

Records of Meetings

2023

The following records of meetings have been approved by the Committee.

Signed

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President

Deputy Sam Mézec

États de Jersey



L's Êtats d'Jèrri

Record of Meeting

Date: 24th January 2023

Present	Deputy Lyndsay Feltham (Vice-President) Deputy Catherine Curtis Deputy Moz Scott Deputy Geoff Southern Deputy Max Andrews (on behalf of Deputy Mézec)
Apologies	Deputy Rob Ward (on behalf of Deputy Luce) Deputy Sam Mézec (President) Deputy Steve Luce
Absent	
In attendance	Tim Oldham, Assistant Greffier of the States, Committees and Panels Janice Hales, Research and Project Assistant

Agenda matter	
1. Records of Meetings	
The Committee approved the records of the meetings held on 29th November and 6th December 2022, subject to minor agreed revisions.	

2. Work Programmes and Activity Reports

The Committee noted the work programmes and activity reports of the various Scrutiny Panels, including the Future Hospital Review Panel.

The recently lodged P.115/2022 The Draft Sea Fisheries (TCA - Licensing of Fishing Boats) (Amendment of Law and Regulations (No. 2) (Jersey) Regulations 202- was discussed. It was noted that the regulations had been lodged by the Minister for the Environment and were in the process of being reviewed by the Environment, Housing and Infrastructure Panel (EHI), although there were elements of the matter that were of interest to the Economic and International Affairs Panel (EIA). It was agreed that, if required, the Chair of the EIA Panel would contact the Chair of the EHI Panel to discuss any potential remit overlap.

The Chair of the Children, Education and Home Affairs Panel (CEHA) informed the Committee that her Panel had only recently become aware of work to be undertaken by both the Children's Commissioner and the Minister for Children and Education in respect of looked after young people, that would duplicate work planned by the Panel. It had therefore agreed to not pursue those matters at this stage. Ongoing challenges with timely communication of notable policy matters and media announcements by Ministers to Scrutiny Panels, and access to work programmes of Arm's Length Organisations was discussed. It was considered that, in addition to continued relationship building to help overcome such matters, the adherence to existing protocols or the creation of new ones might be explored. It was agreed that this would be raised with the Chief Minister at the upcoming Scrutiny Liaison Committee President/Chief Minister (SLCP/CM) meeting.

3. Privileges and Procedures Committee (PPC)

The Committee noted the work programme and activity report of PPC.

4. Government Plan 2023 - 2026

The Committee reflected on the recent approach of Scrutiny Panels to the Government Plan and discussed what, if any, changes could be made to the approach in future. Key themes identified included:

- delays in receiving requested information was a problem and had an impact on deadlines
- ongoing wait for the publication of Ministerial Plans
- some late and incomplete Ministerial Responses
- significant time pressures on all parties caused by the General Election
- concerns over the quality and transparency of business cases
- pressures of the number and timing of amendments
- Corporate Services Panel to follow up on overarching themes arising from all Panel output and Ministerial Responses

Uncertainty over the Government's approach to mid-term reporting was also considered a potential problem for Panels undertaking follow up work, as this would, amongst others, cause uncertainty as to how funding was being spent if there was little or no access to transparent mid-term reporting. The Committee also asked how funding was spent and who had responsibility for which areas. It was agreed that relevant issues would be taken forward with the Chief Minister at the upcoming liaison meeting.

5. Formation of new Health and Care Board

The Committee discussed the recent appointment of Professor Hugo Mascie-Taylor for a fixed term period of 12 months as Chair of a new Health and Care Board, which was being established to oversee the Health and Community Services Department as it worked to advance the quality and safety of services. Professor Mascie-Taylor was appointed by the Minister for Health and Social Services, and his work during that time would include advising the Minister on the terms of reference for the new Board, overseeing the work of the turnaround team and a reform of the Department's clinical governance arrangements.

The Committee considered a number of concerns about the process undertaken in respect of the appointment and noted that the Health and Social Security Panel had received a briefing on the issue and was continuing work in the area. It was also noted that the Public Accounts Committee (PAC) might undertake further work at the appropriate time in due course.

6. Bilateral Investment Treaty (BITs)

Concerns were raised over the notification period provided to States Members to raise comments ahead of the BIT between Jersey and the United Arab Emirates coming into force. It was agreed that this matter would be raised with the Chief Minister at the upcoming liaison meeting.

7. Training and Work Programme

The Committee was informed of ongoing work to establish a specific training programme for Scrutiny Members that would work in tandem with a wider training programme for all States Members. A further update and draft Scrutiny programme would be provided at the next meeting.

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8. Meeting with SLC President, Vice President and Chief Minister

The Committee was informed that the next meeting with the Chief Minister was to be held on 26th January. Areas identified for discussion included:

- Government Plan
- Civil Servant Pay Increase
- Process for agreeing on Bilateral Investment Treaties coming into force
- Communication between Ministers and Scrutiny Panels

9. Future Meetings

The Panel noted its next meeting was scheduled to be held on 14th February 2023 at 2pm in Blampied Room, States Building. The Committee asked that an alternative date during the following week be identified due to a clash with the half-term school holidays.

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Record of Meeting

Meeting held digitally

Date: 9th February 2023

Present	Deputy Sam Mézec (President) Deputy Lyndsay Feltham (Vice-President) Deputy Catherine Curtis Deputy Steve Luce Deputy Moz Scott Deputy Geoff Southern
Apologies	
Absent	
In attendance	Tim Oldham, Assistant Greffier of the States Janice Hales, Research and Project Officer

Agenda matter	
1. Work Permit Holder Welfare Review Panel	
The Committee approved a Scoping Document and Terms of Reference for the establishment of Scrutiny Review Panel which will examine the effectiveness of the current Work Permit Policy in protecting people from exploitation and Modern Day Slavery.	
Budget	
 Smart Survey Costs Promotional Costs: £620.00 Transcription costs at £150 per hearing: 5 hearings = £750.00 Focus Group Sessions (X 4) = £9,480 Radio Advertisement Campaign (2 weeks) (Based on 30 second – 35 spot advert) = £2,635 Total = £13,485 	

Record of Meeting

Date: 21st February 2023

Dunnant	Danish Care Mérca / Duaidanh
Present	Deputy Sam Mézec (President)
	Deputy Lyndsay Feltham (Vice-President)
	Deputy Catherine Curtis
	Deputy Moz Scott
	Deputy Geoff Southern
	Deputy Rob Ward (on behalf of Deputy Luce)
Apologies	Deputy Steve Luce
Absent	
In attendance	Lucy Marsh-Smith, Senior Legislative Drafter (item 4)
	Yannick Fillieul, Assistant Greffier of the States, Chamber and Members'
	Services (item 5)
	Tim Oldham, Assistant Greffier of the States, Committees and Panels

Agenda matter	
1. Records of Meetings	
The Committee approved the records of the meetings held on 24th January 2023 and 9th February 2023, subject to minor agreed amendments to the record of 24th January in relation to Bilateral Investment Treaties.	
2. Work Programmes and Activity Reports	

The Committee noted the work programmes and activity reports of the various Scrutiny Panels, including Review Panels. Particular consideration was given to the

following matters:

- Gender Pay Gap Review Panel it was noted that the obligated formal Ministerial Response to the Panel's report, that had been published towards the end of the previous Assembly, remained outstanding despite the long since passed 6 week deadline and recent communication with relevant members of the Government requesting that the situation be rectified. It was agreed that the President would formally write to the Chief Minister on behalf of the Committee to outline the position, and that it would be further raised at the forthcoming liaison meeting with the Chief Minister.
- The Chair of the Health and Social Services Panel, Deputy Geoff Southern, raised the matter of a Vote of No Confidence in his position that had been lodged by his Vice Chair, Deputy Sir Philip Bailhache, and which was scheduled to be debated at the next meeting of the States on 28th February. The Chair explained that he had approached two other Members of his Panel to discuss a letter of complaint about their conduct, which he had recently received from the Minister for Health and Social Services. The discussions about the complaint, coupled with previous challenges the Chair had raised with the Members concerned as to their conduct, had resulted in the Chair asking the Members to consider resigning from the Panel in light of an irreparable breakdown in trust and in the relationship with the Minister. In view of the escalation that had occurred with the lodging of the Vote of No

Confidence, the Committee discussed that it had limited options available to it to address the matter, although consideration was given to the possible merits of conversations being held by the President or the wider Committee with Deputy Sir Bailhache and the Members concerned, despite the late stage, about the wider implications to the reputation and good functioning of the Scrutiny system of the present situation.

Mindful of the situation with the Health and Social Security Panel and having been informed of challenges that Members of the Economic and International Affairs Panel were working to resolve, it was noted that the relevant Codes of Practice governing the Scrutiny function outlined certain, albeit limited, courses of action that might be taken by Chairs and the Committee in circumstances of dispute on or with Scrutiny Panels. Such actions, in line with relevant Standing Orders, did not include the authority for Chairs themselves, nor indeed the Committee, to remove Members from their Panels if Members did not themselves agree to resign. The Committee resolved that it might, in due course, consider re-visiting the options available to Chairs and itself in such circumstances, work which could lead to proposals to amend Standing Orders or the Scrutiny Proceedings and/or Engagement Codes should such a need be identified.

