

# Chairmen's Committee

## Record of Meeting

Date: 18th December 2012

Present	Deputy T.A. Vallois, President Deputy S.G. Luce, Vice-President Senator S.C. Ferguson Deputy J.H. Young Deputy K.L. Moore
Apologies	Deputy J.M. Maçon
Absent	
In attendance	Deputy J. Le Fondré (item 9) Mrs K. Tremellen-Frost, Scrutiny Manager Mr. T. Oldham, Scrutiny Officer (items 1,2,3 and 4) Mr. I. Clarkson, Clerk (item 9) Mrs J. Hales, Scrutiny Officer (item 9)

Ref Back	Agenda matter	Action
	<p><b>1. Minutes of previous meetings</b></p> <p>The amended minutes of the meeting of 25th October 2012 were approved and signed as were the following: -</p> <ul style="list-style-type: none"> <li>a) 10th October 2012;</li> <li>b) 13th,14th and 23rd November 2012</li> </ul>	
<p><b>16.10.12</b></p> <p><b>Item 5</b></p> <p><b>510/1(75)</b></p>	<p><b>2. Chairmen's Committee Expenditure</b></p> <p>Recalling that the Committee had previously discussed expenses incurred by voluntary advisers that might reasonably be recompensed by Panels, the Committee was appraised by its representative on the Privileges and Procedures Committee that that Committee had agreed to look at this matter from an overarching perspective rather than in relation to specifics.</p>	
	<p><b>3. Departmental Work Programming Template</b></p> <p>The Chairman, Economic Affairs Scrutiny Panel and the Scrutiny Officer supporting that Panel advised the Committee of the evolution of a user-friendly departmental spreadsheet for recording and updating annual work programmes. The Committee noted the benefit of this in respect of Panel work programming and that it also helped Panels keep abreast with the stages the Department had reached with its work streams. The Committee believed that this could be particularly beneficial for quarterly hearings if it were received sufficient time in advance to permit preparation. It was noted that the template had already been rolled out into two other departments between Scrutiny Officers and Departmental Liaison Officers and that the Scrutiny Manager had already communicated with the Chief Executive about this. The Committee agreed to the use of the template across Departments but requested that an additional column be added to show priority status.</p>	

<p><b>18.09.12</b> <b>Item 5</b></p> <p><b>530/1(51)</b></p>	<p><b>4. Skills Strategy Review</b></p> <p>The Committee again considered the best means of scrutinising the Skills Strategy given that it was led on a rotational basis by three different Ministers.</p> <p>The Committee noted that the draft Strategy had been forwarded to the three relevant Scrutiny Panels, namely, Education and Home Affairs, Economic Affairs and Health, Social Security and Housing. However, the Panels had not yet been advised of a target date for presentation, although it was believed that it was to be presented as a report as opposed to a report and proposition. The Committee considered Scrutiny of the overarching Strategy or looking more closely at the fundamentals, erring on the side of the latter. The Committee agreed that there was a need to know what the target dates were within the Strategy, what they would deliver and who would be responsible for the individual components of the Strategy.</p> <p>It was agreed that the three relevant Scrutiny Chairmen should arrange to meet the three Ministers. Other Chairmen would be invited to attend.</p>	<p><b>TO</b></p>
<p><b>23.11.12</b> <b>Item 1</b></p> <p><b>517/21</b></p>	<p><b>5. Health Full Business Cases (FBCs): Health, Social Security and Housing Scrutiny Panel</b></p> <p>The Committee recalled that, on noting a scoping document of the above review, advice had been given by the Scrutiny Manager to the Health, Social Security and Housing Scrutiny Panel that it would be beneficial to permit the Department the time to undertake its work prior to reviewing this so that there was something tangible to assess. The Panel would then be in a position to fulfil its criteria of “concluding whether the FBC process had properly fulfilled the nine points as outlined in the Department document “understanding Commissioning”. The same advice had subsequently been provided to the Chairmen’s Committee.</p> <p>The Committee noted that at the end of the last review into the Health White Paper, the Panel had explained that it was intending to review how the Policy was to be implemented. The Panel had been advised that there would be workshops with relevant stakeholders during December and early January so that the Department could complete the work by end January 2013.</p> <p>However, correspondence had been received by the Panel from the Minister for Health and Social Services expressing concern at the timing of the review. The Committee was advised that the Minister had stated that Scrutiny should not be involved in the process.</p> <p>The Scrutiny Manager again advised that the development of the FBCs was an operational matter not a policy matter and this had not been the original intended purpose of Scrutiny.</p> <p>However, the Committee, noting that this was a change to the originally intended purpose and working of the scrutiny function agreed that the review was timely, important and should proceed otherwise it would be too late to influence the creation of the FBCs.</p> <p>The Committee was advised that, given that this was a major</p>	

