

3.5 Deputy J.A. Martin of the Chief Minister regarding the recording of informal meetings of the Council of Ministers and other bodies:

Would the Chief Minister inform Members who determines when a meeting of the Council will be deemed informal, and therefore not minuted by a Committee Clerk? Why are the meetings of the Migration Advisory Group (MAG) not minuted, and why are the minutes of the Corporate Management Board not available to Members? Thank you, Sir.

Senator F.H. Walker:

It has been agreed by the Council of Ministers that general discussions without decisions - emphasise "without decisions" - being taken do not need to be minuted by a Committee Clerk. These informal discussions tend to be on general matters, and never come to a formal conclusion. If any decision is required the matter has to be brought back to a formal meeting of the Council, at which time any decisions made are fully minuted. The Migration Advisory Group is not a decision-making body. As its name implies it is an advisory group, and merely assists Ministers in making decisions in areas for which they are accountable. However, following discussions with the Corporate Services Scrutiny Panel, it has been agreed that minutes will be kept in future. The Corporate Management Board is an officer group which meets to consider operational matters relating to the management of the public sector, and it is not therefore appropriate that the minutes should be made available to Members. Any matter requiring a policy decision is brought to the relevant Minister, or the Council of Ministers, and is recorded either in the form of a Ministerial Decision, or in the minutes of the Council of Ministers. The important point, which I must emphasise, is that all decisions taken by Ministers, and the Council of Ministers, are fully and properly recorded.

3.5.1 Deputy J.A. Martin:

I raised this question because over the last few weeks - on 3rd May and 8th June - the full Council met to discuss the implementation of the Income Support Policy, and both times I have asked for the agenda and also asked for the minutes, and these have been deemed by the Clerk as a general discussion, therefore: "A Committee Clerk will not be present, and will not take formal minutes." We have asked before if we can have minutes to the agendas, and we have been told: "Yes, no problem." Now it seems for fairly important discussions, the Minister has just said, Sir, that if it is not a decision-making body that they do not need to take minutes. Well, I am very sorry, Sir, would not the Minister agree there have been 2 long meetings, one I think that lasted 3 to 4 hours, and the other probably about the same, discussing the policy of Income Support, and there is a final draft going back to the Council on the 22nd. Will he inform the House if this is going to be informal? If informal, there will be no paper chase, Sir.

The Bailiff:

Deputy, that is a very long question. I think you have come to the end.

Deputy J.A. Martin:

Yes, sorry, Sir, I think the Minister gets where I am coming from. It is frustrating, Sir.

Senator F.H. Walker:

I am sorry the Deputy is frustrated. The point is that these meetings to which she refers are primarily briefing sessions. They offer the opportunity to the Social Security Minister and his team to brief the Council of Ministers on the latest position of Income Support. Again, the crucial point is that no decisions were taken of any binding matter whatsoever. Any such decisions have to come back to the Council of Ministers, at which point they are noted and minuted in the normal way. Any decision by the Social Security Minister is minuted and taken in the formal way as always. So, there is no question of any decisions being taken which affect this House, or affect the outcome of Income Support. This is an informal briefing. Sir, can I say, they are very, very useful, and we most certainly intend to maintain that practice. I am sure other groups of States Members

have informal briefings and informal discussions, and without taking decisions, and without keeping minutes. That is a good practice if one is to be kept fully up to date and fully informed.

3.5.2 Deputy G.P. Southern:

The Minister repeatedly says no decisions were made. However, at the most recent meeting that was prior to the Minister of Social Security relating his final version of Income Support to the Scrutiny Panel. So, it may not have interfered with the process elsewhere, but certainly a decision was made and we do not know what grounds to halt that process while something else was investigated. Certainly, it interfered with Scrutiny work because we have had our adviser lined-up for 21st and 22nd of this week, and we have had to put it off for the second time seeing the final draft. We have been working for 15 months on Income Support. We have still to see a final draft and we do not know on what grounds the other Ministers are questioning which way they are going forward. Will the Minister accept that holding meetings without minutes interferes with the Scrutiny process because we cannot see the audit trail?

Senator F.H. Walker:

Sorry, but that is completely erroneous and misleading. The decision taken to delay the implementation of Income Support was formally taken by the Minister for Social Security.

3.5.3 Deputy A. Breckon:

My question was related to the previous answer. The Minister said no decision was taken at the Council of Ministers informal meetings. Sir, could he confirm that they did not make a decision to seek a delay to Income Support? The Council of Ministers did not take a decision to seek to delay Income Support; it was the Minister of Social Security.

Senator F.H. Walker:

Yes, Sir, I do confirm that, as I have just said in answer to the previous question.

The Bailiff:

Final supplementary.

3.5.4 Deputy J.A. Martin:

Well, then, that begs the question that the final draft is coming back again to the Council of Ministers on the 22nd. Hopefully there will be a decision. So, will this be an informal or a formal minuted meeting so we can find out the concerns, if any, of the Council of Ministers?

Senator F.H. Walker:

At the moment the meeting on the 22nd is planned as another informal presentation and discussion and therefore no decision will be taken. As soon as a decision is taken by the Council of Ministers and signed-off by the Social Security Minister, it will be made publicly available in the normal way.