

# Chairmen's Committee

## Record of Meeting

Date: 7th February 2012

Present	Deputy T.A. Vallois, President Deputy S.G. Luce, Vice-President (Items 1 – mid 9) Deputy J.G. Reed, (representing Corporate Services Scrutiny Panel) Deputy J.M. Maçon Deputy J.H. Young Deputy K.L. Moore
Apologies	Senator S.C. Ferguson, ill
Absent	
In attendance	Mrs. K. Tremellen-Frost, Scrutiny Manager Mr. W. Millow, Scrutiny Officer

Ref Back	Agenda matter	Action
	<p><b>1. Minutes of previous meetings</b></p> <p>The minutes of 10th January 2012 (Part A) and of 20th January 2012 (Part B) were approved and accordingly signed.</p>	
512/14	<p><b>2. Bus Contract Review: Public Accounts Committee</b></p> <p>The Committee noted a proposed Scoping Document and Terms of Reference for a review into Bus Contracts by the Public Accounts Committee (PAC). The Committee also noted that these were to be reconsidered by the PAC at its next meeting when the Comptroller and Auditor General (C&amp;AG) would be in attendance.</p> <p>The Committee agreed that it was the rôle of the PAC to follow up on recommendations by the C&amp;AG and also agreed that the previous PAC should have actioned this given the date of the C&amp;AG's report of July 2011.</p> <p>However, the Committee questioned the timing of the review, given that negotiations in respect of the new bus contract were at a sensitive stage and the final terms were under negotiation. The Committee was assured that the PAC had no intention of examining the awarding of the next bus contract but wished to determine whether the recommendations of the C&amp;AG in his report on this matter of July 2011 had been implemented.</p> <p>It was also considered that an examination of the implementation of the C&amp;AG's recommendations needed to be undertaken prior to the new bus contract being awarded.</p> <p>The Committee was advised that the C&amp;AG and the Chief Officer, Transport and Technical Services had both supported the principle of the review, although neither had had sight of the Terms of Reference.</p> <p>The Committee gave further consideration to whether there were</p>	

	<p>recommendations from other C&amp;AG reports which had not been followed up, requesting that these be identified. It was noted that the Treasurer of the States had been requested to provide a list of all recommendations indicating which had been implemented.</p> <p>The Committee agreed that the draft Scoping Document and Terms of Reference needed to be reconsidered by the PAC, amended and resubmitted to the Committee if appropriate.</p>	
<b>516/1(58)</b>	<p><b>3. Community Relations Trust: Education and Home Affairs Scrutiny Panel</b></p> <p>The Committee considered a request from the Community Relations Trust (CRT) to the Education and Home Affairs Scrutiny Panel for funding (£7,000) for an independent research project on the impact of socio-economic status on educational performance.</p> <p>The Committee was apprised of the previous Education and Home Affairs Scrutiny Panel being minded to support this request which was in accordance with one of their key findings in their report on Examination Results (S.R.16/2011).</p> <p>The Committee noted that it had been suggested that further discussion was required in the first instance with the Education Department and this was endorsed by the Committee.</p> <p>It was noted that this was currently not part of an official Scrutiny Review as no scoping or Terms of Reference had been forwarded to the Committee and until such time as this was the case, the allocation of Scrutiny funds could not be considered.</p> <p>The Committee agreed that the outcome of the CRT's discussions with the Education Department should be waited.</p>	
	<p><b>4. Panel Activity Reports</b></p> <p>These were noted.</p>	
<b>12.12.11 Item 14</b> <b>510/1(61)</b>	<p><b>5. Ministerial responses: follow-up</b></p> <p>The Committee considered the importance of Panels following-up on the implementation of accepted recommendations. In regard to this, Panels also considered whether recommendations should be limited in number and could be applied to the SMART (Specific, Measurable, Achievable, Realistic, Timely) principle. However, it agreed that Panels needed to be able to make any number of recommendations provided they were supported by evidence. It also agreed that, whilst Panels should bear the SMART principles in mind, the use of these might not be appropriate when considering broader, more strategic issues.</p> <p>The importance of robust follow-up of action recommendations was stressed and the President requested that any problems which might arise in this area be referred to her so that she could discuss these with the Chief Minister in the first instance.</p>	
<b>12.12.11 Item 22</b> <b>510/1(5)</b>	<p><b>6. Membership of Scrutiny Panels, Sub-Panels and co-option</b></p> <p>The Committee recalled its agreement to a standardised, professional approach to Scrutiny [the Code] and its expectation that any Members not currently working on Scrutiny who should in future take part would</p>	

