

Chairmen's Committee

Public Record of Meeting

Date: 23.03.10

Meeting No: 40

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| Present | Senator B. E. Shenton, President Deputy R.G. Le Hérissier, Vice-President, Senator S.C. Ferguson Deputy P.J. Rondel Deputy M.R. Higgins |
| Apologies | Senator A. Breckon and Health, Social Security and Housing Scrutiny Panel |
| Absent | |
| In attendance | Mrs K. Tremellen-Frost, Scrutiny Manager |

| Ref Back | Agenda matter | Action |
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| | 1. Minutes The minutes of 18th February and 5th March 2010, having been approved, were signed. | |
| | 2. Panel Activity reports These were noted. | |
| | 3. Annual Expenditure of Panels 2009 The Committee noted that the above information would be included in the States Assembly Annual report. | |
| 28.01.10 item 15 510/1 (49) | 4. States Assembly Annual Report This was currently being formatted. Members recalled that once finalised and prior to release, the Chairmen would revisit their Panel pages in order to prepare relevant press releases. | KTF/ Panels |
| 28.01.10 item 13 (2) | 5. Code of Practice for Scrutiny Panels and the Public Accounts Committee: Review Sub-Group The Committee noted that the Sub-Group had met, all States Members had been invited to forward comments and there was a representative Scrutiny Officer Group working on a submission. | |
| 28.01.10 item 12 510/3(2) | 6. Citizenship Programme The Committee noted that communication with the Education Department was underway and work had started in identifying possible dates and an appropriate topic. It was noted that there had been a request from some schools that the programme take place in the Autumn Term due to pressures during the Summer Term. | |
| 28.01.10 item 3 (Private meeting) | 7. Newsletter The Committee noted that the dates were fixed and all Scrutiny Officers were aware of the deadlines for the Panels/PAC | |
| | 8. Corporate Services Scrutiny Panel: review into Human Resources. The Committee noted that the Corporate Services Scrutiny Panel would be reviewing the Human Resources whistleblowing policy and complaints procedures but not sickness and absenteeism. | |

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| | <p>9. Economic Affairs Scrutiny Panel: confidentiality clauses</p> <p>Concern was expressed by the Chairman of the Economic Affairs Scrutiny Panel in respect of blanket confidentiality statements imposed by the Executive. On two occasions the Economic Development Department had circulated information under a blanket confidentiality cover when documents enclosed therein were already in the public domain and/or had no justification in being sent under confidential cover.</p> <p>In respect of the latest matter it was noted that a request had been made for background information prior to scoping and drawing up terms of reference for a Sub-Panel review into Harbours and Airport.</p> <p>It was noted that this could be raised at the joint meeting with the Council of Ministers this day.</p> | |
| <p>18.02.10 item 5</p> <p>515/1(26)</p> | <p>10. Economic Affairs Scrutiny Panel: Review of Airport and Harbours</p> <p><i>Proposed adviser</i></p> <p>The Chairman of the Economic Affairs Panel confirmed that he had identified a former Airport Director as a possible adviser to a review into the airport. This person had stated that he would be prepared to take on the role, however, the States of Jersey tendering process would have to be followed.</p> <p><i>Conflict of interest of Chairman</i></p> <p>In respect of the blanket confidentiality request by the Economic Development Department noted above, it was questioned whether this was due to the perceived conflict of interest of the Chairman in reviewing airport matters. The Chairman advised that he had received nothing formal from the Department regarding any concerns about a conflict of interest. Also he assured the Committee that the review would be totally objective as there were other independent members on the Sub-Panel; Deputies T. Vallois, M. Tadier and D. De Sousa. There was a suggestion that, given the Panel Chairman's recognised involvement with the airport, it would be more appropriate for one of the independent Members to chair the Sub-Panel, although it was noted that, in accordance with the Code of Practice, the Chairman of a Sub-Panel must be a member of the "parent" Panel.</p> | |
| <p>29.01.10 item 2</p> <p>516/23(8)</p> | <p>11. Education & Home Affairs Scrutiny Panel: Political Education Review</p> <p>The Committee noted further revised Terms of Reference for this review.</p> | |
| | <p>12. Environment Scrutiny Panel: work programme</p> <p>The Committee noted that Panel work had been held up due to the Liquid Waste Strategy not yet having been produced.</p> | |
| | <p>13.Evidence [Comptroller and Auditor General's paper]: Panel views</p> <p>The Committee noted that only two Panels had responded: Corporate Services and Environment.</p> <p>The Corporate Services Scrutiny Panel believed the guidelines to reflect common sense and the Environment Scrutiny Panel considered them useful but also considered that they should not be a prescriptive</p> | |

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| | framework given the broad context within which scrutiny operated. | |
| | <p>14. Scrutiny meetings in public/private: Panel views</p> <p>The Committee noted that responses had been received from the following Panels:-</p> <p style="padding-left: 40px;">Corporate Services (CSP) Education and Home Affairs (Ed/HA) Environment Public Accounts Committee (PAC)</p> <p>The Committee also noted a variety of views and working practices as follows:</p> <p style="padding-left: 40px;">(a) CSP - no problems, made it clear that no videoing or interruptions by members of the public would occur; (b) Ed/HA - all meetings would be in public with the exception of meetings where personal or sensitive issues were under consideration; (c) Environment - committed to holding hearings in public but meetings dealing with ongoing business were held in private. Quarterly briefings with Ministers also in private although flexibility was essential to be able to decide whether to hold in private or public as appropriate; (d) PAC - All administrative meetings were held in private</p> <p>The Chairman of the Economic Affairs Scrutiny Panel advised that working meetings were held in private with hearings in public. The Committee noted that it had no powers to insist Panels held working meetings in private but also noted that the majority of Panels were operating in this manner.</p> | |
| | <p>15. Media working group: report</p> <p>The Committee received correspondence, dated 17th March 2010, from the Privileges and Procedures Committee (PPC) together with the report from the media working group. Noting that the PPC was minded to lodge a proposition to bring the matter to debate by the beginning of May; that the next Chairmen's Committee meeting was on 29th April and that all scrutiny members should have the opportunity to comment, it was agreed to circulate the paper to all Panels for comment to the Chairmen's Committee at its next meeting.</p> | |
| | <p>16. Matter raised by a member of the public</p> <p>The Committee noted that a matter raised by a member of the public had been considered by a Scrutiny Sub-Panel and forwarded to the Committee as it contained overarching matters, namely suggesting scrutiny of the scrutiny process. The Committee noted that a number of comments were made regarding a number of matters. One of these was already being undertaken by a Scrutiny Sub-Panel, another through the Privileges and Procedures Committee. It was also agreed that the Chairmen's Committee had no remit to undertake scrutiny reviews, nor was it appropriate for an organisation to review itself. A response would be sent to the proposer.</p> | KTF |
| 04.02.10 item 1 499/3(22) | <p>17. Review of the rôles of the Crown Officers: invitation to submit</p> <p>The Committee received and noted the following Panel responses:</p> <p style="padding-left: 40px;">Corporate Services Education and Home Affairs Environment</p> | KTF |

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It was agreed that the comments would be forwarded to Lord Carswell, Review Chairman, together with the Shadow Scrutiny Report (SR8/2005) entitled "Provision of Legal Advice to Scrutiny Panels."

Signed

Date:

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Senator B. Shenton, President

..... 29th April 2010