

COUNCIL OF MINISTERS

(92nd Meeting)

19th July 2011PART A

All members were present, with the exception of Deputy I.J. Gorst, Minister for Social Security and Deputy A.K.F. Green, M.B.E, Minister for Housing, from whom apologies had been received.

Senator T.A. Le Sueur, Chief Minister
 Senator P.F.C. Ozouf, Minister for Treasury and Resources
 Senator A.J.H. Maclean, Minister for Economic Development
 Senator B.I. Le Marquand, Minister for Home Affairs
 Connétable M.K. Jackson of St. Brelade, Minister for Transport and Technical Services
 Deputy R.C. Duhamel, Minister for Planning and Environment
 Deputy J.G. Reed, Minister for Education, Sport and Culture
 Deputy A.E. Pryke, Minister for Health and Social Services

In attendance -

J. Richardson, Interim Chief Executive, States of Jersey
 J. Marshall, Strategic Planning Manager
 M.N. de la Haye, Greffier of the States
 I. Clarkson, Clerk to the Council of Ministers

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

Scrutiny:
 engagement
 with
 Chairmen's
 Committee
 1444/5(4)

A1. The Council, with reference to its Minute No. A2 of 24th March 2011, recalled that it had committed to meet regularly with the Chairmen's Committee to discuss the working relationship between Ministers and Scrutiny Panels and the Public Accounts Committee.

The Council attended a meeting of the Chairmen's Committee, at which the following were present –

Senator S.C. Ferguson, President, Chairmen's Committee and Chairman of the Corporate Services Scrutiny Panel
 Deputy R.G. Le Hérissier, Chairman, Education and Home Affairs Scrutiny Panel (for a time)
 Deputy C.F. Labey, Chairman, Economic Affairs Scrutiny Panel
 Deputy P.J. Rondel, Chairman, Environment Scrutiny Panel
 Mrs. K. Tremellen-Frost, Scrutiny Manager, States Greffe

Apologies were received from Deputy G.P. Southern, Chairman, Health, Social Security and Housing Scrutiny Panel.

The President of the Chairmen's Committee chaired the meeting, at which the following topics were discussed.

The Transfer of Scrutiny Members to Executive Positions

The meeting acknowledged that the transfer, at short notice, of several former members of Scrutiny to Assistant Minister positions within the Executive had impacted upon rates of progress on several reviews undertaken by Scrutiny Panels. Permitting Assistant Ministers to serve on Scrutiny Panels reviewing matters falling outside the relevant Assistant Minister's portfolio emerged as a possible method of alleviating the problem. In this connexion, the Chairmen's Committee agreed to consider whether it would be prepared to endorse the principle of Assistant Ministers serving on Scrutiny Panels or Scrutiny Sub-Panels in the knowledge that a suitable amendment to Article 48 of the States of Jersey Law 2005 would be required to facilitate the same and that a further amendment to Article 25(3) of that law might also be needed to reflect any consequent evolution in the role and structure of Scrutiny. In the intervening period and pending confirmation of the view of the Chairmen's Committee, the Chief Minister instructed his department to consider the broader implications of amending Article 25(3) of the States of Jersey Law 2005.

The Inclusion of Scrutiny Reviews in Executive Work Programmes

The Chairmen's Committee apprised the Council of its concern that the work programmes of certain Scrutiny Panels had been compromised by a tendency on the part of executive departments to provide insufficient data on, and/or insufficient notice of, emerging policy projects. As an example, it was submitted that the Economic Affairs Scrutiny Panel had been given an unacceptably short period of only 5 working days by the Minister for Economic Development to comment on the draft Economic Growth Strategy, which contained significant and complex policy proposals. The Council noted the concerns expressed and reaffirmed its commitment to ensuring that all Scrutiny Panels were suitably briefed on departmental work programmes through the provision of relevant departmental business plans on an annual basis and through the offer of quarterly update briefings from relevant Ministers.

In addition, the meeting noted paragraphs 10.3 and 10.10 of the Code of Practice for Scrutiny Panels and the Public Accounts Committee, both of which related to the advance provision of information concerning areas of questioning.