3. Privileges and Procedures Committee (PPC)

The Committee noted the work programme and activity report of PPC, including its sub-Committees.

4. Legislative Drafting Office

The Committee welcomed the Senior Legislative Drafter to discuss, amongst a range of matters, how legislative drafting priorities were established and progressed.

In the course of the discussions, the Senior Legislative Drafter undertook to give further consideration to the routine provision of marked up copies of draft amendments to legislation when lodged for debate in the States Assembly, to help assist Members in their navigation of often complex matters. It was noted that such a "Keeling Schedule" showing amendments in situ currently occurred on a request basis, as to provide this for every legislative project was not practical within current resourcing. However, the Legislative Drafting Office embraced technology and would be mindful of opportunities in this area.

Furthermore, the Senior Legislative Drafter would provide an update the Committee, following the meeting, in respect of a breakdown of the timeline of the progression of law drafting for the Zero hours Contracts (Employment (Amendment No, 12) (Jersey) Law 2022) and Landlords not to discriminate against tenants with children (Discrimination (Amendment of Law) (Jersey) Regulations 2021).

The Committee thanked the Senior Legislative Drafter for her time and she withdrew from the meeting.

5. Training for States Members

The Committee welcomed the Assistant Greffier of the States (Chamber and Members' Services) to the meeting and received and discussed a draft training programme for States Members, in addition to a separate Scrutiny specific programme that would supplement the overarching provision. The Committee was informed that it was intended for the overarching programme to be considered for approval at a forthcoming meeting of the Privileges and Procedures Committee, but that the opportunity that had arisen to share an earlier draft with the Chairs of the Scrutiny function, due to their particular interest in this area, had been very welcome.

The Committee was supportive of the overarching direction of travel of a structured, wide-ranging and ongoing schedule of training opportunities and provided some further suggestions of areas that might be added. Deputy Rob Ward highlighted that as part of his ongoing engagement with the Commonwealth Parliamentary Association (CPA) and the associated CPA Academy, he was due to attend their headquarters in March. He offered, should it be helpful, to share the programmes with colleagues involved in the Academy to gather further informed feedback.

The Committee noted that in addition to individual Panels and the PAC continuing to arrange training specific to their own needs through the Scrutiny training programme, it might give further consideration to arranging further all Scrutiny Member training at an appropriate time.

The Committee thanked the Assistant Greffier for his time and he withdrew from the meeting.

6. Meeting with SLC President, Vice President and Chief Minister

The Committee was informed that the next meeting with the Chief Minister was scheduled to be held on 27th February. Areas identified for discussion included:

- Late or incomplete Ministerial Responses to Scrutiny/PAC reports
- Recent roll out of significant IT platforms
- Avoiding arrangement of Government briefings that clashed with existing Scrutiny commitments

7. Future Meetings

The Panel noted that its next meeting was scheduled to be held on 14th March 2023 at 2pm in Le Capelain Room, States Building.

Record of Meeting

Meeting held digitally

Date: 10th March 2023

Present	Deputy Sam Mézec (President) Deputy Lyndsay Feltham (Vice-President) Deputy Catherine Curtis Deputy Steve Luce Deputy Moz Scott
Apologies	
Absent	
In attendance	Tim Oldham, Assistant Greffier of the States Janice Hales, Research and Project Officer

Agenda matter	
1. Bridging Liquid Waste Strategy 2023-26 Review	
The Committee approved a Scoping Document and Terms of Reference on behalf of the Environment, Housing and Infrastructure Panel (EHI) for a review into the Bridging Liquid Waste Strategy.	
<u>Budget</u>	
• Review Costs: Public Hearing Transcripts £150 (per audio hour) x 6 hours = £900	
 Expert Adviser Estimated around 15-20 days at £1,200 per day, plus travel costs if visits are required = £25,000 	
Digital and Public Engagement	
A D&PE plan will be prepared for the Panel's consideration although it is envisaged that the type and scope of this particular review will not require any additional budget for advertising / call for evidence etc. a minimal budget is included at this stage to promote the panel's review with paid sponsored social media posts = £30	
Total £25,930	

Record of Meeting

Date: 14th March 2023

Present	Deputy Sam Mézec (President)
	Deputy Lyndsay Feltham (Vice-President)
	Deputy Catherine Curtis
	Deputy Moz Scott
	Deputy Sir Philip Bailhache (Vice-Chair Health and Social Security Panel)
Apologies	Deputy Steve Luce
Absent	
In attendance	Tim Oldham, Assistant Greffier of the States, Committees and Panels
	Janice Hales, Research and Project Officer

Agenda matter	Action
1. Records of Meetings	
The Committee approved the records of the meetings held on 21st February 2023 and 10th March 2023, subject to a minor typographic amendment to the record of 21st February 2023.	
The Committee considered the record of the meeting of 10th March 2023, noting it related to a digital meeting held to approve Terms of Reference and a Scoping Document for an upcoming review. It recalled that it had previously agreed that such requests for approval would be sent digitally via Teams and the documents would be considered approved within 48 hours subject to any communication from Members to the contrary. The Committee agreed to maintain this process, however, requested additionally that the record of the meeting should record whether each Member had actively responded or whether their consent derived from the aforementioned process.	
2. Training for States Members	
The Committee recalled that at its last meeting it had received an update on the draft training programme for States Members, in addition to a separate Scrutiny specific programme that would supplement the overarching provision. It was noted that the overarching programme had subsequently been considered by the Privileges and Procedures Committee and had been well received.	
It was further noted that work continued to establish specific options in the areas agreed for further Scrutiny training, and the Committee requested to be provided with an update as progress was made.	
3. Work Programmes and Activity Reports	
The Committee noted the work programmes and activity reports of the various Scrutiny Panels, including Review Panels.	
The Chair of the Children, Education and Home Affairs Panel relayed her Panel's disappointment that a question on youth knife crime that it had submitted for inclusion on the forthcoming Children and Young People's survey had been rejected by the selection body for the survey. The Panel had received feedback about the possible	

'sensitivity' of the matter but remained unclear as to how the determination to exclude the question had been made and the extent of the relationship between Government and Statistics Jersey. It was agreed that a briefing should be arranged with the Chief Statistician to help better understand the role of Statistics Jersey and how information it generated could be used to help inform Scrutiny Panels.	JH
The Committee was informed that the Chair of the Economic and International Affairs Panel had met recently with members of the Digital and Public Engagement team at the States Greffe, to discuss a number of possible initiatives regarding how the Panel might develop its engagement with stakeholders and the wider public. The Committee was informed that it would shortly begin to receive a monthly activity report on Scrutiny public engagement, and that it was proposed that relevant members of the team would attend the Committee on an occasional basis, at the	то/ЈН
invitation of the Committee, to provide an opportunity for more detailed discussions on the work being undertaken or as significant matters arose.	
4. Privileges and Procedures Committee (PPC)	
The Committee noted the work programme and activity report of PPC, including its sub-Committees.	
5. Children's Commissioner Law	
The President informed the Committee that, in the context of the role ascribed to him in the legislation, he had been liaising with the Chief Minister regarding a forthcoming proposition that contained minor amendments to the Law in respect of the eligibility criteria for applicants to the role of Children's Commissioner, and the term of office. The Committee was informed that the proposition was due to be lodged that week.	
6. Meeting with SLC President, Vice President and Chief Minister	
The Committee noted the meeting that was due to take place in February had been postponed due to the Chief Minister being off Island. It was noted that the next meeting was due to take place on 20th March 2023. The Committee agreed that topics it would like to be discussed as follows:	
 Delays in receiving Ministerial Responses and other Government documentation Briefings being offered at short notice with minimal information provided Recommendations Tracker Role of Statistics Jersey 	
The Committee discussed the topic related meeting with the Chief Minister and the Panel Chairs and agreed that a meeting be scheduled to discuss Government Transparency.	
7. Conduct	
The Committee considered a complaint regarding the conduct of one its Members. This matter was discussed in private in accordance with the Freedom of Information (Jersey) Law 2011.	
8. Future Meetings	
The Panel noted that its next meeting was scheduled to be held on 4th April 2023 at 2pm in Le Capelain Room, States Building.	

Record of Meeting

Meeting held digitally

Date: 27th March 2023

Present	Deputy Sam Mézec (President) Deputy Lyndsay Feltham (Vice-President) Deputy Catherine Curtis Deputy Rob Ward Deputy Steve Luce Deputy Moz Scott
Apologies	Deposty mea deets
Absent	
In attendance	Tim Oldham, Assistant Greffier of the States Janice Hales, Research and Project Officer

Agenda matter	Action					
1. Governance of Health and Social Care						
The Committee approved a Scoping Document and Terms of Reference on behalf of the Public Accounts Committee for a review into the Governance of Health and Social Care.						
Whilst the Committee recalled its agreement that approval would be taken within 48 hours of the documents being circulated unless concerns were raised otherwise, it was noted that individual approval was registered in writing within that timeframe by the President, Deputy Scott and Deputy Ward.						
Budget						
Review Costs:						
 Transcription costs at £150 per hearing (10 hearings): £1,500.00 Social Media promotion: £40.00 						
Total £1,540.00						
2. Performance Management - Follow up						
The Committee approved a Scoping Document and Terms of Reference on behalf of the Public Accounts Committee for a review into Performance Management – Follow up.						
Whilst the Committee recalled its agreement that approval would be taken within 48 hours of the documents being circulated unless concerns were raised otherwise, it was noted that individual approval was registered in writing within that timeframe by the President, Deputy Scott, Deputy Luce and Deputy Ward.						

