



## **Corporate Services Scrutiny Panel**

### **Quarterly Public Hearing with the Chief Minister**

**THURSDAY, 27th MARCH 2014**

**Panel:**

Senator S.C. Ferguson (Chairman)  
Deputy J.G. Reed of St. Ouen  
Connétable D.W. Mezbourian of St. Lawrence  
Deputy R.J. Rondel of St. Helier

**Witnesses:**

Senator I.J. Gorst (Chief Minister)  
Senator P.F. Routier MBE (Assistant Chief Minister)  
Mr. J. Richardson (Chief Executive Officer)  
Mr. T. Walker (Director, International Affairs)

**Topics Discussed:**

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[14:31]

**Senator S.C. Ferguson (Chairman):**

Welcome to this hearing of the Corporate Services Scrutiny Panel. You obviously will have read them before, I think, but there is the health warning there about the conduct of the meeting and for the purposes of our transcribing staff I wonder if you could say who you are and what your position is, please? Now, if we look at your various ministerial priorities, Chief Minister, what particular matters are you going to be pushing for priority to come to the States before the end of the term?

**The Chief Minister:**

Good question. I suppose as always there are ministerial priorities which do not need to come to the States and then there are some pieces of legislation and regulations that do need to come to the States. So hopefully you have all had a copy which resulted from the Connétable's question in the Assembly about the legislative priorities that need to come to the States, some of those are already launched and I do not think you need me to go through them again, do you?

**Senator S.C. Ferguson:**

What are the top three in your list of priorities?

**The Chief Minister:**

Well, they are all a priority to get through, currently I suppose I have a top two, it is probably three, priorities that I want to achieve ideally before Easter and that is the launching of three, in effect, policy frameworks or strategies. One is the Enterprise Action Plan, the other is the Skills Strategy and the third is the financial services policy framework. So I am prioritising those over the next 10 days or so. I have to get those delivered. You know that we have, at the end of this week, something that has been a priority over the last two months since we last month, the e-government vision and driving that forward. That will be launched on Friday with Digital Jersey, which is tomorrow morning, is it not? So we will be delivering on that particular priority. When it comes to other strategies, of course, the interim population policy, it is important that we get that approved in the States over the next quarter. We have got the liquid waste strategy, which needs States approval, which has just been lodged. We have got the energy policy again, which has just been lodged, which we are asking the States to approve, we have got the machinery of government changes, which I am asking the States to approve. All of those I think are important.

**The Connétable of St. Lawrence:**

These are policies, strategies that you are trying to get through; you have just referred to the legislation that will be lodged before the end of this Assembly. The list that you gave us, I am sure most Members thought was the definitive list, however since we were provided with that list the

Minister for External Relations has lodged the Draft International Criminal Court Law. Is there anything else that is likely to come forward?

**The Chief Minister:**

You raise a very good point, Connétable, those items are raised from the Legislation Advisory Panel and I think that...I am not sure that they had been consulted when we initially brought those items together. For the same reason that the treason changes arose from the Legislation Advisory Panel, the International Criminal Court, the extension of that and the changes arose from the Legislation Advisory Panel. I am not sure what else there is that is going to come from them over the time period. John is saying the Employment of States of Jersey Employee Law amendments but I think that was already noted. As far as I am aware it is that stuff which comes from the Legislation Advisory Panel, which is not the Executive, which had not been included in that list.

**The Connétable of St. Lawrence:**

So the list is just about definitive. That is what we can expect to be dealing with? Have you made allowances...beg your pardon?

**The Chief Minister:**

I hope so, yes.

**The Connétable of St. Lawrence:**

Have you made allowances for any of that legislation to be referred to Scrutiny and potentially delayed?

**The Chief Minister:**

That is a good question. We obviously have tried to, where we could on the major issues, hope that there is time for Scrutiny to fulfil their function. It may be, and I became aware earlier this week, of one particular item where actually Scrutiny timetables were going to be tight and we were going to need to think about whether it can be achieved before the election or not. So if there are problems that any particular Scrutiny Panel has with the work programme then we need to sit down and see whether it is achievable because it is important that Scrutiny scrutinises what it wishes to and has the appropriate time to do so.

