

STATES OF JERSEY

Corporate Services Scrutiny Panel States of Jersey Development Company Selection Process

TUESDAY, 10th MAY 2011

Panel:

Deputy J.A.N. Le Fondré of St. Lawrence (Chairman)
Deputy R.G. Le Hérissier of St. Saviour
Senator A. Breckon
Senator F. du H. Le Gresley
Senator J.L. Perchard

Witness:

Mr. M. Waddington

In attendance:

Ms. K. Boydens (Scrutiny Officer)

[15:29]

Deputy J.A.N. Le Fondré of St. Lawrence (Chairman):

Welcome to everybody. This is yet another hearing for the review into the S.o.J.D.C. (States of Jersey Development Company) and the appointment of directors. We have Mike Waddington in front of us who has very kindly come along today. The way it works, Mike, we just introduce ourselves by name just for the purposes of it being recorded, and then we will carry on from there. So, you can just say your name and title.

Mr. M. Waddington:

Mike Waddington, local architect.

Ms. K. Boydens (Scrutiny Officer):

Kellie Boydens, Scrutiny Officer.

Senator J.L. Perchard:

Senator Jimmy Perchard.

Deputy J.A.N. Le Fondré:

John Le Fondré, Chairman.

Deputy R.G. Le Hérissier of St. Saviour:

Roy Le Hérissier, Deputy.

Senator F. du H. Le Gresley:

Senator Francis Le Gresley.

Senator A. Breckon:

Senator Alan Breckon.

Deputy J.A.N. Le Fondré:

Okay, and just the other thing we wish to do which is procedural, is we have what we have health warning basically saying what your rights and privileges are under the ... which you might just want to read and check you are happy with.

Mr. M. Waddington:

Thank you. Yes, I have read this before.

Deputy J.A.N. Le Fondré:

Right. First of all, thanks so much for coming and hopefully it is not going to be too much of an ordeal this afternoon. We want to really just kick off with what your ... this is obviously all in relation to your participation on what was called the technical panel on the appointment of, in this instance, the chairman from the S.o.J.D.C. on the basis you were not involved in the non-executive directors or the appointment of those. What was your understanding really of the purpose or the role of S.o.J.D.C. in terms of ... what we are referring to as the S.o.J.D.C., which is the States of Jersey Development Company, and what you were recruiting for?

[15:30]

Mr. M. Waddington:

Well, my understanding of the S.o.J.D.C. is that it is an offshoot of W.E.B. (Waterfront Enterprise Board) intended to widen its portfolio mandate to include almost all of the States owned properties with a view to eventually disposing of the properties through development deals and generating income funds for the States. My understanding of the chairman was that the mandate for S.o.J.D.C. had been set by the States and they could not commence their activities until they had a chairman and I think non-executive directors in place and our purpose was to provide a technical, I suppose, view of the competency of the candidates from the point of view of understanding Jersey's residential markets, the legal situation in Jersey, planning and development issues as well.

Deputy J.A.N. Le Fondré:

In terms of being a bit more specific about the role of the company that one is recruiting for which the chairman is ultimately going to be chairing, was it more of a development agency type of role, or development company? Or how was it put to you?

Mr. M. Waddington:

Well, we had a pre-meeting and Cyril Le Marquand House where we ran through the format of how the interviews would run. We were able to ask any questions and we had a brief explanation of the S.o.J.D.C. We were also

given a lot of literature to read which goes into detail. It is only in terms of the States mandate that the S.o.J.D.C. had to be almost risk free in the way it operated; that it had to report back to the States for important decisions and so on.

Senator J.L. Perchard:

You had a pre-meeting. Is that all the members of the technical panel?

Mr. M. Waddington:

Yes. Peter Cresswell, John Bisson and myself. Richard Lay, who as I understand it, was initially a candidate but then became part of the technical panel did not attend that. At that meeting we discussed a number of things and there were only a couple of things that I raised; one was that I thought it might be a good idea to have a member of the Planning Department at the technical meeting, as a result of which Andy Scate joined us during the interviews. Also, just asked that we should have some plans of St. Helier up on the walls so that if we needed to refer to something while interview someone; they would be able to see the areas we were talking about.

Senator J.L. Perchard:

Who briefed you, John Bisson and Peter Cresswell at that meeting?

Mr. M. Waddington:

I cannot remember.

