

## CHAIRMEN'S COMMITTEE

Meeting No. 35 held on 15th December 2006

| Present       | Deputy R C Duhamel, President<br>Deputy R.G. Le Hérissier, Vice-President<br>Deputy A. Breckon<br>Deputy F. J. Hill<br>Deputy G. P. Southern<br>Deputy S. C. Ferguson<br>Deputy J. G. Reed<br>Deputy P J D Ryan  |                |
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| Apologies     |  |                |
| Absent        |  |                |
| In attendance | Mrs K Tremellen-Frost, Scrutiny Manager<br>Mrs A. Harris, Deputy Greffier (for a time)<br>Mrs C. Le Quesne, Scrutiny Officer   |                |
| Ref Back      | Agenda matter  | Action         |
| <b>1</b>      | <p><b>Welcome</b></p> <p>The President welcomed Deputy A. Breckon to the Chairmen's Committee. He extended the Committees congratulations on his appointment as Chairman of the Health, Social Security and Housing Scrutiny Panel</p>   |                |
| <b>2</b>      | <p><b>Minutes</b></p> <p>The Minutes of 20th November and 5th December 2006 were approved.</p>   |                |
| <b>3.</b>     | <p><b>Matters arising and matters for information -</b></p> <p>(a) <b>20th November 2006 - Item 6</b><br/> <b>Mobile Telephone Masts</b> - The Committee recalled that it had considered P144/2006 "Committee of Inquiry: Mobile Telecommunications" lodged "au Greffe" on 2nd November 2006 proposed by Deputy P.J.D. Ryan and that it had agreed that it did not fall within the remit of the Corporate Services Panel.</p> <p>The Committee discussed the States' consideration of the proposition and its subsequent withdrawal and referral to Scrutiny under Standing Order 79. The President had advised that the States that Scrutiny would consider whether the issue was appropriate for its investigation or if the issue should be subject to a Committee of Inquiry. The Committee discussed the process used and the President's approach, it was agreed that clearer lines of communications to reflect a corporate Scrutiny approach were required to ensure that the process was reflected in a positive way.</p> <p>Scrutiny Members Protocol</p> <p>The Committee discussed the rights of its membership to continue in their individual roles as States members, in addition to having regard to their collective responsibilities in representing their Panels and Scrutiny as a whole.</p> | <b>GOS/CLQ</b> |

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|                  | <p>It was agreed that a clear communication process was required and that a draft protocol should be developed on that basis. The protocol would emphasise the requirement for members to be aware of what was occurring within its membership and would be developed without imposing any restrictions on the role or rights of an individual member.</p> <p>Deputy J. Reed agreed to be involved in the drafting process and to report back to the Committee;</p> <p>(b) <b>IdeaWorks template</b> - The Greffier would be meeting with Idea Works to progress the development of an advertising template;</p> <p>(c) <b>Panel activity reports</b> - The Chairmen agreed that they would in future provide a paper outlining the activities of their Panels for inclusion onto the agenda to speed up the reporting back process.</p>   |  |
| <p><b>4.</b></p> | <p><b>Corporate Services Panel update</b></p> <p>The Committee noted the following activity of the above Panel -</p> <ol style="list-style-type: none"> <li>1. Panel would be looking at the process of developing the States Business Plan;</li> <li>2. The Sub-Panel was making progress in respect of GST Review further research and possible hearings were being planned prior to a final report in time for the States debate;</li> <li>3 The Sub-Panel chaired by Senator Perchard to review Overseas Aid was progressing and further submissions were awaited from interested parties, hearings were planned for the end of January 2007 and an appropriate advisor was in the process of being appointed;</li> <li>4. The 0/10 Sub-Panel chaired by Senator J. Perchard had been afforded access to the draft 0/10 legislation and had identified some areas of concern. The Panel was likely to examine practices in other jurisdictions. Initial consideration had raised questions with regard to the enforceability of the proposals. It was likely that the whole Panel would pursue a further review on the subject and seek to retain the services of the advisor Mr. Richard Tether subject to Panel approval. Comments on the draft legislation would be presented to the States in January 2007;</li> </ol> <p>The Committee was also advised that the Panel believed that it was important that part of its improved communications through Orchid would be to relay the message that the Reviews being undertaken, together with the high calibre of advisors retained, really did reflect value for money.</p> |  |
| <p><b>5.</b></p> | <p><b>Education and Home Affairs -</b></p>   |  |

The Chairman advised that the restructuring of the Panel had been agreed with the appointment of a new Vice Chairman. He explained some of the challenges which had been faced by the Panel as a result of taking on an ad hoc review, namely Overdale, and the impact of that additional work on the resources available to the Panel. He explained that whilst essential to undertake reviews covering issues in response to public concerns, it was important to be aware of the impact on other reviews and the finalisation of reports.