	<p>be expected to abide by this Code.</p> <p>The Committee noted that it had also agreed to work as main Panels initially until first reviews had been undertaken, after which other means of working might be explored. However, in preparation for alternative working practices the Committee considered that any other States Members who wished to work on Scrutiny would be requested to sign up to the “Code”. In relation to this, the Committee considered available sanctions in the event that Members did not abide by the “Code”</p> <p>It was noted that the most straightforward means of involving other Members where sanctions were available was in terms of forming Sub-Panels or co-opting Members to Panels.</p> <p>The Committee was reminded that Panels could form Sub-Panels which could include other non-Executive Members of the States but Sub-Panels had to be chaired by a member of the main Panel. It was also reminded that Panels also had the option of co-opting another non-Executive Member onto a main panel for the purposes of a specific review.</p> <p>In both these cases, if the co-opted Member or a non-Executive Member not serving on a main Panel breached the “Code”, the Chairmen’s Committee had the option of withdrawing financial support, meaning the Sub-Panel would dissolve and/or the co-optee would have to step down. A Sub-Panel could resume with new Membership and a Panel appoint a new co-optee, and in either case financial support would be reinstated.</p> <p>Consideration was also given to any Member appointed to a main Panel by the States and circumstances which would prevail in the event of breaches of the “Code”.</p> <p>It was agreed to:</p> <ol style="list-style-type: none"> <li>a) the principle of encouraging other Members to take part in the Scrutiny function;</li> <li>b) initially work as main Panels;</li> <li>c) subsequently work as main Panels, sub-Panels and/or with co-optees;</li> <li>d) make all Members joining sub-Panels or those co-opted to main Panels aware of the “Code” and the expectation that this will be abided by;</li> <li>e) to challenge any behaviour which breached the “Code”</li> </ol>	
<p><b>510/1(5)</b></p>	<p><b>7. Code for Scrutiny Members</b></p> <p>The Committee reconsidered the “Code” and, subject to some amendments, approved the final version which would be provided to all Members who sat on Sub-Panels and/or were co-opted to main Panels for the specific purposes of a review.</p>	
<p><b>10.01.12 Item 9</b></p> <p><b>510/1(67)</b></p>	<p><b>8. Cross-cutting review topics [Sub-Panels]</b></p> <p>The Committee considered the following cross-cutting topics:</p> <ul style="list-style-type: none"> <li>• Medium-Term Financial Plan</li> <li>• Children’s Policy;</li> </ul>	

	<ul style="list-style-type: none"> <li>• Social Policy;</li> <li>• Strategic Plan;</li> <li>• Advance to Work;</li> <li>• Skills Strategy;</li> <li>• Vocational Training;</li> <li>• Capital Finance and alternative funding mechanisms;</li> <li>• Job Creation;</li> <li>• Infrastructure;</li> <li>• Undeveloped, unused land.</li> </ul>	
<b>510/1(68)</b>	<p><b>9. Medium-Term Financial Plan (MTFP)</b></p> <p>The Committee considered that scrutiny of the MTFP was important as this would determine the way forward for the next three years. It also agreed that all Panels had a rôle to play in identifying and considering the key priorities of their respective Departments and their targets for delivery.</p> <p>In the first instance Panels required sight of the MTFP as early as possible, together with briefings from the respective Ministers and Departments. It was recognised that as this would involve work under development, such briefings would need to be held in private and the confidentiality of papers respected.</p> <p>It was agreed that as soon as the MTFP was made public, that each Panel needed to be ready to undertake a review of the Ministers within each Panel's remit and to produce a short paper by way of an outcome.</p> <p>These Panel papers would be submitted to two Sub-Panels of the Corporate Services Scrutiny Panel, one with a remit of considering financial and capital matters and the other socio-economic matters. These Sub-Panels would, however, be working concurrently with the main Panels and would be constituted of one Member of the Corporate Services Scrutiny Panel as Chairman and one other Member per Panel. The President volunteered to assist by sitting on a couple of Sub-Panels if required.</p> <p>The President undertook to request of the Chief Minister when draft documents would be made available to Panels. It was also agreed that a timeline was required from availability of the MTFP through to date of debate.</p>	<p><b>TV</b></p> <p><b>KTF</b></p>
<b>510/1(45)</b>	<p><b>10. Code of Behaviour for Members of the Public attending Scrutiny Hearings</b></p> <p>The Committee, cognisant of its agreement to make Scrutiny professional and with standardised procedures, considered a Code of Behaviour for Members of the Public attending Scrutiny Hearings.</p> <p>Subject to some amendments, the Code was approved and it was agreed that it would be circulated to all Panels and that Chairmen should advise the public about the Code of Behaviour at the start of each Hearing. It was also agreed that Chairmen should be robust in ensuring the Code was followed.</p>	<p><b>KTF</b></p>
<b>10.01.12 Item 5</b>	<p><b>11. Inclusive Scrutiny meetings</b></p> <p>The Committee agreed that the following lunch-time States recesses should be set aside for meetings of all Scrutiny Members:</p>	
<b>510/1(45)</b>		

	<ul style="list-style-type: none"> <li>• Wednesday 21st March 2012</li> <li>• Wednesday 13th June 2012;</li> <li>• Wednesday 12th September 2012;</li> <li>• Wednesday 21st November 2012.</li> </ul> <p>The Committee noted that, although these would be held during States lunch recesses, sandwich lunches could unfortunately not be provided from the Scrutiny budget in accordance with the adoption of a proposition by the States to withdraw these.</p>	
<b>510/1(45)</b>	<p><b>12. Records of Scrutiny/PAC meetings</b></p> <p>The Committee considered whether an alternative method of approving records of meeting should be identified in order to make them publicly available in a shorter time frame than is currently possible.</p> <p>No decision was made in respect of this matter.</p>	
	<p><b>13. Annual Report 2011</b></p> <p>The Committee noted the Annual Report 2011 which had been approved by the previous Chairmen's Committee and which was to be forwarded for formatting and inclusion in the overarching States Assembly Annual report 2011.</p>	