

Privileges and Procedures Committee

(4th Meeting )

12th September 2022

**Part A (Non-Exempt)**

All members were present

Connétable K. Shenton-Stone of St Martin  
Deputy M.R. Le Hegarat of St Helier, Vice-Chair  
Deputy L.J Farnham of St Mary of St Ouen and St Peter  
Deputy C.A. Alves of St Helier  
Deputy L.K.F Stephenson of St Mary, St Ouen and St Peter  
Deputy M.R. Ferey of St Saviour

In attendance -

Ms L. Hart, Greffer of the States  
Mr W. Millow, Deputy Greffier of the States (Chamber and Members' Support)  
Ms K. Boydens, Principal Committee and Panel Officer  
Ms K. Camara, Research and Project Officer  
Ms. J. Ecobichon-Gray, Mindset Matters UK (Item B1)

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

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| Minutes.  | A1. The Minutes of the meetings held on 26th July 2022 (Part A and Part B) and 17th August 2022 (Part A) having previously been circulated, were taken as read and approved.   |
| Forthcoming business for debate by the States Assembly. | A2. The Committee considered forthcoming business for debate by the Assembly at its meetings on 13th September 2022 and 4th October 2022. The Committee decided that it did not wish to make a formal comment on any of the Propositions which had been lodged 'au Greffe' for debate on those dates.  |
| Reinstatement of Senators.                              | A3. The Committee, with reference to Minute No. A2 of 26th July 2022, recalled that Deputy I. Gorst had lodged a Proposition entitled 'Reinstatement of Senators' (P.79/2022) on 27th June 2022, which was due to be debated on 4th October 2022. The Committee noted that Deputy Gorst had agreed to defer the debate, originally scheduled for 13th September 2022, to allow it more time to consider its response more fully. |

The Committee agreed that it was still too early to develop proposals for the reinstatement of Senators, particularly as the Election Observers Mission undertaken by the Commonwealth Parliamentary Association had not yet published its full Report, and the Jersey Electoral Authority's review of the election process had also not been made available.

The Greffier advised that she would seek clarification from the Commonwealth Parliamentary Association as to when the Election Observers Mission (EOM) report would be published. The Chair confirmed that she would discuss the matter again with Deputy Gorst and would ask him to consider deferring the Proposition until November,

in order for the Committee to consider the EOM report.

Remote  
Participation in  
the States  
Assembly.

A4. The Committee, with reference to Minute No. B3 of 28th February 2022, received and considered a paper by the Deputy Greffier regarding Standing Order 55A which enabled remote or hybrid meetings of the Assembly.

The Deputy Greffier explained remote participation had been included in the legacy report of the Committee's predecessor, which had mentioned the fact that there were two States Assembly decisions that would need to be addressed by the Committee. The first from the adoption of the former Deputy J.H Young's proposition entitled '*States Meetings: Continuation of Remote Participation*' (P.87/2021). The Assembly agreed that Members who did not wish to attend in the States Chamber could continue to take part in States meetings using Microsoft Teams until the States had considered and voted upon a Proposition to re-apply Standing Order 55A(1) or to repeal or vary the terms of that Standing Order. It was noted that Standing Order 55A(1) essentially provided for the remote participation in States Assembly meetings.

The second States Assembly decision arose from the adoption of the first part of Deputy I. Gardiner's Proposition entitled '*States Meetings – Remote Participation and Proxy Voting*' (P.63/2022). The Assembly agreed that at any time when remote participation in States meetings was permitted, Members should be able to participate remotely from outside Jersey in the event that unforeseen circumstances prevented their participation from in the Island, with the circumstance permitting such participation to be determined in accordance with guidance issued by the Bailiff.

Therefore, the adoption of the Propositions from former Deputy Young and Deputy Gardiner required the Committee to consider the matter and to approve a way forward with a policy in respect of remote participation and proposed amendments to Standing Order 55A.

After discussing the matter, the Committee agreed that Standing Order 55A should accommodate a Member being able to participate remotely in States Assembly meetings when they were unable to attend in person for health-related reasons, but would not otherwise be marked as 'malade'. The Committee also agreed that this should be expanded to concern the health of either a family member or household member of the Member concerned.

In order to address Deputy Gardiner's proposition, the Committee agreed that a Member should be able to participate remotely when they were unable to be present in Jersey due to 'unforeseen circumstances' with such circumstances to be determined in accordance with guidance issued by the Bailiff.

The Deputy Greffier advised that an amendment to Standing Orders would be drafted and placed on the Committee's next agenda for approval.

Constituency  
Offices.

A5. The Committee received and considered a paper from the Deputy Greffier regarding the establishment of constituency offices for States Members. The Deputy Greffier explained that, as part of the Government of Jersey's 100 Day Plan, the Chief Minister had set out an intention to establish constituency offices. Although this had formed part of the Government's plan, the Deputy Greffier advised that the topic fell within the Committee's remit as it related to facilities and services for all Members.