Senator J.L. Perchard:

Was it a political briefing or ...

Mr. M. Waddington:

I believe they were from the Statistics Department.

Senator J.L. Perchard:

Oh, right, so no politicians?

Mr. M. Waddington:

No, no.

Senator F. du H. Le Gresley:

Was any member of the Appointments Commission there at that first meeting?

Mr. M. Waddington:

I do not know. Three people I seem to remember came in. I can certainly dig out the names of them. It will be somewhere in my notes.

Senator F. du H. Le Gresley:

Okay, we will leave that for the moment.

Mr. M. Waddington:

Okay, we can come back to that.

Deputy J.A.N. Le Fondré:

So, in terms of how it was put to you, was it a continuation of W.E.B., or was it specifically a different role, or was it not touched on? Was it assumed you knew?

Mr. M. Waddington:

I think it was assumed we knew. I certainly had available the information that had been put before the States. My own understanding is that it is sort of both really; that it is a continuation of W.E.B. in as much as a lot of the same people are in it but that its mandate clearly moves away from the waterfront as that is completed and into the other areas of the States property.

Deputy J.A.N. Le Fondré:

In terms of an operational mandate, what was it?

Mr. M. Waddington:

No, I do not think that was made clear to us in the initial briefing but I believe it is implicit in the documents.

Deputy R.G. Le Hérissier:

I think you may have answered this, Mike, but could you tell us, at the end of this process, did you have any questions unanswered, or were you satisfied with what you had been told?

Mr. M. Waddington:

Do you mean the initial briefing process?

Deputy R.G. Le Hérissier:

Yes.

Mr. M. Waddington:

No, I think I was pretty happy with that. I did not think there was anything in terms of information that was withheld in terms of the way in which S.o.J.D.C. was constituted or intended to operate. I do not think there was any attempt to not give me information I needed and I had a lot here that I could read and knew already, to be honest.

Deputy R.G. Le Hérissier:

But the process itself, were you aware of the role of the different panels, the role of the politicians on the panels, and how the final decision was going to be made? Was all of that clarified for you?

Mr. M. Waddington:

Yes, I did know that there were 2 other panels but it was quite interesting on the day because we interviewed everybody and in fact our chairman of the technical panel, Peter Cresswell, was very upfront and fair, I thought, and he was very keen that ... right at the end I think he was asked to go to the final panel meeting and summarise the technical group's view and he was particularly concerned that he did not really want to misrepresent any comments from other disciplines and as a result of that we all went and met with the final panel and contributed comments.

Deputy J.A.N. Le Fondré:

Was that at his instigation effectively?

Mr. M. Waddington:

Pretty well. He made his point so strongly that he felt that if something to do with planning came up he would not be the best person to talk about it, therefore why not everybody join and then I think we offered to do that and so that is what we did and I think the candidate we had chosen was ruled out on a recruitment technicality, as it happened, which we were not told or given any details about, but ...

Senator F. du H. Le Gresley:

Did you have a preferred choice as a panel?

Mr. M. Waddington:

Yes, we did.

Senator F. du H. Le Gresley:

And that was not the person appointed?

Mr. M. Waddington:

I do not think it was funnily enough

Deputy J.A.N. Le Fondré:

You do not need to tell us his name.

Mr. M. Waddington:

Okay, I do not think it was. Do you not have that information, or is that not ...

Deputy J.A.N. Le Fondré:

Yes, we have something there.

Senator F. du H. Le Gresley:

I would like to know a bit more about how you summarised your views on each candidate.

Mr. M. Waddington:

Sure.

Senator F. du H. Le Gresley:

We know from another panel that they had sheets to score them. How did your panel deal with that?

Mr. M. Waddington:

We did the same thing. We had ratings 1 to 5. We had brainstormed for some time before the meeting what ... initially we emailed ourselves a whole range of questions. Clearly far too many to really ask during the interview. So, we agreed before the meeting what we thought the most important questions were and on occasion some of the questions which might have perhaps been partly planning-based moved into, for example, the legal categories simply because we wanted to make sure everybody had a fair amount of questions. After the interviews we spent quite a lot of time trying to

organise our thoughts. Peter Crespel made notes of the whole thing and I think we were very happy that we were able to conclude with a recommendation.

Deputy J.A.N. Le Fondré:

You made a comment in terms of how you ranked people, your preferred candidate was ruled out I think you said on a recruitment technicality.

