

Education & Home Affairs Scrutiny Panel

PUBLIC MEETING

Record of Meeting

Date: 2nd April 2007
Meeting 19

Present	Deputy F J Hill BEM Chairman Deputy D W Mezbourian, Vice-Chairman Deputy S Pitman Deputy J Gallichan
Apologies	
Absent	
In Attendance	Mrs K Tremellen-Frost, Scrutiny Manager [Item 13] Mr C Ahier, Scrutiny Officer [Item 14] Mr W Millow, Scrutiny Officer Mr T Oldham, Scrutiny Officer Miss E Kingston, Scrutiny Officer

Ref Back	Agenda matter	Action
	<p>1. Records of Previous Meetings The records of the meetings held on 19th, 26th and 27th February 2007 and 1st, 5th and 15th March 2007 were agreed and signed.</p>	
	<p>2. Matters Arising and Action Updates The Panel recalled the agreement that Panel Members would check emails at least twice a day (morning and evening). The Panel noted the updates on actions requested at its previous meetings. The Panel requested that a folder of all Panel correspondence be compiled for future reference. The Panel noted that the Chairman had given evidence to the Privileges and Procedures Sub-Committee undertaking a review of the first twelve months of Ministerial Government.</p>	WM/TO
[01.03.07 Item 1]	<p>3. GP Out-of-Hours Review The Panel noted that it was awaiting a formal response from the Minister for Health and Social Services to the GP Out-of-Hours report. The Panel requested the Officers to forward a copy of the mailing list used for the distribution of Scrutiny Reports.</p>	EK/WM
[22.01.07 Item 5]	<p>4. Overdale Review The Panel noted that it was awaiting the formal response from the Minister for Health and Social Services to the Overdale report. The Panel was advised that the Minister had informed the States on Tuesday 13th March 2007 that he hoped to have</p>	

	<p>the response available by 16th March 2007. It was noted that, under Item 11.14 of the draft Code of Practice, the Ministerial response was due on 10th April 2007.</p>	
<p>[05.03.07 Item 13]</p>	<p>5. Draft Code of Practice The Panel agreed to write to the President of the Chairmen's Committee, outlining its view that the draft Code of Practice should be amended to contain a requirement that Ministerial responses to Scrutiny Reports should be available within two months. It should also require the Minister to comment on all recommendations.</p> <p>Following the change in Presidency of the Chairmen's Committee, the Panel further agreed to send a letter to the recently elected President requesting an update on the progress of the draft Code of Practice, and expressing its belief in the importance of the draft being presented to the States at the earliest opportunity. This draft should include the areas of legal advice and access to Part 'B' minutes of the Council of Ministers and former Committees.</p>	<p>TO</p> <p>TO</p>
<p>[05.03.07 Item 2]</p>	<p>6. Higher Education Funding The Panel was advised that the Minister for Education, Sport and Culture had welcomed the Panel Statement outlining its position on this issue. The Minister had indicated that it was as helpful to know that a review would not be undertaken as it was to know that one would be.</p>	
<p>[15.03.07 Item 7]</p>	<p>7. Criminal Justice Policy The Panel noted that its comments on Pillar 9 of the revised Criminal Justice Policy had been despatched to the Minister for Home Affairs. It requested that its appreciation of the work undertaken by the Officer be recorded.</p>	
<p>[09.02.07 Item 12]</p>	<p>8. Scrutiny Newsletter The Panel noted the publication and public distribution of the first Scrutiny Matters Newsletter, and broadly welcomed the appearance and content. The Panel agreed in future to ensure that it was fully familiar with all material to be included within its section prior to publication.</p> <p>The Panel discussed how evaluation of the newsletter could be undertaken, and noted that this was potentially a matter for the Chairmen's Committee to take forward.</p>	
	<p>9. Forthcoming Propositions The Panel agreed that it would write to inform the Minister for Home Affairs that the <i>Draft Customs and Excise (Amendment No.4) (Jersey) Law 200-(P.32/2007)</i> had been considered but would not be subject to a Review. It was agreed to advise the Minister that the accompanying report did not explain why it had been recommended that Customs and Immigration officers did not need to take an oath before the Royal Court.</p>	<p>WM</p>
	<p>10. Ministerial Decisions The Panel noted that the following Ministerial Decisions had been made by the Minister for Home Affairs between 15th March and 26th March 2007:</p> <ul style="list-style-type: none"> • <i>Police Complaints Board - Annual Report 2006</i> (MD-HA- 	

