

**QUESTIONS TO BE ASKED OF THE PRESIDENT OF THE POLICY AND RESOURCES
COMMITTEE ON TUESDAY, 4th FEBRUARY 2003
BY DEPUTY R.G. LE HERISSIER OF ST. SAVIOUR**

Question 1

- (a) Would the President outline the material differences between the job description of the current Chief Executive position of the Policy and Resources Department and the job description of the recently advertised position of Chief Executive to the Council of Ministers and Head of the Public Service?
- (b) Would the President confirm whether or not the job description of the position occupied by the recently departed Chief Executive of the Policy and Resources Department was designed in such a manner as to provide the basis for the new position of Chief Executive as recently advertised?
- (c) Would the President confirm whether or not the performance management regime in place for chief officers was applied in the case of the recently departed Chief Executive?
- (d) Given that the former Chief Executive's performance was described as 'exemplary' in the statement made by President on 21st January 2003, how then did he become ineligible for the recently advertised position?
- (e) What improvements, if any, will be made to the appointment process for senior civil servants following this episode?

Answer

1. (a) There are major differences between the two job descriptions. In the new job description -
 - (i) the Chief Executive is given specific responsibility for leading and directing the work of the Public Service during the transitional period in preparation for the ministerial system of government. This work will include the development of new structures and organisation of government, in accordance with the States decision of 28th September 2001;
 - (ii) in the ministerial system the Chief Executive will have direct responsibility for the discharge of States wide policy objectives set by the Chief Minister and Council of Ministers. He will be the Head of the Island's Public Service and lead and direct the other Chief Officers. He will be the first ever States of Jersey employee to have such responsibilities;
 - (iii) the job description for the Chief Executive to the Policy and Resources Committee was prepared and approved in March 1998 in very different circumstances. This was a full 12 months before the States' decision to appoint a body to review the Machinery of Government in Jersey (the 'Clothier' Panel) and clearly at that stage it was not possible to predict the outcome of a review of the Island's system of government. The job description reflected the situation that existed at that time, and the primary roles of the job were –

advising and supporting the Policy and Resources Committee;
directing, coordinating and promoting the strategic policies of the States, and
advising on strategic policy issues on an inter-Committee basis.

Clearly, these responsibilities did not include being Head of the public service.

- (b) No. As I have already said in answer to question (a) the job description for the post of Chief Executive of the Policy and Resources Department was drawn up in March 1998, before the Review of the Machinery of Government had taken place and long before a States decision on the future machinery of government. It was therefore impossible to predict if and when any changes might occur and the form

that they might take.

- (c) Whilst I was not a party to them, I can confirm that the processes associated with Chief Officers' Performance Review and Appraisal were applied in the case of Mr. John Mills.
- (d) Mr. Mills was not ineligible for the recently advertised post. He applied for and was a serious contender for the position. However, in all selection processes, there is a judgement that has to be made on the relative strengths of those who have applied for a position. In this particular case, Mr. Mills was unfortunate in coming up against other candidates whose skills and experience more closely matched the requirements of the new job description.
- (e) Under the supervision of the Appointments Commission, the processes that were applied in filling the Chief Executive's position were of a very high standard. I believe, therefore, that few, if any, changes will need to be made to the approach that was adopted. No doubt, however, the States Human Resources Department and the Appointments Commission will keep these matters under close review as they move on to the next set of senior appointments.

Question 2

- (a) Would the President confirm that the previous Policy and Resources Committee decided to –
 - (i) create a new post that would subsume the post presently occupied by its Chief Executive Officer?
 - (ii) invite applications for that new post other than from its Chief Executive Officer?
 - (iii) install the successful candidate in the new post prior to the expiry of the present Chief Executive's contract?
- (b) Would the President state why the Committee did not time the starting of the new post to coincide with the end of the present Chief Executive's contract, thereby saving a considerable sum of public money should the current incumbent not be successful?

Answer

2. (a) (i) Yes. In developing the proposals contained in the proposition '*Machinery of Government: proposed departmental structure and transitional arrangements P.70/2002*', the previous Policy and Resources Committee determined that, as a natural consequence of the Chief Minister's Department taking on most of the functions of the Policy and Resources Department, together with other major functions, the new post of Chief Executive to the Council of Ministers and Head of the Public Service which would also assume the role of head of the Chief Minister's Department, would naturally subsume the role of Chief Executive Officer to the Policy and Resources Committee.
- (ii) Yes. The Committee decided to invite applications from all those who felt themselves competent to carry out the new role. This did not exclude Mr. Mills.
- (iii) Yes. The Chief Executive will guide, advise and influence the transition to the ministerial system. Given this key role the Committee felt it was essential he should be appointed as soon as possible.
- (b) As I have made clear in response to the Deputy's earlier questions, the post of Chief Executive to the Council of Ministers and Head of the Public Service is a new role. This requires different skills and behaviours to the previous post of Chief Executive to the Policy and Resources Committee.

Two other courses of action were open to the Committee -

- (i) we could have retained Mr. Mills until the end of his contract and appointed the new Chief Executive at that time. Superficially, this would have been the cheapest option. However, it would have delayed the introduction of a more efficient system of government and cost the Island considerably more in the longer term; or
- (ii) we could have retained Mr. Mills in post and sought to appoint the new Chief Executive. However, this would have resulted in an expensive and unworkable duplication, it would have seriously affected the ability of the new Chief Executive to perform his job and it is doubtful that any high calibre candidate would have accepted the post under these circumstances.

The Committee has no doubt that the decisions it took were in the best interests of the public services and of the Island as a whole.”