Mr. M. Waddington:

Yes.

Deputy J.A.N. Le Fondré:

How was that communicated? Was it fairly straight away, or was there any significant discussion about it when presumably you went and met with the recruitment ...

Mr. M. Waddington:

There was no discussion other than he had been discounted and that was that. I assume there was some filter that was operating outside of our understanding that had meant that was the case.

Senator J.L. Perchard:

So, we do know, Mike, that the technical panel preferred a candidate over and above the one that was chosen by presumably the other panels. Why do you think that was? Was it that you were looking for something different, a different quality in the chairman?

Mr. M. Waddington:

I think so. It was a very interesting day and one candidate we almost ... it happened to be a bit later in the day, we almost ruled out immediately because that candidate had not done any real background research and we felt there needed to be a balance between a fairly hands on approach and an ability to embrace what is quite an unusual environment in Jersey. One candidate we felt was very capable but perhaps a little business-like and a little detached for a community of our scale. One candidate had come over and spent several days in Jersey researching the environment and we were very keen and one candidate we felt was ... well, in fact to be open we felt they were all capable, highly capable, and we were really just, I suppose, seeing the whites of their eyes and looking for nuances and how they behaved. The other candidate we felt was perhaps maybe a little over-committed.

Senator J.L. Perchard:

Did any of the candidates have a planning background? Had they ever worked in planning?

Mr. M. Waddington:

Yes, indeed.

Senator J.L. Perchard:

Was that a candidate you favoured, or perhaps did not?

Mr. M. Waddington:

Yes, in all cases I think the candidates that we favoured, while they did not have a direct role in planning, were involved very closely with planning regeneration and where possible we tried to find scenarios where they had experience that was directly relevant to Jersey.

Senator J.L. Perchard:

So, you liked that as a quality in a candidate? You thought that was ...

Mr. M. Waddington:

Yes, I think there is no doubt that if you look back over the history of W.E.B. the issues have almost always been the interface with planning and that remains true today.

Senator J.L. Perchard:

Did you believe that you were looking for a candidate that may be able to contribute to the planning of the Island or of these developments? Is that a quality you were looking for?

Mr. M. Waddington:

It was and in fact one of the questions that was asked was ... sorry, I am just going to get this because it is quite important.

Senator F. du H. Le Gresley:

It was Andy Scate's question, was it not?

Mr. M. Waddington:

It was indeed, yes, and it was not one of mine but it became very interesting and only one candidate spotted that the master plan was within Planning's remit and the delivery mechanism was S.o.J.D.C. and queried that and then gave us some quite interesting personal experience about how that candidate had dealt with a similar situation and expressed concern that the master plan was not within the control of the delivery agent and I thought that was a very, very decisive point. There was only one candidate that spotted that.

Deputy J.A.N. Le Fondré:

Was that one that you ultimately ...

Mr. M. Waddington:

No, it was not, funnily enough, it was not.

Deputy J.A.N. Le Fondré:

So, essentially was it just that one candidate or was it across the board that people were saying: "In our experience master planning has been done by the entity that we are involved with"?

Mr. M. Waddington:

Sorry, say that again?

Deputy J.A.N. Le Fondré:

I think you were saying that essentially people were saying that in their experiences from the U.K. (United Kingdom) that they were used to dealing with some form of involvement or master planning ability.

Mr. M. Waddington:

Yes. I mean, I think a very crucial separation between candidates were candidates that had worked within a master planning role and accepted it and worked with it and the candidates that were prepared to challenge it and in one case one candidate said that that candidate had seen the initial master plan for a project they were involved in but it was not good enough, tore it up, and said: "We are starting again" and I thought that was a very interesting approach and it was the same candidate that identified that the master plan lay, if you like, slightly outside of the direct control of the S.o.J.D.C. and the question I suppose we all asked ourselves was, is Jersey the right environment to have somebody come in in a slightly confrontational way and say: "Right, we are starting again", or is it more an environment where you need a chairman that accepts that there may be differences of opinions but prepared to work in a more collaborative way.

Deputy J.A.N. Le Fondré:

What was the opinion of the panel?

Mr. M. Waddington:

Ultimately our opinion was a collaborative approach was better. I personally thought it was quite interesting to be challenging but the reason we selected the candidate we did was, I think, ultimately we felt that a more collaborative approach ... particularly, I think when you look at the slightly bumpy history W.E.B. has had, one can see that it might be perhaps more constructive to have somebody that could be a bit more of a moderator.