<u>Budget</u>

Review Costs:

- Transcription costs at £150 per hearing: 8 hearings. £1,200.00 Social Media promotion £20.00

Total £1,220.00

Record of Meeting

Meeting held digitally

Date: 24th May 2023

Present	Deputy Sam Mézec (President) Deputy Lyndsay Feltham (Vice-President) Deputy Catherine Curtis Deputy Rob Ward Deputy Steve Luce Deputy Moz Scott
Apologies	
Absent	
In attendance	Tim Oldham, Assistant Greffier of the States Janice Hales, Research and Project Officer

Agenda matter	Action
1 Children Education and Home Affairs Scrutiny Panel: Poview of Secondary	

Children, Education and Home Affairs Scrutiny Panel: Review of Secondary Education Funding

The Committee approved a Scoping Document and Terms of Reference on behalf of the Children, Education and Home Affairs Scrutiny Panel for a review into the Review of Secondary Education Funding.

Whilst the Committee recalled its agreement that approval would be taken within 48 hours of the documents being circulated unless concerns were raised otherwise, it was noted that individual approval was registered in writing within that timeframe by the President, Vice President, Deputy Luce, Deputy Scott and Deputy Ward.

Budget

- Review Costs: Public Hearing Transcripts £150 (per audio hour) x 6 hours =
- Expert Adviser Estimated around 15 days at £1,000 per day (no travel costs anticipated) = £15,0006

NOTE: The Panel has not approached potential advisers to tender for this role yet. The Panel will revert to SLC with an update on the budget once further detail is available.

• Digital and Public Engagement (D&PE) = £500

A detailed D&PE plan will be prepared and appendaged to this scoping document once finalised. The Panel will engage with the public to collect evidence for the 'public expectations' part of the Terms of Reference.

The following items will be covered by the D&PE budget:

• £70 on social media boosting

• £160 on informational / contact postcards (£80 initial spend and will order more with remaining £80, if needed)

The graphic design costs of the postcard / banner do not come from the review budget

- £85 for roadside banner printing;
- £135 for an outside banner for the pop-up stand (this will be a generic scrutiny banner (not review specific) that can be re-used for other reviews / by other Panels)
- £50 contingency.

TOTAL REVIEW BUDGET = £16,4007

Record of Meeting

Date: 25th May 2023

Present	Deputy Sam Mézec, President
	Deputy Lyndsay Feltham, Vice President,
	Deputy Catherine Curtis
	Deputy Steve Luce
	Deputy Moz Scott
	Deputy Rob Ward
Apologies	
Absent	
In attendance	Ian Cope, Chief Statistician (Item 4 and 5)
	Daniel Edmunds, Principal Statistician (Item 4)
	Deputy Kristina Moore, Chief Minister (Item 5)
	Deputy Lucy Stephenson, Assistant Chief Minister (Item 5)
	Paul Bradbury, Head of Ministerial Support (Item 5)
	Dirk Danino-Forsyth, Director of Communications (Item 5)
	Tim Oldham, Assistant Greffier of the States (Committees and Panels) (Items 1-5)
	Janice Hales, Research and Project Officer

Agenda matter	Action
1. Records of Meetings	
The Committee approved the records of the meeting held on 4th April. It was agreed that minor amendments would be made to the file note and private minute dated 5th May, which would be subsequently recirculated for final approval.	JH
2. Work Programmes and Activity Reports	
The Committee noted the work programmes and activity reports of the various Scrutiny Panels, including Review Panels.	
The Chair of the Health and Social Security Panel informed the Committee that the Panel had recently completed drafting its terms of reference and scoping document for its review into Overpayment of Social Security Benefits, and that the documents would be circulated imminently for the Committee's approval. The Chair informed the Committee that detailed discussion had gone into the scoping document to try and manage any potential 'scope creep' as this particular review could generate a lot of interest by individuals on their personal cases.	
3. Privileges and Procedures Committee (PPC)	
The Committee noted the work programme and activity report of PPC, including its Sub-Committees.	
4. Briefing: Operation of the Statistics Unit	
The Committee received a briefing from the Chief Statistician and a Governmental officer on the operation of the Statistics unit. A private detailed file note was made of	

the briefing, classified as exempt in accordance with Article 35 of the Freedom of	
Information (Jersey) Law 2011 (as amended).	
5. Meeting: Transparency in Government with the Chief Minister	
5. Meeting. Transparency in Government with the Offier Minister	
The Committee received the Chief Minister and the Assistant Chief Minister Deputy	
The Committee received the Chief Minister and the Assistant Chief Minister, Deputy	
Lucy Stephenson, together with the Chief Statistician and Government officers to	
discuss Government transparency. A private detailed file note was made of the	
briefing, classified as exempt in accordance with Article 35 of the Freedom of	
Information (Jersey) Law 2011 (as amended).	
6. Meeting with SLC President, Vice President and Chief Minister	
The Committee noted the file note from the meeting held on 24th April 2023. The	
Committee discussed areas of questioning for the upcoming meeting on 14th June	
2023 and agreed to include rescindments on propositions as an area of discussion.	
It was agreed that any further areas arising be forwarded to the Committee's officers	
on the relevant Teams channel for inclusion at the meeting.	JH
7. Letter from Chair Diversity Forum (PPC) Sub-Committee	
The Committee noted a letter from the Diversity Forum (PPC) Sub-Committee in	
respect of the diversity of membership on panels and committees and agreed that it	
would invite a member of the Sub-Committee to its next meeting for further	JH
discussion on the topic.	• • • • • • • • • • • • • • • • • • • •
8. Any Other Business	
or 7thy other business	
The Committee recalled the earlier meeting with the Chief Minister on Government	
transparency, and considered the feasibility of it holding meetings with the Chief	
Minister in public. It was agreed this would be tabled as an item at its next scheduled	
meeting for further discussion.	
meeting for further discussion.	
The Chair of the Economic and International Affairs Banal raised the natartial of lay	
The Chair of the Economic and International Affairs Panel raised the potential of lay	
members being appointed to Scrutiny Panels, extending the structure by which the	ш
PAC was presently constituted. It was agreed this would be tabled as an item at the	JH
next scheduled meeting for further discussion.	
9. Future Meetings	
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The Committee agreed its next scheduled meeting would take place on 20th June	
2023 at 2pm in Le Capelain Room, States Building.	

Record of Meeting

Meeting held digitally

Date: 26th May 2023

Present	Deputy Sam Mézec (President)
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	Deputy Catherine Curtis
	Deputy Rob Ward
	Deputy Steve Luce
	Deputy Moz Scott
Apologies	
Absent	
In attendance	Tim Oldham, Assistant Greffier of the States
	Janice Hales, Research and Project Officer

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Health and Social Security Panel: Review of Income Support Benefit Overpayments

The Committee approved a Scoping Document and Terms of Reference on behalf of the Health and Social Security Scrutiny Panel for a review into the Review of Income Support Benefit Overpayments.

Whilst the Committee recalled its agreement that approval would be taken within 48 hours of the documents being circulated unless concerns were raised otherwise, it was noted that individual approval was registered in writing within that timeframe by the Vice President, Deputy Curtis, Deputy Luce and Deputy Scott.

Budget

Review Costs:

• Public Hearing Transcripts £150 (per audio hour) x 2 hours = £300

Digital and Public Engagement

 A D&PE plan will be prepared for the Panel's consideration although it is envisaged that the type and scope of this particular review will not require any additional budget for advertising / call for evidence etc. a minimal budget is included at this stage to promote the panel's review with paid sponsored social media posts = £30

TOTAL = £330

Record of Meeting

Date: 9th June 2023

Present	Deputy Sam Mézec, President Deputy Lyndsay Feltham, Vice President, Deputy Catherine Curtis Deputy Steve Luce Deputy Moz Scott Deputy Rob Ward
Apologies	
Absent	
In attendance	Deputy Ian Gorst, Minister for Treasury and Resources Deputy Elaine Millar, Assistant Minister for Treasury and Resources with responsibility for Financial Services Deputy Steve Ahier, Assistant Minister for Treasury and Resources Richard Bell, Treasurer of the States Simon Hayward, Director of Treasury and Investment Russell Crowe, Head of Treasury and Investment Janice Hales, Research and Project Officer Jade Hahn, Research and Project Officer

Agenda matter	Action
1. Briefing – Government Funds, Bonds and Investments	
The Committee received the Minister for Treasury and Resources, the Assistant Minister for Treasury and Resources with responsibility for Financial Services, the Assistant Minister for Treasury and Resources and Government officers to a briefing on Government Funds, Bonds and Investments. A private detailed file note was made of the briefing, classified as exempt in accordance with Article 35 of the Freedom of Information (Jersey) Law 2011 (as amended).	

Record of Meeting

Date: 20th June 2023

Present	Deputy Sam Mézec, President Deputy Lyndsay Feltham, Vice President, Deputy Catherine Curtis Deputy Moz Scott Deputy Rob Ward Connétable Michael Jackson (Vice Chair of EHI Panel) (items 2 and 3 only)
Apologies	Deputy Steve Luce
Absent	
In attendance	Lisa Hart, Greffier of the States (Item 2 only)
	Tim Oldham, Assistant Greffier of the States (Committees and Panels)
	Janice Hales, Research and Project Officer

Agenda matter	Action
1. Records of Meetings	
The Committee approved the records of its meetings held on 24th, 25th and 26th May 2023.	