**The Connétable of St. Lawrence:**

I think as Scrutiny members we will all agree with that sentiment. One further item on legislation if I may because I have seen Deputy Reed indicating he wishes to speak. One of your strategies, one of your main aims as I understand it is to get people back into work. In that long list of legislation, is there anything there that will achieve that aim?

**The Chief Minister:**

Directly there probably is not because that is about the programmes that we have at social security. Of course the strategies that I have just said were my major priority for the next 10 days are directly linked with helping getting people back into work and that is the enterprise strategy and the skills strategy, and to some extent, but lesser, the financial services policy framework. So we do not need legislative changes to carry on with that but we do need to make sure we are putting in place the right strategies to enable that work to continue as well. So it remains our priority, it is just that it does not need legislation around it.

**Senator S.C. Ferguson:**

But you would need fiscal changes in order...I think the supply side economics is that you reduce your margin or tax rates to encourage people back to work and we have not really seen much of that, have we?

**The Chief Minister:**

We have not seen much interaction with the tax rates, no, that is right, but we certainly have put in place financial incentives for getting people back to work. One of the items that will come out of the enterprise action plan is looking at whether the point you have just made about tax rates, whether they need to be looked at to encourage employment. The skills strategy, again, it is not quite in its final form but one of the items there is the creation of a skilled centre, which again will have financial implications. We are looking at that as well and some of the other items that will come out of the skills strategy or programmes will require financing and that we are looking at in relation to the medium term financial plan as well. We are also looking at whether we need to perhaps prioritise or reprioritise some of the capital programme to get that out into the economy quicker as well.

**The Deputy of St. Ouen:**

Given one of your aims was to better co-ordinate the work of the Executive and ultimately the States, why is that we have got so many significant items that are requiring attention before the end of the term, literally the last hours of this government?

**The Chief Minister:**

My answer has not changed from when you asked me that same question two months ago. Unless we change the electoral cycle then we will continue to have this problem.

**The Deputy of St. Ouen:**

So are you saying that none of these strategies that you have just spoken about could not have been brought forward before the current date?

**The Chief Minister:**

I am saying we could have brought some of them forward but then the ones that we have got through would be being brought forward now.

**The Deputy of St. Ouen:**

Could you also explain why the Legislation Advisory Panel was not consulted before you published the lodging deadlines and list of legislation that you circulated to States Members in answer to a written question?

**The Chief Minister:**

No, I think it was just an oversight.

**The Deputy of St. Ouen:**

So how are you going to address that particular oversight in the future?

**The Chief Minister:**

A good question and I think one of the ways Tom and I have...I have spoken to Tom about this over the last couple of weeks and I think we need to ask ourselves whether there needs to be officer support for the Legislation Advisory Panel coming from the Executive side of government and that would ensure that we did not get to this point again in the future.

**The Deputy of St. Ouen:**

So currently is there any requirement either placed on the Legislation Advisor Panel or indeed the Council of Ministers to talk to one another?

**The Chief Minister:**

Is there any what?

**The Deputy of St. Ouen:**

Share information with each party.

**The Chief Minister:**

Is there any what?

**The Deputy of St. Ouen:**

Any requirement, either informal or formal, for the Council of Ministers to speak to the Legislation Advisory Panel or vice versa?

**The Chief Minister:**

I do not think there is a legal requirement to do so. If you remember the Legislation Advisory Panel is a slightly strange animal that is a remnant of the committee system and it has historically dealt with what I was told was lawyers laws. So laws that either the judiciary or the prosecution services or lawyers think need to changing, might be advising on comments that have been made by the judiciary and then they get fed through to the Legislation Advisory Panel and they beaver away on some of these issues and they have been doing it for a long, long time. One of the reasons that I think it was important that we took the judicial services functions that could be into the Executive arm of the government is so that in future we are much more co-ordinated, we know who is responsible for those sorts of things and it is not just sitting out almost as an Island doing its own thing but it is brought into government and we can plan for it, where things are taking too long we can make sure that there is a resource to ensure that those laws are dealt with in quicker time.

