

Chairmen's Committee

Record of Meeting

Date: 20th February 2013

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	Connétable of St. Brelade
Absent	Connétable of Grouville, Connétable of St. Ouen, Deputy G. Baudains
In attendance	Connétable of St. John Connétable of St. Martin Deputy S. Power Deputy J. Hilton Deputy J. Reed (items 1-3 only) Deputy M. Tadier Deputy R. Rondel (items 1-3 only) Mrs. K. Tremellen-Frost, Scrutiny Manager

Ref Back	Agenda matter	Action
510/1(15)	<p>1. Budgeting procedures</p> <p>The meeting considered the existing budgeting procedures of the Scrutiny budget as opposed to how the budget was managed during the first three years of Ministerial Government.</p> <p>It was noted that the Scrutiny budget was held under that of the States Assembly and its Services under the political control of the Privileges and Procedures Committee and the Accounting Officer for that budget was the Greffier of the States who was personally accountable for the proper financial management of such resources. The budget allocated to the Scrutiny function was the political responsibility of the Chairmen's Committee under Standing Order 143(b).</p> <p>The meeting was apprised that the budget allocated to Scrutiny was, in the main, for the engagement of Advisers to provide technical support for Panel reviews. During the first three years the overall budget had been divided between the five Scrutiny Panels with a small amount being allocated to the Public Accounts Committee. That Committee generally relied on the advice of the Comptroller and Auditor General and it was not anticipated that an additional amount for expenditure on Advisers would be required.</p> <p>The Committee also noted that during 2008, the Accounting Officer had expressed concerns about the management of the budget under the aforementioned arrangement given that the political responsibility to oversee the budget allocated to Scrutiny was that of the Chairmen's</p>	

	<p>Committee. The division of the budget amongst Panels had led to uncertainty over political responsibility and accountability for spending decisions. In light of these concerns a proposal was put to the then Chairmen’s Committee that the budget should be centralized so that the Committee was able to ensure that it could fulfil its terms of reference in a meaningful way. It was stressed that this would not detract from the autonomy of Panels to set their own work programmes. The proposal to centralize the budget was commended by the former Comptroller and Auditor General.</p> <p>Accordingly the then Chairmen’s Committee agreed to move to a centralized budgeting system.</p> <p>As an aside, the meeting considered the use of the Scrutiny budget for additional resource support in terms of a dedicated research officer such as an undergraduate. Consideration ensued as to the benefit of Advisers as opposed to research officers in terms of the technical support the former could provide given also that this was the designated purpose of the Scrutiny budget. It was noted that Advisers frequently had a large organisation behind them to provide additional expertise.</p> <p>A belief was expressed that an independent research officer would be able to access information within Departments with ease, however, there was a counter-argument that a research officer would have no more success at this than would a Scrutiny Officer.</p> <p>On a related theme of access to Executive information, consideration was also given to the fact that the Departmental Scrutiny Liaison Officers had other job roles to fulfil which meant that they were not always able to action requests from Scrutiny immediately. This could lead to delays in the information being forthcoming to Scrutiny.</p> <p>The meeting noted that since 2006 the Scrutiny budget had had large yearly underspends and that had occurred again in 2012. This was due in the main to the fact that Panels over the years either had undertaken a minimum amount of work or had not engaged technical support in the form of Advisers.</p> <p>The meeting considered that there had originally been two Scrutiny Officers allocated per Scrutiny Panel, however, Panels had not generated sufficient work to justify the retention of that number of staff and there had been a reduction of two Scrutiny Officers for Comprehensive Spending Review cuts. In terms of the need for additional resources at this time, the meeting was advised that there was currently no identification of this need. Furthermore, the Committee was advised that there was a requirement for the Scrutiny budget to be utilized on Scrutiny matters only ie: review work and not on commissioning work outside the remit of Scrutiny reviews.</p>	
<p>510/1(45)</p>	<p>2. Meetings of Scrutiny Panels and Public Accounts Committee in public or private</p> <p>The meeting considered whether there had been too much of a move to holding meetings in private when there was no real justification to holding them in private. It also considered whether it should hold meetings under Part A and Part B agendas in accordance with the Code of Practice on Public Access to Official Information.</p>	

	<p>It was considered whether opening some current private meetings to the public would give more exposure to the media and thereby raise the profile of Scrutiny.</p> <p>Previous practices were noted and determined to have led to confusion for all concerned, including the public. It was noted that at the start of this term of office all Scrutiny Members had agreed a standardised and co-ordinated approach. Meeting usually involved matters such as preparation for reviews, hearings, briefings, reports etc and these would be held in private where Members could speak frankly and freely about all issues and confidential material could be considered. All hearings where evidence was sought and Ministers were held to account were held in public, unless confidential and/or sensitive information was to be discussed.</p> <p>It was also agreed that private briefings from Ministers and Departmental Officers pre-review were beneficial in terms of providing background information. However, once a review was established and thereafter, Hearings should all be in public.</p> <p>As an aside, it was reinforced that Scrutiny was evidence-based and that it was essential to avoid driving Scrutiny forward through political agendas.</p>	
<p>510/1(59)</p>	<p>3. Panel working practices</p> <p>The meeting considered the following three main areas:</p> <ol style="list-style-type: none"> 1. The possibility of pooling Scrutiny Members to act as a sounding board for Review Panels and/or Sub-Panels; 2. The possibility of Members moving from one Panel to another; 3. Inclusion of other Members on Scrutiny Reviews. <p>In respect of item 1 above, the issue of confidentiality arose whereby a Panel or Sub-Panel had received information in confidence and this could not be discussed with others. This would act as an impediment to the purpose of the “sounding board”</p> <p>In respect of item 2, it was noted that this needed to be done formally through the States Assembly in accordance with Standing Orders and there was no provision for Panel Members to switch Panels informally.</p> <p>On consideration of item 3 it was noted that there were very few Members who had not been active on Scrutiny Sub-Panels or co-opted to a Panel during this term of office. The meeting was advised that the mechanisms were already in place to encourage non-Executive Members who did not serve on Scrutiny Panels to sit on Sub-Panels or to be co-opted to a Panel without the need for enquiring about Members individual interests. It was also noted that a small group of non-Executive Members had made a conscious deliberate decision not to serve on Scrutiny during this term of office.</p> <p>It was agreed that such matters could be the topic for the away-morning.</p>	

<p>510/1(47)</p>	<p>4. Away-morning/afternoon</p> <p>The meeting considered whether there was a desire and/or need for a block of time to be set aside for all Scrutiny Members and other non-Executive Members to discuss a range of matters. This would provide more time rather than to compress important matters into a short space of time.</p> <p>The meeting noted that not everyone was in favour of an away-morning as it was felt that there was so much Scrutiny work underway that it would be more beneficial to be undertaking that.</p> <p>It was agreed that this should be further discussed by the Chairmen's Committee which would need to agree to timings, venue and format.</p>	
<p>510/1(59)</p>	<p>5. Elections to States Assembly of Scrutiny Members</p> <p>It was suggested that at the away-morning a topic for discussion could be whether Scrutiny Chairmen should be permitted to select their own Membership of Panels without it being agreed by the States, much in the same way as Assistant Ministers are appointed.</p>	

Signed

Date:

.....

President
Chairmen's Committee