

2.18 The Deputy of St. Martin of the Chief Minister regarding the termination of the Chief Executive to the Council of Minister's employment:

It has been announced that in accordance with the terms of his contract the Chief Executive and the Chief Minister have agreed to a mutual termination of his employment. Will the Chief Minister inform Members whether the recent findings in the Napier Report influenced that decision?

Senator T.A. Le Sueur (The Chief Minister):

The findings from the Napier Report did not directly influence the decision of the Chief Executive to seek mutual termination; however, the overall level of personal comments and innuendo on the Chief Executive by a handful of States Members before, during and after the review was a factor that led to that decision.

2.18.1 The Deputy of St. Martin:

Will the Chief Minister inform Members whether any financial package will be arranged, and if so, what will it be worth?

The Deputy Bailiff:

Deputy, I am not sure that relates to the question, which was whether or not the recent findings from the Napier Report influenced the decision.

Senator T.A. Le Sueur:

The contract with the Chief Executive, which is a confidential matter, as I said in my statement, the mutual termination is in accordance with his contract.

2.18.2 Deputy M.R. Higgins:

Just pressing the Chief Minister on that a little further. Is the Chief Executive leaving on standard terms of notice? In other words, he has given 3 months' notice, or whatever it is, and he will therefore receive 3 months' salary plus holiday pay in lieu? Or is he receiving any enhancement whatsoever to the standard terms?

Senator T.A. Le Sueur:

As I said, the termination is in accordance with his contract.

2.18.3 Deputy M. Tadier:

Will the Chief Minister advise whether any pay-off was given - not to specify a sum - and whether that pay-off was paid for by the taxpayer?

[11:30]

Senator T.A. Le Sueur:

This is the third question which is not really on the original question, but yet again I can say that the termination is in accordance with the contract.

2.18.4 Deputy M. Tadier:

The point of my question, which is why I wanted an answer but I did not get it, was that clearly in the termination there will be a payment made and that will be footed by the taxpayer, so my question is, will the taxpayer, who is paying that money, be informed of how much money they are paying for that settlement?

The Deputy Bailiff:

Well, Deputy, if I may say so, the question is about whether the recent findings in the Napier Report influenced the decision to terminate the contract with the Chief Executive and any questions around how much money might or might not have been paid to the Chief Executive as a result of the termination of the contract do not arise; they are not relevant to the nature of the question. There is nothing preventing Members from putting different questions to the Chief Minister on another occasion, although it may well be they will get a similar sort of answer.

2.18.5 Deputy P.V.F. Le Claire:

It seems clear the Chief Minister is saying that the issue is that the Chief Executive Officer in his press statement has come to the end of a course of work, which the Chief Minister and his colleagues had outlined when the Ministerial government kicked-in and a new system of governance may be envisaged in the future, not necessarily with a civil servant at this level acting as a civil servant has done. Has the Chief Minister any information about whether or not the retiring Chief Officer will be replaced with a similar officer, or whether he has any ideas as to what will happen from here?

The Deputy Bailiff:

Now, that really does not relate to this question at all. Deputy Trevor Pitman.

2.18.6 Deputy T.M. Pitman:

I hope this one will. Given that the Minister has said that the Napier findings did not contribute to the decision of the officer to go, could he just give us some assurances that whoever replaces the Chief Executive Officer that some guidance will be given on good practice, not destroying notes and the possible negative impact that could have, because that was promised I think in the States some time ago.

Senator T.A. Le Sueur:

I would expect any replacement to adhere to the highest possible standards of public office.

2.18.7 Deputy M.R. Higgins:

The Chief Minister has already told us that the Napier Report had a slight influence, can he say whether the desire of many States Members to hold a Committee of Inquiry into Haut de la Garenne was also a factor in the Chief Executive's decision to leave?

Senator T.A. Le Sueur:

I do not believe it was.

2.18.8 Deputy R.G. Le Hérissier:

Would the Chief Minister tell the House, given his consideration of the Napier Report, what had been his learnings from that report?

Senator T.A. Le Sueur:

I am struggling to see the relevance of that question to the original question.

The Deputy Bailiff:

Well, I am struggling a little bit, Deputy. Can you explain how that relates to the question?

Deputy R.G. Le Hérissier:

Yes, because obviously it impacted indirectly or directly upon the role of the Chief Officer and it strikes me the validity with which the Chief Minister accepted that report, or did not accept it as the case may be, was a clear factor in the departure of the Chief Officer.

The Deputy Bailiff:

I thought the Chief Minister said that it was not an influential factor, but Chief Minister.

Senator T.A. Le Sueur:

I thought I made my answer short and clear, that the findings of the Napier Report did not directly influence the decision of the Chief Executive to seek termination.

2.18.9 The Deputy of St. Martin:

It is very much on the last point that the Chief Minister has given. The Chief Minister says it was not influenced by the decision, however the decision to go was as a result of the comments, innuendo, *et cetera*, following the Napier Report. So, would the Chief Minister not agree then really that the decision to go was influenced by the Napier Report?

Senator T.A. Le Sueur:

I said in my answer that the level of comment and innuendo before, during and after the Napier Review was a factor that led to the decision.