

Chairmen's Committee

Record of Meeting

Date: 12th December 2011

Meeting No: 2

Present	Deputy T.A. Vallois, President Deputy S.G. Luce, Vice-President Senator S.C. Ferguson Deputy J.M. Maçon Deputy J.H. Young Deputy K.L. Moore
Apologies	
Absent	
In attendance	Mrs. K. Tremellen-Frost

Ref Back	Agenda matter	Action
	1. Minutes of previous meeting The minutes of 22nd November 2011, having been approved, were accordingly signed.	
	2. Vice-Presidency of the Chairmen's Committee It was agreed that the Deputy of St. Martin would be Vice-President.	
510/1(45)	3. Scrutiny Meetings – public or private The Committee, having considered previous practice in respect of individual Panels opting whether to hold meetings in public or in private, agreed that consistency across all Scrutiny Panels, the Public Accounts Committee and the Chairmen's Committee was essential. It was agreed that all Scrutiny Panel meetings would be held in private under Standing Order 138(6) of the States of Jersey, the Public Accounts Committee under Standing Order 134(7) and the Chairmen's Committee under Standing Order 145(5). It was also agreed that this would permit Members to discuss matters freely and it gave a clear, standardised message to everyone.	
510/1(45)	4. Scrutiny Hearings – public or private The Committee agreed that the most important information relevant to Scrutiny reviews arose through formal hearings and consequently agreed that it was important that these were held in public. It was also acknowledged that on rare occasions a Panel may have to hold a hearing or part thereof in private if a matter were particularly sensitive or confidential but this would be determined by the Panel.	
510/1(46)	5. Filming of Scrutiny Meetings/Hearings Scrutiny meetings: it was agreed that, as Scrutiny meetings were to be closed to the public there would be no filming of these whatsoever. Scrutiny hearings: the favoured option of the Committee was for webcasting as this removed the issues of who could film at hearings, when and who they could film. It was agreed that this would be raised	

	<p>with the Privileges and Procedures Committee (PPC) at its meeting on 14th December 2011. In the event that PPC was not prepared to make an immediate decision, the representative of the Chairmen's Committee on PPC was briefed to advise PPC that Scrutiny wished to move ahead with this and would offer to pilot webcasting of Scrutiny hearings. The Deputy of St. Peter was requested to advise the Scrutiny Manager of the outcome of the meeting.</p> <p>The Committee noted that the current protocols may need to be redrafted dependant on the outcome of these and any further discussions.</p>	KM
510/1(59)	<p>6. Rôles and responsibilities within Scrutiny</p> <p>The Committee noted the rôles of the President, Chairmen, Chairmen's Committee, Panel Members as in accordance with the Standing Orders and the Code of Practice for Scrutiny Panels and the Public Accounts Committee. It noted that they were mandated by the States to abide by these regulations. The Committee also noted the rôle and responsibilities of the Scrutiny Manger and Scrutiny team.</p>	
511/1(48)	<p>7. President's meetings with the Chief Minister</p> <p>The Committee noted that a meeting had recently been held between the President and the Chief Minister with respective officers. It was further noted that it had been agreed that the President and the Chief Minister would meet after each monthly Chairmen's Committee meeting to discuss outcomes both from Scrutiny and from the Executive.</p> <p>The Committee noted that the first meeting had been valuable. The current situation of confidentiality agreements having to be signed each time confidential information was requested had been discussed. It had been agreed in principle that this practice should be ceased, that all confidential documents should be stamped as such and an explanation of the relevant Freedom of Information clause be made clear. On a related note, the President stressed the importance of only stamping genuinely confidential documents as such rather than blanket confidentiality across all documents which did not fall under the Code of Practice for Public Access to Official Information.</p> <p>The Committee was advised that more inclusive working practices had also been considered and that, although there was general support for the principle of this, it was important for Scrutiny to maintain a distance when necessary. There had previously been a suggestion that very close working groups be established and the Committee considered how this could operate and whether it might detract from Scrutiny work.</p> <p>Also, the Committee was informed that the President had advised the Chief Minister that he should inform all Ministers that external bodies which undertake work on behalf of a Minister/Department can be called to give evidence to Scrutiny Panels.</p> <p>Lastly, the Committee was apprised that joint meetings between the Chairmen's Committee and the Council of Ministers would not take place as had occurred in the previous term of office as they had had little benefit. It was agreed, however, that the possibility remained to hold these as and if required.</p>	
	<p>8. Statement of common purpose</p>	

