



Corporate Services Scrutiny Panel

Quarterly Hearing

Witness: The Chief Minister

Monday, 25th June 2021

Panel:

Senator K.L. Moore (Chair)
Senator T.A. Vallois
Connétable R. Vibert of St. Peter
Deputy S.M. Ahier of St. Helier

Witnesses:

Senator J.A.N. Le Fondré, The Chief Minister
Mr. P. Martin, Interim Chief Executive
Mr. M. Grimley, Group Director, People and Corporate Services
Mr. J. Quinn, Chief Operating Officer
Mr. A. Khaldi, Director, Public Health Policy

[10:00]

Senator K.L. Moore (Chair):

We will start with the introductions as normal. Normal hearing standards apply today and fortunately we are all here in person. We particularly welcome Mr. Khaldi to the Island.

Director, Public Health Policy:

Thank you. We have not met in person before, have we?

Senator K.L. Moore:

No, we have not. I am Senator Kristina Moore and I am the chair of this panel.

Senator T.A. Vallois:

Senator Tracey Vallois, member of the panel.

Deputy S.M. Ahier of St. Helier:

Deputy Steve Ahier, a member of the panel.

Connétable R. Vibert of St. Peter

Constable Richard Vibert, a member of the panel.

Director, Public Health Policy:

Alex Khaldi, director of public health policy.

Group Director, People and Corporate Services:

Mark Grimley, group director for People and Corporate Services,

The Chief Minister:

Senator John Le Fondré, Chief Minister.

Interim Chief Executive:

Paul Martin, interim chief executive.

Chief Operating Officer:

John Quinn, chief operating officer.

Senator K.L. Moore:

Following the release of the 2020 annual report and accounts, the panel have noticed and received several confidential submissions from civil servants. They note that the payment to the former chief executive has come as: "Yet another blow to trust, morale and confidence in the ability of leadership." What are going to do, Chief Minister, to address the concerns of staff and to ensure that there is no lasting cultural impact?

The Chief Minister:

I think we have covered a lot about what we are doing on addressing the culture of the organisation as a whole and dealing with morale and improving matters at our last hearing last week, so I think I will stand by those comments.

Senator K.L. Moore:

Do you consider that there is work to be done to restabilise the organisation following the events?

The Chief Minister:

Certainly the events of November. There was a lot of uncertainty and we did take some actions to stabilise and talk to key Members. I think the events have moved on. I think the organisation is in a ... when I “reasonably stable place”, that is just bearing in mind we are still dealing with the impacts of the pandemic and the sheer impact on volume of workload that is happening on everybody as a result. Obviously there will be further consequences as a result of that. Yet again, and I genuinely mean it, I have to pay tribute to all the teams, ultimately we all lead, who have brought us to the place we are in today.

Senator T.A. Vallois:

Chief Minister, from the experiences we have seen not just over the last 12 months but previously with regards to the role of the chief executive, do you believe there to be any issues with regards to line management of that role?

The Chief Minister:

When you say “line management”, do you want to clarify what you mean?

Senator T.A. Vallois:

For example, they are the chief executive officer, they are the principal accountable officer, they are the head of the public service, they advise the Council of Ministers, they advise the States Employment Board, they are also technically your chief officer, as Chief Minister. Is there an issue, do you believe, with the line management? Because they would line manage all the director generals, as an example. But who line manages the chief executive?

The Chief Minister:

Ultimately, as you know, we have done an individual performance review of the permanent chief executive as part of that whole performance appraisal. Ultimately as a combination of myself and the S.E.B. (States Employment Board), that if there were issues with the chief executive it would be where it would land. Obviously the chief executive also has a level of accountability towards P.A.C. (Public Accounts Committee).

Senator T.A. Vallois:

I understand that. From my role on P.A.C. as well, with this of course we have questioned officers directly with regards to how certain lines of management do or do not work. I just wanted to hear from yourself, as Chief Minister, and also as the chair of the States Employment Board, are the processes and the provision of the appropriate line management, in your view, satisfactory or could there be improvements to what we are seeing at the moment or what we have seen historically?

The Chief Minister:

I am sure with everything there can always be improvements.

Senator T.A. Vallois:

Do you think having somebody outside doing performance appraisals on the chief executive is appropriate or do you think there should be a more rigid and more expected role of the States Employment Board, and yourself, to ensure that there is consistency in that performance appraisal, no matter who is in the role?

The Chief Minister:

In terms of the consistency of the performance appraisal, I do not think there are any issues around that. It is important that whoever does that performance appraisal is independent and we have to bear in mind that, as far as I am aware, it is the first time that an external person had been brought in to do that work. As I said, I am sure there will always be areas for improvement and I would imagine that would all come together as part of the work that has been - I think Mark in the past has alluded to and I am sure he will be delighted to elaborate, if you want him to - a lot of the work that obviously will be taking place under, looking at the Appointments Commission and then looking at the role of S.E.B.

Senator T.A. Vallois:

In terms of the States Employment Board, do you have an independent member who assists and advises? What role, if any, because it is not explained or described in the Employment of States of Jersey Employees Law, would you envisage they play, if any, with regards to performance of the chief executive?

The Chief Minister:

You will know full well the value of that individual person and I think their professional experience has been invaluable to both this S.E.B. and previous S.E.B.s but if it was felt ... I am not entirely sure it would be appropriate for them to have the kind of formal evaluation role but they would ... they are effectively, although a non-voting member, as a full-time attendee of S.E.B. I am not entirely sure it would be appropriate for them to have a formal role in the evaluation of the C.E.O. (chief executive officer). However, in discussions that S.E.B. would have, it would be entirely appropriate for them to give their professional opinion.

Senator T.A. Vallois:

Just in terms of, because I am trying to understand this line management role because I would imagine ... and I know it is probably difficult politically as that potential line manager, even if you do

have the independence of the performance appraisal, the day-to-day things like managing conflicts of interest or ensuring that the same principles and the same expectations apply to our most senior officer is the same that is applied across the board for all our States employees. How is that managed? I would imagine there is a bit of an issue with, for example, director of People and Corporate who has to report to the chief executive having to advise you about their boss.

The Chief Minister:

I think that has been managed exceptionally professionally and objectively, I would suggest. Given we are getting into what I call the operational territory, do you want to comment now?

Group Director, People and Corporate Services:

As this is a public hearing, I will just do a small explanatory for people who may not understand. The chief executive officer is the chief executive officer to the Council of Ministers. That heads up effectively the public service. But the public service extends across the States. There is also the principal accountable officer set out in the Public Finance Law. So there are a number of roles that are set out in different pieces of legislation and this is where I think, Senator, you are suggesting that each of those require slightly different management perspectives. To the Council of Ministers where the chief executive reports and advises them, the States Employment Board who employs the chief executive officer and appoints the chief executive officer as a head of public service. Then the Public Finance Law, which sets the role of the principal accountable officer, which is held by the chief executive through multiple facets. In terms of the States Employment Board, they are the employer and they are responsible for the employment of the chief executive. Ultimately responsibility sits with them, as we saw at the back end of last year where decisions were taken by the States Employment Board and not by the Council of Ministers even though the Council of Ministers expressed views. In terms of the relationship of the independent adviser, you are right; I report into the line management, through the chief operating officer, into the chief executive. There are potential conflicts in that advice. That is why in the 2005 Employment Law the independent adviser - there are up to 2 independent advisers - can provide that advice without potential conflict of that line management. That is how we deal with that conflict. The current adviser is unafraid to give her views. The independent appraisal of the chief executive is seen as best practice because there are some organisations who do this internally but where you are looking at the performance of an organisation through an individual it helps that somebody can gather the evidence in order for the employer, in this case the Chief Minister and the States Employment Board, to have an objective 360-degree view of their performance rather than just a one-to-one conversation.

Senator T.A. Vallois:

I appreciate that, I understand all that from a P.A.C. point of view as well. I was just trying to understand from yourself, Chief Minister, if you believe that process is satisfactory or whether there

is any feedback, from your point of view as Chief Minister, which I think is quite important because you have a close working relationship with the chief executive. Anybody that goes into the role as Chief Minister will have a close working relationship with the chief executive. It is just understanding, from your point of view, whether there are things from what you are seeing there could be improvements with and, if so, what they would be and whether that would be in the Employment of the States of Jersey Employees Law or code of practice or beefing up the role of the independent adviser. I am just trying to understand, from your point of view as Chief Minister, whether you see any improvements that need to be made from those particular ...

The Chief Minister:

From my perspective, both the interim and the previously permanent C.E.O. have always acted exceptionally professionally. From that perspective, I felt that relationship has worked very well. What I would say, as I have said just now, I am sure there is always room for improvement and I think, to an extent ... obviously you, Senator, are chairing a review into the structures, as it were, and also we will be waiting for the outcome from the P.A.C. hearings that have been going on. Obviously if there are recommendations that come through we will look at them. That is the comment, is to an extent I am still delicately trying to avoid stepping into the difficulties we had of last year and bearing in mind that obviously what we are looking at are the operational relationships, et cetera, which I think come out of the review of the work that is going on at the moment. That is not just a matter for me, it is also a matter for obviously the relevant bodies, such as P.A.C. to give their feedback. We have seen from the C. and A.G. (Comptroller and Auditor General) some of her comments and also take on board the comments of the S.E.B.

