

# Education and Home Affairs Scrutiny Panel

## Meeting 6

Date: 8th January 2007

Location: Le Capelain Room, States Building

Present

Deputy F.J. Hill, B.E.M., Chairman  
Deputy D.W. Mezbourian, Vice Chairman  
Deputy A.E. Pryke  
Deputy S. Pitman  
Deputy J. Gallichan

Apologies

Absent

In attendance

Mrs. K. Tremellen-Frost, Scrutiny Manager [Items 12 and 13]  
Mr. W. Millow, Scrutiny Officer  
Mr. T. Oldham, Scrutiny Officer

Ref Back	Agenda matter	Action
	<p><b>1. Minutes of Previous Meetings</b></p> <p>The Panel deferred consideration of the minutes of its meeting on 11th December 2006 pending clarification. It recalled that its meeting on this date with Senator M.E. Vibert, Minister for Education, Sport and Culture, had been recorded. The Panel requested the Scrutiny Officers to verify the minutes against the recording.</p> <p>The Panel approved the minutes of its meeting of 22nd December 2006.</p> <p>The Panel deferred consideration of the minutes of its meeting on 28th December 2006.</p>	<p><b>WM/TO</b></p>
	<p><b>2. Working Arrangements</b></p> <p>The Panel noted that all meetings where a quorum was present would be formally minuted. It was noted that some meetings called in relation to the Panel's current reviews would not require all Panel Members to be present. It was further noted that the minutes of these meetings would record that certain Panel Members may not have been required to attend.</p> <p>The Panel was advised that the Chairmen's Committee would in future receive regular Position Reports on the Panel's work.</p> <p>The Panel was advised that, under <i>Standing Orders of the States of Jersey</i>, the quorum of a Scrutiny Panel comprising four Members was three Members.</p> <p>Panel Members were requested to give consideration to the Panel's workload in the event that they were asked to sit on a Scrutiny Sub-Panel.</p> <p>The Panel considered the potential use of <i>rappoteurs</i> in relation to the Departments that fell within its remit. The Panel agreed that it would not split responsibility for monitoring the work of the two Departments in question and that all Panel Members would therefore follow the work of both Departments. It was noted that the use of <i>rappoteurs</i> was of potential benefit in relation to specific topics dependant on compliance with Standing Order 140(b).</p>	
<p><b>[04/01/06,</b></p>	<p><b>3. Overdale</b></p>	

<p><b>Item 2]</b></p>	<p>The Panel was advised that Deputy Pryke, Chairman of the Social Affairs Sub-Panel (Overdale Review), had received correspondence from Senator L. Norman complementing the Sub-Panel on the content of its report, <i>Overdale: The Closure of Leoville and McKinsty Wards</i> (SR1/2007).</p> <p>The Panel noted that correspondence had been received from Senator S. Syvret, Minister for Health and Social Services, in which he questioned the procedure followed for the distribution of the Overdale report. The Panel was advised that the Chairman had received correspondence from the Greffier of the States that indicated the Panel had followed the correct procedure. It was agreed that the Chairman would forward the correspondence to the other Panel Members.</p> <p>It was noted that the Overdale report was under embargo until 6:00am on 10th January 2007.</p> <p>The Panel extended its thanks to the Scrutiny Officer, Mr. W. Millow, for work undertaken during the Overdale Review.</p> <p>The Panel noted that responsibility for following up the recommendations contained within the Overdale report (as well those that would ultimately be made in the GP Out-of-Hours report) would ultimately lie with the Health, Social Security and Housing (HSSH) Scrutiny Panel. The Panel agreed that correspondence would be sent to the HSSH Panel in order that this situation be recorded formally and to request that the HSSH Panel follow up the recommendations in twelve months' time.</p>	<p>BH</p> <p>WM/TO</p>
<p><b>[13/11/06, Item 3]</b></p>	<p><b>4. Action Updates and Documents Received</b></p> <p>The Panel recalled its previous agreement that it would explore the possibility of undergoing intensive questioning training and undertake a visit to Westminster in order to observe Parliamentary Select Committees in action. It was advised that enquires into this matter were ongoing. The Panel requested that an update be provided on the status of these enquiries. It was noted that Deputy S. Pitman had attended the Centre for Public Scrutiny (CfPS) Annual Conference in 2006. It was further noted that videos of Select Committees in session were available.</p> <p>The Panel noted that it had received <i>Police Ordinance 2006</i> that contained information on the constitution of Gibraltar's Police Authority.</p>	<p>WM/TO</p>
<p><b>[04/01/07, Item 1]</b></p>	<p><b>5. Centeniers in the Magistrate's Court</b></p> <p>The Panel noted that information which Centenier M.P. L'Amy had undertaken (at the Public Hearing on 21st September 2006) to supply would not be forthcoming before March 2007.</p> <p>The Panel noted that the report for this review was being drafted. The Panel noted that a meeting would be held on 12th January 2007 to consider the draft report.</p> <p>The Panel was advised that one individual who had made a written submission for this review had expressed surprise to one Panel Member that the submission had not appeared on the Scrutiny website. The Scrutiny Officers were requested to enquire into this matter.</p>	<p>WM/TO</p>
<p><b>[11/12/06, Items 2 and 5a]</b></p>	<p><b>6. Youth Service</b></p> <p>The Panel noted that a request had been made for the Youth Service 2007 Action Plan. It further noted that no response had yet been received and agreed to defer consideration of this matter to its next meeting.</p>	

