

Chairmen's Committee

PUBLIC MEETING

Record of Meeting

Date: 17.09.09

Meeting No: 27

Present	Senator B. E. Shenton, President Deputy R.G. Le Hérissier, Vice-President Senator S.C. Ferguson Deputy P.J. Rondel Deputy D De Sousa (representing Health Social Security and Housing Scrutiny Panel) Deputy S. Pitman (representing Economic Affairs Scrutiny Panel)
Apologies	Senator A. Breckon Deputy M.R. Higgins
Absent	
In attendance	Mrs K. Tremellen-Frost, Scrutiny Manager

Ref Back	Agenda matter	Action
	<p>1. Minutes</p> <p>The minutes of the 23rd and 24th July, 14th and 17th August and 14th and 15th September 2009, having been agreed were accordingly signed.</p>	
	<p>2. Panel Activity reports</p> <p>The Committee noted these and the following additional items:-</p> <p>Corporate Services Scrutiny Panel: Economic Stimulus Plan Part 2: scoping document and terms of reference were noted.</p> <p>Migration and Population Review: Deputy De Sousa agreed to join the Panel as a representative of HSSH.</p> <p>Environment Scrutiny Panel: Ramsar review: a departmental officer was on long term sick leave and it was believed that this was hindering Ramsar review.</p> <p>Deputy Le Claire would be joining Panel and this would be put before the States as required.</p> <p>Health, Social Security and Housing Scrutiny Panel: Professor Whitehead had been due to meet the Panel but as the Council of Ministers had cancelled the visit had deferred its presentation of the report until 16th October due to work pressures, the matter was embargoed until that date.'</p> <p>Dental Review: Senator Ferguson offered to join a Sub-Panel or to be co-opted to the main panel.</p> <p>Public Accounts Committee (PAC):</p>	

	<p>Deputy Vallois was to resign from this Committee as the work closely resembled that of the Corporate Services Scrutiny Panel of which she was a member. The Committee noted that Senator Perchard had offered to become a member of PAC and the necessary action would be taken in this regard.</p>	
<p>23.07.09 item 6</p>	<p>3. Ministerial Responses</p> <p>The Committee welcomed Deputy T. Vallois to the meeting for this item.</p> <p>The Committee, being aware of the Deputy's concerns in respect of a lack of monitoring implementation of scrutiny panel recommendations considered a draft template which aimed at standardising the responses as presented to the States. The Committee noted that this would include a column for which Minister would take the action, a column for rejection or acceptance of each recommendation and a date for implementation of an accepted recommendation.</p> <p>The Committee agreed that above and also agreed that a letter and attached template would be sent to the Chief Minister to advise that Panels would be expecting this template to be used forthwith.</p>	<p>KTF</p>
	<p>4. The Isle: media source</p> <p>The Committee was advised that information had been received in relation to a free publication entitled "The Isle" and noted costs for placing adverts. It was also advised that an approach had been made from a former Senator who was working freelance to include a free editorial "Have Your Say" in the magazine in respect to forthcoming reviews.</p> <p>The Committee decided that it would be advantageous to seek Panel views on the potential use of the publication and whether a forward-looking free editorial in the form of a "Have Your Say" page for future reviews would be appropriate. It was agreed to consider the Panel views at the December meeting.</p>	<p>KTF</p>
<p>23.07.09 item 9</p> <p>510/3(5)</p>	<p>5. Newsletter</p> <p>The Committee approved the costs and timing for distribution mid-November of an 8page newsletter in the same layout as previous editions.</p> <p>The Committee agreed not to advertise in the Waterfront Car Park lightbox.</p>	<p>KTF</p>
<p>23.07.09 item13</p>	<p>6. Joint Chairmen's Committee and Council of ministers: agenda items</p> <p>The Committee considered the value of these meetings and concluded that as scrutiny needed to be much more robust and really challenge Ministers, these meetings should continue. There was concern at the manner in which some Ministers portrayed disregard and disrespect of scrutiny.</p> <p>Concern was expressed regarding some matters being withdrawn from the States by Ministers when they were aware a scrutiny review was already well underway. Furthermore these had been withdrawn without the courtesy of advising the relevant Panel of the decision. Further concern was expressed in respect of the Council of Ministers postponing the "Whitehead" presentation at the last minute when there had been an arrangement for the Health, Social Security and Housing Panel to meet Professor Whitehead.</p>	