Senator T.A. Vallois:

Just in terms of deputisation; so chief executive, should they fall seriously ill, incapacitated for whatever reason, how is the communication and understanding from not just those in terms of the director generals that serve with them but politically, the Council of Ministers and Assistant Ministers, aware that who is deputising for the chief executive and how does that work?

Interim Chief Executive:

There is a system in place which means that on any given day there is a designated director general member of the E.L.T. (executive leadership team) who will step into the chief executive's role in the event he or she is not there, like for reasons of annual leave or absence from the Island or any other purpose. So every day, including today, there will be a designated individual who would step into the role at that point.

Senator T.A. Vallois:

How is that communicated if that is the case? So you might not be aware that the chief executive officer is on holiday as a Minister in another area, or as an Assistant Minister especially because they do not come to Council of Ministers' meetings and things like that, so how are you made aware so you know who to go to if something is more serious or a Minister has an issue with working relationships or whatever that might be?

Interim Chief Executive:

In my time as the interim chief executive that has not arisen because I do not think there has been a day since I was appointed that that has taken place. But I think in terms of planned annual leave, which it normally would be, there would be a prior notification and indeed authorisation to the Chief Minister's office and communication to the Council of Ministers from there.

Senator T.A. Vallois:

Just on the point of the States Employment Board, in terms of their policies and procedures, what are the States Employment Board's responsibilities with regards to things like the public finances manual and the Public Finances Law?

The Chief Minister:

The S.E.B.'s responsibility to the public finances manual?

Senator T.A. Vallois:

Yes. If they have any.

The Chief Minister:

I will have to look at Mark on this one operationally.

Group Director, People and Corporate Services:

The public finances manual is issued by the Minister for Treasury and Resources so it goes down the Treasury route. Within the policies and procedures that are set by the States Employment Board we would consult to the Treasury. If there are specific areas where we are changing, so for example we have talked about pay awards recently, we have talked about a number of contractual issues, we have a duty under the Public Finances Law to consult with Treasury and Exchequer. There were, in the previous C. and A.G. report from 2018, anomalies between the operations of the States Employment Board and the compliance with the Public Finance Law and the public finance manual as issued. I have now joined, as an officer, the working group that drafts the public finance manual to make sure that we rely on the 2 now.

[10:15]

Senator T.A. Vallois:

The reason why I ask the question is because this is the first time we have had an audited opinion on our accounts so that is why I am asking yourself as the Chief Minister, chair of the States Employment Board, how we are making sure our policies and procedures are up to scratch and that we are following what we expect all our director generals and our chief executive, as the States Employment Board as a body, are following the same rules and expectations.

The Chief Minister:

As you will be aware, in relation to that opinion, we have issued at least 2 statements from recollection on that matter and it states the position of the S.E.B. very clearly in that. Obviously I will refer you to those.

Senator T.A. Vallois:

I appreciate that, all I am saying is that this is the first time we have had that and it is about a technicality with regards to special payments or irregular payments, and that is defined in the public finance manual and I just wanted to make sure you have taken that on board and we are moving forward and that will not happen again.

The Chief Minister:

We are absolutely taking it on board. I would make the point, as it has been raised, I obviously refer you to the statement we have issued previously on the matter. But as we said all the way through, and indeed the Treasurer of the States has confirmed, his perspective on that is that during that whole process we were taking professional advice on all areas and the professional advice was from the very people that the Treasurer would have ordinarily gone to. The perspective of the Treasurer of the States - and he has said this publicly - was that from his perspective the reasons the manual was put in the way it was, was to ensure that at the right level, but in his view further down the chain, that advice was taken. What happened was that essentially the route to get the advice was short cut, it was not us to Treasurer to the professionals. It was us to the professionals and then back to the Treasurer. Obviously the Minister for Treasury and Resources was party to that whole position. I do not think we need to go into the ins and outs of that but obviously the auditors took a different view to the perspective of the S.E.B. and the professionals on it.

Senator T.A. Vallois:

Lastly and briefly, with regards to the payment you did advise the State Assembly last year that the chief executive would be receiving the contractual entitlement and no more. We have seen from the C. and A.G. report that that may not be the case because there is a slight differentiation between what is the entitlement, is not the entitlement, there is a special wording - I cannot remember off the

top of my head - but is that not an issue? You are accounting to the States Assembly one thing and we are seeing through a C. and A.G. report that is not necessarily correct?

The Chief Minister:

I fully expect that to be covered in the hearing we will have with P.A.C. and I would suggest that the relevant professionals are considered. The advice we were given at that time, and which remains the advice, is that what I said was consistent with what we had been advised.

Deputy S.M. Ahier:

I will move on to COVID-19 strategy, communication and decision-making. Chief Minister, recent policy changes in the Government's response to the COVID-19 pandemic appear to have been inconsistent and have frequently changed. Could you clarify why the policy changes are being applied inconsistently in relation to events, travel, financial support and isolation practices?

The Chief Minister:

Perhaps you could clarify what do you mean by "inconsistency"?

Deputy S.M. Ahier:

Rapid changes in applying numbers of people gathering and such like; certain events have been allowed to go ahead with 500 people, others have been prevented from going ahead with 50 people. There are plenty of inconsistencies in the policy.

The Chief Minister:

The argument is it is not an inconsistency, we are dealing with different areas. There is a difference between what we called - and I will happily hand over to Alex to give a lot of the detail - controlled events and uncontrolled events. The example we have consistently used, if you talk about the large event that was held last week - or earlier this week, I have forgotten now - the point was it was in a large venue, the venue was not in any shape or form using its capacity. There were external people there who were basically overseeing and controlling the flow of people. It was a seated event. My understanding is that most, if not all, people going in were temperature checked, there was hand sanitiser everywhere, there were good contact tracing details involved and it was a one-off event. I understand the public perception, there is no question, but the difficulty is, is that if one is looking then at household gatherings, which are uncontrolled events, number one is there is not anybody external who is going to be saying: "You have to remain seated, you cannot be standing up drinking a glass of wine or a beer" or whatever it is. Yes, you will hopefully know who you have in your house but it is the rigour of the things like the wipe down of surfaces and things like that. Is it always a seated service? What is the ventilation like? There are a whole range of areas. Also one might be talking about, from an individual's perspective, they only want a gathering of 21 people, shall we

say. If we have 20 of those that is 420 people gathering in an uncontrolled way. It is the wider context within the community. That is on the event side. In terms of financial support, I am not aware that we are being inconsistent but I will say that - and it can be said publicly as well - we have asked officers to look at the position. Obviously much of the support is about to finish at the end of this month and there will be paperwork coming back very rapidly next week, if not today, which will be looking at, in some shape or form, extending the support because we recognise the difficulties that certain industries are continuing to face. In terms of travel, I think the only thing you can sum up on this is this continues to be a very fluid environment, a very dynamic environment. Things change and things change rapidly. We have had to deal all the way through with things changing and things being different to what one anticipates and having to respond to that quickly. From the perspective of we are dealing with a pandemic, we are dealing with data and research that will emerge because it is still a learning position all the way through in terms of dealing with the differences in the situations we are facing. For example, the difference between now and where we were in November, for example, obviously a significant proportion of Islanders are fully vaccinated. That then impacts about your proportionality about what measures you can put in place. Obviously, as we have said, in that territory then ... I will come back to travel inconsistency. I think that is what we need to understand. But in terms of then obviously taking account of the evolution and the really good progress we have made on vaccinations, that is when you can then look differently at the isolation requirements. But that is an evolving process as things change on a week-by-week basis. Could you clarify what you meant by inconsistency in travel?

Deputy S.M. Ahier:

Well the travel areas are changing all the time.

The Chief Minister:

But so are the rates in the United Kingdom; that is the problem. We have moved to a country basis of evaluation with the emergency brake in place. But what has certainly become very clear over the last few weeks is that there are a lot of areas in England particularly where they are seeing the numbers increase swiftly. That is not a change in the policy necessarily but it is a change in the circumstances of what we are seeing in those individual areas. As one sees these things, accepting that those changes can cause uncertainty because if you are in an area that is suddenly green ... we are seeing it with the United Kingdom, for example, and how they have evaluated, I will say, Portugal. One minute you could travel there, one minute you could not. Now I think it is back on the green list, if I have understood it. You are seeing this is changing almost day by day by putting in the policy that we have done around the country classification. We are hoping that will smooth changes but also then the policy of the double vaccinated and the isolation policy around that. That should give a worst-case scenario level of stability. In other words, if you are double vaccinated you know where you stand.

Senator K.L. Moore:

Could you just describe what your objective is for approaching travel policy with regard to COVID because now that we do have such a high level of people vaccinated in the community do you intend to set a different policy? Because at the moment you have just talked about smoothing rules but they are anything but smooth at the moment. In the last week they have changed several times for particular groups and it is becoming very difficult to understand it or to have a coherent understanding of what the rules are from one day to the next. The question is: what is your objective and are you going to change it?

The Chief Minister:

Just to be able to answer your question there are 2 points. I would like you to just clarify what you mean about the changes in the policy for certain groups.

Senator K.L. Moore:

You should know that, Chief Minister.

The Chief Minister:

If you could elaborate ...

Senator K.L. Moore:

You have a technique of deflecting and I would simply like you to answer the question. It is quite clear. What is your objective with regards travel policy?

