

CHAIRMEN'S COMMITTEE

Meeting of Chairmen held on 12th January 2007

Meeting Number 38

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| Present | Deputy R C Duhamel, President Senator J L Perchard Deputy A. Breckon Deputy F J Hill Deputy G P Southern Deputy R G Le Herissier Deputy S C Ferguson |
| Apologies | Deputy P J D Ryan |
| In attendance | Mrs K Tremellen-Frost, Scrutiny Manager M Haden, Scrutiny Officer Mrs A Harris, Deputy Greffier of the States (for a time) |

| Ref Back | Agenda matter | Action |
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| 1. | <p>Minutes</p> <p>The Minutes of the meetings of 15th, 20th and 29th December 2006 were approved, subject to amendment of item 1 of 20th December 2006 to show that the Committee had agreed to review the contract with Orchid after the six months' extension.</p> | |
| 2. | <p>Matters arising</p> <p>Item 3b 25.12.06</p> <p>(a) Ideaworks template - Deputy Breckon expressed concern regarding the current contract. The Committee asked for a paper to be prepared by the Greffier clarifying the scope for Scrutiny to adopt an alternative approach to advertising.</p> <p>Item 9 15.12.06</p> <p>(b) Three year budget allocation - It was felt that, as the work programme of Scrutiny Panels operated differently to the generality of States Departments, a case might be made for separate treatment of Panel expenditure. The Committee requested a paper to be prepared for the next agenda in order that consideration might be given to all aspects of this issue.</p> <p>Item 3 20.12.06</p> <p>(c) Proposed Amendment of Standing Order 72(6) (to allow increased time for Scrutiny) - The Committee was informed that the Privileges and Procedures Committee would look at this proposal as part of the Machinery of Government review.</p> <p>Item 3 20.12.06</p> <p>(d) Proposed Amendment of Standing Order 26(3)(to allow a lodging period of two weeks for a Scrutiny proposition on a matter being scrutinised by a Panel) - The Committee was informed that the Privileges and Procedures Committee did not understand the need for this amendment. Consequently the Committee agreed to prepare an amendment in its own name.</p> <p>Item 4 20.12.06</p> <p>(e) Role of advisers at Scrutiny hearings - The Privileges and Procedures Committee supported the Committee's view, in principle, that an adviser should be allowed to participate in hearings, subject to a protocol being prepared.</p> | <p>GOS</p> <p>GOS</p> <p>KTF</p> |
| 3. | <p>Panel reports</p> <p>The Committee received written reports from each of the Panels. The following issues were discussed -</p> | |

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| | <p>(a) Proposed Review of Migration Policy - It was agreed that this review should be undertaken by a Sub Panel including representatives from Economic Development and Social Security and Housing Panels. The Chairman of the Corporate Services Panel was requested to discuss the proposed review with relevant Chairmen and prepare for the next meeting a project plan with terms of reference, resource estimates and proposed membership of the Sub-Panel. Senator Perchard raised a query about sharing review costs but this was not agreed by the Committee.</p> <p>(b) Overdale review - The President was requested to prepare a statement for the States on 18th January 2007 in response to the Health and Social Services Minister's comments.</p> <p>(c) Lessons regarding work programme - Both Environment and Social Affairs Panels agreed that they had been over ambitious in planning their work programme in 2006 by taking on too many reviews at the same time and in respect of the latter Panel by planning a 2006 forward work programme.</p> <p>(d) Travel and Transport Plan - Disappointment was expressed in the fact the Environment Panel had been given no opportunity to participate in the preparation of this policy before it had been put out for public consultation. The brief period of consultation (8 weeks) prevented any in depth contribution on the part of the Panel. This appeared to be a trend for a number of Ministers (Housing were also about to publish a major new policy proposal) and belied promises to allow Scrutiny to play a part in policy development. In the Committee's view the production of 'Green papers' should be encouraged.</p> <p>(e) Planned Energy from Waste Plant - The Environment Panel intended to make a statement in the States commenting on the fact that Scrutiny's recommendations had been largely ignored.</p> <p>(f) Legal advice - The Chairman of the Economic Affairs Panel outlined the discussion his Panel was having regarding the costs of work carried out by an external legal firm.</p> <p>(g) PAC programme of visits to departments: The Committee was advised that these visits had been very informative.</p> | <p>PR</p> <p>RD</p> <p>RD</p> |
| <p>4</p> | <p>Usage of the States Chamber</p> <p>The Committee received a paper from the Deputy Greffier of the States regarding the above. Deputy Breckon informed the Committee that the States Chamber had proved to be a useful venue for Scrutiny hearings for the Dairy Review. It was noted that Panels should bear in mind that the Chamber was sometimes used by the Court, parliamentary conferences and for visits by schools and visiting dignitaries.</p> | |
| <p>5</p> | <p>Review of staffing levels - The Committee received a paper from the Deputy Greffier of the States. The Committee noted the advice of the Scrutiny Manager that a number of officers had been under a high level of pressure at various times during 2006 in coping with the workloads imposed by their Panels. It was agreed that it was important to consider officer capacity in planning Panel work programmes and it was noted that officers</p> | |