The Committee noted that the Chief Minister had written to the Chair on 5th August 2022 about the establishment of constituency offices and, subsequently, a meeting had taken place with the Chief Minister, the Chair of PPC and the Chair of the Comité des

Connétables on 2nd September 2022 to discuss the matter further. The Deputy Greffier explained that, from initial engagement with the Chief Minister, it was understood that the overall aim was to achieve a location within each constituency where Members could work, hold surgeries and meet with the other representatives of that constituency. Where a constituency comprised more than one Parish, a location in each Parish would be identified. Each location would ideally be accessible outside of standard office hours and, therefore, any location would need to offer appropriate space for meetings. Ideally, support staff would also be available to assist with the work undertaken.

The Deputy Greffier advised that it would be challenging to deliver the entire aim for constituency offices within the timescale envisaged by the Government. It was noted that the Connétables were happy to work with and support the project, but they had highlighted to the Deputy Greffier that the Parishes did not necessarily have the infrastructure available to support all that was intended, in particular the provision of workstations. Therefore, identifying spaces that could be used by Members for meetings and surgeries on a clear and consistent basis, was seen as the initial priority.

In terms of resourcing, the Chief Minister had expressed the hope that this could be achieved with limited cost, particularly if existing parochial infrastructure could be utilised where practical. The Chief Minister had also asked whether support from the Members' Resources Team at the States Greffe could be provided. The Deputy Greffier advised that supporting constituency offices with staff was not something the States Greffe was currently resourced to do, but it could be feasible to ensure that any spaces identified were equipped appropriately, for example with printers. Furthermore, the Deputy Greffier explained that there had been an offer from the Government to provide funding, but it was unclear how much funding and resource would be required to deliver constituency offices, both in the short-term and to achieve the overall vision.

The Deputy Greffier advised that the focus currently was on coordinating and consolidating information to develop a list of locations that could be used within each Parish for meetings and to hold surgeries. The Committee noted that this work would be led by the Members' Resources Team within the States Greffe, and that the Team would engage with the Parishes, Government and Members to ensure the information was collated in full.

The Deputy Greffier explained that the advantage of the Committee leading on this matter was that the work could be undertaken alongside the Committee's other work-stream of providing improved facilities for Members in and around the States Building including the acquisition of 23 Hill Street.

The Committee noted the status of the work on constituency offices and looked forward to receiving further updates in due course.

Pan-Island  
Commissioner  
for Standards.

A6. The Committee, with reference to Minute No. A6 of 26th July 2022, received and considered a paper by the Principal Committee and Panel Officer regarding a joint recruitment exercise with Guernsey to appoint a pan-Island Commissioner for Standards.

The Committee noted that a meeting had taken place with Mr S. Ross, Greffier of the States of Guernsey and the Greffier of the States on 3rd August 2022. The States of Guernsey were due to meet on 28th September 2022 to consider the *Projet de Loi* to legally create a Commissioner for Standards position. If approved, the recruitment exercise between the two Islands would commence in October with a view to recruitment to the role by February 2023. In that regard, a job description, person specification and information about remuneration and time commitment would be

drafted in October for approval.

The Committee noted the plan for recruitment accordingly and looked forward to receiving the recruitment pack in due course.

Establishment  
of Sub-  
Committees.

A7. The Committee, with reference to Minute No. A1 of 17th August 2022, received and considered a paper by the Principal Committee and Panel Officer regarding the establishment of Sub-Committees.

The Committee noted that its predecessor had established six Sub-Committees to deal with and focus on particular issues. These included:

1. **Election Observers** – established to review and implement where possible, the 18 recommendations made within the Election Observer Mission Report in 2018.
2. **Political Awareness Education** - established to facilitate closer co-operation between the work of the Committee relating to raising political awareness and engaging with the public about the work of the Assembly.
3. **States Members Pensions** – established to oversee the States Members' pension scheme.
4. **Diversity Forum** – established to work towards the aim of the States Assembly fully reflecting the population of Jersey and representing all of the communities and interests in the Island.
5. **States Members' Remuneration** – established to review each specific recommendation made in the report 'Independent Review of Jersey Members' Remuneration process' (R.121/2020).
6. **Democratic Accountability and Governance** – established to undertake a review of the accountability of government to the public and the Assembly.

The Committee recalled that it had previously agreed to re-establish the Political Awareness Education and Diversity Forum Sub-Committees. In relation to the Election Observers Sub-Committee, the Committee agreed that the latest Election Observer Mission Report would be considered by the main Committee as opposed to a Sub-Committee.

The Committee agreed to re-establish the States Members Pension Sub-Committee and tasked the Principal Committee and Panel Officer to circulate an email to all States Members to gauge interest in its membership. In that regard, Deputy L.J Farnham and Deputy M.R. Ferey expressed an interest in joining the Sub-Committee.

In terms of the States Members' Remuneration Sub-Committee, the Committee noted that a recruitment panel was being established to appoint a person or body to undertake a review of the amount of remuneration for States Members. In that regard, the Committee agreed that it could be updated as a main Committee and a Sub-Committee would not be necessary.