The Chief Minister:

There are 2 points I wish to make and then I will get to the objective. The 2 points are when I refer to "smoothing" I am talking about the fact that the rates, if one is looking at individual rates and individual areas, the numbers are going up significantly. If one puts it down to country level, hopefully that will smooth out the changes in individual areas, so you will get an average rate across the country and that will probably be a more appropriate way of assessing the risk that comes in. The reason I was asking your question, you made a statement that there have been changes in policy that have affected individual groups. Now is it a change in policy or is it a fact that the rates have been changing? Because, for example, my understanding is that we have not particularly changed the ... sorry, that is why I was just wanting to understand what you meant by that because then I can answer your question.

Senator K.L. Moore:

If you consider perhaps you are a family group, 2 adults who have both been double vaccinated but then they have a member of the family who is over 18, and not vaccinated obviously, and then 2 children who are under 18. For family groups such as that, in the last week or so there have been several changes that one minute they could not travel to, say, Scotland because it went red. Then a couple of days later it was decided the parents could travel but the children could not. Then a day or so later the under-18s could have also travelled to the red region but the over-18 could not. If you put yourself in the shoes of that family, the policy has changed at least 3 times and caused them to be uncertain as to whether they could or could not travel to that region.

The Chief Minister:

That helps, you see, because that clarifies the areas we are trying to cover. The principles we had, we are seeing numbers significantly increasing in certain areas but equally in the context of, both as an Island and with the United Kingdom, increasingly good and significant vaccination rates. So each time, as this has been evolving, essentially we looked at, for example, S.T.A.C. (Scientific and Technical Advisory Cell) to give us some policy options, and also looking at consistency as well about how it is being applied from other jurisdictions. So the original ... when I say the easier - I am looking at Alex here in terms of if it is the right terminology - step one on that was about adults who had been fully vaccinated. Step 2 was to then assess, okay, we did say at that point we would be coming back as soon as we could with a policy around children, which is what we did. That is where we are. The third point is the consequence that essentially if you are above 18 and have not been vaccinated you are still captured by that original policy. So it is a recognition of as rates have been changing but also as some of the data has been changing and this is a constantly dynamic position. Part of that as well is trying to recognise, respond swiftly and also recognising, yes, as when Scotland, for example, went red, there were lots of people saying: "I have been fully vaccinated and I should be able to travel there."

[10:30]

Senator K.L. Moore:

Indeed, so this is why the question is, what is your objective? Is your objective to protect Islanders and how has that changed, given that we now have a significant proportion of the Island double-vaccinated and indeed one could say almost everybody who is vulnerable to COVID is double-vaccinated? What is your objective? Is your objective to ensure travel routes? Is it to protect the hospitality industry? Is it to protect vulnerable people? How has that changed in light of the significant proportions who have now successfully been double-vaccinated?

The Chief Minister:

I think the policy remains the same, which is about suppression and ensuring that the health services do not get overwhelmed and then to the wider context of protecting lives and livelihoods. But the change that we have had in the last, I would say, 6 to 8 weeks or probably longer than that, is the significant impact of the delta variant and how that is evolving through. It is just making sure that we understand as well as we can what the impact is on those who have not been vaccinated. But, as you are rightly saying, they are in the lower age groups and, therefore, the impact should be less. It is ...

Senator K.L. Moore:

We see that, so we have nobody in hospital at the moment with COVID, despite having just shy of 100 positive cases in the Island. The U.K. (United Kingdom) - and obviously they have a significant level of vaccination as us - are now reporting that they have had more deaths in this month due to flu, regular flu and pneumonia, than they have COVID. That is naturally a time to reconsider policies and objectives in light of the pandemic because it is in a different place to that which it was last year.

The Chief Minister:

Yes. We are evolving that policy as we can firm up on the data. There is more and more information coming out from the data, literally almost every day, and it is making sure that then we can have some informed discussions and decisions that come out of that; to date that is where we now have got to. Our next step is understanding the isolation requirements for children who are direct contacts for the schools; that is a piece of work that public health have been tasked with. I anticipate it is going to S.T.A.C. on Monday and we will be meeting as swiftly as possible after that to consider but it is complicated. As I said, each time we are dealing with those significant areas with a whole view of, as I have said, maintaining and protecting Islanders but in the context of lives and livelihoods. Do you want to add anything?

Interim Chief Executive:

I think they are very informed questions that you raise and I think that at the level of sort of individual families, it is, without doubt, a confusing picture and it is just as you described it. What I believe is informing Ministers in terms of their policy goals is that there is minimisation of harm, particularly serious harm, at the same time as having a regard for the inhibition on liberty that these measures have caused and the economic damage as a consequence. I think that is it balancing these various factors that I have seen Ministers and public health colleagues wrestle with. It is an overall package, I think, at any one point in time. As the Chief Minister says, the situation fluctuates almost from day to day in terms of the nature of the risk and that currently of course we are most concerned about those people who are unvaccinated and that number is diminishing every day. But that remains a risk to Islanders that, as the Chief Minister has said, public health officials and S.T.A.C. are sort of balancing at the moment what that means in practice. But I think that the policy goal, as I have seen

it since I have been here, has always been about the minimisation of harm, particularly serious harm and, at the same time, having a regard to the exception of inhibitions on liberty and also on the economic impact on Islanders. Possibly the director of public health wants to come in at this point but I think the big picture is over a period of time things continue to improve. The vaccination programme is incredibly successful and the Island is every day, I think, in a better place but the risk has not yet been eliminated.

Director, Public Health Policy:

I would be very happy to come in. I think that last point is the key one, the situation does continue to improve. But I think the Chief Minister is quite right to point out the delta variant and of course now we have the delta-plus variant to consider as well, so there are dangers ahead, which we need to be very mindful and cautious of. My encouragement to all involved is not to look at our grappling with COVID in a binary way. Once we have, of course, vaccinated the majority of adults in the population, we will be in a much stronger position but it does not yet mean that we are in a position to relegate the issue of COVID-19 sort of further down the list of priorities. It will continue for at least a couple of years, I think, to be a significant priority for the Assembly and for Ministers to wrestle with. What I would say about the question of consistency, which ties in with objectives that we are trying to achieve, one of the great advantages of Jersey is that we are able to act more nimbly as a jurisdiction than perhaps larger jurisdictions like, for example, the United Kingdom. While the rules are complicated, but they are complicated the world over, it is not particular to Jersey, what we have been able to achieve through the COVID status certification scheme is a very positive policy much sooner than most other jurisdictions have been able to do. Of course that policy is allowing, to Paul's point about the balance of harms, for more people to travel to see loved ones in the United Kingdom and elsewhere within the C.T.A. (Common Travel Area) than otherwise would have been the case. Of course it brings complexity. Where I have had my dosage of vaccine, have I had the right vaccine? What is my 14-day travel history? What are the permutations in relation to travel to areas that are green, amber or red? All of that has to be taken into account as individuals navigate for the purposes of connection elsewhere the travel system. But it has delivered more connectivity and more safe connectivity as a result of working with that complexity, to try and deliver benefits to Islanders over recent weeks.

Deputy S.M. Ahier:

Thank you. Do you intend to launch an independent public inquiry into the Government of Jersey's handling of COVID-19 in order to provide a comprehensive understanding of both the successes and the lessons to be learned from the pandemic?

The Chief Minister:

My observation is I am certainly not intending to do that until we are out of the pandemic. I think we need to find out but just wait until we get to that point. We will have to understand what the cost implications are or whether there is an alternative way of achieving the same aim, which is, essentially, lessons and exercise. Obviously a public inquiry of that scale ... obviously the Care Inquiry did end up costing many 10s of millions of pounds and one has got to make sure that if there was a public inquiry it was properly budgeted for and properly costed. But from the point of view of whatever it is that there should be some form of review that objectively and independently identifies what was done well, what could have been done better, I think not only in a Jersey context but in comparison to internationally, I am sure we would all welcome that. What I would say the likelihood is that that would probably go longer than this present electoral term, that if there are Members who have been involved, whether from Executive or non-Executive side, it is very important that they are given the proper resources to access their records and things if they stop becoming a States Member. I think that is a lesson which has been learnt from previous inquiries.

Senator T.A. Vallois:

Can I just follow that up, when you say we are out of the pandemic, what do you mean out of the pandemic? Does that mean when it moves to endemic status, when it moves to whatever other medical terminology there is in terms of these things? But what does end of pandemic look like for us?

The Chief Minister:

I think that is a fair comment. For me, that is when it is going to, what I will call, more business as usual, that we are, essentially, dealing with it as almost like the flu and, essentially, that the health risk has diminished to being consistent to that or shall we say a flu level? There is also taking account of what is happening around the rest of the world. Your unknowns ahead and I am putting aside economic challenges because that is another crystal ball which we do not know if that is going to happen or when. But in terms of our steps, the Jersey and the Crown Dependencies are in good positions. The United Kingdom, I would suggest, is in a good position and Europe will be in a better position, I am talking about vaccination rates and things like that, in, I would say, relatively short order but during the course of this year. It is the wider context then and the other concerns, I suspect, will be things like new variants emerging, et cetera. However, that also means we are already planning for a boosted programme to come through. I think the anticipation is kind of the third quarter of this year; that is indicative at the moment. I think having learnt my lesson about declaring it is all over and we are done, I am not going to be saying that yet. I believe at this stage we are getting closer to, the expression I used, living within the new normal. We are not quite there yet. My take is, as I say, when I say a matter of weeks but I think then you have then got to let things settle down, I think just assess objectively what is happening with our new neighbours. But I think part of that will be around, as I say, this understanding what will be happening with our new

neighbours and what that state of play is. At some point as well obviously the World Health Organisation will officially declare a position. But, for me, I think it is when we can say we are going about our business, and that is on Island and off Island, in as free a way as possible in whatever that new world looks like.