Deputy J.A.N. Le Fondré:

So, could effectively accept the position they are being given and work within it rather than challenge it?

Mr. M. Waddington:

Yes. I say work within it, but essentially take it on board as opposed to want to sort of tear it up and start from scratch.

Deputy J.A.N. Le Fondré:

You have used that expression a couple of times. Was that effectively what one of the candidates was saying, was it?

Mr. M. Waddington:

That was a direct quote virtually, yes.

Senator J.L. Perchard:

Mike, were the candidates confused by the directive they were given as to the role of the chair of the States of Jersey Development Company? Were they confused?

[15:45]

Mr. M. Waddington:

No.

Senator J.L. Perchard:

You said you were surprised by the reaction of one of them. Was there some confusion as to the reaction of one of the candidates to the questions put, that they were more rebellious, I think was the word you just used.

Mr. M. Waddington:

No, I was simply surprised that one of the candidates had been observant enough to notice, through all the documents they had waded through, that there was that separation. I thought it was quite an astute observation but equally I was totally surprised that one of the candidates did not have the faintest clue about the role, as far as I could tell, and one comment was made afterwards that that candidate had not even bothered to do the 20-minute Google check which was background. So, there was quite a wide range. Well, one candidate we felt immediately was not suitable, that is for sure.

Deputy J.A.N. Le Fondré:

I do not know anything on this but would one have expected a potentially slightly better briefing to have come from the recruitment agency, or whoever the ...

Mr. M. Waddington:

Well, no, I think the briefing was pretty good. I have read through it and it was quite thorough and it clearly allows any kind of ambitious candidate to then follow all sorts of strands of information through Google and all sorts. So, I think it was a very comprehensive briefing.

Deputy J.A.N. Le Fondré:

Just to confirm, because hopefully we have that, is that the candidates' pack or something?

Mr. M. Waddington:

The final pack for ... yes. This is the C.V.s. It goes through the roles.

Deputy J.A.N. Le Fondré:

Yes. Excluding the C.V.s (curricular vitae) I think it just gives a little bit of an introduction about the Island.

Mr. M. Waddington:

Yes, but I think they were given a full pack of information too.

Deputy J.A.N. Le Fondré:

Yes, okay.

Senator F. du H. Le Gresley:

The question that Andy Scate asked about master planning, you said you discussed what sort of questions you were going to ask, how did that question arise and end up in the question sheet? Can you give us a bit more explanation? It is on page 3.

Mr. M. Waddington:

Yes, I am just looking at it now. It arose because we agreed at our initial meeting, and Andy Scate was not at that, that through the facilitators we would circulate emails of suggested questions and when Andy Scate got, I think, 2 rounds of the questions from other interviewees he added his and this was one of them.

Senator F. du H. Le Gresley:

This was one of Andy Scate's questions?

Mr. M. Waddington:

I believe so, yes.

Senator F. du H. Le Gresley:

That is what interested me because you said he was not at the initial meeting so I wondered where the question arose from.

Mr. M. Waddington:

Sorry, just to be clear ...

Senator F. du H. Le Gresley:

Was it his question specifically?

Mr. M. Waddington:

It was and he had not been selected to be on the panel. I think it was my suggestion that somebody from Planning ought to be there; it would be quite helpful.

Senator J.L. Perchard:

Any idea what motivated him to ask that question, or want that question asked? Did he have a concern that there was going to be a territorial battle?

Mr. M. Waddington:

I think I could not speak on his behalf but I think it is a reasonable question. If you are being charged as a delivery vehicle for sites and planning briefs and so on, it is reasonable to assume you would have some control of the master plan within your remit, I would have thought.

Deputy J.A.N. Le Fondré:

In terms of going back to the nature of candidates that one was looking for, I think we have touched on it anyway, from your perspective you said you felt that the candidate that adopted a bit more of a collaborative approach as a panel was the preferred choice, and please correct me if I get this wrong, did you have any feedback from when you went to your discussions with the recruitment panel which I would like to come on to in a minute, about should candidates be perhaps a bit more independent in spirit of mind as it were in terms of their regards to the States? Did anyone think: "Well, the States is the boss, as it were, and that is the position." Or versus: "Actually, I am going to be chairman of this company and this is likely to be my baby, as it were" and off we go. I mean, there are kind of 2 extremes there.