The Committee noted that, as a result of the work undertaken by the Democratic and Accountability and Governance Sub-Committee, the Committee's Terms of Reference now included a requirement to establish a Sub-Committee to keep under review the machinery of government. The Committee agreed that it would establish a Sub-

Committee in early 2023.

States  
Members'  
Information  
Technology  
Provision

A8. The Committee received and considered a paper from the Deputy Greffier regarding Information Technology (IT) provision for States Members. The Deputy Greffier explained that the current scheme, in which States Members could access a grant of £850 during the 4-year term to support the purchase of a laptop or tablet, had been administered in accordance with correspondence sent to all States Members in December 2019 from the then Greffier of the States. Having been agreed by the Committee's predecessor, the scheme had been set out as follows:

- Each States Member was entitled to receive up to £850 during a four-year term of office, to be spent on a desktop, laptop or tablet computer compliant with a list of technical requirements necessary for a device to work with gov.je IT systems.
- The Chief Operating Office's Modernisation and Digital (M&D) directorate issued the list and could advise whether specific devices were compatible with the requirements.
- A States Member could buy equipment costing more than £850 by funding the excess themselves.
- The M&D directorate supported the installation and functioning of Office 365 on the Member's device, but not the device itself.
- The States Greffe was due to appoint a 'super user' to assist States Members with their devices, providing a swift and responsive service to manage and resolve IT problems, triaging Members' approaches to the IT Service Desk. The super user was also due to ensure that Members' devices were kept updated with the latest security patches. 'IT clinics' were arranged on States days where Members could discuss any problems they were having with the super user and staff from M&D.
- Members were advised to update their computer every four years. It was expected that most Members would spend their IT allowance shortly after an election, so most of the expenditure from this budget would be incurred in an election year. When a Member left the Assembly at an election M&D would remove their access to Office 365 and the device could still be used for personal purposes.

The Deputy Greffier advised that experience of administering the scheme had highlighted a number of issues and some aspects of the administration had not evolved as initially envisaged. Furthermore, earlier in the year, the scheme had been subject to a review by Internal Audit. The overall rating was 'Good', in that there were no significant control weaknesses identified and that there was reasonable assurance that most risks within scope were well managed. Nevertheless a number of recommendations had been made.

The Deputy Greffier invited the Committee to consider a revised policy which took into account lessons learnt from experience to date and the recommendations arising from Internal Audit. In particular, the Committee noted that the policy was not limited to supporting the purchase of desktops, laptops and tablets as the grant could be used for mobile phones and for ancillary equipment. The revised policy would also allow for exceptional expenditure beyond £850 for an individual member, subject to approval by the Greffier of the States, with a referral to the Committee in case of any dispute.

The Committee also noted that the policy specified that a Member in receipt of a Government-owned device should not access the scheme to purchase a desktop or laptop and those who had accessed the scheme to purchase such a device should not be provided with a Government-owned device. Furthermore, the Committee noted that Government-owned devices were provided to Ministers and Assistant Ministers by the Government and the revision of the policy in this regard was to ensure provision for Members across the Assembly remained relatively equal.

The Deputy Greffier advised the Committee that the revised policy also recommended that Members sign up to the policies identified by the Internal Audit and undertake cyber-security training.

The Committee approved the policy on the condition that the sum of £850 per Member be examined to ensure it reflected the current market value of a desktop, laptop or tablet computer. The Committee also requested that a government official within M&D was identified so that Members would have dedicated support in terms of equipment and any IT queries.

The Deputy Greffier agreed that these matters would be taken up by the Members' Resources Team and an update would be provided at the Committee's next meeting.

Frequency of  
Meetings:  
States  
Assembly.

A9. The Committee was advised by the Chair that Deputy M.B Andrews had asked whether the frequency of States meetings was due to be discussed by the Committee. The Committee recalled that the previous Assembly had agreed to continue with the 3-week cycle after a trial period during 2020 and 2021 (Minute No. B3 of 19th July 2021 refers).

The Committee noted that some Members preferred the 3-week cycle and others preferred the two-week cycle. The Committee agreed that Members should be consulted for their views on the matter once a number of States meetings had taken place. This would ensure that the newer Members could fully experience the frequency of meetings. The Deputy Greffier advised that the matter would be taken up by the Members' Resources Team.

Briefings for  
States  
Members.

A10. The Committee was advised by the Principal Committee and Panel Officer that Deputy K.F. Morel had asked whether a lunchtime briefing for all States Members could take place on Tuesday 4th October 2022 in the Members' Room in the States Assembly building.

The Committee was advised that its predecessor had issued guidance '*Briefings for States Members*' in 2020 (Minute No. B13 of 2nd November 2020 refers) which had stipulated that briefings should not take place at lunchtime on States sitting days, so that Members could have a break from proceedings.

The Committee agreed that it would maintain its predecessor's policy and that facilities for lunchtime briefings would not be made available during States weeks. The Committee requested the Principal Committee and Panel Officer to advise Deputy Morel accordingly, and to circulate the guidance to all States Members to ensure they were aware of the appropriate procedure.