Chairmen's Committee

Record of Meeting

Meeting by electronic mail

Date: 17.06.10
Meeting No: 47

Present	Senator B. E. Shenton, President Deputy R.G. Le Hérissier, Vice-President Senator S.C. Ferguson (from item 4 to end) Deputy P.J. Rondel Deputy M.R. Higgins (from item 4 to end) Deputy D. De Sousa (representing Health, Social Security and Housing)
Apologies	Senator A. Breckon
Absent	
In attendance	Connétable J. Gallichan, Chairman, Privileges and Procedures Committee (items 3 and 4) Deputy T. Vallois (item 10 to end) Mr. M. De La Haye, Greffier of the States (items 3 and 4) Mrs. K. Tremellen-Frost, Scrutiny Manager

Ref Back	Agenda matter	Action
	1. Minutes The minutes of 29th April and 4th, 11th and 13th May 2010, having been approved were signed.	
23.03.10 item 17 **499/3(22)**	**2. Review of the rôles of the Crown Officers: attendance of President on Panel.** The President advised the Committee that he had attended on the Review Panel as a witness in his capacity of President of the Chairmen's Committee. The Committee noted that the President focussed on scrutiny issues only and did not discuss any personal views.	
29.04.10 item 12 **1444/4 (18)**	**3. Comprehensive Spending Review: States Assembly budget** The President, Privileges and Procedures Committee and the Greffier of the States attended the meeting for this item. A paper from the Greffier of the States was received which outlined the following: 1. Statutory provisions to protect the independence of the States Assembly budget; 2. Article 10 of the Public Finances (Jersey) Law 2005 enabled the Privileges and Procedures Committee (PPC) to propose its own cash limits without interference from the Council of Ministers or the Minister for Treasury and Resources; 3. Control of the entire States Assembly budget including scrutiny was under the control of PPC, although the scrutiny function managed its own budget;	

	4. PPC had been requested by the Minister for Treasury and Resources to consider participation on a voluntary basis to make the same saving cuts as other Departments; 5. PPC agreed with the above with the proviso that the budget for States Members' remuneration was treated separately and excluded from the initial savings proposals; 6. The following approximate cuts would need to be made from the scrutiny budget:- 2011 2% £33,000 2010 3% £34,000 2013 5% £54,000 7. The breakdown of the overarching States Assembly budget and related total approximate cuts. The Committee considered matters such as the possible implications if legislative scrutiny were to increase or if P.70/2010 "Machinery of Government: Amended Structure" were to be approved by the States. The Committee noted the paper and agreed to the associated budget cuts.	
29.04.10 item13 **1240/10 (36)**	**4. Media Working Group: correspondence** The President, Privileges and Procedures Committee and the Greffier of the States attended the meeting for this item. The Committee considered correspondence, dated 19th May 2010, from the PPC in response to correspondence, dated 4th May 2010, from the Chairmen's Committee expressing Panel views in respect of the media working party report. The PPC had expected the Chairmen's Committee to take a consensual view, however, the Committee explained that it had no powers to determine a consensual view from a range of mixed Panel views. The Chairman, PPC noted this to take back to her Committee.	
	5. Panel reports The Committee noted the reports of all Panels and the Public Accounts Committee.	
29.04.10 item 12 **1444/4 (18)**	**6. Comprehensive Spending Review: Scrutiny Work** **Corporate Services Scrutiny Panel:-** was currently undertaking a review into the process taken across all Departments; **Economic Affairs Scrutiny Panel:-** had requested details of the Economic Development Department's approach to the Comprehensive Spending Review; **Education and Home Affairs Scrutiny Panel:-** was arranging public hearings with the relevant Ministers; **Environment Scrutiny Panel:-** had received an early briefing from the Minister of Transport and Technical Services and further requests made. A meeting with the Minister for Planning had been postponed	