510/1(63)	The Committee agreed that it would use R118/2011 as the basis for its statement of common purpose which would enable the Committee to set out its strategy and vision for the next three years.	
511/1(19)	<p>9. Ability of Scrutiny to work inclusively with the Executive</p> <p>The Committee considered that for Scrutiny to be seen as effective it needed some separation from the Executive but agreed that relationships could be built without being too close. Policy in development could be known about in advance and when Scrutiny decided to review a matter it would distance itself from the Executive on that review topic.</p> <p>It was agreed, however, that the Executive must start to factor in time for Scrutiny to undertake reviews. It was anticipated with closer working practices that this may become feasible. A constructive tension was necessary with some delineation between the Executive and Scrutiny which did not prevent closer professional communication with Ministers.</p>	
510/1(62)	<p>10. Briefings and Hearings with Departments and Ministers</p> <p>It was agreed that both quarterly briefings and hearings were beneficial. Private briefings with Departments provided an avenue for two-way communication and the sharing of information which would not be forthcoming in hearings.</p> <p>Quarterly hearings enabled Panels to hold Ministers to account on a range of matters including implementation of Scrutiny recommendations from reviews.</p>	
510/1(63)	<p>11. Presentation to States Members on Scrutiny's statement of common purpose</p> <p>It was noted that the morning of 9th January 2012 had been earmarked for this. The timing was queried as many Members might not have returned from the Christmas break.</p>	
510/1(23)	<p>12. Chairmen's Committee consideration of Panels' work</p> <p>It was agreed that the Chairmen's Committee had a responsibility to thoroughly consider the work Panels were planning to undertake to ensure that review objectives could be met.</p>	
511/1(49)	<p>13. Committee representation on the Privileges and Procedures Committee (PPC)</p> <p>Recalling that the Deputy of St. Peter was the Committee's representative on PPC, the Committee agreed that there would be a regular report back to the Committee on PPC meetings.</p>	
510/1(61)	<p>14. Monitoring Ministerial responses and implementation of accepted recommendations</p> <p>It was agreed that the Committee must be thorough in monitoring all Ministerial Responses and more importantly to monitor follow-up on whether accepted recommendations have been implemented.</p>	
511/1(23)	<p>15. Matters for regular consideration by the Committee</p> <p>The Committee agreed that it would regularly consider the following:-</p> <ul style="list-style-type: none"> • Information on ongoing reviews; • Planned fact-finding visits (Panels should not undertake fact- 	

	<p>finding visits which incur expenditure without first referring it to the Chairmen's Committee)</p> <ul style="list-style-type: none"> • All matters considered for review but rejected with reasons; • All planned reviews (scoping document); • Conflicts of interest; • Overarching Scrutiny matters; • Quarterly financial reports 	
510/1(21)	<p>16. Expectation of standards of behaviour for Scrutiny Panels and PAC</p> <p>It was agreed that all Scrutiny and PAC members should present and conduct themselves in a professional manner.</p> <p>All Members should be punctual, especially for hearings which should start on time and avoid any delay for the witnesses or the public. In the case of an unavoidable delay, the Scrutiny Officer should be advised as soon as possible.</p> <p>Members should observe good practice in respect of mobile phones which should be on silent during hearings but must not be used.</p> <p>No food would be permitted during hearings.</p>	
510/3(5)	<p>17. Scrutiny Matters newsletter</p> <p>After considerable debate, the Committee agreed that the newsletter should be continued through 2012 and reviewed at the end of the year.</p>	
510/1(28)	<p>18. Home Life Show</p> <p>It was noted that the Scrutiny function had had a stand on two occasions at the Home Life Show. However, it had never been successful in what it had set out to achieve by having a stand. The Committee decided that this was not value for money and it would not have a stand at the 2012 show.</p>	
510/3(2)	<p>19. Citizenship Programme</p> <p>The Committee considered the potential value of the programme and agreed that discussions with the Education Department should be entered into with a view to starting up this project again in 2012. The President undertook to contact the relevant Education Departmental Officer.</p>	TV
510/1(64)	<p>20. Provision of Blackberries for Scrutiny Members</p> <p>The Committee agreed that these were important and that the 2012 budget should be used to provide these for all Scrutiny Members who would like one.</p>	
510/1(61)	<p>21. Ministerial Responses to Scrutiny recommendations: removal of findings section from template.</p> <p>It was agreed that the "findings" section on the ministerial response template would remain and this would be reviewed in six-months time.</p>	
510/1(5)	<p>22. Scrutiny working practices</p> <p>The Committee noted the various possibilities available to them to conduct Scrutiny reviews: main Panel, co-option to main Panel, Sub-Panels and Rapporteur.</p>	

	Although the Committee particularly welcomed the opportunity to have Members acting as Rapporteurs, it was cognisant of the need to have sufficient manpower resources available to do this.	
510/1(5)	23. Review opportunities for Scrutiny The Committee noted the terms of reference of Scrutiny Panels in accordance with Standing Order 136 and also the areas in 7.11 of the Code of Practices for Scrutiny Panels and the PAC which set out areas inappropriate for Scrutiny. The Committee requested an example of what constituted "prejudicial to States interests".	KTF
510/1(5)	24. Protocols relating to Scrutiny and internal reviews in the Scrutiny function The Committee noted a number of reports based on reviews into the Code of Practice for Scrutiny Panels and the Public Accounts Committee and on internal reviews of the Scrutiny function.	
510/1(5)	25. States-adopted documents relating to Scrutiny The Committee noted the Standing Orders pertinent to Scrutiny and the Code of Practice for Scrutiny Panels and the Public Accounts Committee. The Committee also noted that, in the event that it wished to make amendments to any of these, the procedure was to lodge a report and proposition to the States for debate.	
510/1(46)	26. Legacy papers The Committee noted the legacy papers of the previous Chairmen's Committee, Scrutiny Panels and PAC.	
22.11.11 Item 4 510/1(3)	27. Future training provision The Committee noted that future training was being arranged in the following areas:- <ul style="list-style-type: none">• Chairing/managing meetings;• Questioning skills;• Working with the media;• Visits to Select Committees/PAC	
22.11.11 Item 3	28. 2012 Committee meeting dates The Committee agreed the following meeting dates for 2012. Meetings would take place in Le Capelain Room from 9.30am-11.30am and be held in private in accordance with Standing Order 145(5). 10th January 3rd July 7th February 18th September 13th March 16th October 24th April 13th November 22nd May 18th December 19th June	