

Chairmen's Committee

PUBLIC MEETING

Record of Meeting

Date: 23.07.09

Meeting No: 21

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

Ref Back	Agenda matter	Action
	<p>1. Minutes</p> <p>The minutes of the 25th and 30th June and the 9th July 2009, having been agreed were accordingly signed.</p>	
<p>25.06.09 item 15 510/1(42)</p>	<p>2. Public recordings of scrutiny events: P112/2009</p> <p>It was noted that following the approval of the draft report and proposition at the Chairmen's Committee meeting of 25th June 2009, that this had been accordingly lodged "au Greffe".</p> <p>It was also noted that a letter had been sent to the Privileges and Procedures Committee advising them of the above and requesting that a meeting of both Committees, the media and other interested parties be convened prior to the debate of the proposition.</p> <p>The Committee was advised that either the President of the Chairmen's Committee or the Chairman of the Education and Home Affairs Scrutiny Panel would be lodging a private report and proposition to task the Privileges and Procedures Committee to undertake a full study of communication and media issues relating to all States functions. The effect of this would be to defer debate on P.112/2009. Until such time as either a review is undertaken by the Privileges and Procedures Committee or a debate is had on P.112/2009, the protocols would be followed.</p>	
<p>25.06.09 item12 510/1(41)</p>	<p>3. Ministerial Decisions</p> <p>The Committee recalled that it had requested the Deputy Greffier of the States to explore a means by which Ministerial Decisions were made public. The Committee was advised that, as this was not within the remit of the States Greffe it had been forwarded to the Chief Minister's Department.</p>	

	The Committee requested that that it be ascertained what action had been taken in response to the suggestion.	KTF
	<p>4. Panel activity reports</p> <p>The Committee noted these and the following additional items:-</p> <p>Corporate Services Scrutiny Panel: consideration was given to the allocation of the sum of money within the Economic Stimulus Package and to the level of scrutiny to which this would be subjected. Concern was expressed that this matter was being handled in private and was not in the public domain.</p> <p>Economic Affairs Scrutiny Panel: The Tourism PPP had been removed from the Annual Business Plan. Consideration was also given to the attempt by Ministers to undermine scrutiny in respect of the "calling in" of the Depositor Compensation Scheme. The scoping document and Terms of Reference for this review were noted.</p> <p>Education and Home Affairs Scrutiny Panel: Concerns in respect of the inability to record that legal advice from the Law Officers' Department were expressed and access to legal advice considered as a separate item of the meeting. (Minute No 12 refers)</p> <p>Environment Scrutiny Panel: increase in estimated budget for Ramsar review from £16,000 to £19,000 due to additional adviser input being required.</p> <p>Health Social Security and Housing: The report on the review into the co-ordination of Services for Vulnerable Children was imminent. The Committee noted that Senator Syvret, as former President and latterly Minister for Health and Social Services had been invited to attend on the Panel but he had declined.</p>	
<p>25.06.09 item 18</p> <p>447/1/1/4/ 1</p>	<p>5. Annual Business Plan</p> <p>The Committee was updated on the following work:-</p> <ol style="list-style-type: none"> 1. Corporate Services Scrutiny Panel: Scoping document and Terms of Reference agreed with the review to be undertaken by the full Panel; 2. Economic Affairs Scrutiny Panel: Panel had met the Minister for Economic Development to discuss this; 3. Education and Home Affairs Scrutiny Panel : Scoping documents and Terms of Reference were noted. Meetings with the Ministers for Home Affairs and Education, Sport and Culture had been requested; 4. Environment Scrutiny Panel: Following a briefing from the Minister for Transport and Technical Services the Panel was considering the resource allocation proposed for the department; 5. Health, Social Security and Housing Scrutiny Panel: Agreed to undertake some work, however not yet decided its approach. <p>The Committee agreed that each Panel would produce its own outcomes, be they in the form of a report in the S.R. series, amendments or comments. These would be produced within the necessary timescales.</p>	