The Committee noted the following activity of the above Panel -

1. Deputy J. Gallichan had replaced Deputy J. Martin who had joined the Health, Social Security and Housing Panel;
2. Deputy D. Mezbourian had been elected vice Chairman ;
3. That the Panel would be discussing its future work programme early in 2007;
4. The Overdale Review was coming to a close and the report was currently being drafted and would be finalised shortly;
5. Centeniers - the report was currently being drafted by the lead officer;
6. GP out of Hours report to be drafted after presentation of Overdale Report;
7. The Panel had met with Education Minister and assurances had been given about the submission of papers with regard to the Youth Service and Early Years;
8. The Panel was still waiting for the Performance improvement Plan from the Home Affairs Minister.

6.

**Economic Affairs Panel**

The Committee noted the following activity of the above Panel -

1. **Jersey Telecoms** - The Sub-Panel had facilitated an evening lecture with Mr. Massimo Florio as the speaker. The lecture had been in relation to the issue of privatisation and had been well attended. It had provided a very interesting insight into the issue from an academic professor's perspective. No Minister had attended the event. The Sub-Panel was aiming to complete its report by mid February 2007;
2. **Dairy** - the Sub-Panel chaired by Deputy A. Breckon had just completed three days of Hearings in the States Chamber which had been very well attended. The report would be completed in January 2007. Thanks were extended to Nathan Fox and Fiona Bryans for their work in connexion with the hearings. Deputy Breckon advised the Committee that the issue with regard to the covenant attached to Howard Davis farm had been resolved

The Committee was advised that, whilst resources had an

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|           | <p>implication on reviews, another key issue to consider when planning the work programme was the delays in obtaining information from Departments and waiting for consultants reports.</p>   |  |
| <p>7.</p> | <p><b>Environment Panel</b></p> <p>The Committee noted the following activity of the above Panel -</p> <ol style="list-style-type: none"> <li>1. Planning Process - the report was drafted and with review members although some delays were currently faced due to the availability of the drafting officer. It was noted that the report would be finalised as soon as possible;</li> <li>2. Waste Management review was progressing with a report to be drafted by the Chairman and lead officer over the Christmas period. The Committee was advised that the recent fact finding trip to Cardiff visiting a recycling plant and attendance at an energy conference had been very useful to the Panel. In addition it had afforded that Panel an opportunity to meet with its political counterparts;</li> <li>3. Design of Homes Review was progressing and the call for evidence had been advertised in the Jersey Evening Post, hearings would be held in the new year.</li> </ol>   |  |
| <p>8.</p> | <p><b>Health, Social Security and Housing Panel</b></p> <p>The Committee noted the following activity and plans of the above Panel -</p> <ol style="list-style-type: none"> <li>1. The Panel would be developing a work programme early in 2007 and that it would be challenging to address all of its areas of responsibility given the size of the remit and the officer resource available;</li> <li>2. <u>Telephone masts</u> The Chairman also raised the issue of possibly undertaking a telephone masts review given the level of concern raised by the general public and the view that the masts could be detrimental to health. He advised that his Panel would be prepared to undertake a very short focused review dealing with that one aspect of the issue subject to resources being made available. The aim of the Panel would be to hold a number of public hearings in a very short time frame to provide individuals with an opportunity to have their voices heard. He anticipated that the review would take two months.</li> </ol> <p>The Chairman asserted that part of his Panel's proposal was that such a review would be likely to initiate a significant amount of public response and provide a vehicle with which to engage the public in a meaningful way. The proviso for the Panel to undertake such a focused review would be the provision of an officer either from the existing Scrutiny Officer team or through the recruitment of an individual project manager seconded or contracted to a short term post.</p> |  |

The Committee discussed the proposal suggested by the Chairman of the Panel and was concerned that such a focused and brief review would not address crucial issues relating to the increase in telephone masts. These included the level of competition a small jurisdiction could support, the economic implications of continued competition and the sustainability of the services together with the environmental impact of the number of masts that may be required.

It was accepted that the Minister was likely to be under a considerable amount of time pressure and that any review should be undertaken in a short time frame. However, concern was expressed by the Committee that a health aspect review would be insufficient and not portray the purpose or role of Scrutiny in a positive way. The pressure on Panel resources was discussed and issues such as secondments and project manager contract appointments were discussed to alleviate some of the pressure on Scrutiny Officers. Given the time that would be required to recruit staff on an ad-hoc basis, and their lack of background in scrutiny reviews, this was considered not to be an option, although secondment opportunities could be explored further if required. The Committee noted the time pressures associated with the proposed review and decided that it would not support a short review. Deputy Ryan advised that he would represent his proposition to the States and seek its support for a Committee of Inquiry into the subject.