Mr. M. Waddington:

Without a doubt and one candidate would have immediately convinced us that that particular candidate would simply pick up the brief and go through the motions and we felt very much that that particular candidate was not going to add a huge amount of value to the process but would be a very competent almost bureaucratic conveyor of the process. The other 3 candidates to varying degrees all had both those characteristics with a slightly more I suppose entrepreneurial, free approach, yet understanding the political constraints and in fairness all of the candidates had such good pedigrees that they could not possibly have survived without a huge amount of political savvy and an ability to deliver very impressive projects. So, they were all excellent candidates. We were sort of trying to drill a bit deeper in certain areas. I was quite keen that they got a feel for St. Helier and could picture how it could develop. I was interested to know what they thought of the Island Plan. I was interested to know their views on affordable housing, particularly in St. Helier. Other interviewees were interested to know how robustly they thought they could withstand political interference and we were keen to point out that Jersey is a little unique in the sense that there is a lot of media attention in a small place and some of the candidates had better experience at withstanding political temperature than others, I think. Also, just simply trying to tailor the individual candidates' experience. Trying to find examples of projects and initiatives they had been involved in that were of a similar scale to Jersey because that is quite difficult. I mean, the scale of changes between some of the roles were quite extreme and we were trying to figure out that if somebody was spending 2 days a week on a Jersey project, would it be their main interest, or would it be another non-executive post and: "Actually, I am much more interested in X, Y or Z." Certainly one candidate we felt was very passionate about Jersey and spent time here and that was quite significant to the technical panel.

Deputy R.G. Le Hérissier:

Did you have a briefing as to the relationship of your findings to those of other panels' findings? Was that all clarified to you?

Mr. M. Waddington:

Yes, in principle, but certainly the point I mentioned where one candidate had been ruled out on a technicality in terms of recruitment, that was not made clear and I am not sure it was not made clear because perhaps it was confidential, I do not know.

Deputy R.G. Le Hérissier:

You did not question this? None of your panel questioned this at the time?

Mr. M. Waddington:

Yes, I think we did question it and I believe, I cannot be sure, but I think the answer was, I assume, it was not an issue to do with their credibility or their competence but maybe some technical employment issue, possibly to do with work commitments. I do not know.

Senator J.L. Perchard:

Can you just confirm that the candidate that was ruled out on a technicality was your first choice candidate?

Mr. M. Waddington:

No, it was not.

Senator J.L. Perchard:

Oh, it was not your first choice?

Mr. M. Waddington:

No, it was not our first choice.

Deputy J.A.N. Le Fondré:

Okay, sorry. Right. In which case, in terms of your preferred candidates that you ranked, how ... I suppose if we go on to recruitment process, Peter Cresswell said: "We all want to come in and talk it through." How did that operate? Presumably you did not have an Appointments Commission representative there so Peter had given how you had ranked the candidates in order, I am guessing.

Mr. M. Waddington:

Well, we did have ...

Senator F. du H. Le Gresley:

Ken Soar?

Deputy J.A.N. Le Fondré:

There was one on the recruitment panel.

Mr. M. Waddington:

Ken Soar came to the original meeting, I believe, at Cyril Le Marquand House. We also had Julian Morris.

Deputy J.A.N. Le Fondré:

No, he is a civil servant.

Mr. M. Waddington:

Okay, right.

Deputy J.A.N. Le Fondré:

As opposed to the Appointments Commission. No, what I meant was, who was it who gave the scorings, as it were, of your technical panel to the recruitment panel?

Mr. M. Waddington:

I think Peter did that but we were all there.

Deputy J.A.N. Le Fondré:

Yes. So, was that the first indication the recruitment panel had of your results?

Mr. M. Waddington:

Yes. I am not sure if we gave a copy in advance.

Deputy J.A.N. Le Fondré:

Okay. So, I was really just wondering how the recruitment panel took your results on board, or did they say: "Yes, we understand your choice here but in our deliberations we have come to X, Y and Z and this is why we are going for Mr. X, or Mrs. X" or whatever, versus your ...

Mr. M. Waddington:

I do not think we were aware of the final decision.

Deputy J.A.N. Le Fondré:

Okay, so did they just listen to your results?

Mr. M. Waddington:

Yes.

