

STATES OF JERSEY



Jersey

DRAFT AMENDMENT (No. 44) OF THE STANDING ORDERS OF THE STATES OF JERSEY

**Lodged au Greffe on 14th February 2020
by the Scrutiny Liaison Committee**

STATES GREFFE

REPORT

1. Remits for the ‘standing’ Scrutiny Panels are established through Standing Orders. Counter to the commonly shared objective of ‘putting children first’, the prescribed remits do not contain clear reference to children or young people as presently drafted –

“135 Scrutiny panels: establishment and constitution

- (1) *There shall be –*
 - (a) *a scrutiny panel which is assigned the topics of corporate services, corporate policies and treasury and resources;*
 - (b) *a scrutiny panel which is assigned the topics of economic development (including financial services, innovation, competition, and the digital industry), tourism, sport and culture, external relations, international development and international relations;*
 - (c) *a scrutiny panel which is assigned the topics of education and home affairs;*
 - (d) *a scrutiny panel which is assigned the topics of environment, housing and infrastructure;*
 - (e) *a scrutiny panel which is assigned the topics of health, social services and social security.”.*
2. Until this point the children’s remit of the Minister for Children and Housing’s portfolio has largely been scrutinised by the Care of Children in Jersey Review Panel. This has been an appropriate temporary arrangement since the inception of that Ministerial role, and has been undertaken effectively by the Review Panel, but it is not a suitable ‘permanent’ framework. Over time this additional responsibility has also diverted resources away from the Review Panel’s core focus and purpose of examining the implementation, by the Government, of the recommendations of the Independent Jersey Care Inquiry.
3. If adopted, this amendment to Standing Orders would update and clarify the responsibility for scrutinising matters relating to children and young people, which would fall to the Education and Home Affairs Scrutiny Panel. This would provide increased prominence to such areas within the Assembly’s Scrutiny Panel work, and improve the transparency of the Scrutiny role in holding the Minister for Children and Housing to account. The Panel would undertake quarterly hearings with the Minister and review any future proposed policy or legislative developments within this remit.
4. It is important to highlight that the Care of Children Review Panel would continue its important work. It has been agreed between the Review Panel, the Education and Home Affairs Scrutiny Panel and the Scrutiny Liaison Committee that the Review Panel’s Terms of Reference would be updated to reflect the changing position, ensuring its ability to focus on its important work programme.
5. Adoption of the amendment would also lead to a consequential change to the title of the ‘Education and Home Affairs’ Scrutiny Panel, which would be renamed the ‘Children, Education and Home Affairs’ Scrutiny Panel. As well as addressing the matter of raising the profile and sharpening the focus of children’s

matters within the work of Scrutiny, the amended title better reflects the revised remit of the Panel, assisting its public engagement and transparency.

Financial and manpower implications

There are no financial or manpower implications arising from the adoption of this Amendment to Standing Orders.

EXPLANATORY NOTE

This Amendment to the Standing Orders of the States of Jersey will expand the remit of the scrutiny panel which is assigned the topics of education and home affairs to also assign to that panel the topics of children and young people.

Amendment 1 amends standing order 120 to include the Minister for Children and Housing in the list of Ministers who cannot make a nomination for the office of the chair of the scrutiny panel which is assigned the topics of education and home affairs. It also amends the topics assigned to that panel to include the topics of children and young people.

Amendment 2 amends standing order 135 to expand the remit of the scrutiny panel which is assigned the topics of education and home affairs to also include the topics of children and young people.

Amendment 3 gives the title to this Amendment and provides for it to come into force on the day after the day it is made.



Jersey

DRAFT AMENDMENT (No. 44) OF THE STANDING ORDERS OF THE STATES OF JERSEY

Made *[date to be inserted]*

Coming into force *[date to be inserted]*

THE STATES make the following Amendment to the Standing Orders of the States of Jersey¹ under Article 48 of the States of Jersey Law 2005² –

1 **Standing order 120 (Chair of a scrutiny panel: appointment process) of the Standing Orders of the States of Jersey amended**

In standing order 120 of the Standing Orders of the States of Jersey³, for paragraph (1C) there is substituted –

“(1C) A nomination for the office of the chair of the scrutiny panel which is assigned the topics of children, young people, education and home affairs shall not be made by the Minister for Children and Housing, the Minister for Education or the Minister for Home Affairs.”.

2 **Standing order 135 (Scrutiny panels: establishment and constitution) of the Standing Orders of the States of Jersey amended**

For standing order 135(1)(c) of the Standing Orders of the States of Jersey⁴ there is substituted –

“(c) a scrutiny panel which is assigned the topics of children, young people, education and home affairs;”.

3 **Citation and commencement**

This Amendment may be cited as Amendment (No. 44) of the Standing Orders of the States of Jersey and comes into force on the day after it is made.

ENDNOTES

Table of Endnote References

<i>1</i>	<i>chapter 16.800.15</i>
<i>2</i>	<i>chapter 16.800</i>
<i>3</i>	<i>chapter 16.800.15</i>
<i>4</i>	<i>chapter 16.800.15</i>