Director, Public Health Policy:

May I make minor supplementary, Chief Minister?

The Chief Minister:

Yes.

Director, Public Health Policy:

I think it is likely that the World Health Organisation will not declare the pandemic to be over at least for another year, given the unequal vaccination coverage across the world. As the Chief Minister is saying, it is entirely a local decision about when vaccination is optimised significantly, that is the most preventative intervention that we have got. We are able to step down the significant urgent and emergency arrangements that we have been operating within over the course of the past year.

Senator T.A. Vallois:

It is the clarity of that though, just if I may, for a lot of people it is easy to kind of say there is a target. If we have 90 per cent vaccination, are you going to change your strategy, depending on variants as well? Will it require where we are with the delta variant or any other variants that may appear over the next year? But if we are at a certain percentage of vaccination, will your strategy change from the current one to something like living with COVID?

The Chief Minister:

You are going to have to move to living with COVID, there is no question. As I said, I think at that point that will be when one starts assessing it as, effectively, like we do with the flu. There will be some decision that can be around that but the science will be such that every year - this is me as a layman, expectations at this stage is not certain - I think there is expectation that every year, for a number of years, you will be receiving a booster for COVID, possibly with or alongside with your flu vaccination. Equally, as we know, the technology on this is shifting all the time. There is even talks around probably something you can take orally. There is also, as I think have made clear in the press conference on the other day, an acceptable way of treating it so that you recover from that is not yet there but that medical science undoubtedly will come along at some point.

[10:45]

But as I said, I think that is very much a longer-term position but I think in the shorter term and for me at this stage I am anticipating in a short number of weeks we will be as close as we can be to the new normal for a period of time. But obviously, as we are saying, we are also seeing an uptake in the numbers in the last week or so.

Deputy S.M. Ahier:

Thank you, Chief Minister. What do you believe to have been the key lessons learnt by the Government during the COVID-19 pandemic in regard to strategy and communication? How was research commissioned to help inform the pandemic response?

The Chief Minister:

Right, dealing with the latter first and Alex, I think, can definitely cover a lot of the research that has been done but using a particular example, we have used behavioural scientists to inform and encourage on the vaccination programme. In fact there was an article, which has been reported in the media, I do not know if it has been circulated to Members or not but in the *Harvard Business Review*, which gave quite a useful summary of the process that was followed through. Obviously there is a significant amount of data that we can tap into through the U.K. official bodies, which the relevant medical officer of health or deputy medical officer of health or whoever can also attend. I think, Alex, you might want to give the details on that, as in terms of our access to the information flows and what research we can access ...

Director, Public Health Policy:

Yes, so we are fortunate in Jersey that we have a number of officers, both on the medical and the non-medical side, who have experience of evidence-based decision-making, both in the context of academic research but also observation of, in the context of COVID-19, key modelling that is conducted principally in the United Kingdom for our benefit. As you know, S.T.A.C. meets on a weekly basis and has done for the past year just about and sometimes a little bit more often. Its purpose is to review the available evidence and to surrender that evidence sometimes in the form of options and recommendations to Ministers working alongside public health and other colleagues. We draw on a variety of sources for the data information that we put into the S.T.A.C. deliberations in order to ensure that Ministers are advised correctly. Of particular note and I think you have alluded to it, is the current modelling that is conducted by a number of academic institutions in the U.K., helping the United Kingdom try to understand what the nature of the way in which the virus interacts with a variety of internal controls in the U.K. and that is very valuable data for us. We were unable to replicate it, we do not have the large academic institutions here in Jersey. But we do a good job, I think, of ensuring that evidence is part of the ministerial decision-making process.

Deputy S.M. Ahier:

How are you working with Islanders to better understand how to improve communication and strategy?

The Chief Minister:

There are pieces of work that have been done around the communication side. I do not have all the details with me; that would be a matter for either Laura or Dirk if they wanted to give you the full strategy to put in place. But obviously we have had significant engagement with Islanders in terms of the communications that we are putting out.

Deputy S.M. Ahier:

Thank you. I will move back to the Chair now, thank you.

Senator K.L. Moore:

Thank you. The Government Plan is due to be published soon, however, we have not yet seen a 6-monthly report. Do you intend to publish a 6-monthly report?

The Chief Minister:

Yes.

Senator K.L. Moore:

When?

The Chief Minister:

I think it is August, I think it is coming to the Council of Ministers in the next ... I do not know if it is the next Council of Ministers or the one after.

Senator K.L. Moore:

Okay. How is work progressing on the Government Plan for 2022?

The Chief Minister:

I think you were due to be briefed on that today but I understand that has been cancelled at your request. There is a whole load officer communications going on between our side and your side.

Senator K.L. Moore:

We were not aware of such a briefing.

The Chief Minister:

The only note I have got is that there was apparently a meeting ... there was a briefing today, unless it was at officer level, I do not know but there was a briefing today which was to talk through the timing and it has been cancelled.

Senator K.L. Moore:

It was not with our knowledge.

The Chief Minister:

Okay.

Senator K.L. Moore:

The Scrutiny Liaison Committee have cancelled a meeting because there was not anything to discuss. I would struggle to understand what you are referring to.

The Chief Minister:

Okay, well I understand. If that was the meeting, I have been told that that was where there was going to be a briefing on the Government Plan at that meeting.

Senator K.L. Moore:

That certainly had not been identified to us, so perhaps officers, if they have something that they particularly wish to brief us on, it might be helpful if they gave us advance notice of that, please.

The Chief Minister:

I assume they have done but if there was an email exchange I will ensure that you were all copied in on it, all right.

Senator K.L. Moore:

Thank you and I do not think we have been. What work has been undertaken to further improve the presentation and quality of information provided in the plan this year?

The Chief Minister:

In the Government Plan?

Senator K.L. Moore:

Yes.

The Chief Minister:

I think at this stage it is a little too early to comment on that. We are, essentially, honing down on the numbers and the proposals that have come through; that is the focus. What the quality of the information that goes into it will then build up, depending on the ultimate decisions that come out of the Council of Ministers and that is a live process. The Council of Ministers met on the Wednesday and I have been attending a variety of individual briefings/workshops over the last few weeks on this. We are basically seeking to, firstly, understand because the revised income forecasts will be coming out in the next few days, certainly internally and that will also influence the decisions we make. We are also challenging in a similar way to which we did last year any growth bits that are coming through. Some are obviously COVID-related and although one can challenge the quantum, the actual purpose will have to continue. There will be others, some of which are dealing with consequences to COVID and some of which are others where I think we have suggested to the department and the Minister that they may not be supported because they appear to be some additional nice to haves. We are basically going down through a ministerial challenge group looking at expenditure growth bits at the moment.

Senator K.L. Moore:

I see. I think the question really relates to recommendations that Scrutiny Panels have made in previous years about the referencing of the Government Plan and to your performance framework and also to the common strategic priorities, so that it is clearer in terms of what objectives have been met, how they attract and what is being achieved by the various growth bits that we have seen.

The Chief Minister:

I am certain where the recommendations have been accepted they will have been implemented into the plan. Obviously the focus for performance is the performance report obviously, part of which was in the annual report which was published not so long ago and will be in the media report when it is produced in August.

Interim Chief Executive:

Just to add to that, if I may, Chief Minister, the annual report, I think, for last year, I do think it was an improvement on its predecessors and particularly the way that it mapped on to the C.S.P. (Common Strategic Policy) in a more transparent way and I think in a framework that, hopefully, makes it easier for the reader to see the linkages between the established priorities of the Government and the States Assembly and progress during the course of the year. I think that, as for officials, we would hope that every year's Government Plan, every successive year should be an improvement and building upon its predecessor and certainly incorporating the feedback that we have had from Scrutiny.

Senator K.L. Moore:

Thank you. We look forward to seeing it. Could you describe how you intend to improve upon the communication of this year's Government Plan? There appears to be certainly a growing interest in the public with regard public spending and so we are interested to know what your strategy is.

The Chief Minister:

In terms of communication obviously last year we held the virtual meeting Meet the Ministers' questions on the Government Plan in that week; I cannot remember in October or November. That was very successful from our perspective, having done the physical visits the year before to, for example, the parish halls and the reality was you will get 30 or 40 people, it was quite a lot of people but you will get a duplication as well from people coming from one meeting to the next. I think, from memory, we had about 10,000 people each night virtually. As an engagement, I would say that was a massive improvement on previous levels of engagement. As you know, we have invested and started to do the Ask the Ministers programme. There is another one next week, I think it is on Tuesday, which will be a different cohort of Ministers. That is part of that ongoing engagement or restarting the kind of business as usual engagement. The last one did have, I think, overall at some point 9,000 people viewed it at various points. That seems to be well received and we will see how that evolves. It is obviously a further trial of seeing of how we have changed in the last 15 months. I would anticipate because that is scheduled roughly every 6 to 8 weeks, obviously as we get through to that Government Plan process, a timing on what has been published will either feed into that or we will do it a very specific way that we did it last time in that week; that would be my anticipation at this stage. As I said, this focus at the moment is obviously getting the substance and the foundations of that plan in place.