	and details of savings proposals still awaited; **Health, Social Security and Housing Scrutiny Panel:-** the last meeting had been cancelled so the matter was due to be discussed at its next meeting. **Public Accounts Committee:-** was not reviewing the Comprehensive Spending Review as it was an inappropriate role for the Committee. The Chairman, Economic Affairs Scrutiny Panel explained that as he had been unwell for three weeks he had not been able to keep up with which information was readily available and in the public domain and which remained private. The Chairman, Corporate Services Panel advised that that Panel had put out a call for evidence about the overarching process and there would be transcripts from all hearings which would be made public.	
	7. Environment Scrutiny Panel: Ramsar review - increase in budget The Committee noted that the above Panel had agreed to raise its budget for the Ramsar review by £3,000 to cover additional work which may be needed by the adviser.	
	8. Education and Home Affairs: Children's Policy Group The Committee noted that the Education and Home Affairs and Health, Social Security and Housing Scrutiny Panels had both been sent correspondence from the Children's Policy Group. The former Scrutiny Panel had expressed its enthusiasm to form a Sub-Panel comprising Members from each of the two Panels to undertake a short review. Deputy De Sousa undertook to ensure that this was considered at the next HSSH Panel meeting.	**DDS**
29.04.10 item 17 **510/1(5)**	**9. Access to Executive information** The Committee considered whether information from Executive Departments was more readily available and noted the following:- **Corporate Services Scrutiny Panel**: - no problems were being experienced. The Panel was content to receive papers under confidential cover as it could use the information to illicit other information needed. The Panel was working well and had no need to take an adversarial approach which would be detrimental to the working of the Panel; **Economic Affairs Scrutiny Panel:** - the Chairman had discussed access to information with the Minister for Economic Development but he had no knowledge if it had improved. The Committee noted that, in the Chairman's view, the Department was not helpful and it became adversarial when the Executive refused to give the information; **Health, Social Services and Housing Scrutiny Panel**:- access had much improved since the Code of Practice had been used to chase the Minister for Social Security when information was not forthcoming; **Environment Scrutiny Panel:** the Committee noted that at times it could take three weeks for information to arrive and that the Chairman had had to contact the Minister directly.	

29.04.10 item 6 **510/1(51)**	**10. Economic Affairs Scrutiny Panel: issues** The Committee recalled that it had received correspondence from Deputy Vallois with regard to the process used by the Economic Affairs Scrutiny Panel in respect of the formation of a Sub-Panel to review the Harbours and Airport. The Deputy had also expressed concerns in respect of the potential conflict of interest on the part of the Economic Affairs Scrutiny Panel Chairman in reviewing the airport. Consequently Deputy Vallois was present for this item. The Committee considered a range of issues relating to the operation of the Economic Affairs Scrutiny Panel as outlined below:- **Harbours and Airport Sub-Panel: process** Deputy Vallois explained issues of concern to her in the process of the formation of a Sub-Panel to review Harbours and Airports. In this regard she explained that the Code of Practice had not been adhered to and that she needed to have a clear project plan with timescales and deadlines before being able to commit due to a heavy workload. Deputy De Sousa had also been informally approached to join the Sub-Panel and was interested in the subject but needed advance notice as she would only take part if she could fully commit to it. At present she was too heavily committed to other matters. **Airport: Conflict of interest** The Chairman explained the areas he wished to review, with which he maintained he had no conflict as they weren't areas with which he had any involvement. Also the review would seek evidence and the report would be based on that evidence. The Committee considered perception issues and noted that Deputy Vallois had had to fight for the credibility of the Data Protection report (a review which she had chaired) as there were claims that the Economics Affairs Scrutiny Panel Chairman had a conflict. Deputy Vallois maintained that there was no conflict and that as Chairman of the review she was content with that but there were strong perceptions which were affecting credibility. **Reviews: general** In respect of reviews the Economic Scrutiny Panel Chairman explained that:- • the Harbours and Airports Review had been postponed to permit a Jersey Post/JCRA review; • a review into Skills and Training had also been postponed to permit the Jersey Post/JCRA review; • he, as Chairman had produced his own Sea Fisheries Bag Limits Report independent of the Panel but the Panel Members were not prepared to read it; • he was, therefore, going to lodge his own report as a supporting paper to a private Member's projet; • there had been no other issues with any of the other reviews; • he, as Chairman had assumed work had been ongoing	