**The Deputy of St. Ouen:**

So are you suggesting that the advisory panel is no longer fit for purpose?

**The Chief Minister:**

No, I am saying that it can be changed and enhanced along the lines of how I have just described.

[14:45]

**The Deputy of St. Ouen:**

If you have that view why have you not brought forward proposed changes to address the matter along with other proposals that you are bringing to the States?

**The Chief Minister:**

The States agreed that...I am just forgetting the exact term now that we used to describe it, legal and...can Tom just help me with the term?

**Director, Internal Affairs:**

Back in September...

**The Chief Minister:**

No, just give me the term. **[Laughter]**

**Director, Internal Affairs:**

Justice and legal services.

**The Chief Minister:**

That is it, justice and legal services. That piece of work will result in the changes and enhancements that we have just described and I think you are indicating are necessary.

**The Deputy of St. Ouen:**

You anticipate those changes to happen when? Please do not say this term.

**The Chief Minister:**

Well, I cannot win, can I? **[Laughter]** Because clearly you are asking me why I have not done things quicker and earlier and I have not solved the whole of the world's woes, and now you are telling me: "Whatever you do, do not solve this one before October" so I am not sure what you are really asking me.

**Senator S.C. Ferguson:**

Okay, moving on. States Employment Board: how is the development of the draft law progressing?

**The Chief Minister:**

Well, I have a copy, draft copies, that we were going to...have we brought them with us today?

**Chief Executive Officer:**

I do not have copies today, but I can certainly email them to you.

**The Chief Minister:**

So it is in good progress, it is down on the list to be debated in the States before summer.

**Senator S.C. Ferguson:**

So when are you going to lodge it?

**Chief Executive Officer:**

The dates are aimed for debate in June, which means we have to lodge at the end of April.

**The Deputy of St. Ouen:**

Can you remind us, is the draft law currently being consulted upon, or is it the regulations that are going to be consulted on? Can you just remind us what the process is?

**The Chief Minister:**

It will go to States Employment Board, they will obviously have to agree it and officers have been working on it along with the Appointments Commission and it might be something that...I am not sure that it needs wider consultation than that but, again, it might be something that Scrutiny wish to look at.

**Deputy R.J. Rondel:**

So that law has been drafted and you are able to share that with the Panel?

**Chief Executive Officer:**

We have got the draft amendments to the law, they just came through yesterday, so we just have to go through them. We have one or two queries on them but generally they are in a position where they can certainly go to the States Employment Board and to yourselves for comment. They are draft and I know there will be a few changes to be made.

**Deputy R.J. Rondel:**

So we could expect those, what, next week.

**Chief Executive Officer:**

I can get you a copy, yes.

**Senator S.C. Ferguson:**

In the C. and A.G., the Comptroller and Auditor General's report on the Internal Audit Department she made the observation that the Chief Internal Auditor should be able to meet with the Audit Committee without any other officers present. Are you going to make it possible for the H.R. (Human Resources) director to meet with the S.E.B. (States Employment Board) without any other officers present?

**The Chief Minister:**

I would have no problem with that because in a way the H.R. director has a sort of dual accountability anyway to the C.E.O. (Chief Executive Officer) and through employment issues to the States Employment Board. So the H.R. director is, unless there is some other unforeseen circumstances, always present at the States Employment Board. It is not something that we had given any thought to but I do not see a problem with it as I sit here.

**Senator S.C. Ferguson:**

It is just that obviously sometimes it is better...it is a good thing to be able to meet with the Board without any other officers present.

