

3. Oral Questions

3.1 Deputy R.G. Le Hérissier of St. Saviour of the Minister for Economic Development regarding the staff turnover at the Jersey Competition Regulatory Authority:

Would the Minister enumerate the number of Executive Directors that have headed the J.C.R.A. (Jersey Competition Regulatory Authority) since September 2010 and indicate, in the light of the impending departure of the current Executive Director, whether he thinks the turnover is excessive and whether, combined with other staff turnover, this is impacting upon the output of the J.C.R.A.?

Senator A.J.H. Maclean (The Minister for Economic Development):

The Jersey Competition Regulatory Authority is led by a Board, which is independent of the States of Jersey. The Economic Development Department has a service level agreement with the J.C.R.A. in respect of the Competition Law grant and advice on competition policy. The J.C.R.A. has been going through a period of significant change, both in terms of the regulatory landscape and the creation of a pan-Channel Islands structure for the Jersey and Guernsey authorities. I agree with the Deputy that it would have been preferable to have people in key posts for longer periods of time, however the particular circumstances have not allowed that to happen. Since 2010 there have been 4 Chief Executives, however there are also 2 other Executive Directors that have been in post for a number of years. The C.I.C.R.A. (Channel Islands Competition Regulatory Authority) Board have announced that the current Deputy Chief Executive would assume the role of Chief Executive on an interim basis therefore ensuring some continuity. If the Deputy believes the Authority's output is compromised it would be helpful if he could be more precise so I could discuss any issues with the Authority during my regular meetings with the Chairman that might need to be addressed.

3.1.1 Deputy R.G. Le Hérissier:

Has the Minister in his regular meetings covered the fact that there are apparently only 3 staff members left: 2 in Guernsey, one in Jersey, with 2 back-up administrative staff? Secondly, is he able to tell the House why the report, which was tendered in April 2012, on wholesale rates for the new fibre optic scheme has not been published and when it will be published?

Senator A.J.H. Maclean:

With regard to staffing, there are in fact 9 members of staff of C.I.C.R.A.: 5 located locally and 4 in Guernsey, just to clarify the position in terms of numbers of staffing for the Deputy. With regard to the report that the Deputy referred to, it is of course a report for C.I.C.R.A. to publish. I understand it is an intention to publish it. I will get back to the Deputy with regard to a timeline, which I am not familiar with at the moment.

3.1.2 Deputy M.R. Higgins of St. Helier:

The Minister in his first answer was running through the activities that they have been doing over the last 4 years. Will the Minister please look at his answer, the first part of it he talked about the work the Commission has been doing over the last few years. Can you elaborate on the nature of that work?

Senator A.J.H. Maclean:

I am not sure I caught entirely all of the question, I am afraid there was some coughing in my right ear, so I might not have got it all.

The Bailiff:

I think the Member asked about the nature of the work that the J.C.R.A. have been doing.

Senator A.J.H. Maclean:

In fact I did not in my opening talk about the work that the Competition Authority does but if the Deputy wants to know specifically, it has carried out a number of functions obviously from a regulatory perspective oversight of the likes of Jersey Telecom and postal services. In terms of reviews there are quite a number of reviews that the Authority has undertaken. The most recent ones: the fuel market is under way; the groceries report that was published, all of which are extremely valuable and I believe have added significantly to the reputation of the Authority.

[9:45]

3.1.3 Deputy J.A. Martin of St. Helier:

Is the Minister able to tell the Assembly how much it has cost to have 4 Chief Executive Officers in 4 years, including recruitment as well as paying off their contracts please?

Senator A.J.H. Maclean:

I do not have an exact figure to hand. It is clearly within the budget. The budget and funding of the Competition Authority is currently £300,000 per annum and it certainly falls within that. In terms of actual pay-offs and any other costs associated with recruitment I am very happy to get back to the Deputy with precise figures but I clearly do not have those to hand at the present time.

Deputy J.A. Martin:

If the Minister could let everybody know please exactly which one costs what and over what time period.

Senator A.J.H. Maclean:

Yes.

3.1.4 Deputy R.G. Le Hérissier:

Would the Minister not acknowledge that, to paraphrase Oscar Wilde, one may be acceptable but 4 is, to put it mildly, unfortunate. Was he not worried that there was a rather clear pattern there and to say: "It is run by a Board and I only get reports from the Board", seems to me abdication? Would he not acknowledge that a very serious situation has arisen? One example of a report tendered in April 2012: no report yet. Would he not acknowledge that there is a serious situation of drift and he has not explained why these departures have occurred?

Senator A.J.H. Maclean:

I have pointed out that it is clearly disappointing to see a high turnover of staff and particularly at a senior level. In any organisation clearly it does impinge on the ability of the Competition Authority to carry out its functions as efficiently and as effectively as it perhaps should do. That is to be regretted and I agree with the Deputy in that regard. I am and will continue to have a dialogue with the Board. It is the responsibility of the Board to have oversight of the Executive and the function of the Competition Authority and that is exactly as it should be. I will continue to have dialogue with the Chairman to ensure that in future, as best as possible, we can get a more consistent approach to staffing to ensure that the outcome improves even further from where it is currently.

3.1.5 Deputy R.G. Le Hérisier:

What is his analysis of why there has been such a turnover?

Senator A.J.H. Maclean:

I think the figures at face value do indeed appear to be unsatisfactory but, to be fair, I know that at least in 2 cases personal circumstances resulted in the individuals departing, and that is clearly a regrettable situation but perhaps understandable for Members.