
STATES OF JERSEY



GOVERNANCE AND DECISION MAKING DURING THE COVID-19 PANDEMIC (R.70/2022): EXECUTIVE RESPONSE (R.70/2022 RES.) – COMMENTS

**Presented to the States on 9th November 2022
by the Public Accounts Committee**

STATES GREFFE

FOREWORD

In accordance with paragraphs 115-116 of the Code of Practice for engagement between ‘Scrutiny Panels and the Public Accounts Committee’ and ‘the Executive’, (as derived from Standing Orders of the States Assembly) the Public Accounts Committee (the ‘Committee’) presents its comments on the Executive Response to the Comptroller and Auditor General’s (C&AG) Report entitled: [Governance and Decision Making during the COVID-19 Pandemic \(R.70/2022\)](#) presented to the States on 6th May 2022).

Comments

1. A substantial part of the Public Accounts Committee’s (the Committee’s) role, as set out in the **Standing Orders of the States of Jersey**, is to assess the use of public funds and whether sound financial practices have been applied. This includes understanding whether good governance and best practices have been applied in planning, implementing and administering projects undertaken by the Government of Jersey.
2. The C&AG published her report on 6th May 2022 and the Committee received and presented the Executive Response to the report on 15th August 2022. The review evaluated the effectiveness of overall governance and decision-making processes during the COVID-19 pandemic and was part of a series of several reviews undertaken by the C&AG of the Government’s response to COVID-19.
3. The review analysed the implementation of Government emergency planning, governance structures and roles, decision-making and the provision of advice to support decision-making. The C&AG concluded that Government quickly refined and established decision-making groups at political and officer level in response to COVID-19 but highlighted the need for updated emergencies legislation and some ambiguity about the roles of decision-making groups. The C&AG also concluded that there is room for Government to develop the mechanisms used for identifying, recording and managing potential conflicts of interest at the political and officer level, and to standardise the structure and content of reports submitted to political decision-making groups.

Purpose of PAC’s Comments

4. The C&AG made 8 findings and 13 recommendations in its review of Governance and Decision Making during the COVID-19 Pandemic. The Committee notes that, of its 13 recommendations, 12 had been ‘accepted’ and one ‘partially accepted’. The Committee has considered the rationale provided by the Government through the Executive Response and has concluded that further action is required on specific areas as outlined below.

C&AG Recommendation 8	Executive Response	Target Date	Responsible Officer
Ensure that all declarations of interest and associated arrangements for management of conflicts of interest are clearly minuted.	(Partially Accept) Declarations of interest are minuted. However, the Ministerial Support Unit will review how they are dealt with once minuted so that they can be updated on a regular basis.	September 2022	Chief of Staff/Head of Ministerial Support Unit

Further Action Required: The Committee notes that the purpose of Recommendation 8 was to ensure that the minutes record declarations of interests, as well as any agreed actions to be taken to manage those interests and is supportive of the C&AG's comments that such minuting is an important component of good governance. The Committee is not satisfied with the response provided and is concerned that it does not commit to minuting the actions to be taken in response to declarations of interest.

C&AG Recommendation 9	Executive Response	Target Date	Responsible Officer
Adopt and use a standard format for agenda papers for political decision-making groups that includes: <ul style="list-style-type: none"> • the reason for referral to the group • in question • the recommended course of action • the potential alternative courses of action; and The reasons for the recommended course of action.	(Accept) Standard templates for discussions are in place. However, the format and structure of the agendas and associated papers will be subject to review by the incoming Chief Minister and Council of Ministers, with a view to ensuring greater consistency is delivered.	September 2022	Chief of Staff/Head of Ministerial Support Unit

Further Action Required: The Committee notes that whilst Recommendation 9 has been accepted in the response, it does not provide a commitment to include the individual items specified by the C&AG in the Recommendation. The Committee is

supportive of the items specified by the C&AG in the Recommendation and believes that it is important that these are adopted and used in a standardised format for agenda papers for political decision-making groups. The Committee intends to seek confirmation that the format and structure of the agendas and associated papers has been subject to review by the Chief Minister and Council of Ministers, and that a standard format for agenda papers has been adopted.

5. The Committee wishes to highlight that Government publications must be accessible to members of the public and Scrutiny, and believes it is important that reports issued by Government departments are provided in a consistent, transparent, and standardised format, with a clear glossary of definitions that explain relevant terminology.

Conclusion

6. In summary, the Committee will seek further evidence to ensure that the accepted recommendations are implemented and that improved practices are embedded. It also expects to see evidence that all (accepted, partly or partially, accepted) recommendations have been added to the Recommendations Tracker so that their progress towards implementation can be tracked closely. The Committee is hopeful that Government will consider its comments and intends to monitor progress.

Deputy L. Feltham

Chair, Public Accounts Committee