**The Chief Minister:**

It is a very...I do not see any problem with it is the thing I should say, but it is a very different function from the internal audit function which is going around making sure that departments are complying with financial directives and other sorts of governance issues, whereas the...

**Senator S.C. Ferguson:**

Code of conduct.

**The Chief Minister:**

...H.R. director is dealing with employment matters. But your point is well made in light of the changes that we are proposing to the employees law because we will be dealing with policies in the same way that we deal with financial directions from a financial perspective. So it is a point well made and it is something we will need to consider.

**The Deputy of St. Ouen:**

Could you inform us whether or not the likely amendments to the law relating to the States Employment Board will be significant?

**The Chief Minister:**

I suppose it depends what you mean by significant. I think there will be significant improvements because it will, as I say...there will be a direct and clear policy direction to all departments when dealing with H.R. matters.

**The Deputy of St. Ouen:**

So are you aiming to distance yourself from the wage agreements and the like, that you currently are involved in?

**The Chief Minister:**

We are aiming to make sure that it is quite clear what politicians should be involved with and what officers should be involved with so that both can be held accountable accordingly for the things that they are responsible for. This States Employment Board has very clearly, during wage negotiations, believed that the States Employment Board political lead should set the policy and the mandate and then officers should go and negotiate and deliver on that mandate and they needed some flexibility to deal with it in the way they thought fit in those negotiations within the parameter set by the politicians rather than this coming together as we might have seen in the past. I think it has worked very well.

**Deputy R.J. Rondel:**

Has that process commenced for the next round for next year?

**The Chief Minister:**

I do not think it is has.

**Chief Executive Officer:**

No, we do not normally start negotiations until the very end of this year ready for the 2015 wage award, but obviously with elections and the new States Employment Board being formed towards the end of the year, we would probably be into early 2015 before those negotiations start to give the S.E.B. the opportunity to consider what their pay award and pay strategy would be.

**Deputy R.J. Rondel:**

That would be from January 2015 those awards?

**Chief Executive Officer:**

Yes.

**Deputy R.J. Rondel:**

So they would be backdated?

**Chief Executive Officer:**

Yes.

**The Deputy of St. Ouen:**

What role do you see the States playing in the new arrangements for the States Employment Board?

**The Chief Minister:**

The States Employment Board, ignoring for a minute what I said about the Legislation Advisory Panel because it is slightly different...the States Employment Board is the last of the old-fashioned committees and the States approves the Members of the States Employment Board. Anybody can be elected from the floor of the Assembly on to the States Employment Board and it acts as a committee. So the majority decision is the decision that is taken and acted upon.

**The Deputy of St. Ouen:**

The question was: what role will the States play?

**The Chief Minister:**

Well, they play exactly that role. They place the people on the committee in the same way that they always have done.

**The Deputy of St. Ouen:**

The States will no longer be required to sanction allocations of funding to provide for...

**The Chief Minister:**

No, that does not change, that stays in the budget process in the same way that it always has done.

**The Deputy of St. Ouen:**

So if the States are required to set the policy regarding overall levels of pay...

**The Chief Minister:**

Well, no, they are setting the policy...they are setting the envelope within which pay deals can be reached.

**The Deputy of St. Ouen:**

So I come back to the role of the States Employment Board because once the States have agreed an overall envelope then from what you have just described earlier, it is the role of officers and others to deal with the finer details and negotiate with the unions.

**The Chief Minister:**

No, the States sets the overall envelope. The States Employment Board then sets the negotiating remit for the officers, which may or may not be...one would hope, in the first instance, it is within the overall envelope agreed by the States and then officers go away and they do that negotiation. But, as you know, any negotiation you do not show your hand right at the start and in the last 3 year pay deal, equally, as you know, we had to go slightly beyond what was the overall envelope that was set within the overall States budget, rather than just that envelope because the envelope, as you know, included nothing for 2 years.

**The Deputy of St. Ouen:**

Then one must question why the States are required to agree the envelope when it can be ignored.

