
STATES OF JERSEY



INDEPENDENT JERSEY CARE INQUIRY: MEMORANDUM OF UNDERSTANDING AND DIRECTIONS

Presented to the States on 8th October 2015
by the Minister for Treasury and Resources

STATES GREFFE

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE INDEPENDENT JERSEY CARE INQUIRY AND
THE MINISTER FOR TREASURY AND RESOURCES**

The Independent Jersey Care Inquiry (IJCI) and the Minister for Treasury and Resources (the Minister) agree that:

- The Inquiry budget, as set out in P.20/2015 shall not exceed £13.7 million, subject to the agreed caveat in respect of unanticipated circumstances arising which may result in the need for further expenditure.
- The report of the findings of the IJCI will be delivered no later than 31st December 2016.
- States of Jersey departments shall provide information required by the IJCI in a timely manner and all parties shall adopt practices which expedite the work of the Inquiry while containing costs.
- Monthly reports on actual and forecast costs will be provided by the IJCI to the Treasurer of the States and the States Accounting Officer for the Inquiry.
- The IJCI will notify the Treasurer of the States and the States Accounting Officer immediately of any exceptional circumstances which may affect the ability of the Inquiry to stay within the agreed budget or timescales.

September 2015

**DIRECTIONS ISSUED BY THE MINISTER FOR TREASURY AND
RESOURCES UNDER STANDING ORDER 150:
THE INDEPENDENT JERSEY CARE INQUIRY**

Introduction

This document represents the directions of the Minister for Treasury and Resources under Standing Order 150 relating to the Independent Jersey Care Inquiry (IJCI).

It is designed to –

- preserve the integrity of the Inquiry; and
- contain, as far as possible, the final cost of the Inquiry to the sum approved by the States Assembly.

It should be read in conjunction with the published Memorandum of Understanding between the Independent Jersey Care Inquiry and the Minister for Treasury and Resources dated September 2015.

Standing Order 150: Committee of Inquiry: remuneration and expenses

The Minister for Treasury and Resources may give directions as to –

- (a) the remuneration (if any) of a member of a committee of inquiry;
- (b) the expenses that a committee of inquiry may incur; and
- (c) how such remuneration and expenses are to be funded.

Budget

The revised budget for the IJCI was agreed in [P.20/2015](#) (Committee of Inquiry: Historical Child Abuse – additional funding) as £13.7 million.

Procedural terms of reference

The States also agreed in P.20/2015 that –

- the scope of the Inquiry as set out in the Terms of Reference is understood as covering the period 9th May 1945 to 3rd April 2014;
- the Inquiry and the States publish jointly on their websites details of their expenditure on a monthly basis;
- the Chairman presents the report of the Inquiry to the States Assembly not later than 31st December 2016; and
- the Inquiry makes full use of all available published and unpublished reports which it deems relevant to the Terms of Reference.

Role of the accounting officer for the Inquiry

The accounting officer for the IJCI must not authorise any expenditure which would result in the agreed budget for the Inquiry being exceeded.

The accounting officer will seek to ensure that the IJCI will follow States' Financial Directions in relation to all of its expenditure, or seek appropriate exemptions where this is not practicable.

Reporting

The Treasurer of the States will publish actual costs for the IJCI and States departments on www.gov.je monthly.

The IJCI will provide a link to the published costs on the Inquiry website.

Process to be followed in the event of unforeseen additional costs: Inquiry

- The IJCI will notify the Treasurer of the States and accounting officer (IJCI) immediately of any changes to any factors which may affect the ability of the Inquiry to stay within the agreed budget, including –
 - timeframe
 - scope of the Inquiry
 - working protocols.

This notification must include a statement of the revised forecast total cost to the end of the Inquiry.

- Upon receipt of such notification the Treasurer of the States will consider the total available funding and either –
 - advise the IJCI and the accounting officer (IJCI) that additional funding up to the revised forecast is approved; or
 - advise that insufficient additional funding is available and that costs must be contained within the latest agreed budget.
- If the IJCI and the accounting officer (IJCI) are advised by the Treasurer of the States that no additional funding is available and they consider that the terms of reference for the Inquiry cannot be met within the funding available, they must notify the Treasurer of the States and the accounting officer (IJCI) immediately.
- If the Treasurer of the States receives such notification he must advise the Minister for Treasury and Resources and prepare a report for the next available Council of Ministers meeting outlining –
 - the shortfall in available funding; and
 - options for meeting the funding shortfall.

An option will be to lodge a proposition and report for debate by the States Assembly seeking approval for additional funding.

- The Treasurer of the States must advise the IJCI and the accounting officer (IJCI) immediately of the outcome of the Council of Ministers' meeting. If further funding is to be sought from the States Assembly, then the advice from the Treasurer of the States must contain clear instructions on whether spending on the Inquiry can continue pending that States approval.

Process to be followed in the event of unforeseen additional costs: States Departments

- The Treasurer of the States will notify the accounting officers for all States Departments which are involved in provision of information to the IJCI of their maximum approved budget for that activity.
- Each accounting officer must notify the Treasurer of the States immediately of any changes to any factors which may affect the ability of their department to stay within the agreed budget, including –
 - timeframe
 - scope of the Inquiry
 - working protocols.

This notification must include a statement of the revised forecast total cost to the end of the Inquiry.

- Upon receipt of such notification the Treasurer of the States will consider the total available funding and either –
 - advise the accounting officer that additional funding up to the revised forecast is approved; or
 - advise that insufficient additional funding is available and that costs must be contained within the latest agreed budget.
- If the accounting officer is advised by the Treasurer of the States that no additional funding is available and they consider that the department's work relating to the Inquiry cannot be met within the funding available, they must notify the Treasurer of the States immediately.
- If the Treasurer of the States receives such notification he must advise the Minister for Treasury and Resources and prepare a report for the next available Council of Ministers meeting outlining –
 - the shortfall in available funding; and
 - options for meeting the funding shortfall.

An option will be to lodge a proposition and report for debate by the States Assembly seeking approval for additional funding.

- The Treasurer of the States must advise the accounting officer immediately of the outcome of the Council of Ministers' meeting. If further funding is to be sought from the States Assembly, then the advice from the Treasurer of the States must contain clear instructions on whether spending on the Inquiry can continue pending that States approval.

Minister for Treasury and Resources
September 2015