Deputy J.A.N. Le Fondré:

How did the discussion go?

Mr. M. Waddington:

They were very interested to hear what comments we had to make. We discussed a number of issues and they probed us a little bit in certain areas when we explained what we had thought and that was pretty well it.

Deputy J.A.N. Le Fondré:

How long did that last?

Mr. M. Waddington:

It was quite a long time; a good half an hour or so, perhaps longer.

Deputy J.A.N. Le Fondré:

But you were not left any the wiser, as it were, at the end of that process as to where they were going?

Mr. M. Waddington:

No.

Deputy J.A.N. Le Fondré:

So, is it fair to say they took your results at face value, shall we say, and then presumably they had another discussion.

Mr. M. Waddington:

Yes, I would have thought so, yes.

Senator J.L. Perchard:

Are you satisfied with the process of selecting the chairman of the company? Do you have any doubts or suspicions as to why your candidate was not chosen?

Mr. M. Waddington:

Well, it is the first time I have ever really been involved in something this elaborate and I was quite impressed with the amount of effort that went into obviously identifying the candidates, giving them information, and certainly within our group the level of effort that went into questioning them. It was very clear that we were dealing with some pretty powerful and capable candidates and I thought it was very fair and very thorough from the amount of experience that our panel had certainly. So, yes, I think it was fair.

Senator J.L. Perchard:

You must have wondered, like me, why there would be 3 panels to recruit the chair; 3 different panels interviewing the chair. Did you wonder why that would be the case and what was the purpose of 3 different panels?

Mr. M. Waddington:

Yes, I suppose I did. Again, I was not sure whether key personnel are always selected in this way. I have to say I do not have that experience but I thought it was quite responsible to have a technical panel and within that panel it was quite interesting, we were all trying to guess really what the best questions would be, but almost invariably each discipline came up with the question that perhaps the other discipline had not thought of, so that was pretty constructive. I assume the recruitment panel deals with employment issues and so on and that is normal. I understood the Transition Advisory Panel's role but I assume it is such an important ... and undoubtedly a role that would be within the media attention that it was very carefully sort of constructed to make sure that it was as thorough as possible.

Deputy R.G. Le Hérisier:

How was it explained to you in your initial briefing, the role of the Transition Advisory Panel?

Mr. M. Waddington:

I cannot remember, to be honest. I really cannot. I am sorry.

Deputy J.A.N. Le Fondré:

Just to go over it again, what did the people who briefed you explain your particular role was to be?

Mr. M. Waddington:

Yes, yes.

Deputy J.A.N. Le Fondré:

What did they ...

Mr. M. Waddington:

Well, in my case there was somebody with planning development and ...

Deputy J.A.N. Le Fondré:

No, not as individuals but as the panel themselves, what were you testing and probing for?

Mr. M. Waddington:

Testing for the technical competence of the candidates, their experience in similar scale projects, ideally experience that matched the Jersey scene, if you like, to check that they had a firm understanding of the background information they had been given, whether they had gone and done further investigative work, but ultimately I think it was a given that you imagine that they probably had most of those skills under their belts and we were probably looking for something that was a bit more special and felt a bit more right for the Island.

Deputy J.A.N. Le Fondré:

Going back to the feel, for want of a better expression, or making sure that what you are getting is right for the Island, I mean, you made a comment you had some quite, I think you said, powerful individuals there. Did you feel they all came out of not, for want of a better expression, out of the same mould but were they all coming from quangos basically which probably were regeneration, probably more development agency style? I mean, obviously you made reference to some of them were used to having a lot of involvement in the master planning side et cetera. Did you feel that there was a similarity? In other words, was this what you were expecting? Was there a remote possibility they might have been too powerful, or do you think they would fit in with what was being required and fit for the Island?

Mr. M. Waddington:

I think they all did come from a development agency background to an extent, and I think that was entirely appropriate. What surprised me was within that sort of scope of experience how different each of the candidates were; absolutely polar in their differences and I thought that was very interesting. It made our job rather difficult because if they had all been kind of shades of grey we would probably have been quite easy to pick the middle tone or something, but in fact they were all totally different in their personalities and it was easy to see how parts of their constitution would fit very well in Jersey and other parts would jar, but those permutations change with each candidate which made it quite complicated in some ways.