2. Scrutiny Proceedings

The Committee heard from the Chair of the Economic and International Affairs (EIA) Panel regarding a possible amendment to Standing Orders that she was considering that might, ultimately, compel the removal of Panel membership from a Member who was subject to a complaint considered and upheld by the Commissioner for Standards. There followed a broader discussion about the ability of Chairs to effectively manage unduly disruptive behaviour by Panel members.

The Committee was reminded by the Greffier of the States that the role of the Commissioner was to determine whether there was a breach of the Code of Conduct for Elected Members (the Code) and could not become involved in the breakdown of relations between Panel Members, unless the Member had been accused or been seen to have broken the Code, thereby invoking her jurisdiction. The Committee further recalled that following an investigation, the Commissioner would make a recommendation, writing to PPC advising of such, with PPC being the responsible body for determining the subsequent course of action in respect of proposed sanctions. It was noted that as Members to Scrutiny Panels were appointed by the States Assembly, the responsibility to remove a Member from that position, if that course of action was determined, rested with the Assembly should a Member chose not to resign in the circumstances.

It was noted that the Chair of the EIA Panel had arranged to raise the matter for further discussion with PPC at its forthcoming meeting, and that an update would be provided to the Committee in due course.

The Committee also considered P.45/2023 Appointment of non-elected Members on Scrutiny Panels, lodged by Deputy Scott and scheduled for debate on 4th July 2023. The Chair of the EIA Panel explained the rationale behind seeking to explore

the extension of provisions for 'lay members' to be appointed beyond the PAC to include other Panels within the Scrutiny function, though primarily her own. The Chair explained that her Panel had a very broad remit and, at times, it could be challenging to find Members for the Panel with the required experience to cover this remit. The Chair also explained that lay members on Scrutiny Panels may offer more flexibility in establishing appropriately sized memberships of Panels, as many Members were very busy and some chose not to serve in the Scrutiny function, despite not being in Government positions.

Asked in respect of context, the Greffier of the States informed the Committee that she was unaware of any jurisdiction where lay members were appointed to the equivalent Panels such as Select Committees (other than the PAC equivalent). The Greffier further explained that with the existing 'Troy Rule', there was a limit on the amount of Ministers and Assistant Ministers that could be appointed that in effect provided the potential for 28 Members to be appointed for Scrutiny Panels.

The Committee discussed the matter with the Chair of the EIA Panel, giving consideration amongst other matters to the role of States Members and expectations thereon in respect of parliamentary scrutiny, the range of skills and knowledge amongst Members, the purpose and principles of Scrutiny, the difference in the role of Scrutiny versus that of PAC, the provision of a budget for the engagement of expert advisers for reviews, access to sensitive information and payment of lay members. Further to the discussion, the Committee confirmed that it was not supportive of the proposal and requested Comments be drafted to reflect the discussions and points raised.

JH

The Chair of the EIA Panel informed the Committee that she would consider the feedback provided by the Committee and decide her next steps on the matter.

3. Previously held Briefings and Meetings

The Committee discussed the recently held briefings and meetings with the Chief Minister and the Chief Statistician. Performance management measures were discussed, with it being agreed that this area would be raised with the Chief Minister at the next meeting with the SLC President and Vice President.

The Committee discussed the possibility of it holding public hearings with the Chief Minister to cover certain overarching issues relating to Government that were separate to those falling formally within the remit of the Corporate Services Panel. It was informed that Standing Orders were effectively silent on this matter and it was therefore agreed that this would be raised with the Chief Minister at the next meeting with the SLC President and Vice President.

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4. Work Programmes and Activity Reports

The Committee noted the work programme and activity reports from all Panels and Review Panels.

The Chair of the Corporate Services Panel informed the Committee that his Panel was due to launch a review on People and Culture as a follow up to a previous review on this topic. It was also informed that Comments were due to be presented on *P.29/2023 Draft Income Tax (High Value Residents – Amendment) (Jersey) Law 202-.*

The Chair of the Economic and International Affairs Panel informed the Committee that a review on Supply Chain would be launched imminently with Terms of Reference and Scoping Document currently being drafted. It was also informed that Comments had been drafted on *P.28/2023 Draft Taxation (Exchange of Information – Amendment) (Jersey) Regulations 202-* which was due for debate on 4th July 2023.

The Chair advised the Committee that the Minister for External Relations had not attended a Public Hearing since November 2022, however, it was noted by the Panel that this was due to personal reasons.

The Chair of PAC informed the Committee that numerous hearings were due to take place the following week with Chief Officers regarding performance management. The Committee was also informed that a public hearing had recently taken place with the Chief Executive Officer, Government of Jersey, which would be the final hearing prior to the departure following her resignation.

The Chair of the Future Hospital Review Panel informed the Committee that the Panel was planning a hearing with the Chief Minister to discuss the status of the project and the transparency of financial information for the business case.

The Vice Chair of the Environment Housing and Infrastructure Panel informed the Committee that a review into the Bridging Liquid Waste Strategy was underway, however, submissions from stakeholders and the public to date could be considered low in comparison to other reviews.

The Committee discussed the upcoming Government Plan and noted it had not received a timeline for receipt of the documents or lodging dates. It also noted that the lodging of the Government Plan would likely impact on any reviews undertaken in Q3 and Q4 of 2023.

5. Privileges and Procedures Committee (PPC)

The Committee noted the work programme and activity report of PPC, including its Sub-Committees.

The Chair of PAC, the Committee's representative on PPC, additionally informed the Committee that PPC had recently met with Dr Chris Pich who had been commissioned by the States Greffe to undertake a study which explored voter engagement and identified barriers of voter engagement. The meeting gave an opportunity for PPC to ask questions on the key findings and recommendations which had been presented to PPC in advance. The Committee was also informed that PPC had recently met with Government officers regarding voter engagement who had presented options and costs on digital voter registration. This would be discussed further at future PPC meetings.

6. Government Lodging Programme (GLP) with lodging timeframes

The Committee noted the recently circulated GLP with lodging timeframes, but questioned whether the version received was up to date. It requested that this to be clarified by officials, with a view to a more up to date version being circulated if available. It also noted that a significant amount of legislation was due to be lodged in Q3 and Q4 which would likely impact on the workloads of Panels at a busy time with the Government Plan.

7. Meeting with SLC President, Vice President and Chief Minister

The Committee noted there had been no meeting with the Chief Minister in May and June to date, but that a meeting was being pursued for late June/early July.

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8. Future Meetings

The Committee agreed its next scheduled meeting would take place on 11th July 2023 at 1.30pm in Le Capelain Room, States Building and would include a meeting with the Chair of the Diversity Forum (PPC) Sub-Committee.

Record of Meeting

Meeting held digitally

Date: 30th June 2023

Present	Deputy Sam Mézec (President) Deputy Lyndsay Feltham (Vice-President) Deputy Catherine Curtis Deputy Rob Ward Deputy Steve Luce
	Deputy Moz Scott
Apologies	
Absent	
In attendance	Tim Oldham, Assistant Greffier of the States Janice Hales, Research and Project Officer

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Agenda matter	
1. Supply Chain Resilience	
The Committee approved a Scoping Document and Terms of Reference on behalf of the Economic and International Affairs Panel for a review into Supply Chain Resilience.	
Whilst the Committee recalled its agreement that approval would be taken within 48 hours of the documents being circulated unless concerns were raised otherwise, it was noted that individual approval was registered in writing within that timeframe by Deputy Luce, Deputy Scott and Deputy Ward.	
<u>Budget</u>	
Review Costs:	
 Public Hearing x 4 - £600 Digital and Public Engagement - £100 Advisor - £15,000 (indicative of 15 days) 	
Total = £15,700	

Record of Meeting

Date: 11th July 2023

Present	Deputy Sam Mézec, President
	Deputy Lyndsay Feltham, Vice President,
	Deputy Catherine Curtis
	Deputy Steve Luce
	Deputy Moz Scott
	Deputy Rob Ward
Apologies	
Absent	
In attendance	Deputy Carina Alves, Chair, PPC Diversity Sub Committee [item 2 only] Deputy Louise Doublet, PPC Diversity Sub Committee Member [item 2 only]
	Tim Oldham, Assistant Greffier of the States (Committees and Panels) Kellie Boydens, Principal Committee and Panel Officer [item 2 only] Janice Hales, Research and Project Officer

Agenda matter	Action
1. Records of Meetings	
The Committee approved the records of its meetings held on 9th and 20th June subject to one small amendment to the record of 20th June 2023.	
2. Meeting with PPC Diversity Sub Committee	
The Committee welcomed the Chair of the PPC Diversity Sub Committee to discuss recent correspondence regarding Gender Balance on Scrutiny Panels and Committees.	
It was noted that out of 23 female States Members, 10 presently served on Scrutiny Panels or Committees, which was broadly considered an appropriate representation in view of the various influences on that ratio.	
The Chair of the Economic and International Affairs Scrutiny Panel wished it to be recorded that it was her view that diversity on Panels and Committees should be encouraged as it contributed to the different decisions and offered more insight.	
The Chair of the Health and Social Security Panel wished it to be recorded that it was his view that whilst it was positive that Panels and Committees had a mix of genders, it was also important that stakeholders, including members of the Public who engaged with and were targeted by Scrutiny, were also balanced and the focus was not unduly weighted to one gender.	
It was agreed that the President would correspond by way of follow up with the Sub Committee, confirming that the that the topic would be discussed in more detail by the Committee during this term with a view to gender balance on Panels and Committees being included as part of the new States Members induction.	JH
3. Previously held Briefings and Meetings	

The file note of the briefing on 9th June 2023 between the Committee and the Minister for Treasury and Resources on Government Bonds and Investments was approved.