	<p>2007-0026)</p> <ul style="list-style-type: none"> • <i>Community Visits - request for extension of temporary release from prison (MD-HA-2007-0024)</i> 	
[15.03.07 Item 4]	<p>11. Youth Service The Panel discussed and amended the revised scoping document and terms of reference.</p> <p>It was noted that Deputy Pitman had received guidance from the Greffier of the States regarding a possible conflict of interest. The Panel further discussed the matter and agreed that in the event of a Review of the Youth Service, Deputy Pitman would not be part of the Review Panel.</p>	
[15.03.07 Item 6]	<p>12. Police Authority The Panel noted that a Scrutiny Review of the proposed Police Authority would be time constrained. The Panel was advised that the Minister for Home Affairs planned to lodge its proposals before the summer recess of the States Assembly.</p> <p>The Panel agreed not to scope a Review of the Police Authority until further consideration of the Annual Business Plan had been undertaken, as this process would potentially highlight key developments in some areas. In this regard, the Panel noted the provisions of Standing Order 136(b) that the terms of reference for Scrutiny Panels included consideration of the existing and proposed policy of the Council of Ministers.</p>	
[0.03.07 Item 11]	<p>13. Working Practices/Visit to Westminster and Lambeth The Scrutiny Manager was invited to attend the meeting to discuss working practice options identified following the visit to Westminster and Lambeth.</p> <p>The Panel noted that there were a number of methods that Panels could employ in undertaking their work, as highlighted by the statement that the Panel had made on Higher Education Funding. The Panel expressed concern that there had been too much focus on merely undertaking large Reviews in the Jersey scrutiny function, although it noted that the role of scrutiny was shaped by States Members, both executive and non-executive.</p> <p>It was discussed that, while officers would ideally be allocated to a Panel for the lifetime of that Panel, if officers of a given Panel were being under used then there would be pressure to reallocate that resource to a second Panel with justified work load pressures. It was noted that officers undertook work on behalf of Scrutiny Panels and not on behalf of individual Members.</p> <p>It was agreed that officers could be used more pro-actively, as had been observed in Westminster and Lambeth. Aside from formal Review work, the Panel was entitled to direct officers to work in a number of ways on issues under the remit of the Panel, including briefings, detailed question plans, statements and short reports. It was noted that such work would emanate from a result of a Panel decision and not from members of the Panel independently.</p>	

	<p>Further consideration could be given to Members' working practices, such as the number and format of meetings, to help reduce time spent by officers on administration work, therefore creating the time for them to be used more pro-actively, in accordance with the practice observed and positively viewed in Westminster.</p> <p>The Panel was informed that measuring the performance of Scrutiny Panels was not straightforward and that information regarding performance indicators was detailed in <i>P79/2003 Machinery of Government – establishment of Scrutiny Panels and Public Accounts Committee</i>. The Panel noted that following the discussions in Lambeth a request had been made to its Head of Scrutiny to forward the performance indicators that it employed, for general consideration.</p> <p>The Panel considered a draft report on the visit to Westminster and Lambeth. It was agreed the Panel Members would submit proposed amendments to the report by Thursday 5th April. Once approved, the report would be uploaded to the Scrutiny website and circulated to all Scrutiny Members.</p>	TO
[05/03/07, Item 12]	<p>14. Centeniers in the Magistrate's Court The Panel considered a selection of images for the cover of the report and requested that alternative images also be sought and forwarded to the Panel.</p> <p>The Panel was advised that the Chairman and Deputy Mezbourian would meet Mr. A. Le Sueur, who had been engaged as an advisor for this Review, on 7th April 2007. It was noted that, for the purposes of this review, Mr. Le Sueur had an appropriate level of indemnity insurance in order to act as an advisor.</p>	CA
	<p>15. Business Plan The Panel requested the Officers to prepare a briefing paper on the Business Plan prior to its next meeting. The Panel agreed to consider the Business Plan in greater detail on 16th April. The Panel expressed its intention to submit comments on the departmental spending plans under its remit independently, and not as part of a co-ordinated response via the Chairmen's Committee.</p> <p>The Panel agreed that the Minister for Education, Sport and Culture and the Minister for Home Affairs would be invited, separately, to discuss the Business Plan with the Panel at its meeting on 30th April.</p> <p>It was agreed to write to the Chief Minister to clarify the deadline for Scrutiny Panels' initial comments on the departmental spending plans.</p>	WM/TO TO EK/WM
[05/03/07, Item 9]	<p>16. Early Years The Panel discussed the scoping document and Terms of Reference, and agreed amendments. The amended Terms of Reference would be circulated to the Panel and on approval would be forwarded to the Minister for Education, Sport and</p>	TO

	<p>Culture for comment.</p> <p>The Panel requested that files be created in preparation of the Review, and that a timeline leading up to the development of the Early Years strategy be drawn up. The Panel agreed to ensure that it considered documents as they were received during the Review.</p> <p>The Panel noted that it would give consideration to the identification and engagement of an expert adviser. It also requested that contact was made with the Clerk of the Education and Skills Select Committee in the UK to identify any similar Reviews that had been undertaken by that Committee.</p> <p>Consideration would be given to the appointment of Lead Members at the subsequent meeting.</p> <p>The Panel noted that Deputy Gallichan was in contact with the Greffier of the States to clarify her position on a possible perceived conflict of interest.</p>	<p>TO</p> <p>TO</p>
	<p>17. Future Meetings</p> <p>The Panel agreed that it would meet again on 16th April, when priority would be given to discussion of the Business Plan. It would set aside a full day.</p> <p>The Panel intended to meet the Minister for Home Affairs and the Minister for Education, Sport and Culture at a meeting on 30th April.</p>	

Signed

Date:

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Chairman
Education & Home Affairs Panel