[16:00]

Senator J.L. Perchard:

You described all the candidates as being very powerful, were the words you used, were you concerned that the position in Jersey was not big enough to justify this calibre of candidates and this structure that was being formed?

Mr. M. Waddington:

That is a very good question. I think we all were quite concerned about that and in fact one of the candidates advised that that candidate was not necessarily going to take the job anyway, but would come along and ...

Senator J.L. Perchard:

Can you expand on that? You were concerned, like me, I have to express concern as to the scale of the work of the Jersey Development Company and the grandiose methods and vision that some have for the Jersey Development Company. Could you expand on your concerns?

Mr. M. Waddington:

Well, it is difficult because I think they were very capable candidates. They obviously in the U.K. and elsewhere occupied key positions. It is difficult to know whether we were making things more complicated than they needed to be. To some extent you could perhaps have taken a simpler view but we were not charged with obviously being able to influence that.

Senator J.L. Perchard:

Thank you for that.

Deputy R.G. Le Hérissier:

In retrospect, Mike, and I know you may have been affected by news reports and so forth, but in retrospect, do you have any views on the process and on the outcome?

Mr. M. Waddington:

Do you know what, I think the process was very thorough and very fair and I have no criticism of it whatsoever. I think although the technical panel did not agree with the final choice at the time I am sure if you asked everybody else they would probably agree that the choice was a very fair one and I think we believed that any 2 and a half of the candidates would have been absolutely fine for the job and that could have meant any 3 out of 4. We only had a less positive feeling about one of the candidates which we thought made the process quite successful in a sense. If you think 3 out of 4 would be a safe bet and one of those 3 were chosen, we felt comfortable with that.

Deputy R.G. Le Hérissier:

Okay, thank you.

Senator F. du H. Le Gresley:

The Appointments Commission has a code of practice for appointments. I do not know if you have ever seen it, probably not, but I am just wondering if the Appointments Commission people you saw ever mentioned anything to do with how conflict of interests might be dealt with within the panels.

Mr. M. Waddington:

That was raised. Yes, I think so.

Senator F. du H. Le Gresley:

Did that occur at all in your panel? Any conflict of interest that you recall with any of the candidates, or the interviewees?

Mr. M. Waddington:

I do not believe it did, no.

Senator J.L. Perchard:

Mike, can you confirm that the panel, or you, had nothing at all to do with the appointment of the non-executive directors?

Mr. M. Waddington:

I can.

Senator J.L. Perchard:

Your panel was not required to interview or be ...

Mr. M. Waddington:

No.

Deputy J.A.N. Le Fondré:

I only have 2. Other than the process you described with the recruitment panels, your half hour discussion at the end, and I am trying to summarise. In essence, is it mainly you gave their views a bit of discussion backwards and forwards and then that was it and: "We will consider later"?

Mr. M. Waddington:

Yes.

Deputy J.A.N. Le Fondré:

Was there any other sort of debrief after the event or anything along those lines?

Mr. M. Waddington:

I am not sure if we got an email of thanks a few days later but that was pretty well it.

Deputy J.A.N. Le Fondré:

Okay. The only other thing I think was in terms of during the interview process, there were 3 panels on the day and there was a timetable going through it, was there any, by osmosis almost, feedback from what was happening in the other panels in terms of anybody coming into the room and saying anything or giving information?

Mr. M. Waddington:

No. No, only other than coming in the room and just checking on where we were in the day because I think people were being shuttled between rooms.

Deputy J.A.N. Le Fondré:

But as far as you are concerned you were not particularly aware of what was happening elsewhere?

Mr. M. Waddington:

No.

Deputy J.A.N. Le Fondré:

And nobody was making any comments about candidates and anything along those lines, other than among yourselves?

Mr. M. Waddington:

No. There was no sort of information share between the different groups and this group is thinking this person. No.

Senator J.L. Perchard:

Just one thing, talking about information share, you were given a brief on the candidates that you were about to interview a day before, or the morning of the interviews?

Mr. M. Waddington:

Oh, no, I think we had papers circulated at our initial meeting. There were copies of all the C.V.s and we had brief run-throughs before the candidates came in just so that people were aware of recent projects that the candidates had been involved in.

Senator J.L. Perchard:

This was C.V.s, including the date of birth and their previous experience and ...

Mr. M. Waddington:

Yes, I have it here. It was quite detailed, yes.

Deputy J.A.N. Le Fondré:

When you say you had run-throughs, sorry, was that among the panel?