Senator K.L. Moore:

Do you receive feedback from those events from members of the public?

The Chief Minister:

In what terms? Because obviously there are various comments that appear on Facebook, I have to say I do not tend to look at those terribly closely but the overall impression is that it is welcomed. The one element I would say is the challenges that obviously for the time available is the ability to try and how we deal with the volume of questions that came through, that is why we have got the independent individual there who posts it and hopefully gives it a bit more of a fun appeal as well. But they can pick out as to what they think is the ... perhaps there is one question which encapsulates maybe 10 and it encapsulates an area which covers maybe 10 or 15 other questions that will come through.

Senator K.L. Moore:

How do you interact with the public and listen to their views and interests with regard to where they feel that spending priorities should perhaps be directed?

The Chief Minister:

In terms of the communication side and how we get feedback, as I said, I am going to look at John possibly but my understanding is that, because we did not bring the director of comms with us, you do have elements of ... and I am going to suggest some focus groups I think they use, I think they use 4insight at various points, to understand the levels of engagement for the feedback. If you are looking at what the public's view was on spending priorities, to an extent that is still driven, obviously COVID aside, with the original priorities that were laid out in the C.S.P., which obviously was built on the items that were, I would say, raised by significant members of the public at the elections.

Senator K.L. Moore:

Thank you. This year are we going to have efficiencies or rebalancing in the Government Plan?

The Chief Minister:

As you know, we have moved to rebalancing and that would be the terminology we are using.

Senator K.L. Moore:

We are going to stick with rebalancing this year.

The Chief Minister:

Yes.

Senator K.L. Moore:

Jolly good and we look forward to seeing that and comparing it to last. Will these be consolidated for the 2022/2025 plan or would they be provided as separate documents?

The Chief Minister:

The rebalancing proposals? They were certainly published at the same time. We are acutely aware of the proposition that is in place. We are trying to make sure that we adhere to that proposition. If we are talking about rebalancing, it is worth making the point that we have made very, very good progress on what members of the public may recall as efficiencies. It is called rebalancing because you can be efficient in income as well. Of the targets that we had set ourselves we have done, from my perspective, very, very well in attaining them at this stage.

[11:00]

Senator K.L. Moore:

As far as we are aware, those are non-recurring efficiencies and they were due to be recurring. Many of them are derived from savings made by reduction of services due to COVID-19.

The Chief Minister:

No, certainly the latest information I have had is that if we take the 2 years, so the £40 million in the first year and the £20 million in the last year, so a total of £60 million, approximately £51 million are now classified as recurring, which for me is a pretty good success story. Obviously there is an element, conservatively we are using about £9 million, which is being focused on. If that £9 million then needs to become one-offs that will be carried forward to next year and they will have to make that recurring, in the same way that of the £40 million roughly £25 million originally was recurring and £15 million was a one-off. That £15 million was carried through into 2020. As I said, if you look at the overall £60 million in total, certainly the latest update I have had, is that £51 million of that is recurring. That is a really good story and it does show it can be done. I am therefore confident that if that difference of £9 million is then carried forward that again it will keep the pressure on and over time they will change to recurring. In the meantime if they cannot be recurring they will have to get them across the line as a one-off. For me, that is a good story.

Senator T.A. Vallois:

Can I challenge that slightly? It might be a good story, because it sounds good, £51 million recurring. What impact analysis is done to determine the effects of that recurring £51 million less. If we look historically at States spending, where we said we have saved funds and recurring funds, it is usually at the detriment of things like H.R. (human resources), like Treasury being able to obtain more income, like I.T. (information technology) and now we are having to put significant investment into these 2 areas because we have not done it properly in the past. You know it has always been a bit of a bug bear of mine ...

The Chief Minister:

I think we are on the same page.

Senator T.A. Vallois:

... making sure that what you are saving is value for money and it is not neglecting the duty of the public service.

The Chief Minister:

One thing I do not want to see, and that is one of the reasons why we always do challenge, one-off cuts in the maintenance budgets as defined as savings, because we know where that goes.

Interim Chief Executive:

John might want to come in on this as well, it seems to me that investment is the result of the influence you had at an earlier time before I arrived, but the investment in the infrastructure of the public services are some of the most important areas of growth in the Government's plans in areas that are reflected around the table here. My colleagues are responsible for variety and H.R. There is no prospect that they are going to be imperilled in the new Government Plan. If the question is: are we confident that the new Government Plan will secure the investments that have already commenced? I am certain they will. I can see that there is a widespread understanding, as somebody new coming into the organisation, that the States have under-invested in the infrastructure of the Government and that the current spending plans go some way to addressing that.

Chief Operating Officer:

On the point of impact assessments, impact assessments are published alongside the initiatives.

Senator T.A. Vallois:

If they published alongside the initiatives, is that published for the public to see or is that published for internal access?

Chief Operating Officer:

Published internally.

The Chief Minister:

For me, you are absolutely right in terms of the investment side of things, what I believe and what we set out to do is very much get the foundations right. Investment has been put in, as we all know, and has been challenged by this panel at times, in the I.T. systems, in the people and the culture, and in things like the officer accommodation project, which I know you will get on to later, they have been significant sums of money. The Assembly has approved them, so we have all agreed they have been necessary. What we will also need to make sure of, and this will go beyond this electoral term, is that that investment then does start generating the productivity benefits and things that we would all expect to see as well, which will then be the genuine efficiencies. As I said, to date, and bearing in mind that the £51 million, as I am being advised, is recurring and obviously on that basis will be sustainable.

Senator T.A. Vallois:

Infrastructure has just been mentioned and something that did come forward in the Government Plan was a proposal for an Infrastructure Fund. Understandably that was delayed because of the

pandemic, but where are we with regard to the Infrastructure Fund and is it still a priority or an expectation of yours and the Council of Ministers that that will come to fruition?

The Chief Minister:

It is still in contemplation. I need to look to my left in terms of timing, because with everything else there is a delay in that and also there is an understanding of what the components will be.

Interim Chief Executive:

That is being re-evaluated in the upcoming Government Plan.

Senator T.A. Vallois:

Re-evaluated in determining whether it is going to go ahead or not going to go ahead?

Interim Chief Executive:

Yes, whether it should and in what form.

The Connétable of St. Peter:

Thank you. You partially accepted a recommendation made by the panel in our Scrutiny Report on 2021/2024 Government Plan to ensure that the fund supplementation principles are reviewed and agreed in Q1 2021. You stated that a review of the future balancing the fund between the States Grant, employer contributions and employee contributions, as well as considering the burden of overall Government levies on individuals, workers, businesses, and employers and the proposals would be brought to the States Assembly during 2021 or incorporated into the next Government Plan. Could you please provide an update on the progress made on this and how the results of this review will be presented to the Assembly?

The Chief Minister:

The work is happening and is still ongoing. The one comment, I believe it will be included in the Government Plan rather than coming forward as something separate. I will double-check I am correct on that, but there is a piece of work happening. There are a number of factors, I would emphasise that if there any changes to anything we are very clear that we have to be careful be about any significant economic impact, in terms of additional significant charges and things like that. The advice to date is that that should not be happening before 2024/2025. One of the things that is under contemplation is whether it is principles we put in, where there is an approval process or whether we just lay out the principles. What is very, very clear is the Social Security Fund has performed exceptionally well, so overall our reserves have increased, despite the fact that we did not pay into the Social Security Fund last year or so far this year. Even so the reserve balance has increased. The whole discussion around it is making sure that that fund is sustainable on a long-

term basis. That will be around the level, essentially, of annual expenditure. So it is 4 times, 5 times or 6 times that you want to keep in that balance? What then would you do if it was above that amount? What sort of policy might be put in place? As has been the case, the issue around the actual variations are based on 700 people a year population increase. I have asked and said one thing you might need to start thinking about, bearing in mind what we have said about the population, is whether you should be looking at that and saying maybe you should reduce those numbers in that assumption. Obviously if you reduce it down to zero, so that it forces the fund to be completely self-sustaining, that has quite a significant consequence. You might want to pick a number in the middle, just to set that principle, in which case: what would you do ... because technically that is therefore less money going into the fund and the assumptions. What do you do to address that? You might look at things like retirement age. There are a couple of other measures in there. There is quite a discussion going on. There are papers on it, yet none of them have gone up to C.o.M (Council of Ministers) yet, but they are about to go up to C.o.M., and at that point they will come through to yourselves. So there is a piece of work and we do want to make sure that in the long-term we ensure that that level of sustainability is there. As I said, the actual balances at the end of 2020 have increased. When we put that and the Strategic Reserve together we have £3.1 billion.

The Connétable of St. Peter:

If you chose to use different variables, would you present those to Members so we can see the effect of population rise of 350 or 700 or change in retirement ages or ...?

The Chief Minister:

From my perspective, we should, but there is also a point around at what time to do that. Apologies, because I was not expecting this question, which is always good, so it is principle rather than actual fact. I cannot recall at what date. At the moment the retirement age is increasing by month every so often. What I cannot recall is when that stops. You might, for example, say: just let that continue until you get up to a higher retirement age, which will obviously be a number of years out. That is always an option when you are dealing, in essence, with the whole pension side of things. There are some other iterations in there, which I would rather not go into, because it is quite complicated, but the fundamental principles are to make sure that we recognise that we have not put money in in these 2 years. The absolute brilliance of the financial position we have all been in is that the Social Security Reserve Fund has given us a buffer that we have been able to tap into again to deal with the emergency requirements we have had. When I say "tap into", we have not tapped into the fund, we have obviously turned off the money that has been going into it and, as I said, the fund has increased. You want in some shape or form to retain that flexibility, because hopefully the next emergency we get of this magnitude ... hopefully we will not see another one like that again, but we always have to keep in mind that there will be things that come down in the future and future Council

of Ministers, I suspect, would very much welcome that short-term flexibility while maintaining the long-term viability of the fund.

