

STATES OF JERSEY



CHIEF EXECUTIVE OFFICER – RECRUITMENT PROCESS

**Lodged au Greffe on 30th July 2021.
by Deputy K.F. Morel of St. Lawrence
Earliest date for debate: 14th September 2021.**

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to request the States Employment Board to halt the recruitment process for a new Chief Executive Officer (C.E.O.) and instead to extend the current Interim C.E.O.'s contract until a date after the elections in June 2022, pending the completion and publication of a review into the appointment process for the former C.E.O., as recommended by the Comptroller and Auditor General and requested by the Public Accounts Committee.

DEPUTY K.F. MOREL OF ST. LAWRENCE

REPORT

There is no doubt that the appointment by the States Employment Board of the C.E.O. and Head of Public Service is the most important single appointment the body makes. When somebody is appointed to the role, they set the tone for the culture within the public service and provide government with advice that will determine our Island's future.

If the wrong person is appointed to the role, the consequences are profound and have a serious detrimental effect on the Island's public administration.

Importantly, the last 3 C.E.O.s have left with compromise agreements that themselves led to three C&AG reports on the matter with recommendations that need to be implemented:

2012:

<https://www.jerseyauditoffice.je/wp-content/uploads/2016/11/Utilisation-of-Compromise-Agreements.pdf>

2016:

<https://www.jerseyauditoffice.je/wp-content/uploads/2016/11/Follow-up-of-the-Utilisation-of-Compromise-Agreements.pdf>

2021:

<https://www.jerseyauditoffice.je/wp-content/uploads/2021/05/States-Employment-Board-follow-up-report.pdf>

This makes it of the highest importance that the recruitment of a new C.E.O. is undertaken in the best possible manner and that means implementing in full, the findings of the Comptroller & Auditor General's recommendations in her most recent report on the matter entitled, States Employment Board – follow up: Employment of the former Chief Executive (link above).

Those findings include a recommendation (Recommendation 6) that states that S.E.B. should:

“Undertake the proposed review of the original appointment process for the former Chief Executive as soon as practicable and implement the findings from the review in the recruitment and appointment process for the new permanent Chief Executive.”

The Chair of P.A.C. wrote to the Chief Minister as Chair of S.E.B. on 19th July, requesting that:

“This recommendation [Number 6] was accepted in the formal Executive Response which indicated that a review of the original appointment process for the former Chief Executive would be carried out and the findings presented to the States Employment Board by 31st July 2021. As a matter of urgency, the PAC requests the Terms of Reference for the review. We urge you to include in the review a sincere evaluation process of ‘lessons learned’ and take timely actions which address the inconsistencies,

anomalies and weaknesses in the process which led to the costly severance payout by the taxpaying public. We also request that you make the findings, recommendations and actions of your review public before appointing the new Chief Executive.”

It is understood that the appointment process for the new C.E.O. has continued despite the recommendations of the C&AG not having been implemented in full, including recommendations from previous C&AG’s reports that are pertinent to the recruitment process.

There is no doubt that since the public service is, under its current leadership, operating with a more favourable culture and in a manner that is more conducive to delivering the level of services that Islanders expect and deserve. Given that the public service is experiencing a rare period of stability, it has become even more important that the States Employment Board recognises this and takes the opportunity to maintain it. This will then provide the breathing space that is needed to undertake the work required by the C&AG’s recommendations in advance of making an appointment to the position of C.E.O.

There is no doubt that the past months have been a success for the Interim C.E.O. As a result, the administration of the Government of Jersey is working more effectively and all Islanders are feeling the benefit. Given this reality, it makes no sense to disrupt the improved workings of the public service by making a new appointment before the C&AG’s recommendations have been implemented. Ultimately, the Interim C.E.O. has undertaken a job interview of many months and, has done very well. Any new appointee will have been interviewed for a matter of hours and, given the current Covid situation, is unlikely to have even been met in person or been able to travel to the Island.

After three years of turmoil, the Government of Jersey and its public administration are experiencing a period of calm and competence, which should not be needlessly disrupted. The States Assembly should put the needs of the Island before the needs of a recruitment process, no matter how far advanced it is.

As such, the States are asked to request the Chair of S.E.B. to pause the current recruitment process, to extend the Interim C.E.O.’s contract until at least a date after the formation of a new Council of Ministers in 2022 and to only start a new recruitment process once the C&AG’s recommendations have been implemented in full.

This proposition is made with the understanding that the current Interim C.E.O. is willing to remain in post beyond the timeframe of his existing contract.

Financial and manpower implications

If this proposition is adopted by the States Assembly, the financial implications will involve writing off the costs incurred through the existing recruitment process, incurring new costs caused by the commencement and undertaking of a new process, as well as having to continue paying the Interim C.E.O.’s salary until a new C.E.O. is appointed after the next election. At the time of drafting this report, the relevant figures were not available due to staff absence but the States Assembly will be advised in advance of the debate once the figures are accessible.