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| | <p>should generally focus on one review at a time.</p> <p>It was agreed to arrange a specific meeting for further consideration of staffing requirements in the long term.</p> | KTF |
| <p>6. Item 5 20.12.06</p> | <p>Access to Council of Ministers Part B papers - draft protocol</p> <p>The Committee expressed disappointment that its views appeared to have been largely ignored by the Council of Ministers (CoM) in the latest draft of the Protocol. It was felt that too much discretion was left to individual Ministers in deciding whether to release confidential papers.</p> <p>While the Chief Minister appeared to be sympathetic to the Committee's position, he had been unable to persuade certain other members of the CoM who appeared determined to take a narrow view of a Panel's remit when considering requests for papers.</p> <p>On a related matter it was also felt that Ministers were failing to consult relevant Scrutiny Panels at an early stage in the preparation of major new policies. The Travel and Transport Plan (3d of these Minutes refers) and the Social Housing Property Plan were recent examples where Scrutiny had been given no prior access to the reports before public consultation was initiated.</p> <p>It was agreed that a delegation consisting of Deputies Duhamel, Southern and Breckon should request the opportunity to attend the next meeting of the COM to make their case.</p> | KTF |
| <p>7. Item 6 12.01.07</p> | <p>Scrutiny of the States Business Plan and Budget</p> <p>The Committee noted that its request to attend key meetings of the COM as observers had been refused by the Chief Minister.</p> <p>It was further noted that the Corporate Services Panel had deferred accepting the Chief Minister's offer of a briefing on the meetings of the COM and sight of a confidential paper on 'Emerging Spending Pressures' pending clarification of the Committee's position.</p> <p>A proposal from the Corporate Services Panel to establish a cross party Sub Panel to take a lead in scrutiny of the Business Plan and Budget was considered. This Sub Panel would be entitled to receive and consider confidential papers provided by the CoM. However, it was felt that this Panel would be hamstrung by the confidentiality requirements set by the CoM. Accordingly this proposal was not accepted.</p> <p>It was agreed that, as this matter was closely linked to the previous issue, the same delegation mentioned above should discuss the Committee's concerns with the CoM. The Chairman of the Corporate Services Panel should also be included in the delegation for this purpose.</p> | |
| <p>8. Item 1 29.12.06</p> | <p>Review of telephone masts</p> <p>The Committee noted estimated costs in the sum of £12,440.</p> | |
| <p>9. Item 8 20.12.06</p> | <p>Review of Overseas Aid</p> <p>The Committee noted the consultant contract for services and engagement brief.</p> | |

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| <p>10</p> | <p>Review Costs</p> <p>The Committee noted details of the costs incurred for the 16 Panel reviews undertaken during 2006. The sum total was £128,642.</p> <p>The Committee requested that the original budget estimates for each review should also be included in future. Miscellaneous expenditure should be itemised where this was a substantial amount.</p> | |
| <p>11</p> | <p>Proposed amendment to Standing Orders - appointment of Scrutiny Panel Chairmen, members and President of Chairmen's Committee - The Committee considered Deputy Southern's draft amendment which would have the effect of barring any members of the States who had been elected as Ministers or Assistant Ministers from participating in the selection and appoint. He explained that he felt that non-Executive members should be in control of their business and that it was inappropriate for Ministers to be involved in selection of their own scrutineers. Deputy Duhamel was concerned that this proposal would be divisive as it excluded, for the first time, a number of States members from participating in a vote in the Assembly.</p> <p>It was agreed to give further consideration once Deputy Southern's report had been worked up.</p> | <p>GS</p> |
| <p>12</p> | <p>Scrutiny Annual report</p> <p>The draft heads of report prepared by the Scrutiny Manager were agreed. It was also agreed that the report should give a positive, upbeat reflection of the first year of operation. At the same time it should address the important issues regarding the relationship with the Executive.</p> <p>The Scrutiny Manager stated that, if this report were be given a priority in her workload some other tasks would have to be deferred temporarily. She expected to be able to produce a first draft for consideration at the next scheduled Committee meeting.</p> <p>Each Panel was requested to prepare a contribution to the report.</p> | <p>KTF</p> <p>All Chairmen</p> |
| <p>13</p> | <p>Public Engagement Group</p> <p>Deputy Reed outlined progress in developing the Public Engagement Strategy with two early milestones being the publication of a Guide to Scrutiny and a newsletter. It was hoped that this would coincide in early February with the launch of the new Scrutiny website.</p> <p>Financial implications were still to be clarified and would be submitted to the next meeting of the Committee.</p> <p>Members were requested to submit their comments on the draft Strategy by 19th January.</p> <p>The Committee also requested that a paper be prepared which analysed the "ideals", needs and requirements for public engagement with comparison between using the Communications Unit, Orchid Communications and/or States Greffe.</p> | <p>JR</p> <p>All Chairmen</p> <p>KTF</p> |

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| 14 | Alex Picot Limited - contract for accountancy advice It was noted that the first six month contract had now been signed. It was agreed to extend the contract for a further 12 months. | KTF |
| 15 | Date of next meeting - 9th February 2007 | |

Signed

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President, Chairmen's Committee