for an executive summary to be drafted for the meeting. This had not occurred.</p> <p>The Committee received a scoping document from the Corporate Services Panel in respect of a proposed review into the financial framework of the Strategic Plan. It also received a status report from the Social Affairs Panel and noted that that Panel had taken a different approach to the matter.</p> <p>The Committee reaffirmed its intention to proceed with a co-ordinated approach and requested that all Panels forward information to Deputies Duhamel and Le Herissier by 28th April 2006. The latter would prepare a synopsis for consideration at a supplementary Chairmen's Committee meeting to be held on 4th May 2006 between 1.00pm and 2.30pm. Deputy J. Gallichan would represent the Corporate Services Panel in the absence of both the Chairman and Vice-Chairman and Deputy Martin would represent the Social Affairs Panel in the Chairmen's absence.</p> <p>This co-ordinated approach would not, however, preclude individual Panels from making individual amendments or undertaking individual reviews into areas within their remit.</p>	
<p>9.</p>	<p>Corporate Services Panel - Think Tank</p> <p>In relation to Minute No. 8 above, the Chairmen's Committee noted the proposal to create a Think Tank comprising local economists. This group would meet on a six monthly basis and guide the Panel as to where to find relevant evidence.</p> <p>Whilst the principle was noted, it was agreed that it was inappropriate that such a group be created at this stage. It advised the Corporate Services Chairman that it should seek out local economists who might assist with the review on the Financial Framework of the Strategic Plan only but not to form a group as proposed.</p> <p>The Committee also agreed that local people might be a useful asset in all areas of scrutiny, especially if they were prepared to give their service free of charge. It would be useful to create a local register of interested and suitably qualified local people in all scrutiny areas. The Committee requested a paper for a subsequent meeting on how this might be best achieved and how it could be advertised.</p>	<p>KTF/RD</p>
<p>10.</p>	<p>Communication Flow</p> <p>The Committee noted and endorsed the suggestion that the Scrutiny Manager should prepare a briefing summary sheet for</p>	

	<p>Panels on the matters considered at Chairmen's Committee meetings. It also agreed that PAC States members and independent members should receive these.</p> <p>Equally, matters from Panels should be referred to the Scrutiny Manager for placing on the Chairmen's Committee agenda.</p>	
11.	<p>Scrutiny Officers - rôle</p> <p>The Committee considered a paper prepared by the Scrutiny Manager in respect of the rôle of scrutiny officers. It was noted that there was some differing levels of expectations of this role.</p> <p>It was also noted that in other jurisdictions, there were researchers, clerks and press officers in separate rôles but in Jersey these rôles were combined. To that end the officers provided an independent and impartial executive support service to the Panels based on decisions taken at a political level.</p> <p>It was agreed that the Manager would discuss the rôle with each Chairman and Officers of each Panel with a view to all Panel members being made aware of the role officers should undertake.</p> <p>On a related matter, it was noted that the Scrutiny Manager had requested officers to attend Panel meetings of Panels with whom they had no contact. The purpose was for members to build up a rapport with all officers and for officers to understand the different working practices of the four Panels. It was understood that there might be occasions when officers have to stand in for colleagues on other Panels and this would support those occasions.</p>	KTF
12.	<p>Sub-Panels</p> <p>The Committee noted a paper prepared by the Scrutiny Manager regarding the establishment and working practices of Sub-Panels. It was considered that any Chairman of a Sub-Panel should be a member of the full Panel which would give better opportunities for regular feedback. It was, however, recognised that this was not stipulated in Standing Orders.</p> <p>The possibility of amending Standing Orders to permit a member to join a Panel for a particular review was also considered.</p>	
13.	<p>Social Panel - work programme</p> <p>The Chairman of the above Panel advised the Committee that due to a Housing report and proposition having been withdrawn which was going to form the basis of a review, the Panel had re-organised its work programme. The GP Out-of-Hours was awaiting the report from the Jersey Competition Regulatory Authority and the Early Years and Youth Services issues were delayed due to the Executive not having finalised these matters. The Panel had agreed, therefore, to move forward its review into the Rôle of Centeniers and the Magistrate's Court. The Chairman would consequently stand down from the Sub-Panel reviewing Low Income Support and undertake the review into the Role of Centeniers with the main Panel.</p>	

	<p>It was noted that the reviews had already been approved by the Chairmen's Committee and that it was a matter of rescheduling. The Panel was visiting H.M La Moye prison on 21st April and the Minister for Home Affairs was attending on the panel on 12th May 2006.</p> <p>On a related matter, Deputy Ferguson appraised the Committee that the States of Jersey Police Law 1974 had been updated.</p>	
14.	<p>Mobile Recording Equipment</p> <p>The Chairmen's Committee noted the cost of the above and requested that further enquiries be undertaken into alternatives. It was suggested that the Information Services Director be contacted together with Delta Conferencing.</p>	KTF
15.	<p>Written questions from public.</p> <p>The Committee considered a paper from the Corporate Services Panel regarding an initiative to invite written questions from the public to be considered for putting to Ministers at formal public meetings with Ministers. It was made clear that this did not include hearings.</p> <p>Notwithstanding the fact that the Committee approved the initiative in principle, it noted its previous agreement of 9th March 2006 that it would be inappropriate for the scrutiny function to use the Communications Unit and did not therefore approve the news release as prepared by that unit.</p> <p>It agreed, however, that an alternative news release or advert would be prepared which would include the announcement that the guidelines for submitting such questions would be available from the scrutiny office.</p>	
16. 09.03.06 item 3	<p>Media coverage</p> <p>The President advised the Committee of figures he had obtained in respect of the expenditure made by the States to the Jersey Evening Post from 2004 to 2006.</p> <p>The Committee considered alternative means of advertising States matters and the effect on the current Parish advertising system. It also considered whether it was more appropriate for the Privileges and Procedures Committee to progress this in view of the fact that a States-wide publication was being proposed which included the Council of Ministers.</p> <p>It was noted that research had previously been undertaken into the use of the Jersey Gazette and in the first instance it was requested that that research be sought. Subsequently, the President undertook to prepare a paper on the matter and forward this to the Chairmen's Committee and the Public Accounts Committee.</p>	
17.	<p>Joint Scrutiny Meeting</p>	