	<p>The Panel recalled that the Terms of Reference for this review would potentially need revisiting and redrafting. It was noted that a review of this topic could focus on one particular area in relation to the Youth Service.</p> <p>The Panel agreed that it would not yet start its review of this topic and that it would consider the matter at a subsequent meeting.</p>	
[11/12/06, Item 6]	<p><b>7. HMP La Moye</b></p> <p>The Panel noted that it had received the draft <i>Performance Improvement Plan</i> for HMP La Moye as well as the draft <i>Prison (Jersey) Rules 200-</i>.</p>	
[28/12/06, Item 1]	<p><b>8. GP Out-of-Hours</b></p> <p>The Panel noted that a request had been made to Dr. I. Cameron for clarification on the impact of the GP co-operative out-of-hours service on evening and week-end surgeries operated by Cleveland Clinic.</p> <p>The Panel noted that the report for this review was being drafted. It was further noted that the Panel would meet on 9th January 2007 to consider the draft report. Apologies for this meeting were given by Deputies S. Pitman and J. Gallichan as they were not required to attend.</p>	
	<p><b>9. Chairman and Panel Member Updates</b></p> <p>The Panel was advised that the Economic Affairs Sub-Panel (Dairy Review) was compiling its report. The Sub-Panel hoped to present its report to the States ahead of the debate on <i>Draft Howard Davis Farm (Partial Abrogation of Covenant) (Jersey) Law 200-</i> (P.170/2006).</p> <p>The Panel noted that Deputy S. Pitman would remain on the Income Support Sub-Panel. The Panel further noted that the Sub-Panel now fell under the auspices of the Health, Social Security and Housing Scrutiny Panel. The Panel was advised that the Sub-Panel would meet in the afternoon of 8th January 2007.</p>	
	<p><b>10. Draft Business Plans</b></p> <p>The Panel noted that it had received the draft 2007 Business Plans for the Department of Home Affairs and the Department of Education, Sport and Culture. It deferred consideration of these documents to its next meeting.</p> <p>The Panel was advised that all members of the Chairmen's Committee would receive copies of all the Departmental 2007 Business Plans.</p>	
	<p><b>11. Forthcoming Propositions</b></p> <p>The Panel agreed it would not seek to review the following proposition:</p> <ul style="list-style-type: none"> <li>• <i>Draft Police (Honorary Police Complaints and Discipline Procedure) (Amendment) (Jersey) Regulations 200-</i> (P.2/2007)</li> </ul>	
	<p><b>12. Scrutiny Annual Report</b></p> <p>The Panel noted the provision of Standing Order 143(d) in that the terms of reference of the Chairmen's Committee included:</p> <ul style="list-style-type: none"> <li>• to co-ordinate the preparation of an annual report on the work of the PAC and scrutiny panels for inclusion in the annual report produced by the PPC upon the work of the States and of committees and panels established by standing orders</li> </ul> <p>The Panel was advised that the Chairmen's Committee would consider production of the annual report at its meeting on 12th January 2007. It was noted that the Panel would probably be</p>	

expected to provide some input into the production of the report.

