

2019.06.18

**15 Deputy M.R. Higgins of the Chairman, States Employment Board regarding the appointment of interim consultants in the Department of Health and Community Services: (OQ.168/2019)**

Will the Chairman advise Members whether any failures to adhere to correct procedure have been identified in the recent appointment of interim consultants in the Department of Health and Community Services and, if so, will he state what actions have been taken and what lessons have been learnt as a result?

**Senator J.A.N. Le Fondré (Chairman, States Employment Board):**

I understand that the Deputy is referring to 2 appointments relatively recently. The States Employment Board fully discussed the appointment of a risk and governance consultant, as proposed by H.C.S. (Health and Community Services), via the P.59 process. The Board was fully satisfied that the appointment was both proportionate and in accordance with the procedure. That is a 13-week contract spread over about 6 months to work on governance and risk issues within health and that is following the C. and A.G. (Comptroller and Auditor General) report. On the second employment, the Board is not involved in the appointment of a second consultant under a contract for service, because they were appointed under the delegated recruitment authority of the Director General, as the post did not meet the criteria requiring a P.59 approval. I can just say, if it helps and hope will be of assurance to the Deputy, the Vice-Chairman of the States Employment Board has looked into the matter and does consider it fully met the delegated procedure. On that basis, the Board remains satisfied that the P.59 process continues to work as intended and that the delegations of a wide variety of human resources tasks to the Director Generals, including recruitment, are appropriate.

**3.15.1 Deputy M.R. Higgins:**

Will the Chief Minister tell us exactly what the process is; the very first appointment he mentioned, where the consultant was employed for 6 months at £45,000? Because I think many people are confused. What does the appointment process involve?

**Senator J.A.N. Le Fondré:**

I can give a high-level summary, so P.59 is relevant to ... I cannot remember which year, but it was proposition P.59, which was specifically around the area of the appointment of consultants and that kind of territory. It generated a reporting process, which is now reported annually to the States, but means that politicians, particularly and directly members of the States Employment Board, do oversee appointment of contracts for more than £100,000 a year and which obviously means annualised contracts for. The process is that there is a bidding process, a better professional approval process that goes up through departmental level and officer level and the experience I have, it comes to the Minister for approval if it refers into their department and then it goes to the States Employment Board for final approval.

**3.15.2 Deputy M.R. Higgins:**

Will the Chief Minister tell us whether the person, who is appointed to that post, first of all was interviewed, secondly, whether anyone else was interviewed and, thirdly, whether it was being advertised? If the answer to all those questions are, as I suspect they will be, does he still think it is a sound procedure?

**Senator J.A.N. Le Fondré:**

Which process?

**Deputy M.R. Higgins:**

The recruitment process of that individual.

**Senator J.A.N. Le Fondré:**

The point was that we have 2 individuals, I believe ... the P.59 process. In terms of the advertising side, I am not sighted on that. I think there are 2, or 3, comments we need to make around this. Number one, it is for a short period of work; it is literally 13 weeks over 6 months. It is also to deal with, essentially, patient care and safety, as a result of the governance issues that were identified by the C. and A.G. Therefore, it was a bespoke specialist, brought in to address patient safety and issues and they are brought in at relatively short notice, to address patient safety concerns and issues identified by the C. and A.G. in her report. I think the second point, which is addressing the kind of overall theme of some of the focus that goes on around appointment of interims, and the underlying context of, why are we doing it? Why can we not do it internally? People may want to ask me this on questions without notice, because otherwise we will run out of time. My view is that many interims that are coming in are being brought in for their specialist skills; is it relevant to this particular circumstance, as well? When they are being brought in to cover things like ... we are dealing with a change in an organisation, in a large organisation, relatively, of over 7,000 staff, therefore we have to bring in ... sorry, we have a choice, we can either do it internally, which requires people who are being subject to change to change themselves, or we bring in ... I think the classic example where we would not want to do that is in things like Children's Services, where I think we have got clear evidence of why and where the system went wrong, or where it could be improved. I am being diplomatic in all those areas and why we needed to bring in outside arrangements. In terms of the health side, things have moved on and, therefore, we bring in the best specialism we can bring in.

**Deputy M.R. Higgins:**

Sir, can I interrupt? The Minister was asked specifically: was the person interviewed, or was anyone else interviewed? In fact, I will throw in another one, did the person who employed that person, was that known to her, did she solely make the decision? We need to know what the process was on that.

**Senator J.A.N. Le Fondré:**

The P.59 process, I have answered; the P.59 goes up to the States Employment Board.

**The Bailiff:**

Chief Minister, just a moment, please. You were asked 3 specific questions: was the post advertised and the other 2; I have forgotten?

**Senator J.A.N. Le Fondré:**

I was answering the last point, which was that was it approved. The point was it went up to the approval process, which is the States Employment Board. Was it advertised? I do not know, I will come back and find out. The point I am making; it was for a very short-term post at short notice. Therefore, why would you not use the knowledge and experience of the Director General to find someone in a specialist area to bring it in? We, I think, are very well served by the Director General. I think we need to get off a little bit of the populist bandwagon of for ever inferring ill-doing in terms

of all of the Director Generals and people we have. They are being brought in to achieve major change to improve the services we offer. I think we need to make that point.

**Deputy M.R. Higgins:**

Point of clarification, Sir, was she interviewed for the job?

**Senator J.A.N. Le Fondré:**

I just said I do not know and I will go and find out.