The Connétable of St. Peter:

Some Members consider that those grants we have not put into the fund should, at some later date, be put in. In fact, if the fund performs sufficiently well, there is absolutely no need to do that.

The Chief Minister:

That is why we need to understand and make a decision on the objective. Is it 4 times, 5 times, 6 times the annual outgoings that are held as a buffer? That is for when the fund eventually goes into more contributions paid out than income coming in, essentially. That is probably your principle. What you then do is look at the assumptions around it, which is what I have touched on.

[11:15]

That will then influence what contribution rates need to be. Obviously population assumptions are quite important on this. That is another one that would be a long-term event. This is all about long-term events. We are talking 30, 40, 50 years out, but obviously the decisions you make now have an influence as to when that lands.

The Connétable of St. Peter:

Thank you. You further stated in your ministerial response that the Technology Investment Strategy would be a priority, including details of the principles under which I.T. investment is supported and the anticipated timeframe for major initiatives and that this work would commence in Q1 2021. Can you, please, provide an update on the work undertaken to date on this strategy and do you intend to publish the strategy for the 2022 Government Plan that outlines all I.T. spend?

The Chief Minister:

That is definitely John's territory.

Chief Operating Officer:

Work has commenced. We are working with Gartner on the strategy. I should have been doing a call this morning on the strategy but that got cancelled because I was asked to come here. Yes, work has commenced. It probably will not be published in the Government Plan, but will be available by the time we debate the Government Plan.

The Connétable of St. Peter:

Do you believe there will be an increase in what we now believe the I.T. spend to be?

Chief Operating Officer:

There will be no increase beyond that which we have flagged for I.T.S. (information technology solutions) in this Government Plan. What is fair to say is that as we are going through discovery, and our cyber programme is leading that discovery ... I came here a year ago and said we had 400 applications that we ran in Government. Six months ago I said we had 700 applications. We now have found over 1,000 applications that we run in Government, of which 400 sit in Health alone. Health I.T. was not part of M. & D. (modernisation and digital) a year ago. We have a position where if you take I.T.S., I.T.S. addresses 22 of the 1,000 applications. We are dealing with the big bits of the estate. I.T. investment will be required for ever. It is the same as if you take our physical estate, one of the comments previously was that we have not maintained our buildings, well the same way you have to paint a building every few years and put a new roof on it occasionally, we will be constantly refreshing and updating our I.T. estate for ever.

Senator T.A. Vallois:

Could I just clarify on the amount that is needed for the I.T.? This is really important, because there has been a head of transfer that has transferred what I would deem as quite a significant amount for cyber from your department to the hospital, R.105. If you do need that money, and I am assuming you do because you have asked for it in the Government Plan, will that be new growth in the Government Plan coming up or will that be recognised as a base line amount that was already asked for in your budget for 2022?

Chief Operating Officer:

I am not quite sure how Finance will account for it, you will have to ask the accountant that one, but in terms of operationally, we have simply deferred the spend. So the cyber programme, when we set it up was roughly a £13 million 2-year programme, 2020 and 2021. 2020 was a slower start, for obviously reasons. It was quite hard, during that first phase of the pandemic to start to engage suppliers. So it took longer to get the programme up and running and get suppliers on board. Again, some of the activities we wanted suppliers to do we needed them on Island to do, for example, security checking, so we had to wait until we could physically get them on Island. Similarly to my comment to the previous question, as we have gone through we have discovered the estate is much more complicated than even we thought when we started the programme. So we have re-phased the programme over 3 years. It is the same amount of money spent over 3 years.

Senator T.A. Vallois:

I was just going to follow up with the robustness of forecasting for spend of big projects, especially things like I.T., infrastructure, the large projects like that, which are crucial and are important. What

concerns me is when I see heads transfer huge amounts of money, for things like cyber which are important, how that can just be deferred? There is no explanation around that to understand why.

Senator K.L. Moore:

If I may also illustrate that further, this panel, 2 years ago, during the Government Plan questioned your team about the spending on this project and we wanted to recommend that the spend was deferred over a greater period of time to help make it more affordable. We were told that because of your concerns with regards to cyber, in particular, that that was not a sensible way forward. Therefore, we did not bring that amendment which we wished to bring. It does become quite difficult for us to understand how now, 2 years down the road, you are confident to make a deferral of money with regards your cyber spend.

Chief Operating Officer:

I think as every general would say: no battle plan ever advises contact with the enemy.

The Chief Minister:

The enemy in that context was COVID-19, I suspect.

Senator K.L. Moore:

No, this is 2 years ago, pre-COVID-19. I remember the conversations very clearly.

Chief Operating Officer:

Yes, 2 years ago I would have love to have done the cyber programme in 2 years. If we had not started late, because of COVID-19, and if we had not discovered the estate was bigger than we thought it was, because we brought Health and Education in, we would probably have got it done in 2 years. What we have done is, in reprioritising, taken a risk-based approach. We focused on getting those things done that will have the biggest effect. We have now stood up a managed service ...

Senator K.L. Moore:

Cyber is no longer your biggest risk in the project?

Chief Operating Officer:

It is still the biggest risk and it always will be. You can only do what you can do. We only have a number of resources. We could never catch back up the time that we lost at the beginning.

The Chief Minister:

The transactions you talked about is affecting our cash flow issue, because the cash was not going to be utilised on the timeframe, so it has been utilised somewhere else.

Chief Operating Officer:

We are not doing less and we are not doing it in a much longer time, is it just that we started later.

Senator K.L. Moore:

What does that say about the restraint process around the hospital? In R.54/2019, you made it quite clear, Chief Minister, that you intended to maximise the money that had already been spent on the hospital project to ensure that great sums of money were not spent on another hospital project. Only £20 million was allocated at that time. Now we are almost at £50 million since you published R.54 in 2019.

The Chief Minister:

The overall position, I would suggest, is that as we know we have had a number of delays because of decisions that have come out through the Assembly. We have made it very clear that every day of delay on the hospital is around £100,000 cost extra.

Senator K.L. Moore:

The question is: why is the team that you have put in place costing such a vast amount of money when you made a commitment to the Assembly in R.54 very clearly that cost was going to be restricted and value for money was going to be sought?

The Chief Minister:

The comment that I am trying to make is that the transfer that has been made is as a result of the delays that have come out of various Assembly debates and you, yourself, Senator, was seeking further delay in terms of events ...

Senator K.L. Moore:

We were seeking appropriate information that the public should have.

The Chief Minister:

... earlier this year. There is a reason which is that that has impacted on the timing of the debate that was scheduled to come to the Assembly before the summer recess. Because that is now going to come to the Assembly after the summer recess that has created a funding gap, which is a cash flow issue. Therefore on the basis of that cash flow issue we have looked to utilise other sources of cash, which were not being required during the course of this year or some that could be delayed, to essentially bridge the funding between the original budgeted timing of before the summer recess

to the revised timing of after the summer recess. Certainly the last set of figures I have seen in relation to the hospital project are still saying it will be in the overall envelope that has been informed to the Assembly.

Senator K.L. Moore:

You need to consult with your political oversight group about that and ask them what their latest risk register is saying.

The Chief Minister:

Let us be clear, the biggest risk is political. If the Assembly or if an individual politician seek to delay the hospital project beyond the electoral period and a future Assembly decides to cancel the project then there will be an awful lot of sunk costs that will go through. We are very clear, there has been significant and much better engagement at clinician level, which was very much an improvement on the previous scheme. We have also been very clear that we are making something that is fit for purpose for as long as possible, in terms of generations. The crucial thing in there is obviously there are decisions that the Assembly has to make. As we know, as was the case previously and as is the case on this, to get that business case to planning permission is an expensive process. What we are doing and I have absolute confidence in the team we have ... and as I said, the clinical engagement has been exemplary.

Senator T.A. Vallois:

Particularly on this deferral point, because I think it is really important in terms of the Government Plan, is the robustness in terms of the forecasting spend, particularly for infrastructure projects, not just I.T., but all infrastructure projects. What I mean by robustness is if they are asking for a significant amount of money that might be moved away from something else that can be done within that year that is really vital to the public service. They are saying that it needs to be done that year, because there are planning requirements and the feasibility and those other arguments that go with it but then we find there is a head of transfer, £2 million that could have been invested in something crucial for the public that year. Now we are doing Government Plan on a rolling basis, I just want to understand how every year that robustness against that request for the spend in capital in particular is determined appropriate for the next year's spend.

Interim Chief Executive:

In the situation that you just discussed the slippage in the cyber security scheme you referred to, the slippage was an operational slippage for reasons that John has described rather than because we needed that cash to divert it into the hospital project. In other words, it was driven by the operational circumstances that it was not possible to spend the money during this period. As the Chief Minister says, it is essentially a cash flow issue, so that slippage could be used for the

purposes of the hospital project, which is the decision that was taken, so in a sense, a pragmatic decision. Just to be clear on that, and I think that is understood, your underlying question is to be sure, let me just check this with you, that at the point at which we commission a capital project that we are realistic about both the costs and our operational capacity to implement it.