4. Work Programmes and Activity Reports

The Committee noted the work programme and activity reports from all Panels and Review Panels.

The Chair of the Corporate Services Panel informed the Committee that it would be undertaking a follow up review on People and Culture with Terms of Reference and Scoping Document to be circulated for approval imminently. It was also informed that Deputy Lyndsey Feltham would be co-opted for the purpose of that review.

The Chair of the Public Accounts Committee (PAC) advised that public hearings were ongoing with Chief Officers regarding performance management.

The Chair of the Children, Education and Home Affairs Panel informed the Committee that the recently published survey for its review on Secondary Education Funding had received positive feedback. It was also informed that the appointment of an expert adviser was still being explored.

The Chair of the Health and Social Security Panel informed the Committee that the review into overpayment of social security payments was ongoing. It was also informed that Q3 and Q4 of this year looked extremely busy in terms of upcoming legislation and it may be that a number of propositions would need to be 'called in' to be looked at in more detail, should the Panel workload be excessive.

The Work Permit Holder Welfare Review was discussed with the Chair of PAC (as a Review Panel Member) informing the Committee that the review was nearing completion. It was also informed that the review had highlighted that a lot of people were in critical need and the Review Panel was looking to expediate the report.

5. Privileges and Procedures Committee (PPC)

The Committee noted the work programme and activity report of PPC, including its Sub-Committees. It was informed that PPC was due to meet the following week and an update would be provided in due course.

6. Government Plan 2024 - 2027

The Committee discussed the upcoming Government Plan and the effect it may have on Panel and Committee work. It also discussed the previous Government Plan where appendices and business plans were provided late impacting on deadlines and it was agreed that communication between the Committee and Government would continue regularly asking for updates to the timeline.

TO/JH

7. Scrutiny Proceedings

The Committee noted the withdrawal of P.45/2023 'Appointment of non-elected Members on Scrutiny Panels' which had been lodged by Deputy Moz Scott.

8. Access to minutes of Government bodies

The Committee discussed recent requests for access to signed minutes of meetings of Government bodies, with the Chair of Corporate Services informing the Committee of difficulties that had recently been encountered by the Panel in obtaining minutes. The Chair went on to inform the Committee that the Panel had asked for the minutes at a public quarterly hearing and was informed that they would be forthcoming. The Committee was further informed that when the issue was raised with the Department

regarding the lateness of the minutes, the Chair was informed that the minutes were in fact file notes and there had been an error in the description of the records.

The Chair of the Environment, Housing and Infrastructure Panel informed the Committee that whilst his Panel had not had trouble with accessing minutes, it had encountered a delay in receiving the Liquid Waste Strategy which had delayed the launch of the Panel's review. The Chair of PAC also informed that PAC had encountered a delay in receiving the Health Strategy.

It was agreed that the President would monitor the situation and any issues would be reported back to the Committee.

9. Meeting with SLC President, Vice President and Chief Minister

The President and Vice President gave a verbal update of their meeting with the Chief Minister held on 10th July 2023.

The Committee was informed of a number of amendments that were being discussed to recently lodged propositions namely:

- P.47-2023 (Whistleblowing Legislation lodged by Deputy Alves)
- P.52-2023.pdf (Financial Support for Parents of babies requiring neonatal care lodged by Deputy Kovacs)
- P.53-2023 (Negotiation on behalf of the States of Jersey, the purchase of the former Seaside Café and carpark site at Grève de Lecq - lodged by Deputy Farnham)
- P.48-2023.pdf (Mortgage repayment assistance lodged by Deputy Southern)

The Committee noted that the amendment to P.53/2023 had been lodged by Deputy Lucy Stephenson of St Peter, St Ouen and St Mary as opposed to the Council of Ministers (CoM). Discussion was had as to whether this was an amendment from Deputy Stephenson due to it being a Parish matter rather than a CoM issue.

The Committee was informed that a timeline of the Government Plan 2023 – 2027 was discussed with the proposed lodging date due on 19th September 2023. The Committee was further informed that the issue of the late appendices and the impact on Panel deadlines was raised with the Chief Minister informing the President and Vice President that their concerns had been noted.

The Committee was informed that neither the Chief Minister nor the Deputy Chief Minister would be in attendance at the final States meeting prior to the recess due to the Chief Minister being off Island attending the 'Women Deliver 2023 Conference' taking place in Kigali, Rwanda, whilst the Deputy Chief Minister would be on annual leave. It was informed that the Minister for Treasury and Resources would be Acting Chief Minister, which would include responsibility for taking Questions without Notice on the Chief Minister's behalf. The Committee expressed various concerns in relation to the absences, including in respect of the impact on due accountability and the provision of appropriately informed Ministerial responses during the Question periods at the States meeting. In view of the potential impact on the States meeting, it was agreed to contact the Greffier of the States to establish whether notice of the absences would be circulated to all States Members, by the States Greffe or the Government, without delay.

The Committee was informed that the topic of holding Committee hearings in public with the Chief Minister was raised. It was agreed that this would be discussed further between officers with an update provided after the summer recess.

The Chair of the Economic and International Affairs Panel discussed Ministerial Delivery Plans and asked if it could be raised with the Chief Minister, at the next liaison meeting, that the dates in the Ministerial Delivery Plan for the Minister for External Relations were not consistent with what was being presented and if these dates were due to be updated.

The Chair also raised the issue of medicinal cannabis which featured within the Minister for Economic Development, Tourism, Sport and Culture's Ministerial Delivery Plan. The Chair highlighted that the Minister for Economic Development, Tourism, Sport and Culture seemed to be leading on the topic, however, she also raised from a health perspective that the number of prescriptions being issued for medicinal cannabis could be considered excessive and enquired if any work was being undertaken by the Health and Social Security Panel in this area. It was agreed that this would be taken offline and a conversation be undertaken between both Chairs.

10. Future Meetings

The Committee agreed its next scheduled meeting would take place on 19th September 2023 at 2.00pm in Le Capelain Room, States Building. It was also noted that this was the day that the Government Plan was due to be lodged.

Record of Meeting

Meeting held digitally

Date: 14th July 2023

Present	Deputy Sam Mézec (President) Deputy Lyndsay Feltham (Vice-President) Deputy Catherine Curtis Deputy Rob Ward Deputy Steve Luce Deputy Moz Scott
Apologies	
Absent	
In attendance	Tim Oldham, Assistant Greffier of the States Janice Hales, Research and Project Officer

Agenda matter	Action
People and Culture Follow-up Review	
The Committee approved a Scoping Document and Terms of Reference on behalf of the Corporate Services Scrutiny Panel for a review into the People and Culture Follow-up Review.	
Whilst the Committee recalled its agreement that approval would be taken within 48 hours of the documents being circulated unless concerns were raised otherwise, it was noted that individual approval was registered in writing within that timeframe by the Vice President, Deputy Curtis and Deputy Ward.	
Budget Review Costs:	
 Transcription Costs for Public Hearings: (£150 x 3) £450 Digital and Public Engagement: Press notices and social media (boosts): review launch and key findings from each public hearing: £100 	
If gaps are identified once the Panel has begun its comparative analysis of the Be heard and HR Lounge Surveys (or at any point in the evidence gathering stage of the review), an updated Digital and Public Engagement Strategy will be used to target the specific key stakeholders identified.	
 Contingency budget for this (boosting on social media): £100 Transcription £450 Digital and Public Engagement £200 	

• Total: £650

Record of Meeting

Meeting held digitally

Date: 25th July 2023

Present	Deputy Sam Mézec (President) Deputy Lyndsay Feltham (Vice-President) Deputy Catherine Curtis Deputy Rob Ward Deputy Steve Luce
	Deputy Moz Scott
Apologies	
Absent	
In attendance	Tim Oldham, Assistant Greffier of the States Janice Hales, Research and Project Officer

Agenda matter	Action
1. States Annual Report and Accounts 2022 Review	
The Committee approved a Scoping Document and Terms of Reference on behalf of the Public Accounts Committee for a review into the States Annual Report and Accounts 2022.	
Whilst the Committee recalled its agreement that approval would be taken within 48 hours of the documents being circulated unless concerns were raised otherwise, it was noted that individual approval was registered in writing within that timeframe by the Vice President and Deputy Curtis.	
<u>Budget</u>	
Review Costs:	
 Transcription costs at £150 per hearing: 3 hearings. £450.00 Digital and Public Engagement £85.00 	
TOTAL £535.00	

Record of Meeting

Date: 19th September 2023

Present	Deputy Sam Mézec, President
	Deputy Lyndsay Feltham, Vice President,
	Deputy Steve Luce
	Deputy Moz Scott (except item 8)
	Deputy Rob Ward
Apologies	Deputy Catherine Curtis
Absent	
In attendance	Tim Oldham, Assistant Greffier of the States (Committees and Panels) Janice Hales, Research and Project Officer

Agenda matter	Action
1. Records of Meetings	
The Committee approved the records of its meetings held on 30th June, 11th, 14th and 25th July 2023.	
2. Previously held Briefings and Meetings	
The file note of the briefing on 9th June 2023 between the Committee and the Minister for Treasury and Resources on Government Bonds and Investments was approved.	
3. Work Programmes and Activity Reports	

The Committee noted the work programme and activity reports from all Panels and Review Panels.

