

CHAIRMEN'S COMMITTEE

Meeting of Chairmen held on 9th February 2006

Meeting Number 40

PUBLIC SESSION

Present	Deputy R C Duhamel, President Deputy A. Breckon Deputy F J Hill Deputy G P Southern (not present for item 1) Deputy S C Ferguson (not present for item 1) Deputy R G Le Hérissier Deputy P J D Ryan
Apologies	
Absent	
In attendance	Mrs K Tremellen-Frost, Scrutiny Manager Mr. N. Fox, Scrutiny Officer

Ref Back	Agenda matter	Action
1.	<p>Minutes</p> <p>The Minutes of 12th January 2006 were taken as read and signed accordingly.</p>	
2.	<p>Panel Position Reports</p> <p>The Committee received and noted Panel Reports for-</p> <p>Corporate Services Panel</p> <p><u>Zero/Ten Review</u></p> <p>The Committee noted that the Zero/Ten Sub-Panel had presented its second report on 30th January 2007, and the further progression of the review was being planned.</p> <p><u>Overseas Aid Review</u></p> <p>The Overseas Aid Sub-Panel was to hold Public Hearings on the 5th, 6th and 7th of February 2007.</p> <p><u>GST Review</u></p> <p>The GST Sub-Panel was awaiting the primary legislation.</p> <p><u>Migration Review</u></p> <p>The migration Sub-Panel has been constituted as follows and its terms of reference agreed-</p> <p>Deputy P. Ryan (Chairman) Senator J. Perchard Deputy J. Martin Deputy G. Southern Deputy C. Egré</p>	

Scrutiny of States Annual Business Plan and States Budget

The Committee received a document from the Corporate Services Scrutiny Panel detailing the plans of that Panel to scrutinise the States Annual Business Plan and the States Budget.

The Committee noted the document.

Economic Affairs Scrutiny Panel

Dairy Review

The Committee noted that this review was concluded and that its recommendations were that Jersey Dairy should move to Howard Davis Farm, that bovine semen should be imported, that the JMMB should restructure and that an export strategy should be developed.

Retail Strategy Review

The Committee noted that the Economic Affairs Scrutiny Panel was to begin a review into the current Retail Strategy of the Economic Development Minister. Deputy Breckon would not take part as he was conflicted.

The Chairman of this Panel noted that there had been a positive response to the recent call for evidence regarding the Retail Strategy Review, and that there were to be public hearings or debates on the 21st and 22nd February 2007.

Jersey Telecom Review

The Committee noted that this review was approaching completion but that it was being delayed by a lack of co-operation by the Executive in respect of the timely provision of information.

The Panel Chairman was also attempting to obtain a 'slot' after the Treasury and Resources Minister at a presentation to be given on 19th February 2007 to outline the conclusions of the Telecoms Privatisation review.

Education and Home Affairs Panel

Review of the Centeniers Role in the Magistrate's Court Review

The Committee noted that work on the Panel's report was ongoing.

Review of the GP Out-of-Hours Service Review

The Committee noted that work on the Panel's report was ongoing.

Review of the Closure of Leoville and McKinstry Wards (Overdale Hospital) Review

The Committee noted that the Panel was awaiting an official

response from the Minister for Health and Social Services.

Higher Education Funding Review

The Panel was giving consideration to Scoping and Terms of Reference of a potential review. The Panel was to discuss the topic with the Minister for Education, Sport and Culture at its meeting on 5th February.

Health, Social Security and Housing Panel

Telephone Mast Review

The Committee noted that the Panel had held Public Hearings in the Scrutiny Chamber and that a speaker had been booked for a public meeting to be held on 15th February

Social Housing Property Plan

The Committee received a report from the Health, Social Security and Housing Scrutiny Panel in respect of the terms of reference and budget of this review. The Committee noted the document, and agreed with the Chairman of that Panel that the Housing Minister was acting with undue haste in attempting to bring this matter to an early debate.

The Committee noted that the Housing Minister had declined to alter the date of the planned debate from 13th March 2007, which would cause difficulties in completing the review prior to the debate.

The Committee was of the opinion that other panels would cooperate to ensure that the Health, Social Security and Housing Scrutiny Panel had the necessary time and resources.

The Committee noted the document.

Environment Panel

Planning Process Review

The Committee noted that the report was submitted to the States on 16th January 2007.