**The Chief Minister:**

Well, it is a difficult thing for governments because you cannot...the States has to agree the overall budget for the government. Within that has to be something for staff salaries but at the same time nobody wants to be in the position where you have determined what the pay negotiation or wage rise or freeze or whatever it is will be by reference simply to a legislative decision. It is a problem that has always been there in setting government employees pay. It is not...I cannot think of a methodology whereby you remove it.

**Deputy R.J. Rondel:**

Right, thank you. We are just going to move on to the Control of Housing Work Law. You have committed to undertake post implementation review of the new Control of Housing Work Law before July this year. Do you see you are still on track to be able to meet that timescale?

**The Assistant Chief Minister:**

I have got no reason to believe that we will not meet that timescale. We are certainly aiming for it. The officers are collating as much information as they possibly can and...

**Deputy R.J. Rondel:**

What specific work towards that have you done so far?

**The Assistant Chief Minister:**

I have not had a direct report back from the officers on the specific piece of work but I know they are aiming for that timetable and I have not put any pressure on them currently because I know that they are wanting to meet that timescale. I have had no indication they are not going to meet that timescale.

**The Deputy of St. Ouen:**

Is there no standard reporting procedure that your officers are required to follow to keep you informed of progress or otherwise around the delivery of a particular review that you have made a commitment to deliver by a certain date?

**The Assistant Chief Minister:**

We meet continually. We meet on a daily basis discussing things and I think the thing which they have been currently focusing on is the manpower returns. As you have been aware over the last few weeks there have been comments about the manpower returns being made and I know the department has been working extremely hard over the last few weeks to ensure that the manpower returns are completed in a satisfactory manner.

**The Deputy of St. Ouen:**

So are you saying you cannot give us any assurances at all that any work to review the post-implementation of the new Control of Housing and Work (Jersey) Law has been undertaken?

**The Assistant Chief Minister:**

I am assured that the work is carrying on at the current time.

**Deputy R.J. Rondel:**

Due to the fact there are delays you still do not see that as an issue as delivering your review by July?

**The Assistant Chief Minister:**

I have no indication that that is the case, certainly. Perhaps it may be useful if...John, I know, has had an update of where we are with the manpower returns. I have been in meetings all morning about Control of Housing and Work (Jersey) Law but I have not any updates of today's figures but...

**Senator S.C. Ferguson:**

Have you asked when the report is going to be out?

**The Chief Minister:**

The post-implementation report, with the information I have got in front of me, is that it will be completed by July, which is the timetable that you have.

**Chief Executive Officer:**

A lot of the work that is coming out, the analysis we are doing now on the manpower returns is very rich data to feed into that post-implementation report. That is crucial that we are getting the depth of data now that we have never had in the past, but that will give us very good direction indicators for the future. But, as unfortunately we announced a couple of weeks ago, there was a delay in analysing that data because there was so much to analyse but as of yesterday we were up to 52,019 employee returns, which is 93 per cent, which is pretty much on a par with what the Statistics Unit would have used in the past to conduct their analysis.

[15:00]

**The Deputy of St. Ouen:**

I have no wish to challenge what you just said but on 17th March the Statistics Unit issues a press release which stated that the delay in the availability of this manpower data and the consequential

impact on the comprehensive validation and analysis exercise performed by the Statistics Unit and hence on the schedule of pre-announced release dates to which the Statistics Unit independently operates. In other words, they, the Statistics Unit, had to postpone publication because of the lack of data and yet you are telling me that you have the data and everything is progress well.

**The Chief Minister:**

No, James, that is not what John was saying. It is not what Paul was saying. We accept of course and we also issued a press release and comment on the release of the Statistics Unit and they are saying there because of the data that we are now collecting on the manpower returns the pre-publicised dates of the reports that they were due to publish could not be met. We are obviously not...that is not something that we are, as politicians, pleased about and we have put resource to make sure that that data gap is minimised in the shortest possible timescale. What John is saying to you this afternoon is that since that release, which was, as you say, only on the 17th so we are 10 days ago, we are now in the position that John has explained, so that data gap has largely been overcome to the point that historically stats have been satisfied with the percentage of remaining gap. That now means that the Stats Unit will be able to go away and undertake their work, which is what they do and have always done when we give them data. That work will then take a number of weeks to complete as well. So the data gap has been narrowed in those 10 days but it still means that Stats have to go away and do their manipulation - I use the word "manipulation" in a statistical sense - of those numbers.