Deputy Breckon maintained his offer to undertake a short review subject to an officer being allocated to it. The Committee decided that it would not pursue that option but support Deputy Ryan in his effort to gain States support for a Committee of Inquiry.

The President advised that he did not consider that option appropriate and that it would suffice to provide the public a chance to voice their concerns and for those views to be presented in a report.

The Committee also discussed the Panel name but following consideration decided that it had been appropriately named to reflect its areas of responsibility.

9.

### **Staffing and Budgets**

The Scrutiny Manager advised the Committee of the Officer allocation to be applied during 2007.

The Committee noted the following -

That as previously discussed in the report back from the Chairman of the Health, Social Security and Housing Panel, there was a possibility of providing a Scrutiny officer to undertake a Telephone Masts Review subject to it being very short, it was agreed that should a review be pursued the officer should be made available. Discussion on project officer appointments to undertake specific reviews took place during which issues of subject familiarisation and HR recruitment procedures were acknowledged;

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|            | <p>The impact of the States of Jersey Law with regard to budget carry forwards was noted and it was recognised that expenditure could only be allocated from the budget for goods or services to be received in that year. The Committee would consider the way forward with regard to raising the issue of a three year budget allocation for reviews at a subsequent meeting and the President would discuss the issue with the Accounting Officer;</p> <p>The Committee requested that the Scrutiny Manager provide quarterly management accounts relating to each review.</p>  | <p><b>President</b></p> <p><b>KTF</b></p> |
| <b>10</b>  | <p><b>Succession Planning</b></p> <p>The Committee discussed a proposal relating to succession planning and considered the role of President of the Chairmen's Committee and possible future rotation was discussed.</p> <p>It was recognised that Standing Orders did not give the President any significant authority over the Committee, but it was accepted that the role was one of communicator for the Committee and Scrutiny. It was agreed that lessons with regard to communication, and on occasion the need for improved communications, had been learnt. The measures previously adopted to ensure that all States members were informed of Scrutiny activities would be enhanced to include all States members receiving Chairmen's Committee agendas and signed minutes. In addition it was agreed that a protocol outlining members informing each other as a courtesy of action being taken would be developed. Deputy J. Reed would assist in the development of the protocol.</p> | <p><b>Deputy Reed</b></p>                 |
| <b>11.</b> | <p><b>Members Training</b></p> <p>The Committee was discussed the training which had been identified as follows -</p> <ol style="list-style-type: none"> <li>1. Media - 13 members had expressed an interest in being provided with media training. A suggested training programme from CTV was considered but rejected on the basis of cost. The Committee would not support the training and suggested that funding should be provided by participating members or that a less expensive option was identified.</li> <li>2. Questioning Skills - It was noted that the former Social Affairs Panel had investigated its own training within its areas of responsibility. It was agreed that more information would be sought on the States-run Investigative Interviewing training and that further alternative providers should be identified. The Scrutiny Manager was requested to investigate further options.</li> </ol>  | <p><b>Scrutiny Manager</b></p>            |
| <b>12.</b> | <p><b>Public Engagement Group and Orchid Report</b></p> <p>The Committee received a report from Deputy J. Reed following a PEG meeting on the 14th December 2006.</p> <p>Deputy Reed advised that PEG had now received a draft Public</p>  |   |

Engagement Strategy from Orchid Communications and that this had been a partnership document, in addition work was progressing on the development of an information booklet to explain the role and function of Scrutiny which would be made available to the public and provide them with a better understanding of how they could engage in the process.

Deputy Reed advised that the Orchid appointment contract was shortly coming to the end and that it was the recommendation of PEG that it be extended for a further period of six months. He explained that much of the work undertaken was not at completion stage and that the additional time frame would allow for the raising of public awareness and the implementation of the strategy.

The Committee considered the proposal and decided to support the view of PEG that the contract was extended from 31st January 2007 to the 31st July 2007. The Scrutiny Manager was requested to prepare the necessary paperwork. The President expressed concern at the lack of documentation upon which to base a decision but was advised that time between meetings had required an oral request rather than a written report.

The Committee having agreed to the appointment of Orchid for that further period discussed the funding aspect of the contract and approved an equal funding from each Panel from the 2007 budget allocations. It also noted that due to the new carry forward requirements outlined in the States of Jersey Law the funding for the month of January 2007 contract would have to be funded from the 2007 budgets. It was agreed that each Panel would contribute the necessary funds from its 2007 budgets. The current contract would be updated by the Scrutiny Manager.

The Committee was advised of the developments and progress made in the development of a Scrutiny segment in the curriculum being designed for the new Citizenship Programme to be rolled out to all primary and secondary schools. Any members interested in assisting in the programme development would be welcome to assist PEG in devising role play activities that could be used to explain the Scrutiny process.

**Scrutiny  
Manager**

Signed : -

Date:

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President, Chairmen's Committee