Waste Management Review

The Committee noted that the report was currently being drafted.

Design of Homes Review

The Committee noted that the fact-finding visit to Vienna was to go ahead between 3rd and 8th February 2007.

The Committee further noted that the Panel had received the resignation of Deputy R, Le Hérissier, and that Deputy. P. Le Claire had joined the Panel

3.

Communications Unit Public Consultation Document and Code of Practice

	<p>The Committee considered the documents and noted that it was the intention of the Executive to publish 'green papers' containing various policy options for public consideration. It noted the nine points of public consultation which the Communications Unit had agreed.</p> <p>The Committee decided to defer formal comment on the document until it had had the opportunity to receive comments from the Public Engagement Group.</p>	PEG
4.	<p>Overview of long-term resources (Communications Unit/Orchid/in-house)</p> <p>The Committee discussed the possible use of the Communication Unit for scrutiny, but concluded that this function was so embedded within the Executive that this would result in a conflict of interest. It noted a paper outlining skills in each of the areas.</p>	
5.	<p>Citizenship Programme in Secondary Schools</p> <p>The Committee approved of the development of Scrutiny involvement in the scheme and would receive a report back from the Public Engagement Group at a later stage.</p>	
6.	<p>Submission to Ministerial Government Review Sub-Committee</p> <p>The Committee, having determined that Panels had been contacted independently by the Sub-Committee, commented that any submission it produced would focus on four main points:</p> <ul style="list-style-type: none"> ● the Annual Budget Process, ● access to legal advice, ● access to 'Part B' papers, and ● the 'culture of secrecy', and the need for a cultural change within the Executive to include Scrutiny as a partner. <p>The Committee then studied the terms of reference of the Sub-Committee in detail, and noted that:</p> <ul style="list-style-type: none"> ● the provision of information regarding the work of the Council of Ministers to the public was limited due to the prevalence of 'B' items, ● much work had to be done on the relationship between Scrutiny and the Council of Ministers, which in places was currently based on personalities not policies, ● co-operation of Departments and Ministers was variable, ● procedures for Scrutiny to scrutinise draft legislation were poor, 	

	<ul style="list-style-type: none"> • officers in the Executive were ‘lagging behind’ non-Executive officers in comprehending the culture change that Scrutiny represented, and • the Chief Minister often did not speak for the full Council of Ministers. There was no collective responsibility. <p>The Scrutiny Manager was requested to prepare correspondence to the Chairman, Privileges and Procedures Committee based on the points above.</p>	KTF
7.	<p>Training</p> <p>The Committee agreed that Investigative Interviewing training would be of value, and one-day courses of up to twelve persons should be organised once the likely number of attendees was determined. Attendance at the aforementioned training was strongly encouraged by the Chairmen’s Committee, members of which would make every effort to attend themselves. It was agreed that the trainers should be given an overview of the operation of Scrutiny in order to ensure that the training was properly tailored to members needs.</p> <p>The Committee noted communication from ‘South East Employers’ in respect of members’ training, and decided that training needs were already being addressed and directed the Scrutiny Manager to advise the company.</p> <p>The Committee considered the matter of visits by Scrutiny members to Select Committee meetings in Westminster. It decided to make members aware that the funds for these visits existed, and decided that members should bring any requests for ‘whole Panel’ visits back to the Committee.</p>	KTF KTF
8.	<p>Standardised terms of reference statement</p> <p>The Committee decided that the statement “<i>To examine any further issues related to the xxx which may arise in the course of the Scrutiny review that the Panel considers relevant.</i>” should be included in the terms of reference of all future review by all Panels and Sub-Panels. This was to be mandatory, not simply best practice.</p>	
9.	<p>Orchid communications</p> <p>The Committee welcomed Ms. S. Watts from Orchid Communications Limited.</p> <p>The Committee noted that Orchid had shifted from a press liaison role to a broader public engagement remit. The Public Engagement Group and Orchid had developed a series of measures to bring Scrutiny to the attention of the public and to explain its role. These were-</p> <ul style="list-style-type: none"> (i) The Public Engagement Strategy. (ii) Numerous profile raising events to take place over a one week period. 	

