

4.10 Deputy J.H. Young of the Minister for Planning and Environment regarding the existence of a Code of Conduct covering planning matters:

Will the Minister advise the Assembly whether Development Control Officers of the Planning Department are subject to a code of conduct, including pre-application discussions, reports to members, review of decisions and records of complaints which mirrors that contained within the Local Government Association revised guidance note *Probity in Planning: The role of councillors and officers* published in May 2009 - I have a copy here - and if not, why not?

Deputy R.C. Duhamel (The Minister for Planning and Environment):

Planning Officers, as well as all members of the Civil Service are subject to the rules which govern their employment behaviour. Additionally, those officers who are members or prospective members of the Royal Town Planning Institute are subject to the Code of Conduct attached to that chartered body. I have looked at the content of the *Probity in Planning: The role of councillors and officers* guidance note and confirm that, although it is not formally adopted, officers of the department do adhere to the provisions set out within it. It is worthy to note that the author of the guidance note also co-authored the Planning Officers Society Report into the Jersey Planning Service following the Reg's Skips Committee of Inquiry of 2010. The processes of the department follow the recommendations set out within that report. Additionally, the author was employed to carry out training earlier this year with the current members of the Planning Applications Panel, further embedding the principles of good governance with staff and States Members.

Deputy J.H. Young:

I did not hear the answer whether or not the Minister was going to issue his own Code of Conduct requiring those things. Could I have an answer to that?

Deputy R.C. Duhamel:

The question was whether or not the members of the department were subject to a code. As I said, they are not subject to a formal code but they do adhere to the principles within the U.K. one. If, indeed, the Deputy feels that perhaps the officers would benefit from a formalisation of that code, then I would be pleased to consider it.

4.10.1 Deputy T.A. Vallois:

If the guidance is not in place in Jersey and the officers practise in the principle of that guidance, could the Minister explain how, if an officer was to go against those principles, he would hold that officer to account?

Deputy R.C. Duhamel:

I do not think it would be the Minister holding that officer to account. It would certainly be the Human Resources body for professional misconduct.

4.10.2 Deputy J.H. Young:

The Minister will know, having read the document, that the thrust of it is to ensure that all Planning officers' interactions on planning matters are transparent and impartial; that they avoid the impression of advocacy in their written report and, indeed, prevent the argument for one side or another in public meetings. Would he confirm that those matters are being followed by his officers and in the implied code, as he suggested?

Deputy R.C. Duhamel:

As far as I am aware, they are being followed but I add a proviso that, as I mentioned in a previous question, all managerial systems are open to continuous improvement and if, indeed, having assessed these documents a second time I consider that the departmental officers would

benefit from a formalisation of the points within the code, then I will implement that code for those persons.