The Chair of the Environment, Housing and Infrastructure Panel informed the Committee that an announcement on energy from windfarms was due to be made by the Government in the coming weeks. It was further informed that as the topic could cut across numerous remits, future consideration might be given to the most appropriate approach to scrutiny of the matter. It was agreed that the Chair would raise the matter again at a future meeting when more information was available on which to make a decision. The Committee was also informed that the Panel intended to lodge various amendments to P.40/2023, regulations relating to the rented dwellings licensing. The Chair also informed the Committee that the Bridging Liquid Waste Strategy review was progressing.

The Chair of the Corporate Services Panel informed the Committee that the Panel had received a briefing on the progress regarding the drafting of the legislation that would establish a public service Ombudsperson. It was further informed that the Panel had made a decision to review the topic, and that Terms of Reference or Scoping Documents would be drafted accordingly.

The Chair of the Economic and International Affairs Panel informed the Committee that the Supply Chain Review was ongoing and the Panel was looking to engage an expert adviser.

The Chair of the Health and Social Services informed the Committee that the report for the Review on Overpayment of Income Support Benefits had been completed and was now with stakeholders for factual checking, with the final report due to be published mid to end of October. The Chair also informed the Committee that the Government's work on drafting legislation regarding Assisted Dying was progressing and that the Panel was due to have a briefing on the topic the following week. As the matter was due to cut across numerous remits, it was highlighted that it might be necessary to form a Review Panel. It was agreed that a briefing document on the topic would be drafted and presented to the Committee at its next scheduled meeting to assist consideration of the most appropriate approach to scrutiny work.

The Chair of the Public Accounts Committee advised that there were currently 3 reviews ongoing, however, progress of the current workload was subject to a temporary resource challenge in respect of support staff.

The Chair of the Future Hospital Review Panel informed the Committee that an interim report was due to be presented prior to the debate on the Government Plan, due for December.

4. Privileges and Procedures Committee (PPC)

The Vice President, as Committee representative to PPC, informed the Committee that discussions were ongoing regarding proxy voting and remote participation for States Members. It was also informed that the dress code for States Members was being considered with a view to establishing a clearer definition of what was expected in this regard. The subject of mandatory training was also discussed with the Vice President informing the Committee that it was difficult to implement mandatory training as States Members are in effect self employed.

5. Government Plan 2024 - 2027

The Committee noted that the Government Plan had been lodged and it had attended a briefing earlier in the day. The President wished it to be noted that the invite for the briefing to all States Members had arrived at relatively short notice and the Committee had had to reschedule the timing of this meeting to accommodate it. Despite this flexibility on the part of Scrutiny members, it was observed that the Minister for Treasury and Resources had left the briefing early and had been unable to take further questions.

The Committee discussed the process under which Panels should undertake reviews on the Government Plan to ensure consistency and it was agreed that it would adopt the same approach as the previous year. The Corporate Services Panel would therefore undertake an overarching review on the governance of the plan in addition to overarching key findings and recommendations. It was agreed that a generic draft Scoping Document and Terms of Reference would be circulated to all Panels by their relevant officers, which in turn could be adapted should it be necessary.

6. Meeting with SLC President, Vice President and Chief Minister

The Committee raised areas of questioning for the Chief Minister for the next President/Vice President and Chief Minister meeting on 28th September 2023. Areas discussed included:

- Ministers publishing press releases before Scrutiny following public hearings
- External Relations
- Government Plan 2023 2027

7. Future Meetings

The Committee noted its next scheduled meeting would take place on 24th October 2023 at 2pm in Le Capelain Room, States Building.

8. Commissioner for Standards

Deputy Scott withdrew from the meeting whilst the Committee discussed the recent report <u>R.129/2023 Commissioner for Standards: Investigation of Complaint of Breach of the Code of Conduct for Elected Members by Deputy M.R. Scott of St. Brelade.</u>

It was agreed that no further action would be required of the Committee in respect of the report.

Record of Meeting

Meeting held digitally

Date: 29th September 2023

Present	Deputy Sam Mézec (President) Deputy Lyndsay Feltham (Vice-President) Deputy Catherine Curtis Deputy Rob Ward Deputy Steve Luce Deputy Moz Scott
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Absent	
In attendance	Tim Oldham, Assistant Greffier of the States Janice Hales, Research and Project Officer

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Agenda matter	Action
1. Corporate Services Scrutiny Panel – Review of Government Plan 2024 - 2027	
The Committee approved a Scoping Document and Terms of Reference on behalf of the Corporate Services Scrutiny Panel for a review into the Government Plan 2024 – 2027.	

Whilst the Committee recalled its agreement that approval would be taken within 48 hours of the documents being circulated unless concerns were raised otherwise, it was noted that individual approval was registered in writing within that timeframe by the Vice President and Deputy Scott.

Review Costs:

Public Hearings (each £150) = £300

Digital and Public Engagement = £342

- Town Centre / community area pop-up stands including promotional /evidence gathering material (e.g. postcards)
- Social media advertising across LinkedIn, Twitter, Facebook, Instagram in the form of polls / videos / infographics

Total = £642

2. Children, Education and Home Affairs Scrutiny Panel – Review of Government Plan 2024-2027

The Committee approved a Scoping Document and Terms of Reference on behalf of the Children, Education and Home Affairs Scrutiny Panel for a review into the Government Plan 2024-2027.

Whilst the Committee recalled its agreement that approval would be taken within 48 hours of the documents being circulated unless concerns were raised otherwise, it

was noted that individual approval was registered in writing within that timeframe by the Vice President.

Review Costs:

Public Hearings (each £150) = £300 (if required)

Digital and Public Engagement = £380

Town Centre / community area pop-up stands including promotional / evidence gathering material (e.g., postcards) - £155

- Social media advertising across LinkedIn, Twitter, Facebook, Instagram in the form of polls / videos / infographics - £191
- Contingency = £34

Total = £680

3. Health and Social Security Scrutiny Panel – Review of Government Plan 2024-2027

The Committee approved a Scoping Document and Terms of Reference on behalf of the Health and Social Security Scrutiny Panel for a review into the Government Plan 2024-2027.

Whilst the Committee recalled its agreement that approval would be taken within 48 hours of the documents being circulated unless concerns were raised otherwise, it was noted that individual approval was registered in writing within that timeframe by the Vice President and Deputy Scott.

Review Costs:

Public Hearings (each £150) = £300

Digital and Public Engagement = £380

Digital and Public Engagement:

- Town Centre / community area pop-up stands including promotional / evidence gathering material (e.g. postcards) = £155
- Social media advertising across LinkedIn, Twitter, Facebook, Instagram in the form of polls / videos / infographics = £191
- Contingency Budget = £34

Total = £680

Record of Meeting

Meeting held digitally

Date: 5th October 2023

Present	Deputy Sam Mézec (President)
	Deputy Lyndsay Feltham (Vice-President)
	Deputy Catherine Curtis
	Deputy Rob Ward
	Deputy Steve Luce
	Deputy Moz Scott
Apologies	
Absent	
In attendance	Tim Oldham, Assistant Greffier of the States
	Janice Hales, Research and Project Officer

Agenda matter	Action
1. Environment, Housing and Infrastructure Panel – Review of Government Plan 2024 - 2027	
The Committee approved a Scoping Document and Terms of Reference on behalf of the Environment, Housing and Infrastructure Panel for a review into the Government Plan 2024 – 2027.	

Whilst the Committee recalled its agreement that approval would be taken within 48 hours of the documents being circulated unless concerns were raised otherwise, it was noted that individual approval was registered in writing within that timeframe by

Review Costs:

the Vice President.

Public Hearings = £150

It is envisaged that questioning will be incorporated into public quarterly hearings already scheduled to take place in October/November, however, a nominal amount is included should an additional hearing be required.

