

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 1st NOVEMBER 2011**

Question

Would the Chief Minister advise members of the following –

- (a) who is responsible for determining senior civil servants (such as Chief Officers and Chief Accounting Officers) pay and conditions and list all the individuals and bodies involved and their roles and inter-relationships?
- (b) who is responsible for disciplining and dismissing senior civil servants guilty of misdemeanours or poor performance?
- (c) who is responsible for judging the efficiency/incompetence of senior civil servants?
- (d) what actions can be/taken for dealing with incompetence or poor performing senior civil servants?
- (e) how many senior civil servants have been disciplined/dismissed for misdemeanours or incompetence in the last three years?
- (f) do contractual terms exist which require civil servants not to become politicised and to be truthful with Ministers and all States Members and, if not, what checks and balances are in place to ensure that they give honest, truthful and non-evasive or misleading advice, information and answers to Ministers and States Members?

Answer

- (a) The States Employment Board.
- (b) A Chief Officer/Accounting Officer appointed before 1st January 2007 is subject to disciplinary action for minor breaches of conduct or capability by his or her Minister, and for repeated or more serious breaches of conduct or capability by a panel of three appointed by the States Employment Board.

A Chief Officer/Accounting Officer appointed on or after 1st January 2007 is subject to discipline/dismissal by the Chief Executive.

The Chief Executive is subject to disciplinary action for minor breaches of conduct or capability by the Chief Minister and for repeated or more serious breaches of conduct or capability by a panel of three members of the Council of Ministers nominated by the Chief Minister.

There are two Accounting Officers of small States Departments who are not Chief Officers. These employees are subject to discipline /dismissal by the standard Civil Service Disciplinary Procedure agreed by the States Employment Board. This procedure

allows an appeal against dismissal to the Civil Service Forum consisting of Employer and Employee representatives.

- (c) The Chief Executive is responsible for judging the efficiency/competence of Chief Officers/Accounting Officers. The Chief Minister is responsible for judging the efficiency/competence of the Chief Executive.
- (d) Actions include performance monitoring, retraining/further development, redeployment, demotion, disciplinary warnings, and dismissal.
- (e) One Chief Officer/Accounting Officer has been disciplined for misdemeanours or incompetence in the last three years. There have been no dismissals for misdemeanours or incompetence over this period.
- (f) All Jersey Civil Servants at grade 12 and above are classified by contract of employment and Law to be politically ineligible in terms of taking a public part in political matters. The well established custom and practice and culture of the Jersey Civil Service is that it is politically neutral. Honesty and integrity in performing ones duties are implied contractual terms in all Civil Servants' employment and any employee who breaches this requirement is liable to disciplinary action.