**Deputy R.J. Rondel:**

That was my question. So just to confirm, you are 93 per cent reliable and that is enough for the Statistics Unit to commence their work, is that what you are saying?

**Chief Executive Officer:**

Let us be clear, we have, as of 26th March a number of employees for whom returns have been made now sitting at 93 per cent. So with that data, which is comparable with the levels which previously the Statistics Unit would have started to do their analysis and manipulation or...

**Deputy R.J. Rondel:**

So would they now be able to commence that...

**The Assistant Chief Minister:**

Analysis.

**Chief Executive Officer:**

They would be able to commence that analysis, yes.

**Deputy R.J. Rondel:**

What is the percentage that triggers that? Is it always about 93 per cent?

**Chief Executive Officer:**

The Chief Statistician is saying normally he would expect to be working above 90 per cent. His obvious preference is at 95 plus but in the past it has always been somewhere around, things we are talking about have reached that figure. The number of businesses who have returned is slightly lower but, of course, a number of the gap is the fact that those where there are still ones to come in are very much one-man operators.

**Deputy R.J. Rondel:**

Would it not have been possible to put in more resources slightly earlier to avoid the Statistics Unit not being able to fulfil and...

**The Chief Minister:**

You could say it was our own generosity that resulted in the delays because we gave employers an extra month in which to deliver their returns so, I suppose, expected there to be a consequential delay. When it became apparent that there was not just a consequential delay but that we need to protect the resourcing, that is what we have done.

**The Assistant Chief Minister:**

There is a major difference between the information which is being collected now and what was before. It was just a basic number of qualified...

**Deputy R.J. Rondel:**

We understand that, but that was earlier on. That was at the time when employers had filled the new forms out.

**The Chief Minister:**

Yes, but they were given an extra month.

**The Assistant Chief Minister:**

They were given an extra month to provide all the additional information, which they never had to provide before.

**Senator S.C. Ferguson:**

Yes, they were given an extra month because of all the problems with these...how much testing did you do of that software?

**The Chief Minister:**

Unfortunately we do not have Paul with us because he is not in the office this week, he would be able to tell you the operational detail.

**Senator S.C. Ferguson:**

Are you going to have the same problems as you go on with e-government?

**The Chief Minister:**

No, e-government is a completely different footprint.

**Senator S.C. Ferguson:**

No, that is e-government, surely.

**The Chief Minister:**

No, no...well...

**Senator S.C. Ferguson:**

Doing my employment return...

**The Chief Minister:**

No, Chairman, on the one hand, yes, it is. On the other hand, e-government is a different project about putting about an enterprise bus in between and linking up these, but anyway we will no doubt come on to that. What we have said to Paul and the Population Office is that there have got to be improvements in that system and process by the time of the next manpower return and they have said that that is the case and, again, working off tax figures, it is off the back of the tax system and we are working together to make sure that the problems we had on the first return are not replicated on the next return.

**Senator S.C. Ferguson:**

So are we going to have enough information from this to be of use during the interim population debate?

**The Chief Minister:**

Do not forget this is about the manpower returns, so this is about the number of people in work and the population debate is far wider than that.

**Senator S.C. Ferguson:**

Well, yes, but it is a relevant part of it, come on.

**The Chief Minister:**

Well, I am not sure...I do not quite see that it is because the manpower returns will be the number of people in work and the breakdown of 5 year under and 5 year over jobs in the (j) cats or whatever, licensed, they are called now. So we would not want to consider a population policy based, I do not think, on that, that policy is far broader, is it not?