	<p>There would not be a co-ordinated scrutiny response.</p> <p>The Committee also recalled that it had explored the possibility of requesting the States to defer the debate of the Annual Business Plan but agreed that, given that it was an unusual year because of the production of a Strategic Plan, it would not seek to delay the debate.</p>	
<p>21.05.09 item 4</p> <p>513/15(8)</p> <p>513/20(8)</p> <p>517/5(8)</p> <p>514/6(7)</p>	<p>6. Ministerial responses</p> <p>(a) Deemed rent(P.61/2008): SR .2/2009 Response received from the Minister for Treasury and Resources on 13th July 2009</p> <p>(b) Review of States of Jersey Financial Forecasting SR.13/2008 Response received from the Minister for Treasury and Resources on 29th June 2009</p> <p>(c) Long Term Care of the Elderly SR.12/2008 Following a formal request from the Health, Social Security and Housing Scrutiny Panel, to the Minister for Social Security and copied to the Chief Minister, a response was received on 17th July 2009.</p> <p>(d) Air Quality (S.R. 8/2008) and Urban Regeneration (S.R.15/2008) Responses were being prepared.</p>	
<p>30.06.09 item 1</p> <p>515/17(8)</p>	<p>7. Economic Affairs Scrutiny Panel: revised scoping document and Terms of Reference for review into Depositor's Compensation Scheme</p> <p>The Committee recalled that it had previously noted a scoping document and Terms of Reference for the above review. However, in light of the recent debate on the matter in the States Assembly and noting that the Panel had "called in", the Scheme, the scoping document and Terms of Reference had been revised. These were noted.</p>	
<p>25.06.09 item 17</p> <p>510/1(3)</p>	<p>8. Charing Skills: training</p> <p>The Committee noted that the proposed dates of 1st and 2nd October were not convenient for the trainers from INLOGOV, University of Birmingham. The date of Monday 30th November had been identified and whilst this was the week of the States Assembly debate on the budget, the Monday should be available. Three Members had already approved this date by electronic mail and the Committee consequently agreed to this. The Committee also agreed to hire an external venue given that the numbers were likely to be too high to use the scrutiny rooms.</p>	
<p>25.06.09 item 11</p> <p>510/3(5)</p>	<p>9. Newsletter</p> <p>The Committee received and noted a further communication based on receipt of the Scrutiny Matters Newsletter Edition 4. It agreed that the matters included therein were of relevance to the Treasury Minister and requested that the communication be forwarded accordingly.</p>	KTF
<p>25.06.09 item 2</p> <p>510/3(2)</p>	<p>10. Citizenship programme</p> <p>The Committee noted that the programme had been rolled out successfully in four out of six schools. Due to the Strategic Plan debate running into a second week, it had meant that Members could not attend Les Quennevais and Haute Vallée.</p>	

	<p>The Committee noted that there had been reluctance by a number of members to sign up to the programme and this had caused difficulties in identifying a sufficient number of Members to attend and to provide stand-by cover if needed. There had been one occasion when a Member forgot to attend and another when the scrutiny office had been advised after working hours that a Member would be unable to attend the following morning. These situations had necessitated the Minister and the Assistant Minister standing in although the latter had had no experience of scrutiny. Following consideration of this, the Committee agreed that the event should become a States-wide event and not be restricted to scrutiny members only.</p> <p>The Committee agreed that consideration could be given in the future to involving former scrutiny members who had been unsuccessful when standing for re-election.</p>	
<p>23.04.09 item 4</p> <p>510/1(15)</p>	<p>11. Financial Report - second quarter</p> <p>This was received and noted.</p>	
<p>23.04.09 item 20</p> <p>510/2(1)</p>	<p>12. Legal Advice</p> <p>The Committee had previously noted under Panel reports that concern had been expressed by members of the Education and Home Affairs Scrutiny Panel in respect of the Code of Practice for Scrutiny Panels and the Public Accounts Committee 9.30 (1) which stated that neither Scrutiny Panels nor the Law Officers may publish without the consent of the other the fact that legal advice had been sought.</p> <p>The Committee also received correspondence from H.M. Attorney General dated 13th July 2009 which explained that advice had been given to a Scrutiny Sub-Panel of the aforementioned main Panel by H.M. Attorney General on 2nd April 2009. The Committee was advised that the Sub-Panel had agreed to seek external legal advice and quotes for such advice prior to receiving the advice of H.M. Attorney General. In effect, the Sub-Panel finally received two sets of advice, one from the Law Officers' Department and one from an external lawyer, The latter agreed that the advice he gave could be made public the former did not.</p> <p>On consideration of the correspondence from H.M Attorney General, the Committee agreed that the issue of Scrutiny Panels' access to legal advice from the Law Officers' Department remained unsatisfactory and that Panels reserved the right to seek external advice as Panels so decided, irrespective of whether advice had also been sought from H.M. Attorney General.</p> <p>It was agreed that an acknowledgement of the correspondence should be sent with attention being drawn to the fact that the situation regarding scrutiny's access to legal advice remained unsatisfactory and that Panels and related Sub-Panels should continue to seek legal advice as they believed appropriate in the knowledge that this might incur costs.</p>	
<p>21.05.09 item 10</p>	<p>13. Joint Chairmen's Committee and Council of Ministers: agenda items</p> <p>The Committee considered the following items as listed on the agenda for the joint meeting between the Chairmen's Committee and the Council of Ministers:-</p>	

	<ul style="list-style-type: none"> • Strategic Plan; • Annual business Plan; • Access by Scrutiny panels to confidential papers referenced in Part A minutes of the Council; • Lack of discrimination about confidentiality when matters are brought into the public arena but Scrutiny panels are still bound by a confidentiality agreement; • The impact of Committees of Inquiry on the rôle of scrutiny; • The use of cameras and videos in scrutiny meetings; • Timetables for States debates; • Releasing information to the media in advance of to States Members; • Date of next joint meeting: 15th October 2009 	
21.05.09 item 23 510/1(35)	<p>14. Staffing</p> <p>The Committee considered ways of employing people to project-manage reviews when a Panel had a surplus of work and wished to undertake more reviews than was possible within the existing officer base.</p> <p>It was agreed that the possibility of contracting in staff through a recruitment agency should be explored so that training could be given to a number of people whose names would be retained centrally should future work become available.</p>	KTF
	<p>15. Date of next meeting</p> <p>The Committee agreed not to meet during the summer recess and the next meeting of the Chairmen's Committee would be 17th September 2009.</p>	

Signed

Date:

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 Senator B. Shenton
 President

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 17.09.09