	change to the purpose of the Scrutiny function, that it warranted political discussion with the Council of Ministers and it agreed to meet the Council of Ministers as soon as was practically possible.	<b>KTF</b>
<b>24.07.12</b> <b>Item 9</b>  <b>510/1(3)</b>	<p><b>6. Training for Scrutiny Members: further questioning skills</b></p> <p>The Committee recalled that the Law Officer's Department had previously offered to deliver some training in questioning skills during 2013.</p> <p>The Committee reflected on its previous training in this area and agreed that future training needed to encompass:-</p> <ol style="list-style-type: none"> <li>1. Ensuring questioners remain focussed on specific topic areas;</li> <li>2. Ensuring questioners actually asked questions and not made statements;</li> <li>3. Ensuring purposeful and pertinent questioning;</li> <li>4. Ensuring relevant supplementary questions;</li> <li>5. Structuring Panel hearings to achieve maximum benefit.</li> </ol> <p>It was agreed that training provided by the Law Officer's Department should proceed during Spring 2013.</p>	<b>KTF</b> <b>LoD</b>
<b>16.10.12</b> <b>Item 12</b>  <b>510/3(2)</b>	<p><b>7. Citizenship Programme</b></p> <p>The Committee noted a paper outlining the rationale behind this programme, the process which had been undertaken in previous years and the pros and cons of the programme. The greatest of these was the demand on Scrutiny Members time. It was noted that for each school 7 Scrutiny Members were needed and a full morning, or equivalent, was required. If all schools took part, with just 16 Scrutiny Members, this could be difficult to support.</p> <p>The Committee also considered inviting Members to take part who were not appointed to Scrutiny Panels but who had been co-opted to reviews or sat on Sub-Panels during 2012. Also noted were some matters involving Member behaviour during previous sessions and it was agreed that all Members should be issued with an expected Code of Behaviour when on all school premises.</p> <p>It was consequently agreed that, despite this being very demanding on Scrutiny Members time, the benefits outweighed the disadvantages and it should be reinstated in 2013.</p>	<b>KTF</b>
	<p><b>8. Council of Ministers Part B papers</b></p> <p>The Committee noted a suggestion that all Part B papers on the Council of Ministers agendas should automatically be released to the relevant Scrutiny Panels. However, it was also noted that Chairmen could request specific papers of relevance to their Panels which was preferable to being forwarded all papers as this could be detrimental to Scrutiny by defocusing them from their work programmes.</p> <p>The Committee agreed not to pursue this matter.</p> <p>On a related matter, it was noted that minutes of political oversight groups were useful.</p>	