**The Deputy of St. Ouen:**

Are you suggesting that there is additional information that is unavailable because the Chief Statistician has delayed releasing the Jersey resident population 2013 and his proposed...

**The Chief Minister:**

No, no because that is...

**The Deputy of St. Ouen:**

...date was 18th June.

**The Chief Minister:**

No, just a minute, that one is relevant. I absolutely accept that, it is the first one that you read out which was the total workforce or what is the report called? James, you have because you have just read from the...

**The Deputy of St. Ouen:**

The Jersey Resident Population 2013.

**The Chief Minister:**

No, no, the first one.

**Chief Executive Officer:**

The one you have your hand on, the news release.

**The Deputy of St. Ouen:**

Labour Market and Population. There are two.

**The Chief Minister:**

Exactly, there are two. The labour market one is the one I have made the comments about. I fully accept that the resident population is important to the population debate but it was never proposed that those numbers would be available prior to the debate anyway.

**Deputy R.J. Rondel:**

You said improvements would have to be made before the next manpower, do you mean in terms of software or...?

**The Chief Minister:**

You are asking me a technical operational issue there and, as I say, Paul's not here but John might be able to...

**Chief Executive Officer:**

There are two elements. The one the Chairman touched on first was we need to look at the simplicity and ease of use for those filling them in, because there were some complaints that it was quite a complicated set of things to fill in so that is quite easy to look at. Then the second is certainly when the data comes in we need to make sure that we have got the analysis of it clear so that we have a more streamlined approach than this time. I think it was just the sheer volume and the fact that we had more data coming in than we have ever had before and it was making sure that we can analyse properly to get information out...

**Senator S.C. Ferguson:**

With respect, it was an awful thing to log on to. I tried it. In the end I put in the returns manually. It really was appalling.

**The Chief Minister:**

We accept that and, as I say, we have said that that cannot happen again.

**Deputy R.J. Rondel:**

Since the law was implemented in July last year, what matters, if anything...well, we know about the matters we have discussed but are there any other matters that have given you cause for concern in relation to the new law, the implementation?

**The Assistant Chief Minister:**

We meet on a fortnightly basis with...I have spent the morning meeting with employers, we are looking at their licences and we are discussing with them the need to employ local people. It is a culture change which I think people are trying to come to terms with. We point out to the employers that there are a lot of local people who are looking for work and if the application for somebody to join their business, the C.V. (curriculum vitae) or job description is at a level which there are people in the Island that can do their job they need to be looking at employing local...you ask me about what the difficulties are or whatever but it is really just a culture change, trying to get the culture change among the community.

**Deputy R.J. Rondel:**

Culture change for the employer or the employee?

**The Assistant Chief Minister:**

For both, for the employer and employee. Both, certainly.

**Deputy R.J. Rondel:**

What is the reaction and feedback from businesses that you are receiving?

**The Assistant Chief Minister:**

It is mixed. We are getting some very positive, very good employers who are really working to employ more local people within their business and then there are others who are finding it a challenge. We have to, in certain circumstances...if it is not a particularly skilled job and there are people in the Island who could be trained to do that particular job, well we are having to be a little bit tough with them unfortunately.

**Deputy R.J. Rondel:**

How are you monitoring this feedback and information? Are you collating the information in data form?

**The Assistant Chief Minister:**

Through the applications which we deal with on a fortnightly basis.

**Deputy R.J. Rondel:**

Are you seeing a pattern that perhaps it is smaller businesses that are being affected more?

**The Assistant Chief Minister:**

Not in particular, no. It is across all businesses. All businesses are needing to think about doing things in a different way.

**Deputy R.J. Rondel:**

Because I know in my constituency I have had a number of people showing very big concern, who employ less than 10 staff, and are having very severe difficulties employing local people. It has almost been detrimental to their own business, the effect. Are you saying you are not seeing any of these concerns?