Senator T.A. Vallois:

M.T.F.P. (Medium Term Financial Plan) I could understand, because there were stricter fixtures around the M.T.F.P. We now have a Government Plan where it rolls every year, so more growth for I.T. would have been requested about a year ago, would have been published in the Government Plan, would have been debated in December. Okay? I am just trying to explain a scenario for you. Now we have head of transfer, 6 months in to the year when that money was supposed to have been spent, saying: "Well, it is operational change within that period." What I am saying is that is it because there is some decision to change by the officers or by the political head of that area or is it because we are not challenging the expected spend appropriately when it comes to capital spend. We have had this issue historically.

[11:30]

The Chief Minister:

If we are talking about the overall principles of capacity, for the sake of argument, if there is a limit that we know historically is around the capacity of our spend in any year, and let us talk about overall infrastructure: if departments come through with 30 per cent or 40 per cent above that capacity is it realistic? Yes, it is getting into the budget, but then it may not happen because you may not have the capacity to utilise it. That is part of the challenge process that is going forward. We have been quite clear, there is no point in putting bids in if it is just going to be budgeted cash, particularly in the time when we have had the impact of COVID-19, potentially an extra borrowing requirement for which the cash has not been used on. As we said, again, if you look at the evolution over the last few years, I do see a lot of improvement around that cash management side. There is always more to do, but there is a lot more improvement around that to try and make sure you are using that amount efficiently. When I say efficiently, making sure that you do not have pots of spare cash sitting around.

Interim Chief Executive:

We have a corporate portfolio of major projects now, which is a very recent development. It is very good practice to have a portfolio of major projects, so that we understand the totality of the commitment we are making. The last time I looked at that there were 140 major projects. Inevitably, many of them feature in the Government Plan. It is an enormous strain on the organisation to deliver that level of change and expectation. You are right, if this is where you are heading and I think it

probably is, it is about realism and organisational capacity to deliver that which we already have promised.

Senator T.A. Vallois:

It is about ambition, is it not? Ambition is great, but if you do not have the people to deliver it ...

Interim Chief Executive:

Exactly. That is a fair observation, making sure we have the right match between ambition for change and improvement and the resource to support and deliver it. That is resource, not just in terms of finance, but in terms of the impact on key people in the organisation. John, you may be able to exemplify that. Is it possible to draw out where that then becomes an issue for us?

Chief Operating Officer:

Portfolio planning is still in its early stages, so the C.P.M.O. (Corporate Portfolio Management Office) was set up with funding that was provided in the 2020 Government Plan. Obviously 2020 was not the best year to set up a C.P.M.O. and is still struggling to recruit. We do have a better handle on the portfolio. It is an area we are still working hard to develop. We need to do more work around the dependency between projects. It is also the impact of the unexpected. One of the programmes that has been deferred from this year into next year, the start of, was the Electronic Document Management Programme. The reality is the resource that would be used for doing that are the people who have been building and delivering the booking and testing system that keeps the borders safe. When we put the Government Plan together in 2019, no one knew we were going to build a system to test everyone who came in and out of the Island. You talked earlier about the rate at which the changes happen to the rules. You want to sit with the I.T. teams every time the Ministers come up with another good idea for making the rules change. Those systems are automatic. When you go through the airport, you arrive and you say: "I have been here, here and here in the U.K." And it says: "You have this status and you this is what you have to have and here is your automatic test." All of that work, every time the rules change has to be done. Simply, it is the same team that we would have put on to start the Electronic Document Management Programme are doing the work on the booking and testing system.

The Chief Minister:

Building on that, I am aware that when we started that, if you like, in the trial in June and then when it went live the teams there did incredible work, because they were therefore dealing with any uncertainties that were taking place, because it was going live, essentially. When we talked about the organisation, that gives you an insight to the people who are not seen in the public domain who have done huge amounts.

Chief Operating Officer:

If I can just take that example of Electronic Document Management Programme, what we have looked at is: what are the critical dates for it? The 2 critical dates are we have to have scan in access before we go into the new office building. There is no space in the new office building for tax files, so tax files need to be digitised. That is mid-2024.

Senator T.A. Vallois:

At least you have an end date. Not every project necessarily has a deadline, does it?

Chief Operating Officer:

Also data under health files, before it goes to the new hospital, because the new hospital does not have a file store for all the paper health files. That is 2026. In a 2½-year programme, if we do not start it until 2022 rather than mid-2021, does it matter? No, it does not, because we will still be done long before 2026.

Senator T.A. Vallois:

I apologise, I slightly hijacked Richard's question.

The Chief Minister:

We are meant to be finishing at 11.30, are we not?

Senator K.L. Moore:

No, 12 o'clock.

The Chief Minister:

That is interesting, I was told it was 1½ hours session?

Senator K.L. Moore:

No, 2 hours, it always has been.

The Chief Minister:

Okay, that is fine.

The Connétable of St. Peter:

I will move to the Office Accommodation Project, just the one question. We thank you for your private letter on 14th April 2021 dealing with the point on Office Accommodation Project. How is the project now progressing?

The Chief Minister:

The contract has been signed. They are stripping out.

The Connétable of St. Peter:

Were there any additional concessions made when that contract was signed that we were not previous aware of?

The Chief Minister:

I am going to say none that I am aware of.

The Connétable of St. Peter:

Finally, is the project forecast to keep within budget?

Chief Operating Officer:

Yes, it is.

The Chief Minister:

As far as I am humanly aware, yes.

The Connétable of St. Peter:

Thank you. That is a nice and simple one to end on for me.

Senator K.L. Moore:

We are going to look at a few questions from members of the public. We have received quite a number of questions, which shows that people are very engaged at the moment. There are quite a number relating to COVID-19, as you would imagine, generally suggesting that there is a desire for more information. Information, particularly in terms of vaccinations and the level of people who have been vaccinated and how many positive cases fit with people who have been double vaccinated or not, as the case may be. Perhaps you can assist us on that.

Director, Public Health Policy:

I will try, Chair. Where we are dealing with relatively small numbers, we would have a concern about releasing, if you like, information about details like that, for fear of breaching anonymity. It is an excellent point that is made by the member of the public. It is something we should continue to examine and look at and see the basis upon which we can be as transparent as possible about what our vaccination programme is achieving, which is where we all want to be.

Senator K.L. Moore:

Thank you. Now that the positive cases are almost at 100, there is less concern around that potential.

Director, Public Health Policy:

Potentially, yes. In the context of a percentage of 100, we still could be talking about pretty small numbers. Nonetheless, I take the point. I will liaise with relevant officers and medics in order to try to achieve the principle of what has been suggested in the question.

Senator K.L. Moore:

Thank you, we would be very grateful. Another asked: "What is the point of being of being vaccinated if it does not mean a return to normality?"

The Chief Minister:

We have addressed that to an extent. As the vaccination rates have been improving we have taken the steps we have taken. That is, for example, as we access the significant improvement in that rate, that is, for example, why we took the steps on the changes in the isolation regime. That is an absolutely valid question. It is one we all ask, i.e. there has to be a benefit of being vaccinated and to have gone through everything we have gone through. That is one of the shifts we are starting to see.

Interim Chief Executive:

It is a very crucial point. It seems to me that the benefits are both to the community as a whole and to the individual. For the community as a whole, as we proceed in our march towards as much as the population as possible being vaccinated, then everybody benefits from every individual who is vaccinated. At the level of the whole of the population it is a great benefit. At the level of the individual it is a benefit because we are distinguishing our approach on travel between those who are double vaccinated and those who are not, to the benefit of those who are double vaccinated. Each person who is vaccinated is providing a service to their fellow Islanders and they are also benefitting themselves.

The Chief Minister:

Again, I think it worth making the point, which is the last press release that went out yesterday, is that for those over 40 around 85 per cent are fully vaccinated, which is excellent. Obviously the take-up that we are seeing on the numbers I am just looking at, which is the list that has been sent to all States Members, is that of around 30,000 of the ages 18-39, off the top of my head, roughly half had their first vaccination.

Director, Public Health Policy:

The point about benefits to Islanders has been well made by Paul and the Chief Minister. I would have to say, of course, that vaccination is not fool-proof. There are some people who will not have the immune response who are vaccinated and, of course, we have to be mindful of that. We also need to be alert to the prospect of variants of concern navigating vaccination. We do want to deliver, and we have done faster than other jurisdictions, benefits to fully-vaccinated Islanders but at the same time we need to have a note of caution in how we progress forward.

The Chief Minister:

To add as well, we must not be complacent. We need to still keep washing our hands. Depending on your circumstances, if you feel like you should distance, please do so, and respect other people who want to distance. I do also emphasise there are still legislative rules, i.e. law around what you do in travel, and that is on the buses as well as at the ports. People do need to remember that.

Senator K.L. Moore:

Thank you. There is one technical question from a parent. Why are you running P.C.R. (polymerase chain reaction) tests at such high cycles, which throw out false positives? Children have been sent home from school due to these P.C.R. tests throwing out false positives.