	<p>(iii) The 'Scrutiny Guide' booklet to be distributed</p> <p>(iv) A 'Scrutiny Matters' newsletter to be distributed.</p> <p>After considerable discussion, it was agreed that this would not be dealt with as any kind of 're-launch', but that it would be more effective to implement the measures in a one week timeframe in order to maximise their profile.</p> <p>It was noted that the Jersey Consumer Council had a pre-existing mechanism to deliver information to all Jersey homes. This would represent a significant cost saving over other methods. The Jersey Consumer Council also had access to cheaper printing than Orchid had envisaged.</p> <p>The Committee therefore agreed to enclose the Scrutiny Newsletter with the next Jersey Consumer Council mailshot. The Committee approved in principle whatever budget would be necessary, subject to final confirmation. Orchid was directed to work with the Jersey Consumer Council to take the appropriate action.</p> <p>In respect of the content of the 'Scrutiny Matters' newsletter, it was agreed that Panels would submit their own elements, and retain full editorial control. Orchid was directed to work with the Panels to develop the various submissions.</p> <p>The Committee expressed its gratitude to the Public Engagement Group for its work on this subject.</p>	<p>AB Orchid</p> <p>All Panels Orchid</p>
<p>10.</p>	<p>Future meetings with the Council of Ministers</p> <p>The Committee noted that it had met the Council of Ministers recently and had agreed to do so again on 12th February 2007. Concerns were expressed at the probable attendance of Senator Syvret at this meeting, as he had not yet formalised his recent criticism of the (then) Social Affairs Scrutiny Panel, and it was therefore possible that the meeting would be dominated by this ongoing matter.</p> <p>The Committee agreed that in order to avoid this, the agenda would be clearly set in advance. The areas that the Committee was minded to discuss were-</p> <ul style="list-style-type: none"> • Code of Practice and legal advice issues; • The draft protocol regarding access to Council of Ministers Part B information; • Current practice regarding circulation of reports to stakeholders prior to presentation (without findings and recommendations) • The scrutiny of the draft Annual Business Plan and the preferential passage of information to certain Panels. 	<p>KTF</p>
<p>11.</p> <p>Item 2e</p> <p>12.01.07</p>	<p>Draft Protocol on the role of advisers</p> <p>The Committee received a document detailing a revised protocol to revise Article 5.4 of the draft Code of Practice to permit advisers to ask questions of witnesses who were not States members at the invitation of the Chairman.</p>	

	The Committee approved this document and directed that it be passed to the Privileges and Procedures Committee.	KTF
12. Item 2a 12.01.07	Ideaworks - advertising template The Committee received a paper on alternative options from the Greffier of the States. The Committee noted that there would be cost implications in the development of a new Scrutiny advertising template. The Committee noted the document.	
13. Item 2b 12.01.07	Three year budget carry forwards The Committee received a paper from the Greffier of the States regarding the three-year budgeting system in light of scrutiny's particular circumstances Having studied the paper, the Committee decided that the aim was unattainable and deferred the matter pending possible future consideration of the overall budgeting process.	
14. Item 2d 12.01.07	Proposed Amendment to Standing Order 26(3) The Committee deferred this matter until Deputy Southern was in attendance.	
15.	Panel Annual Reports 2006 The Committee noted that three of the four Panel reports had not yet been finalised. It was also noted that the Annual Report would form part of the overall States Assembly Annual Report to the States.	KTF
16.	Scrutiny of the draft Annual Business Plan and the States Budget The Committee considered a document from the Corporate Services Panel and noted that that Panel had received a presentation from the Chief Ministers Department and was progressing with a review into the overall process. It was agreed that further discussion would occur between the Chief Minister and the Chairmen's Committee about involvement of all Panels at the forthcoming meeting on 12th February 2007.	
17.	Witnesses Protocol – behaviour at public hearings The Committee discussed the recent attendance of the Chairman of the Overseas Aid Panel at a Corporate Services Panel Overseas Aid Sub-Panel hearing, and agreed to include in the witness protocol a provision that any written statements should be submitted beforehand and not read aloud during the proceedings unless the witness was invited so to do.	
18.	Scrutiny manager – time allocation The Committee agreed again to moderate the workload of the Scrutiny Manager in order to permit that officer to carry out work on the Scrutiny Panels' annual reports.	

19.	Date of next meeting The Committee agreed that it would meet with the Chief Minister on 12th February 2007, and that the date of its next scheduled meeting would be 9th March 2007. Officers were directed to take the appropriate action.	KTF
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Signed

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President, Chairmen's Committee

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