Digital and Public Engagement:

- Town Centre / community area pop-up stands including promotional /evidence gathering material (e.g. postcards) = £155
- Social media advertising across LinkedIn, Twitter, Facebook, Instagram in the form of polls / videos / infographics = £191

Total = £496.00

Record of Meeting

Meeting held digitally

Date: 9th October 2023

Present	Deputy Sam Mézec (President)
	Deputy Lyndsay Feltham (Vice-President)
	Deputy Catherine Curtis
	Deputy Rob Ward
	Deputy Steve Luce
	Deputy Moz Scott
Apologies	
Absent	
In attendance	Tim Oldham, Assistant Greffier of the States
	Janice Hales, Research and Project Officer

Agenda matter	Action
1. Economic and International Affairs Panel – Review of Government Plan 2024 - 2027	
The Committee approved a Scoping Document and Terms of Reference on behalf of the Economic and International Affairs Scrutiny Panel for a review into the Government Plan $2024-2027$.	
The Committee recalled its agreement that approval would be taken within 48 hours of the documents being circulated unless concerns were raised otherwise.	
Review Costs:	
Public Hearings (each £150) = £600	
 Digital and Public Engagement = £375 Town Centre / community area pop-up stands including promotional /evidence gathering material (e.g., postcards) - £191 Social media advertising across LinkedIn, Twitter, Facebook, Instagram in the form of polls / videos / infographics - £150 Contingency - £34 	
Total = £975	

Record of Meeting

Date: 31st October 2023

Present	Deputy Sam Mézec, President Deputy Lyndsay Feltham, Vice President Deputy Catherine Curtis Deputy Steve Luce Deputy Moz Scott Deputy Rob Ward
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Apologies	
Absent	
In attendance	Deputy Karen Wilson, Minister for Health and Social Services [item 2 only] Ruth Johnson, Associate Director of Policy [item 2 only] Tim Oldham, Assistant Greffier of the States (Committees and Panels) Sammy McKee, Committee and Panel Officer Janice Hales, Research and Project Officer

Agenda matter	Action
1. Records of Meetings	
The Committee approved the records of its meetings held on 19th September 2023, 29th September, 5th October and 9th October 2023.	
2. Assisted Dying Briefing	
The Committee welcomed the Minister for Health and Social Services and a Departmental officer to a briefing on assisted dying.	
A private detailed file note was made of the briefing, classified as exempt in accordance with Article 35 of the Freedom of Information (Jersey) Law 2011 (as amended).	
3. Assisted Dying Briefing – Committee Discussion	
The Committee discussed the assisted dying briefing and the possible approaches that could be undertaken by Scrutiny. It was noted that the topic sat across 3 Ministerial Departments:	
 Health and Social Services Justice and Home Affairs Environment 	
It was agreed that a Review Panel be considered in the first instance with at least one representative from each of the respective Scrutiny Panels as members. It was also agreed that the Chair of the Health and Social Services Panel would take the lead on the formation of Review Panel, with a further discussion at the next scheduled meeting on the next steps.	

4. Work Programmes and Activity Reports

The Committee noted the work programme and activity reports from all Panels and Review Panels.

The Chair of the Environment, Housing and Infrastructure (EHI) Scrutiny Panel informed that a discussion would need to be had regarding the recently lodged P.82/2023 – Offshore Wind proposition as it was likely to cut across Departments. It was agreed that this would be discussed in more detail at the Committee's next scheduled meeting.

The Chair of the Economic and International Affairs Scrutiny Panel (EIA) informed that the Panel had been subject to a number of delays in response to correspondence, with particular reference on a letter regarding Jersey Hemp. It was agreed that this would be raised by the President at the next liaison meeting with the Chief Minister on 3rd November 2023. The Chair of EIA also informed that RegTech, a deduction in tax allowance for financial services firms who implement regulation technologies (e.g. client onboarding etc), was contained within the Government Plan and was being led by the Minister for Treasury and Resources. The Chair expressed concern that, whilst the RegTech was tax policy, its impact may have implications on the economy as a whole and that her Panel would be asking questions around the impact on the economy and financial service regulations due to RegTech at its upcoming public hearings on the Government Plan.

The Chair of the Future Hospital Review Panel informed that the Review Panel was due to present an interim report prior to the debate on the Government Plan.

5. Privileges and Procedures Committee (PPC)

The Vice President, as Committee representative to PPC informed that PPC had recently met and amongst other matters had received a briefing on the States Greffe led tracker.

6. Government Plan 2024 - 2027

The Committee discussed the work on the Government Plan 2024 – 2027 and noted that work was progressing with no major issues to raise at this stage.

7. Names and Remits of Scrutiny Panels/Democratic Accountability and Governance

The Committee discussed recent/forthcoming changes to Ministerial titles and the impact these changes might have on current Panel names and remits. The name changes were as follows:

- Minister for Home Affairs → Minister for Justice and Home Affairs
- Minister for the Environment → Minister for Energy and the Environment
- Minister for Economic Development, Tourism, Sport and Culture → Minister for Sustainable Economic Development

The Chair of the Children, Education and Home Affairs Panel advised that the Panel had agreed to amend its title to Children, Education, Justice and Home Affairs (CEJHA). Both the Chair of EHI and EIA informed that they would not be seeking to amend their Panels' titles. It was agreed that this change would be communicated to PPC who would incorporate any changes within related ongoing work within its work programme.

TO/JH

The Vice President, as Committee representative to PPC informed that the Machinery of Government Sub-Committee had recently discussed the

recommendations made within the Democratic Associatehility and Covernance Sub-	
recommendations made within the Democratic Accountability and Governance Sub-Committee (DAGS) report and a number of the recommendations were Scrutiny specific. It was agreed that these specific recommendations be tabled for the next scheduled meeting together with a briefing paper on the next steps and options.	ТО/ЈН
8. Data Protection Incident	
The Committee considered a briefing paper which provided a summary of a data protection incident relating to the private EHI Scrutiny Panel meeting that took place on Wednesday 27th September 2023. The Committee noted that the Jersey Office of the Information Commissioner (JOIC) had investigated the breach and that the parties affected had received an apology and did not wish to take the matter any further. It was agreed that no further action would be taken at this stage. 9. Scrutiny and Public Accounts Committee Proceedings: Code of Practice	
To Committee considered possible revisions to the Code to ensure that was up to date following developments since its original publication. The Committee discussed the main area of concern being that the Scrutiny Proceedings Code required updating to reflect new rules on maximum Panel numbers after previous corresponding changes to Standing Orders. It was agreed that consideration should also be given to clarifying the wording in respect of co-option. The Committee requested that the changes be drafted and presented for its consideration.	то
10. Matters for Consideration requested by Chair of EIA Panel The Committee considered an item from the Chair of the EIA Panel regarding the implementation of P.149/2014 – Freedom of Information (FOI): Extension to Companies owned or controlled by the States which was lodged and approved by the States in 2014 but yet to be implemented. It was agreed that this would be discussed with the Chief Minister at the next liaison meeting with the President on 3rd November 2023.	JH
To Committee also considered the disclosure of business cases relating to Government Plan being presented, possibly in a redacted format, which was a recommendation from the EIA Panel's report of the previous Government Plan, albeit that this had been rejected by Government. It was agreed that this would also be discussed with the Chief Minister at the next liaison meeting.	JH
11. Matter for Consideration requested by the Chair of the HSS Panel	
To Committee considered comments made in the States Assembly on 17th October 2023 by the Minister for Social Security regarding a recently published Scrutiny Report by the Health and Social Security Panel on Income Support Benefits Overpayment. It was agreed that the comments were unreasonable in their framing in the Scrutiny context and that accordingly the President would write to the Minister on behalf of the Committee. Deputy Moz Scott dissented from this decision, proposing that the Chair should speak to the Minister directly. 12. Meeting with SLC President, Vice President and Chief Minister	JH
To Committee noted the file note from the meeting held on 28th September 2023. It was agreed areas of discussion for the next liaison meeting with the Chief Minister on 3rd November 2023 would include:	
 Lateness of correspondence Implementation of propositions (in particular P.149/2014) Transparency in Government 	
Presentation of Business Cases	JH

13. Future Meetings

The Committee's next scheduled meeting was noted for 21st November 2023 at 2pm in Le Capelain Room, States Building.

Record of Meeting

Date: 21st November 2023

Present	Deputy Sam Mézec, President Deputy Lyndsay Feltham, Vice President Deputy Catherine Curtis Deputy Steve Luce Deputy Moz Scott Deputy Rob Ward
Apologies	
Absent	
In attendance	Tim Oldham, Assistant Greffier of the States, Committee and Panels Janice Hales, Research and Project Officer Justine Lepp, Research and Project Officer

Agenda matter	
1. Records of Meetings	
The Committee approved the records of its meeting held on 31st October 2023.	
2. Work Programmes and Activity Reports	
The Committee noted the work programme and activity reports from all Panels and Review Panels.	
The Chair of the Health and Social Security (HSS) Panel informed that the Minister for Social Security had recently submitted the Ministerial Response to its report S.R.1/2023 Overpayment of Income Support Benefits and had accepted just 3 out of the 26 recommendations made in the report. The Chair of HSS informed that he had yet to speak to the Panel on the recommendations and, should it be necessary, would report back to the Committee at its next scheduled meeting. The Committee also noted that it had sent a letter to the Minister for Social Security following comments made within the States Assembly on 17th October 2023 and was awaiting response.	
The Chair further informed that formation of a Review Panel was ongoing in respect of Assisted Dying and an update would be provided at the Committee's next scheduled meeting. It was noted that the proposition was due to be lodged in March 2024.	
The Committee discussed correspondence provided to it by the Chair of the Environment, Housing and Infrastructure (EHI) Panel regarding P.82/2023 — Offshore Wind. The Chair of EHI informed the Committee that the Panel had replied to the Minister for the Environment's letter to say that the Panel would revert back in the New Year to provide an update on the approach by Scrutiny to a review. Cross panel working was discussed with the Committee agreeing that the matter would be discussed further by the Committee in due course.	
3. Privileges and Procedures Committee (PPC)	
The Vice President, as the Committee's representative, informed that PPC had	

