

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON MONDAY 30TH JANUARY 2017**

Question

Will the Chief Minister explain the nature of the consultation, or meeting, that took place on or before 22nd November 2012, as referred to in paragraph 179 of R.75/2016, which involved both him and the Minister for Health and Social Services, and which had regard to the breaking of the contract entered into with Mr. Alwitary; and, in particular, will he explain –

- (a) the grounds at that time for the decision taken to terminate the contract;
- (b) what decisions were taken, by whom, and whether there was any dissent from such decisions;
- (c) who was consulted and in what form the consultation took place; and
- (d) whether any minutes or record of the discussion were taken and, if not, why not?

Answer

The decision to rescind the contract of Mr. Alwitary rested with HSSD under delegated authority.

- (a) the decision to terminate was for the following reasons, as explained in the letter of termination
 - Attitude and behaviour displayed in relation to multiple aspects of the role.
 - Demonstrable evidence of a dysfunctional relationship with the clinical director and other senior medical and management staff.
 - Loss of trust and confidence between the respective parties resulting in any employment relationship being irreparably damaged.
- (b) The decision to terminate the contract was taken by the Hospital Managing Director, the Joint Medical Directors, and the HSSD HR Director. The recommendation was made to the HSSD CEO and the Health Ministers who concurred with the recommendation.

The SEB were advised, for information, by the SOJ HR Director of the day via email on 21st November 2012. There were no objections.

- (c) See the answer to (b). Consultations were via meetings and/or briefings.
- (d) The internal meetings in HSSD were not minuted. There was a letter from the HSSD HR Director to the SOJ HR Director explaining the rationale for the HSSD decision to terminate the contract that was sent to the SEB for information.