<p>24.03.06 item 7</p>	<p>The Committee recalled its previous agreement to hold a co-ordinated scrutiny public event. The President reported back that the Environment Panel had not supported this initiative, however the Committee agreed to progress this as it would demonstrate to the public that scrutiny was a co-ordinated function.</p> <p>It was agreed that any Panel member could be nominated to represent a Panel and that it need not necessarily be the Chairman. It was also agreed that a public meeting regarding the strategic plan would be appropriate and that as well as a general invitation, specific organisations could be invited.</p> <p>The 18th May 2006, 7.30pm to 9.00pm was approved in principle and after discussion regarding an appropriate venue, including Fort Regent and the Opera House, it was agreed that the Arts Centre would be more appropriate.</p> <p>Availability and costs for this would be sought prior to any further action such as media releases.</p>	<p>KTF</p>
<p>18.</p>	<p>Scrutiny Plus</p> <p>The Committee was advised that at the last Scrutiny Plus meeting, it had been agreed that meetings of the above group should be formalised by having minutes taken in order to improve communication.</p> <p>The Committee received and noted email communication between the States Greffe and the President in respect of the above, however, the President maintained that these meetings were Chairmen's Committee meetings to which all non-executive members were invited.</p> <p>Some members believed that it could also include Assistant Ministers, although this was not widely accepted. Concern was expressed that there may be a perception that this was the establishment of an opposition and it was noted that it was not a States-approved body. Consideration was also given to whether there might be progressing into an area which might be considered ultra-vires.</p> <p>Whilst it was recognised that Scrutiny Plus had been formed along similar lines to the previous Member's Forum which was an informal body, there remained an opinion by some members that the Scrutiny Plus function should be formalised, as it brought together all members who should be involved in scrutiny.</p> <p>Various alternatives of ways to provide secretarial support were explored including members rotating the responsibility or members contributing a small sum of money to pay for such support.</p> <p>It was agreed that the matter would be referred back to the next Scrutiny Plus meeting.</p>	<p>RD</p>
<p>19.</p>	<p>Corporate Services Panel - proposed reviews</p> <p>The Committee received scoping documents, estimates of</p>	

	<p>resource requirements and draft contract for consultancy services in respect of two proposed reviews: draft GST Law and Zero Ten “Look Through” provisions.</p> <p>The Committee noted that the appointment of the consultant Mr. Richard Teather had followed correct procedure in accordance with Financial Direction 5.1. It was also noted that that Direction required a consultant employed by the States of Jersey to hold personal indemnity insurance, which Mr Teather had had difficulties acquiring.</p> <p>The Committee queried the necessity for this in respect of the scrutiny function and requested that this be investigated.</p> <p>It was noted that the reviews would be conducted by Sub-Panels, although membership of those Panels was not currently available.</p> <p>The Committee approved the two reviews and the appointment of the adviser subject to clarification of the personal indemnity insurance issue.</p>	KTF
20.	<p>Environment Panel - appointment of adviser</p> <p>The Committee noted that the Environment Panel was intending to appoint Mr Chris Coggins to provide advice in respect of its Waste Review. Mr. Coggins had been appointed as adviser to the Shadow Scrutiny Panel which had reviewed the draft Waste Management Strategy and in consequence had background knowledge of the issues pertaining to the Jersey situation.</p> <p>Although the Committee approved the appointment in principle, it was noted that the matter of personal indemnity insurance would need to be ascertained before any contract could be signed.</p>	
21.	<p>Centre for Public Scrutiny - attendance</p> <p>The Committee noted that the above conference was to be held on 28th June 2006 and also noted that a training day for officers followed on 29th June 2006. It also considered the possibility of visiting a Select Committee or a nearby Borough Council on the day prior to the conference.</p> <p>The Committee, noting its responsibility to oversee allocation of resources to the scrutiny function, agreed that three members should attend, with two of those being new members and a third being a more “established member”. The decision regarding which members would attend would be decided by the Chairmen’s Committee.</p> <p>The Committee, having noted the officer day following the day of the annual conference agreed that up to four officers might attend.</p>	
22. 24.03.06 item 4	<p>Guidance Notes for States of Jersey (Powers, Privileges and Immunities) (Scrutiny Panels, PAC and PPC) (Jersey) Regulations 2006.</p>	

	The Committee received and noted the above guidelines which had been prepared by the Greffier of the States.	
23.	Draft Code of Practice The Committee received some proposed amendments to the draft Code of Practice which had been prepared by the Greffier of the States. It was agreed to defer this matter to the next meeting when the Greffier should be invited to attend.	

Signed

Date:

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President, Chairmen's Committee