Mr. M. Waddington:

Yes, we just said: "Who is coming in next. Just to remind you they are currently at ..."

Senator J.L. Perchard:

Do you still have that information now, have you?

Mr. M. Waddington:

Yes, I have the candidates, yes. I have it all here.

Senator J.L. Perchard:

Right. Okay.

Deputy J.A.N. Le Fondré:

I think you said you had your brief, you do not happen to know the date of your meeting? Presumably in January sometime.

Mr. M. Waddington:

Yes. No, I do not offhand.

Deputy J.A.N. Le Fondré:

Okay, we will track that down. So, you had your meeting then, presumably you had the papers for that meeting?

Mr. M. Waddington:

Yes.

Deputy J.A.N. Le Fondré:

Okay, and then on the day you got together earlier just to ...

Mr. M. Waddington:

Yes, we decided it would be quite a good idea to get there half an hour or an hour before because to be honest we wanted to make sure, looking at the calibre of these candidates, we were on the ball as much as we could be.

Senator J.L. Perchard:

So, you have information there now on the 4 candidates you interviewed?

Mr. M. Waddington:

Correct.

Senator J.L. Perchard:

Who gave you that information?

Mr. M. Waddington:

The department at Cyril Le Marquand House.

Senator J.L. Perchard:

Human Resources?

Mr. M. Waddington:

Yes.

Deputy J.A.N. Le Fondré:

Either H.R. (Human Resources) or Chief Minister's?

Mr. M. Waddington:

Yes, the Chief Minister's office.

Senator J.L. Perchard:

Can you remember, it did not come through the Appointments Commission, it came through a ...

Mr. M. Waddington:

The Chief Minister's office.

Senator J.L. Perchard:

You are not sure who it was?

Mr. M. Waddington:

Well, Julian Morris was the contact we had there. Would that be right?

Senator J.L. Perchard:

Right. So, they would have given you a brief on each of the candidates?

Mr. M. Waddington:

Yes.

Senator J.L. Perchard:

And they never collected that information once the process had been concluded?

Mr. M. Waddington:

What, never asked for the paperwork back?

Senator J.L. Perchard:

Did they ask for the paperwork back?

Mr. M. Waddington:

No, no.

Deputy J.A.N. Le Fondré:

Sorry, Julian Morris, or Jack Norris?

Mr. M. Waddington:

I have Julian Morris down here but ... It comes back to your question of the people who were at the Cyril Le Marquand House. I can research that.

Deputy J.A.N. Le Fondré:

It would be useful to know.

Mr. M. Waddington:

Yes, I will let you know. But Peter *Crespel* took all the notes so I do not know if you are going to be talking to him, but as the chairman he handled the notes.

Senator J.L. Perchard:

But to this day they have not asked for the paperwork back and it is still in your possession?

Mr. M. Waddington:

Yes.

Senator F. du H. Le Gresley:

Just a very small point. When you went in to see the recruitment panel with your findings, who was chairing that session, in your opinion? I assume it was somebody taking the lead.

Mr. M. Waddington:

Bill Ogley was ... It could have been Bill Ogley but certainly Senator Ozouf was there and John Refault.

Senator F. du H. Le Gresley:

So, it was not a member of the Appointments Commission chairing it, as far as you could tell?

Mr. M. Waddington:

No, I do not think so. I could not be 100 per cent on that, but I do not think so.

Deputy R.G. Le Hérissier:

Sorry, we promised to shut up ... When you attended that meeting, who appeared to be in charge of that meeting?

Mr. M. Waddington:

I think it was Big Ogley.

Deputy R.G. Le Hérissier:

Bill Ogley.

Mr. M. Waddington:

I think so, yes. But it had been a long day and I have to say ... not that it was informal, it was not informal at all, but it was a little less structured than having a chairman who ...

Deputy J.A.N. Le Fondré:

Did you all go and sit down around the table type of thing, or ...

Mr. M. Waddington:

Yes, it was the other room. It was not the room that we were in. It was a bigger room and we squeezed chairs in and sat around a big table like this.

Deputy J.A.N. Le Fondré:

Okay. Well, I am done.

Deputy R.G. Le Hérissier:

Thank you very much.

Deputy J.A.N. Le Fondré:

Thank you very much.

Mr. M. Waddington:

That is all right. I hope it was helpful.

[16:09]