### **13. Future Working Practice**

The Panel reviewed the working practices used by the former Social Affairs Scrutiny Panel in 2006 and considered how these working practices could be improved.

The Panel noted the provision of Standing Order 136(a) in which it was stated that the terms of reference of Scrutiny Panels included:

- to hold reviews into such issues and matters of public importance as it, after consultation with the chairmen's committee, may decide.

The Panel considered the importance of prioritisation and planning when deciding upon the work it would undertake. It noted the provision of Item 4.3 of (the draft) *Code of Practice for Scrutiny Panels and the Public Accounts Committee* (P.101/2006):

- In general, each Panel had the freedom to select its own programme of reviews within its remit. Each Panel had the responsibility of ensuring that a fair measure of scrutiny was undertaken across the full range of ministerial departments within its remit during the course of the lifetime of the Panel.

It was noted that failure to prioritise could lead to too great a demand on the Panel's resources and the support service offered by the Scrutiny Officers. The Panel was advised that the Chairmen's Committee would consider the issue of Scrutiny resources at its meeting on 12th January 2007.

The Panel was advised that Standing Orders 139 and 140 required the agreement of the Chairmen's Committee for Scrutiny Panels to allocate any resources to Sub-Panels or to *rapporteurs*.

The Panel was advised that bodies (similar to it in purpose and function) in other jurisdictions had access to greater resources and support staff. The Panel acknowledged the work undertaken by the Scrutiny staff and extended its thanks to the Scrutiny Manager, Mrs. K. Tremellen-Frost, the Scrutiny Officers and the Administrators.

The Panel noted that 'scrutiny' work did not merely involve the presentation of formal Scrutiny Reports to the States Assembly.

The Panel was advised that Item 7 of the draft Code of Practice required Scrutiny Panels to set a provisional work programme for the year. It was noted that the Panel had followed the provisions of Item 7 at the beginning of 2006 but that a variety of factors had made it difficult for the Panel to follow the work programme it had set.

The Panel considered the potential difficulty in establishing when Panel Members were acting on behalf (or as part) of the Panel and when they were acting as individual States Members. It was noted that clarity was required to ensure a full understanding of when decisions had been made by the Panel as a whole.

The Panel noted that the establishment of sub-panels did not automatically make it easier for scrutiny reviews to be undertaken as the creation of sub-panels did not lead to more resources or support staff being available.

### **14. Higher Education Funding**

The Panel noted that it had received copies of *Financial Support for Students in Higher Education – proposals* (R.98/2006) together with correspondence from the Department of Education, Sport and Culture that indicated the Minister had invited comments on the

	<p>proposals by the end of January 2007.</p> <p>The Panel agreed that Deputies S. Pitman and J. Gallichan would meet to consider R.98/2006 and to consider the scoping and Terms of Reference for a potential review of this topic. The Panel further agreed that it would consider this matter at its next meeting.</p>	<p><b>SP/JG/WM/TO</b></p>
	<p><b>15. Future Meetings</b></p> <p>The Panel agreed to invite Senator M.E. Vibert, Minister for Education, Sport and Culture, to its meeting on 5th February 2007 and Senator W. Kinnard, Minister for Home Affairs, to its meeting on 19th February 2007. It further agreed that each Minister would be sent a list of items for discussion ahead of their meeting.</p> <p>The Panel was advised that, on three occasions the agreed meeting schedule for 2007 would require the Panel to meet the day before a sitting of the States Assembly. It was agreed to maintain the schedule as it stood for the time being .</p> <p>The Panel noted that the next scheduled meeting would occur on 22nd January 2007.</p>	<p><b>WM/TO</b></p>

Signed

Date

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Chairman, Education and Home Affairs Panel