

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY J.H. PERCHARD OF ST. SAVIOUR
ANSWER TO BE TABLED ON TUESDAY 10th DECEMBER 2019**

Question

Further to the presentation of ‘Jersey Competition Regulatory Authority: short-term appointment of Chair’ (R.144/2019), in which it is stated that the “Department recognises the importance of diversity in the recruitment of a permanent Chair”, will the Chief Minister –

- (a) confirm that the recruitment process for the J.C.R.A. chair will follow standards of best practice in relation to diversity and therefore include short-listing of candidates across the age range and that balances gender representation; and
- (b) state which members of the Authority, if any, are remunerated from the £300,000 Annual Grant given by the States, and how much of the total of said grant is used to contribute to this remuneration?

Answer question (a)

The recruitment of a new JCRA Chair, to take up the role in 2020, is overseen by the Jersey Appointments Commission (**JAC**). The JAC guidelines (**JAC Guidelines**) that apply in relation to the recruitment of States’ appointees, and hence apply to the appointment of the new JCRA Chair, outline the standards against which this appointment shall be made. Amongst others, these standards are:

- Appointment on merit must be the overriding principle governing the appointments process. Applicants must be considered equally on merit at each stage of the selection process;
- The principles of equal opportunity and diversity must be inherent within the process;
- Each role will be advertised in such a way to encourage applicants from all sectors and groups, especially those who are under-represented at senior levels within public service;
- Every prospective applicant must be given equal and reasonable access to adequate information about the job and its requirements and about the selection process;
- Selection techniques must be reliable, consistent and guard against bias and be in line with discrimination legislation;
- Selection must be based on robust objective criteria applied consistently to all candidates;
- The application of the appointment process must be transparent. All stages of the process should be documented, and the information be readily available for audit.

The JAC Guidelines provide four reasons for the application of the above standards to appointments such as that of the JCRA Chair:

- To appoint the most appropriate person for the job on the basis of individual merit regardless of race, gender, age or any other personal factor;
- To put all appointments above suspicion of patronage or prejudice;
- To ensure that recruitment procedures uphold the political impartiality of the public service; and
- To maintain public confidence in the method of recruitment to senior appointments.

An executive search firm is being selected to undertake the search and advertising assignment for the role of JCRA Chair. The JAC Commissioner, appointed to oversee the recruitment of a new JCRA Chair, shall have oversight of the choice of search consultant and has been consulted in order to answer this question. The Commissioner shall also oversee the shortlisting of the applicants.

One of the factors for selecting the search partner is that it has a credible approach to creating a diverse list of candidates. As agreed with the JAC Commissioner, whilst everything is done to ensure as diverse a range of candidates as possible, the most appropriate person for the job, on the basis of individual merit regardless of race, gender, age or any other personal factor, will be appointed.

Answer question (b)

The JCRA receives an annual grant given by the States of £300,000 for Competition Law activities. The JCRA also receives income under the control of the mergers and acquisitions regime (application fess) and from licence fees from the regulated sectors (telecommunications, postal and ports).

The JCRA has advised that Board members' costs are allocated against the annual Competition Law grant according to the level and area of activity. Therefore, the amount of Board Members costs attributable to the grant will vary from year to year according to the level of Competition Law activity.

A provisional estimate for 2019 has been provided by the JCRA, which suggests that the Authority will spend around £25,000 of its grant on the remuneration of Board members. However, the JCRA has advised that a deeper analysis of the its accounts would be needed to verify that. We are happy to ask the JCRA for that information if the Deputy would like more detail.

Cost of Producing Answer

As a means of giving an approximate indication to the time and cost of producing an answer to a written question, it has been decided that answers shall include a cost, broken down by civil service grade:

The estimate of the cost of researching and producing this answer is £93.

Competition Policy Advisor x: 90 minutes

Director x 30 minutes

Head of Resourcing x 15 minutes