	Deputy Le Hérissier requested that his dissent from the decision to continue holding joint meeting with the Council of Ministers be recorded.	
23.07.09 item 8 510/1(3)	7. Chairing Skills The Committee, noting that there was the possibility of either an electoral college for Jurat or the swearing-in of a Jurat on the 30th November 2009, the same day that the above training has been arranged, agreed to proceed with the training as arranged.	
	8. Chairmen's Committee meeting: private or public The Committee considered the implications of holding its meetings in public when its function was that of an overseeing body of the scrutiny function and not to undertake scrutiny reviews. The Committee agreed to continue its current working practices with both open and closed sessions in accordance with the Code of Practice on Public Access to Official Information. The Committee recalled that in the event of interruption by members of the public or any other disruptions, it could ask the public to leave and/or close the meeting and reconvene at another time.	
23.07.09 item 12 510/2(1)	9. Legal Advice The Committee noted correspondence, dated 13th and 24th July 2009 between the President and H.M. Attorney General. The Committee reconsidered the situation which had given rise to H.M. Attorney General's concerns and agreed that legal advice should be sought either internally from the Law Officers Department or externally through a private lawyer but not both. The President and Vice-President agreed to meet Deputy Tadier who had been Chairman of the Sub-Panel which had sought both internal and external advice prior to reverting to H.M. Attorney General.	BS/RL H
	10. Health, Social Security and Housing Scrutiny Panel: proposed split The above Committee had expressed concern that it was unable to effectively scrutinise the three areas in its remit due to their size. Having considered issues relating to the creation of a further Panel such as availability of Members, the Committee agreed to write to the Privileges and Procedures Committee to request it to consider the following matters: (a) A requirement of all non-Executive Members to be active on scrutiny; (b) A review of the Assistant Minister's rôle, given that some appear to have very light workloads and to consider their participation in scrutiny reviews; (c) A review of the Standing Orders relating to selection of Assistant Ministers so that Panel Chairmen are appointed after Ministers and before Assistant Ministers are selected by the Ministers; (d) An investigation into the possibility of Members new to the States being obliged to work in scrutiny before the Executive.	KTF
15.09.09 item 1 510/1(42)	11. Public recordings of scrutiny events: P112/2009 and meeting with delegation The Committee agreed to withdraw P112/2009 as a working group was	

	<p>being established to look into all issues surrounding media. The Committee also agreed that the President would serve on this working group with the Chairman of Privileges and Procedures Committee and a Minister yet to be decided.</p> <p>The Committee welcomed Messrs M. Dun, N. MacMurray and N. Le Cornu to the meeting and considered their views on public engagement and scrutiny matters in general. A recording and transcript was made of this part of the meeting which is appended to these minutes.</p>	
<p>23.07.09 item 14 510/1(35)</p>	<p>12. Staffing</p> <p>The Committee recalled that a means of employing staff on a short term contract basis, additional to the current staff complement had been explored.</p> <p>The Committee noted that the States of Jersey had a corporate agreement with a recruitment agency which undertook all necessary checks on potential contractual employees. The Committee further noted and agreed the following matters:-</p> <ol style="list-style-type: none"> 1. If a Panel requested a contracted officer, this would only be taken up after confirmation by the Scrutiny Manager that there was no officer support available from the existing officer base. 2. Any contractual worker would be taken on following accepted procedures; 3. The cost of employing a contracted officer; 4. The fact that officer training is "on the job" and would take other officers and the manager's time in supporting a contracted person; 5. Officers new to the post shadowed another officer and this would have to occur with a contracted person as part of a training programme; 6. Even if one or more contracted people gained the specialist skills of a Scrutiny Officer, there was the possibility that those people would move to full-time employment or not be available when a Panel needed someone; 7. Panels would need to be very organised about the length of reviews, work-load and meetings; 8. An additional person might be hot-desking and working from a lap-top - there were specific working conditions which must be adhered to under the Health and Safety at Work (Jersey) Law 1989 (ACoP Display Screen Equipment) <p>The Committee agreed to confirm with the recruitment agency that there may be an occasion when a contractual worker would be required.</p>	<p>KTF</p>
	<p>13. States Building</p> <p>The Committee agreed to identify the body which administered the States Building and to request information in respect of wheelchair access, doors of scrutiny rooms opening inwards, hearing loop provision and the height of the notice board outside the building.</p>	<p>KTF</p>
	<p>14. Date of next meeting</p> <p>The next meeting was scheduled for 15th October 2009 after which there was a joint meeting scheduled with the Council of Ministers.</p>	

Signed

Date:

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Senator B. Shenton, President

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