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COUNCIL OF MINISTERS

(134th Meeting)

(Business conducted by electronic mail)10th September 2021**PART A (Non-Exempt)**

All members were present, with the exception of Senator L.J. Farnham, Deputy Chief Minister and Minister for Economic Development, Tourism, Sport and Culture, Deputy G.C.U. Guida of St. Lawrence, Minister for Home Affairs, Deputy R. Labey of St. Helier, Minister for Housing and Communities, Deputy J. H. Young of St. Brelade, Minister for the Environment, Deputy K.C. Lewis of St. Saviour, Minister for Infrastructure, Deputy C.F. Labey of Grouville, Minister for International Development and Deputy S.J. Pinel of St. Clement, Minister for Treasury and Resources, from whom apologies had been received.

Senator J.A.N Le Fondré, Chief Minister
 Senator I.J. Gorst, Minister for External Relations and Financial Services
 Deputy R.J. Renouf of St. Ouen, Minister for Health and Social Services
 Deputy J.A. Martin of St. Helier, Minister for Social Security
 Deputy S.M. Wickenden of St. Helier, Minister for Children and Education

In attendance -

Connétable R.A. Buchanan of St. Ouen, Assistant Chief Minister
 Deputy L.B.E. Ash of St. Clement, Assistant Minister for Treasury and Resources
 Deputy R.E. Huelin of St. Peter, Assistant Chief Minister
 P. Bradbury, Head of Ministerial Offices, Office of the Chief Executive
 K. Slack, Clerk to the Council of Ministers

Note: The Minutes of this meeting comprise Part A only.

Chief Executive Officers – recruitment process (P.73/2021) – Comments.

A1. The Council of Ministers, with reference to Minute No. B1 of its meeting of 7th September 2021, recalled that a Proposition, entitled ‘Chief Executive Officers – recruitment process’ (P.73/2021) which had been lodged ‘*au Greffe*’ by Deputy K.F. Morel of St. Lawrence, asked the States Assembly to request the States Employment Board (‘SEB’) to halt the recruitment process for a new Chief Executive Officer (‘CEO’) and instead to extend the current Interim CEO’s contract until a date after the elections in June 2022, pending the completion and publication of a review into the appointment process for the former CEO.

The Council received draft Comments relating to P.73/2021 in which it recognised that it was the duty and responsibility of the SEB to undertake the recruitment to the CEO position, as set out in Article 26AA of the Employment of the States of Jersey Employees (Jersey) Law 2005. It considered that a lawful process had been undertaken, in that an offer had been made and accepted and Heads of Terms exchanged and agreed before P.73 had been lodged and was of the view that the SEB should not be requested by the States Assembly to go against the requirements of the 2005 Law, as it should not be asked to act in a manner contrary to the Law. It further held that the CEO position

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should remain apolitical at all times and P.73 risked politicising the role and introducing a fundamental uncertainty in respect of senior recruitment processes, which was detrimental both to the public service and the Island.

Deputy R.E. Huelin of St. Peter, Assistant Chief Minister, asked that the Comment include reference to the Assembly having, by standing vote, approved changes to the Law, which the SEB was now following. Senator I.J. Gorst, Minister for External Relations and Financial Services requested that the Comment include reference to the late stage of the appointment process, including the sharing of Heads of Terms, which would make change difficult.

The Council accordingly approved the draft Comments and instructed officers to arrange for them to be presented to the States Assembly.