	with the Jersey Post/JCRA as this was how it had been left before he became ill; • He assumed that the Panel had continued to meet in his absence and progress matters. **Resignations** The Chairman explained that Deputy S. Pitman had announced that she would resign when she had completed certain reviews. He also advised that her reason for resigning was her dissatisfaction with the scrutiny process as a whole and had no relation to specific Panel matters. No other Members had mentioned tendering resignations. **Officer Support** The Manager advised that as the Tourism PPP report had been drafted and no Sub-Panel had been formed to review Jersey Post/JCRA, one officer had more or less full capacity to assist in another scrutiny area. The Chairman advised that he had made it clear that if the Jersey Post/JCRA review was not to go ahead then the review into Harbours and Airports would proceed, providing the officer with sufficient work. However, the Manager explained that no Sub-Panels for either review had been formed and as soon as they were officer support would be provided. **Other matters** by Senator Ferguson The Economic Affairs Scrutiny Panel Chairman was asked whether he felt he would be more effective as a Panel Member rather than a Panel Chairman, however, he explained that he had been unwell for three weeks. The Committee noted minutes of the Corporate Services and Health, Social Security and Housing Scrutiny Panels expressing their concerns about the practices of the Economic Affairs Scrutiny Panel as it was bringing the name of scrutiny into disrepute. The Committee explained that, whilst it was understood that the Chairman was suffering from ill health, the Economic Affairs Scrutiny Panel had not been working well for some considerable time.	
29.04.10 item 20 **510/1(5)**	**11. Code of Practice for Scrutiny Panels and the Public Accounts Committee Review** Deputy Vallois was present for this item in her capacity as Chairman of the review group considering the Code of Practice for Scrutiny Panels and the Public Accounts Committee. In respect of the Code of Practice, the Committee received a paper with the findings of the review group which, noting the many diverse views of Members about the scrutiny function as a whole, had concluded that, until there was an agreed definition of scrutiny it was not appropriate to continue a review of the Code. Consideration was given as to whether there were areas of the Code of Practice which could be progressed in the short term. However, the Committee was mindful of P.70/2010 "Ministerial Government:	

	Amended structure" which it was believed required debate before proceeding with a fuller review of the Code of Practice.	
29.04.10 item15 **510/1(47)**	**12. Member-only meeting: feedback.** Deputy Vallois was present for this item in her capacity as having raised the Code of Practice issues at the member-only meeting. The Committee noted that the main message from the morning was dissatisfaction with scrutiny at a political level. It had concluded that there were no issues with the Scrutiny Office support team with the "fault" being with the Members themselves. There was a need for everyone to buy into scrutiny. The Chairman, Economic Affairs Scrutiny Panel advised that he may resign from scrutiny once the Harbours and Airport Review had been completed as he had insufficient time to do the job properly. Consideration was given to the appropriate use of officer support which freed Members up considerably to dedicate more time to individual non-Executive, non-Scrutiny work, however there was a view that the real problem was that there was too much Executive work taking place for it all to be scrutinised properly. The Committee noted that the ability to be selective and focussed on specific scrutiny reviews was important. Consideration was also given to a means by which scrutiny could be defined and for Members to be obliged to sign up to working within that definition otherwise they would not be permitted to take part.	
29.04.10 item 9 **1240(214)**	**13. Private Member versus political responsibilities: correspondence form the Chief Minister** The Committee received correspondence dated 12th May 2010, from the Chief Minister which stated that there was a general agreement that all Members should consider separating private business from business in relation to their responsibilities as appointed by the States. Deputy Vallois was present for this item.	
	14. Public engagement initiatives: operational: update of work in progress The Committee noted ongoing work in relation to the updating of the Public Engagement Strategy and related matters, including the trial social networking site and training of officers in respect of the latter. The Committee was also apprised of the number of hours and number of staff who had had to assist in the Income Support public engagement exercise (7 Scrutiny Officers and 67hrs of assistance from other areas of the States Greffe, 487hrs in total). In this regard, whilst every effort would always be made to support such initiatives, consideration needed to be given by Panels to the potential work demands at the outset of any major public engagement exercise so that attempts could be made to meet the staffing needs. Also consideration could be given to whether another Panel was planning a major consultation exercise at the same time as it may not be appropriate to run two or more large concurrent public engagement exercises. Deputy Vallois was present for this item.	
29.04.10 item 22	**15. Media and Presentation Skills Training**	

510/1(3)	The Committee noted costs for media and presentation skills training which they had requested at the previous meeting. Deputy Vallois was present for this item.	
29.04.10 item19 **510/3(2)**	**16. Citizenship Project** The Committee noted that there had been difficulty acquiring political sign-up to the June and July sessions of the above project. It was also noted that Les Quennevais School had had to cancel due to an internal issue. The session at Le Rocquier on 1st July was still scheduled but was in need of more Members. Deputy De Sousa volunteered to attend which meant three more Members were needed. The Committee expressed their concern at the subject choice and noted that the choice had been decided by educationalists. Deputy Vallois was present for this item.	
	17. Save our Shoreline The Committee noted that a Ramsar Management Authority was in the process of being established to oversee the Ramsar Site Management Plan. Save our Shoreline had a presence on this and had expressed concerns at the handling of it, claiming that it should be operated as an Non-Governmental Organisation (NGO) and chaired by a member of the NGO rather than by a politician. The Committee considered that the group must remain independent of Ministers and Departments. Deputy Vallois was present for this item.	
	18. Joint meeting with Council of Ministers The Committee received an amended agenda for the forthcoming meeting of that day with related supported papers.	

Signed ..... Date: 15th July 2010

Senator B. Shenton
President