	<p><b>9. Machinery of Government Reform (MOGR): Sub-Committee of the Privileges and Procedures Committee (PPC)</b></p> <p>The Committee welcomed Deputy Le Fondré, Member of the Privileges and Procedures Sub-Committee on MOGR, Mr I. Clarkson, Clerk and Mrs J. Hales, Scrutiny Officer to the meeting. It was noted that Deputies T. Vallois and J. Young were also members of this Sub-Committee.</p> <p>The Committee was apprised of the background to and methodology of the work undertaken by the Sub-Committee. It was noted that a concern of the Sub-Committee was that it wished to avoid undertaking work which would fulfil no purpose. Consequently it had undertaken its initial stages and presented its draft report to the PPC to ascertain whether further work was beneficial. That Committee had agreed that discussion need to occur with the Chairmen’s Committee and Scrutiny in respect of the proposed Scrutiny structure.</p> <p>The Committee considered the current, and perceived difficulties of the Assistant Minister rôle, the implication of the existing rule of having 10 percent fewer Members on the Executive than on the backbenchers, the fact that some Members valued Scrutiny whilst others did not and how to encourage “real time” Scrutiny as opposed to “historic” Scrutiny.</p> <p>The Committee was advised that there was no appetite to revert to the Committee system. Consequently, if the establishment of Executive Boards were to be pursued, there would be a vital need to ensure that these were not Committees in disguise but that they performed the function of “sounding boards” for Ministers. Board Members would have full access to Departmental Officers and all documentation. Their rôle would be to bring issues to the fore if it were deemed necessary.</p> <p>It was noted that this model worked on the principle of there being 51 Members but there were concerns that if the number of Members were to be reduced as discussed by the Electoral Commission, the model would be deemed to fail. There was also the view that if the numbers of States Members were reduced significantly, Ministerial Government would not work anyway.</p> <p>Oversight Groups currently existed which appeared to equate to the concept of the Ministerial Board model and the Committee considered restructuring to avoid any duplication which might arise.</p> <p>Notwithstanding the above considerations, it was noted that in all eventualities, Ministers would retain their individual powers and would set out their individual structures as they so chose.</p> <p>The Committee noted the Sub-Committees identification of the overwhelming need for scrutiny as a retrospective function whilst the Board mechanism would provide “real time” Scrutiny. However, this gave rise to consideration of public transparency. Scrutiny held all its hearings in public; in the proposed model of “real time” Scrutiny, this</p>	
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	<p>would presumably be undertaken on a confidential basis. The counter to this was that the Boards would operate at the Green Paper stage which is generally confidential anyway and Scrutiny would focus on legislative and White Paper stage Scrutiny.</p> <p>The Committee further noted that to date the Sub-Committee had undertaken no work in identifying whether there would be sufficient Members interested in performing the Scrutiny function under the Board structure nor had they asked Scrutiny Members about their proposals for the Scrutiny structure. The Sub-Committee Members also acknowledged that they had not interviewed the Scrutiny Manager or the Scrutiny Team and agreed to do so.</p> <p>As all Scrutiny Members had not been consulted, Deputies Young and Le Fondré agreed that Sub-Committee Members would attend on each Scrutiny Panel and the Public Accounts Committee to seek their views. It was hoped to undertake this during January 2013.</p>	<b>KTF IC</b>
	<p><b>10. Panel Activity Reports</b></p> <p>The Committee noted the Panel Activity Reports.</p>	
<p><b>25.10.12 Item 1  516/35</b></p>	<p><b>11. Police Headquarters: Green Street: Environment Panel</b></p> <p>It was noted that there were outstanding issues which required consideration in respect to the proposed relocation of Police Headquarters to Green Street. In particular, concerns had been raised in respect of the traffic and parking arrangements.</p> <p>The Committee was advised that the Environment Panel was having pressure placed on it to review this in the short term as the Education and Home Affairs Scrutiny Panel was not considering these matters in its review as they were outside its remit and terms of reference. As the debate on the proposals were due in mid-February, this would require a short piece of work.</p>	
	<p><b>12. Grants to Canbedone Productions awarded by the States of Jersey</b></p> <p>The Committee noted a scoping document and draft terms of reference for a review into the above by the Public Accounts Committee.</p>	
	<p><b>13. Annual Report 2012</b></p> <p>It was noted that this was to be drafted over the Christmas period.</p>	
<p><b>13.11.12 Item 7  513/36</b></p>	<p><b>14. Medium Term Financial Plan: Ministerial Response</b></p> <p>The Committee noted receipt of the above.</p>	
<p><b>18.09.12 Item10  1443(1)</b></p>	<p><b>15. Comptroller and Auditor General [C&amp;AG]: update</b></p> <p>The Committee noted that an appointment had been made but this was subject to approval by the States. It was hoped that this could be debated during the first session of the States in January and the successful applicant would be able to take up her position on 1st February 2013.</p>	
	<p><b>16. Future meetings</b></p> <p>a) Chairmen's Committee: 22nd January 2012, 9.30am-</p>	

	11.30am, Le Capelain Room. b) All Scrutiny Members meeting: 22nd February 2013, 1.00pm – 2.00pm, Blampied Room	
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