recently met and amongst other matters had discussed <u>P.94/2023 Scrutiny panel</u> constitution: <u>Minimum size</u>. The Committee was informed that as part of its ongoing

work programme, the Machinery of Government (MoG) PPC Sub-Committee was reviewing the recommendations made within the Democratic Accountability and Governance Sub-Committee (DAGS) report and the minimum size for Scrutiny Panels formed one of these recommendations. It was the preference of the MoG Sub Committee that Deputy Andrews deferred his Proposition until completion of its work in this area and that this had been communicated to the Deputy. 4. Government Plan 2024 - 2027 The Committee discussed scrutiny of the Government Plan 2024 – 2027 and noted that work was progressing with no major issues to raise at this stage. The Chairs of the Corporate Services Panel (CSP) and Economic and International Affairs Panel (EIA) informed the Committee that both Panels had agreed to lodge amendments to the Plan. The Chair of Children, Education and Home Affairs (CEHA) informed the Committee that her Panel had lodged an amendment regarding funding for Le Rocquier Sports facility. The Chair of EHI indicated that as an independent member. he had been reviewing this area for an amendment and it was agreed that the respective Chairs would engage further on the matter outside the meeting. 5. Democratic Accountability and Governance Sub-Committee (DAGS) The Committee received an update on the DAGS recommendations from the Vice President and was informed that the MoG Sub Committee had completed its initial review of the recommendations and had written to the Chief Minister and Council of Ministers listing a number of requests relating to the recommendations. The Committee discussed a recently circulated briefing paper with recommendations from the DAGS report specific to Scrutiny. The Committee agreed that it was satisfied with the MoG Sub Committee following up on all the recommendations within the DAGS report. It was further agreed that it would respond to the Sub-Committee TO/JH directly in respect of the scrutiny specific recommendations and would therefore discuss the matter further at its next scheduled meeting. 6. P.94/2023 Scrutiny Panel Constitution: Minimum size The Committee discussed the recently lodged proposition P.94/2023 Scrutiny panel constitution: Minimum size. The Committee was conscious that the proposition could potentially encroach onto the work being undertaken by the MoG Sub Committee in its review of the DAGS recommendations. The Committee agreed that it would ask TO Deputy Andrews if he would consider deferring the proposition until such a time as the MoG Sub Committee had completed its work. 7. Correspondence Received The Committee noted the correspondence received from the Chief Minister regarding P.149/2014 - Freedom of Information (FOI): Extension to Companies owned or controlled by the States and agreed to respond asking for further clarity and a proposed timeline. 8. Matter for Consideration requested by the States Member

The Panel considered correspondence received from a States Member regarding barriers to business. It was noted that the correspondence had asked if the Committee would be in favour of the establishment of a Review Panel for this work, however, it was also noted that the States Member had not at this stage contacted the Chair of the relevant Panel under which the remit fell. It was agreed that the

TO

Committee would ask the States Member to contact the Chair of the Panel in the first instance in order for the matter to be considered further.	
9. Meeting with SLC President, Vice President and Chief Minister	
The Committee noted the file note from the meeting held on 3rd November 2023. Areas of discussion for the next SLC President, Vice President and Chief Minister meeting were discussed and which would include opening statements being read by the Ministerial Team at the beginning of public hearings.	
It was noted the date for the next meeting had yet to be agreed and Committee members were asked to forward any further discussion points to the officer.	JH
10. Scrutiny Podcast Initiative	
The Committee considered a briefing paper on a Scrutiny podcast initiative as proposed by the States Greffe. The Committee welcomed the initiative and noted that this and the wider scrutiny public engagement strategy would be discussed further at the Committee's first meeting in 2024, which would be attended by the Head of Digital and Public Engagement at the States Greffe.	
11. Future Meetings	
The Committee noted its next scheduled meeting would take place on 19th December 2023 at 2pm in Le Capelain Room, States Building.	

Record of Meeting

Date: 19th December 2023

Present	Deputy Sam Mézec, President Deputy Lyndsay Feltham, Vice President Deputy Catherine Curtis Deputy Steve Luce Deputy Moz Scott Deputy Rob Ward
Apologies	
Absent	
In attendance	Tim Oldham, Assistant Greffier of the States, Committee and Panels Janice Hales, Research and Project Officer Joseph Brannigan, Research and Project Officer

Agenda matter	Action
1. Records of Meetings	
The Committee approved the record of its meeting held on 21st November 2023. 2. Work Programmes and Activity Reports	
The Committee noted the work programme and activity reports from all Panels and Review Panels.	
The Chair of the Health and Social Services Panel (HSS) expressed concern on a recent transfer of funding from heads of expenditure to a capital project called accelerate delivery of health services. It was highlighted that this came very soon after the Government Plan which had only recently been debated and approved by the States. The Chair of Public Accounts Committee (PAC) also raised concern and explained that this was something that the PAC would look at further.	
3. Privileges and Procedures Committee (PPC)	
The Committee noted the work programme and activity report of the Privileges and Procedures Committee.	
4. Assisted Dying Review	
The Committee was provided with an update by the Chair of HSS regarding the formation of a Review Panel for work relating to assisted dying policy and legislation. It was informed that the Chair of Environment, Housing and Infrastructure Panel (EHI) together with the Chair of the Children, Education and Home Affairs Panel (CEHA) had agreed to join and another member of the States had been approached. It was agreed a further update be given at the next scheduled meeting.	RW
5. Government Plan 2024 – 2027	
The Committee discussed recent work across Scrutiny Panels on the Government Plan. It was agreed that the approach of all panels undertaking work covering their respective remits was the most effective and practical approach. A combination of outputs had been achieved, including Comments and Amendments. A number of common concerns were also identified, which included:	

Lack of information on heads of expenditure Lack of transparency on business cases The approach of Government to value for money savings Inadequate timeframes – including in respect of Government responses to amendments Inadequate provision for public sector pay awards It was agreed that this feedback would be shared with the Chief Minister by the SM/LF President and, where relevant, with the Comptroller and Auditor General by the Chair of PAC. 6. Upcoming States **Business and Democratic Accountability Governance Sub-Committee (DAGS)** The Committee noted the deferral of proposition P.94/2023 Scrutiny panel constitution: Minimum size to March 2024. The Committee considered an updated briefing document regarding the recommendations made within the Democratic Accountability and Governance Sub-Committee (DAGS) relating to Scrutiny. A number of responses were agreed to in respect of the recommendations and the Vice President was requested, as Chair of LF the Machinery of Government Sub Committee undertaking work in this area, to share the responses with the Sub Committee at its next meeting to help inform its deliberations. It was further agreed that a number of associated updates could be TO/JH made at this time to the Code of Proceedings for Scrutiny Panel and the PAC. Once re-drafted the revised Code would be sent to the Committee for consideration and approval of the proposed amendments. 7. Correspondence Received To Committee considered correspondence received from the Chair of PPC regarding compulsory membership for States Members on Scrutiny Panels and Committee. It SM/TO/ agreed to write to the Chair of PPC outlining why it was not in favour of such a JH recommendation. To Committee considered the correspondence received from the Minister for Social Security regarding S.R.1/2023 Overpayment of Income Support Benefits and noted that the letter had been uploaded to the website and no further action would be required at this time. To Committee considered a letter from the Chair of the EHI Panel regarding membership of the Future Hospital Review Panel (FHRP) stating that there would no longer be a representative of EHI on the FHRP due to ongoing work commitments. It was agreed that the President would discuss membership with other States SM Members in due course. 8. Change of Ministerial Title The Committee noted that an amendment to Standing Orders had been presented to the States regarding changes to Ministerial titles, and recalled that should it be adopted the CEHA Panel would be renamed the Children Education, Justice and Home Affairs Panel. 9. Meeting with SLC President, Vice President and Chief Minister

The Committee noted that the next SLC President/Vice President and Chief Minister meeting would be on 10th January 2024. In additional to Government Plan, it was agreed that feedback would be provided in respect of:

Ministerial misunderstandings of Scrutiny, including the tone and context of recent comments made in the Assembly

 Underwhelming/incomplete official Ministerial Responses to Scrutiny reports 	SM/LF
The importance of access to the Government's up to date Legislative	
Programme (and similar such documents)	
10. Future Meetings	
It was agreed that he Committee's next scheduled meeting would be held on 23rd	
January 2024 at 2pm in Le Capelain Room, States Building.	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Date: 21st December 2023

Present	Deputy Sam Mézec, President
	Deputy Lyndsey Feltham, Vice President
	Deputy Steve Luce
	Deputy Moz Scott
Apologies	Deputy Catherine Curtis
	Deputy Rob Ward
In attendance	Deputy Kirsten Morel, Minister for Sustainable Economic Development
	Richard Corrigan, Chief Officer, Department for the Economy
	Ben Jehan, Private Secretary to the Minister for Sustainable Economic
	Development, Ministerial Office
	Janice Hales, Research and Project Officer

Agenda matter	Action
1. Condor Ferries and Supply Chain Resilience	
The Committee met with the Minister for Sustainable Economic Development and the Chief Officer of the Department for the Economy to discuss the recent media articles regarding Condor Ferries and the supply chain to the Island.	
The record of this meeting was classified as exempt in accordance with Qualified Exemption Article 33 of the Freedom of Information (Jersey) Law 2011 (as amended).	