

Corporate Services Scrutiny Panel

PUBLIC MEETING

Record of Meeting

Date: **9th January 2008**

Meeting Number: **55**

Present	Deputy P J D Ryan, Chairman Connétable J L S Gallichan Connétable D Murphy Deputy C Egré
Apologies	Deputy R Le Hérissier
In attendance	Miss S Power, Scrutiny Officer

Ref Back	Agenda matter	Action
1.	Minutes The Panel approved the minutes of the 13 th December 2007.	
2. Item 6 13.12.07	Matters arising Finance Sub-Panel Membership – The Panel noted that Connétable Hanning had been contacted, and agreed to become a member of the Finance Sub-Panel, in addition to Deputy Ryan (Chair); Connétable Murphy; and Deputy Le Hérissier.	
3. Item 6 13.12.07	Resource Implications of the Draft Freedom of Information Legislation a. Privileges and Procedures Committee (PPC) – The Panel welcomed Connétable Gray, Chairman, Privileges and Procedures Committee; Deputy Gallichan, Vice-Chairman, Privileges and Procedures Committee; and Anne Harris, Deputy Greffier of the States to the meeting to discuss the Panel's review into the Draft Freedom of Information Legislation. The Panel noted that at the last PPC meeting, the Committee had agreed that as a result of the concerns expressed during the second consultation exercise on the draft legislation, it had felt unable to continue proceeding with the draft legislation. The Panel further noted the request from the Committee for the Panel to review the effectiveness of the existing Code of Practice on Public Access to Official Information, rather than the proposed review into the resource implications of the draft legislation. It was noted that the Code of Practice was originally introduced as a temporary measure in January 2000, and had been assumed to be a precursor to the introduction of a Freedom of Information Law. The Panel was provided with figures outlining the number of applications that had been made under the Code of Practice since its introduction; however it was agreed that the use of such figures was minimal, as a result of the different methods likely to be used by different States Departments when logging requests for information.	

	<p>The Panel thanked the members of PPC for attending the meeting.</p> <p>b. Proposed Review –</p> <p>The Panel discussed the request from PPC to review the effectiveness of the Code of Practice, rather than the resource implications of the draft Freedom of Information Legislation. The Panel agreed that to review the effectiveness of the Code of Practice, and whether Freedom of Information Legislation is needed to replace the Code, is a core function of PPC, and not the Panel. The Panel reiterated its agreement to review the resource implications of the draft Freedom of Information Law, and agreed that it would still be willing to do so, however it was strongly agreed that if PPC were to decide not to bring a draft Law to the States then this review would not be an appropriate use of the Panel's time. The Panel therefore agreed to delay its review into the resource implications of the draft Law, until after PPC had decided whether a Freedom of Information Law is necessary, and requested for a letter to be sent to PPC outlining the Panel's position.</p>	SP
4. Item 7 13.12.07	<p>Level Playing Field Review</p> <p>a. Terms of Reference –</p> <p>The Panel approved this document subject to one amendment.</p> <p>b. Scoping Document –</p> <p>The Panel approved this document subject to one amendment.</p> <p>c. Witnesses to be invited to Public Hearings –</p> <p>The Panel agreed that given the sensitivity of this issue, it wished to write to individual companies offering the opportunity to provide comments to the Panel in writing, and if necessary in confidence, before holding any Public Hearings. The Panel therefore requested for a letter to be drafted to be sent to all Financial Services companies. The Panel recalled that a hearing had provisionally been arranged with Jersey Finance for the 22nd January, and requested for this to be postponed until responses to the letters had been received.</p>	SP SP SP
5. Item 3 13.12.07	<p>Scrutiny of the States Annual Business Plan</p> <p>a. Letter to the Chief Minister –</p> <p>The Panel noted a letter from the Chairman to the Chief Minister outlining the Panel's Review into the States Annual Business Plan. It was noted that the letter had included the risks identified in the Corporate Risk Register as one of the issues the Panel wished to provide comment on during the course of its review, however it had been advised that this issue fell within the remit of the Public Accounts Committee. The Panel therefore requested for a revised copy of the letter to be sent to the Chief Minister's Department, removing this item.</p> <p>b. Finance Sub-Panel Adviser –</p> <p>The Panel noted that one of the potential advisers for this review had been in touch to confirm their interest in this role. It was requested for the Scrutiny Officer to respond thanking them for their interest, and inviting them to the Island to meet the Panel, in advance of the first briefing session on the States Business Plan scheduled for the 1st February.</p>	SP SP
6. Item 4 13.12.07	<p>Report on proposed Waterfront Development</p> <p>The Panel approved the draft report, and requested for it to be arranged</p>	

	to be presented to the States at least one week after the presentation of the GST Report on the De Minimis Waiver.	SP
7. Item 13 13.12.07	<p>Department Business Plans</p> <p>a. Chief Minister's Department –</p> <p>The Panel noted that a meeting had been arranged with the Chief Minister on the 5th March, to discuss the Chief Minister's Department's Business Plan in addition to the six monthly progress against initiatives report. It was requested for the question plan for this meeting to be placed on the Panel's agenda for the 8th February.</p> <p>b. Treasury and Resources Department –</p> <p>The Panel discussed a summary paper prepared on the Treasury and Resources Department's Business Plan, and agreed that the Minister for Treasury and Resources should be invited to the Panel Meeting on the 9th April to discuss this document in more detail. It was agreed that as a result of the Panel's heavy work programme, this was the earliest opportunity to hold this meeting.</p>	SP SP
8. Item 5 13.12.07	<p>Panel expenditure</p> <p>The Panel approved an estimate of £16,310.00 to cover the costs of its reviews until the end of December 2007.</p>	
9.	<p>Civil Partnerships</p> <p>The Panel noted a consultation paper on Civil Partnerships (R.111/2007) forwarded to the Panel on behalf of the Legislation Advisory Panel.</p>	
10.	<p>Annual Report</p> <p>The Panel's section to be included in the 2007 Annual Report was noted and approved.</p>	
11.	<p>Current Reviews</p> <p>The Panel noted an update summary for its current reviews. The Panel received a final draft of its report into the Review of Goods and Services Tax: De Minimis Waiver, and following several amendments approved this report for presentation to the States on the 11th January 2008.</p>	
12.	<p>Forthcoming Legislation</p> <p>The Panel noted the items of draft legislation within its remit scheduled for debate by the States within the next month.</p>	
13.	<p>Questions to Ministers</p> <p>The Panel noted the arrangements for questions without notice to Ministers at future States sittings.</p>	
14.	<p>Future Meetings</p> <p>The Panel noted the following meetings:</p> <p>1st February 2008 (10am) Briefing for all States Members on the 2009 Business Plan</p> <p>6th February 2008 "What is Scrutiny?" conference</p> <p>8th February 2008 (9.30am) Full Panel Meeting (to replace meeting originally scheduled for 6th February)</p>	
15.	<p>Any other business</p> <p>Formation of the Jersey Enterprise Board – The Panel noted that</p>	

	<p>P.194/2007 had been lodged by the Council of Ministers on the 19th December. It was noted that the Public Accounts Committee may be reviewing this issue, however the Panel agreed that it would consider forming a Sub-Panel to review the formation of the Jersey Enterprise Board, which would be constituted as follows: Deputy Egré (Chair); Connétable Murphy; Connétable Gallichan. If this review were to proceed, Deputy Reed would also be contacted to see if he wished to be a member of the Sub-Panel. The Panel requested for confirmation of the date for the States Debate on this proposition, following which it would consider whether it was minded to proceed with a review.</p>	SP
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Signed:

Date:

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Chairman
Deputy P J D Ryan