Director, Public Health Policy:

The questioner maybe referring to lateral flow tests. The rate of false positives for P.C.R. tests is very low, but there are false positives associated with L.F.D. (lateral flow device) tests and that is what the questioner may mean. In relation to that, what we have always said about L.F.D. tests in schools is that they are an additional layer of protection. Yes, they are less sensitive than P.C.R. tests, but by testing large numbers of children on a more regular basis than we ever could with our more gold-standard P.C.R. testing, we are able to pick up some early warnings, potentially, of infections that we otherwise might not.

Senator K.L. Moore:

I have had people, constituents, tell me about their experience with P.C.R. tests as well. There is some concern. Perhaps you could set us straight on that one that those P.C.R. tests have been set at a very sensitive rates, so often it says that somebody is positive when perhaps they have some residual cells left from the virus at a much earlier stage, so they are not currently positive. This is causing some problems.

[11:45]

Director, Public Health Policy:

All testing has false positives and false negatives associated with it. P.C.R. testing is the best that we have. It is the best available testing approach. Of course, it is regrettable when a tiny minority of false negatives or false positives is thrown up by the system. Last week we did something like 13,000 tests, so there are going to be occasions. Islanders should have confidence that the Government is deploying the best testing technology that it can.

Senator K.L. Moore:

Is there an ability to set the sensitivity on those tests?

Director, Public Health Policy:

I would have to refer that back to Dr Muscat.

Senator K.L. Moore:

Thank you. Just quickly while we are on COVID-19, before I pass to the Vice-Chair. The U.K. M.P.s (Members of Parliament) deem: "COVID-19 vaccination passports to be disproportionately discriminatory as they have not found any scientific evidence to support them." What do you think of this response? What scientific evidence do you have that no one else does in order to make your decision justified? That is one for you, Chief Minister.

The Chief Minister:

I have seen a similar email. I have to say I have not had a chance to look at the relevant Westminster report. The whole point of the vaccination certification process is to facilitate people if it is required.

Director, Public Health Policy:

The evidence, as you would expect, Chair, is being studied by S.T.A.C. in relation to what we can colloquially call vaccination passports, but we have technicalised into COVID-19 Status Certification. The type of evidence that it looked at is, of course, we know all the evidence is telling us that vaccination confers a very high level of protection against severe disease and were designed to do that job. Additionally, the evidence is emerging that vaccination prevents infection at a less high rate than severe disease and it affects severity of infection and thus onward transmission. So S.T.A.C., as you would expect, have poured over that data and provided that to Ministers. So they were able to make a very good and evidence-based decision about moving forward with COVID Status Certification in a way that we could calculate the risk of seeding to be relative minimal in that context.

The Connétable of St. Peter:

Could I say something to clarify? I have had a quick look at the report. It was not that there was not the scientific evidence, it was that the Government had not really sought sufficient scientific

evidence. Now, there is a difference between that. Of course, the report is produced by the equivalent of our P.A.C. It is not necessarily the Government's view. I thought I should clarify that, because the report does not say there was not the scientific evidence, it is just that sufficient had not been sought.

The Chief Minister:

I know there are people who have concerns (a) over the vaccine and (b) over such things as the certification system but, at the end of the day, we are following the overall advice. We are trying to facilitate matters. Obviously from the vaccination programme, we can see what the benefits are. Again, as we have been saying many times in the last few days and weeks, we really encourage anybody who has not got their first job to take that job, please.

Deputy S.M. Ahier:

One more question from the public regarding teenage antisocial behaviours. What do you expect from your new Ministers who are going to be elected next week in regard to addressing teenage antisocial behaviour? What advice will you be giving those Ministers in that regard?

The Chief Minister:

In terms of antisocial behaviour, we are seeing all sorts of behaviour. We are seeing all sorts of behaviour come out as a result of the pandemic. This is one of the, for want of a better expression, the side-effects or symptoms that we are seeing. We also need to keep in perspective, although we have had more reports recently, it is always a minority. Most youngsters that we see are usually respectful and well-behaved. It is always a minority that cause disruption. Usually that has been a matter for the relevant systems, if you like, to oversee.

Interim Chief Executive:

What I do know, just to add to that, if I may, Chief Minister, is that the new Minister will be inheriting ongoing work between the chief of police and his staff and the director general for Children, Young People, Education and Skills. They will be working together to make sure that this challenge is addressed. For sure, there is current work underway between officials and police officers to support the reduction and the elimination of antisocial behaviour.

The Chief Minister:

What I would also like to say is that certainly some of the bids that we are looking at as to the post-COVID recovery side of things, is very much looking at the wider well-being side, which obviously is particularly looking at youngsters.

Senator T.A. Vallois:

Can I just confirm whether that is including the work on the B.a.S.S. (Building a Safer Society) Strategy, which includes a number of departments?

The Chief Minister:

Yes, the element I am referring to is an additional, over and above that.

Senator K.L. Moore:

I believe the B.a.S.S. Strategy was discontinued by your Government.

The Chief Minister:

I will have to go back and have a look. I thought it had evolved into a different scheme, I must admit.

Senator K.L. Moore:

Are you going to announce in advance who your proposed Ministers will be to fill the roles of Education and Children and Home Affairs?

The Chief Minister:

Yes, of course.

Senator K.L. Moore:

Would you like to take this opportunity to inform the public who they might be?

The Chief Minister:

I will be telling the public at the right time, as I said, in accordance with Standing Orders. Obviously I will be telling States Members first.

Senator K.L. Moore:

So that is before 9.30 a.m. on Monday morning?

The Chief Minister:

That is right.

Senator K.L. Moore:

That is only 24 hours in advance of the sitting. Surely you must know by now who you are going to propose and you would have confidence in them to share that information publicly.

The Chief Minister:

As I said, I will be making that announcement in accordance with Standing Orders and making sure States Members are told in advance.

Senator K.L. Moore:

Why do you not feel that it is appropriate to give a little greater notice, because they are both very important roles?

The Chief Minister:

Absolutely. As I said I will follow Standing Orders and the Standing Orders require me to put an announcement out before 9.30 a.m. on Monday morning and that is what I will be doing.

Senator K.L. Moore:

Could you answer my question: why do you not think it is appropriate to share that information at an earlier stage? It is not just States Members who would be interested to understand who you propose. The public also have an interest.

The Chief Minister:

I accept that. As I said, I will be putting an announcement out in the due time, as we have done in the past, before 9.30 a.m. on Monday morning.

Senator K.L. Moore:

Now is before 9.30 a.m. on Monday morning.

The Chief Minister:

That is right and, as I said, I will stick with before 9.30 a.m. on Monday morning.

Senator K.L. Moore:

Do you think there is going to be some element of concern or some reason for not sharing with the public who you wish to propose as those 2 Ministerial appointments?

The Chief Minister:

Well, as I said - and I make the point I think you are getting into political areas rather than evidence based - it is my judgment on politics and I will be nominating the individuals and disclosing that to States Members in accordance with the process laid out. I see no reason to put that out in advance. I will follow the process that has been laid out in Standing Orders.

Senator K.L. Moore:

Your judgment is one of the issues that interests the public, with regard your ministerial appointments. Anyway, there is no point in us splitting hairs and we can perhaps return to another question from a member of the public. As I raised earlier, it appears that the public have many questions. One is in relation to vaccinations and the vaccination of children. They ask why Jersey is continuing to encourage or move towards vaccination of children when other jurisdictions are not.

The Chief Minister:

I do not believe we have not made any comments about vaccination of children, but I will hand over to Alex ...

Senator K.L. Moore:

Certainly a couple of weeks ago there was an inference that we would be moving towards vaccinations of the under 18s.

The Chief Minister:

It would be subject to the recommendations of J.C.V.I. (Joint Committee on Vaccination and Immunisation).

Director, Public Health Policy:

There are a small number of older children vaccinated for reasons of risk and vulnerability. As to the larger question of whether we should be vaccinating children, perhaps in the 12-17 age group, we are awaiting the outcome of the deliberations from J.C.V.I., as the Chief Minister said, on that. Of course, they are the body set up in the U.K. to advice the U.K. Government. We have observer status on their meetings through our head of vaccination. That is an ongoing matter. We are hopeful that some outcome of their deliberations will be notified soon. It is correct to wait until the outcome of that study and those deliberations before we decide on the policy that we want to adopt in Jersey in relation to vaccination of children. So that is what we will do. It is a big and important question in relation to COVID-19, but we want to study the outcome of J.C.V.I.'s discussions first.

The Chief Minister:

For both sides, it is an incredibly important decision.

Senator K.L. Moore:

Thank you.

Senator T.A. Vallois:

Just briefly, very quick last question, hopefully, is with regards to our understanding that there are plans to establish a Jersey appointments commissioner as an independent body corporate. Can we just have an update on where we are with that?

The Chief Minister:

Essentially that work is being looked at and I believe, from memory, I am going to look at Mark, assuming we proceed on that basis that we are looking at by the end of the year will be legislation.

Group Director, People and Corporate Services:

Yes, as previously reported to this panel, we are looking at Quarter 4, so the autumn. Officers are currently preparing and drafting instructions for legislative drafting. They are also preparing the consultation which will obviously come to the Scrutiny Panel.

Senator T.A. Vallois:

Okay. So we are looking towards the end of the year.

The Chief Minister:

Yes.

Senator T.A. Vallois:

All right. Thank you.

Senator K.L. Moore:

Thank you all very much for your attendance and your answers. With that I close the hearing and wish you all a good weekend.

[11:57]