**The Assistant Chief Minister:**

Yes, we are seeing those concerns, certainly. The Control of Housing and Work (Jersey) Law has been put in place to try to ensure that the population is controlled.

**Deputy R.J. Rondel:**

How do you balance this about helping the business itself, a small business, who may well go out of business if they have not got the right staff.

**The Assistant Chief Minister:**

I sit with the Minister for Economic Development, the Minister for Housing and somebody from Social Security as well. The 4 of us will interview the business and have a good discussion with them about their needs and we make a judgment. That is what we are there for and we have to hopefully come to a reasonable and fair decision.

**Senator S.C. Ferguson:**

Have you explained the rules that appertain to how many licensed members of staff and how many unlicensed you can have? The comment we get is that people do not understand how it has all been worked out.

**The Assistant Chief Minister:**

We are going to have the debate in April. The policy debate is going to happen. We are...

**Senator S.C. Ferguson:**

You are busy just telling people they can have so many licensed and so many not licensed and people do not understand how they are worked out.

**The Assistant Chief Minister:**

Well, every business is different, so what we do is we look to see...as I say, if the skills are already in the Island we will suggest to an employer: "Well, you can find those people who are already in the Island."

**Deputy R.J. Rondel:**

Can you explain how you go about helping that small business find that crucial person to go and work for them?

**The Assistant Chief Minister:**

The benefit of having somebody from Social Security, not only an Assistant Minister but also a member of staff from the Back to Work team, sitting with us, it is paying real dividends because

they look at all the applications we get and they trawl through all their people who are unemployed through their register and they can advise us whether there are people who are likely to be able to do those particular jobs.

**Deputy R.J. Rondel:**

Have you had any examples of any business that may well have had to close down due to staffing issues through yourselves?

[15:15]

**The Assistant Chief Minister:**

No. There might have been a threat but not an actual.

**The Chief Minister:**

Well, there has been a claim, it is difficult for us to talk about individual circumstances but we certainly are aware of a business that claims that. But I do not think we can say anything else about that particular...

**The Assistant Chief Minister:**

Not today.

**The Chief Minister:**

No.

**Senator S.C. Ferguson:**

But you do not have any plans to explain to people on what basis you are allocating the licences and the non-licences?

**The Chief Minister:**

No, well that is what I could not quite understand of your question, Chairman, because businesses have historical licences, do they not?

**Senator S.C. Ferguson:**

Yes, but they come along and...

**The Chief Minister:**

Moving from the old...under the old system they had a licence to employ so many in this category, so many in that category and the new law has changed the names of the category, although I

might still be using the old names, and some have been brought together. There are two elements to this process phrase, one is looking at the unused capacity in existing licences and officers are writing out to businesses and saying: "Just a minute, you are not using that capacity, we are going to take it off you" and then there is the other process which Paul has been talking about where businesses are coming in and saying: "We have got this licence but actually we would like some licences to employ non-local individuals." That is where we have to make a very difficult decision about whether that is the right thing to do or whether there are people already in our community that perhaps are interacting with Social Security that we think could take those jobs.

**The Connétable of St. Lawrence:**

We are talking about those companies who go through the process that they should be, what about those rogues out there who may be employing people without regard to this? Do you make checks?

**The Chief Minister:**

We will come back to the checks but this is one of the points of the new manpower return, for the first time it has not just been we have got this number of these people and this number of this category of people. It is now we have got all these named individuals and these are the categories that we say that they are in. That then means the department can look at them and say: "Okay, that person is in that category and this one, this one, oh, that one is in a different category from the one that is perhaps on the return." So there is more work to be done there to go back to those companies but there is a lot of good work that goes on ensuring that companies comply outside of that manpower return. But we have always known that actually the manpower return was going to help greatly in that process.

**The Assistant Chief Minister:**

I think the Chief Minister explains that exceptionally well because it has really been of benefit to us to bring all this information together because it cross-checks the various departments. The piece of work which we have been doing recently is in conjunction with the customs and immigration, our own office and the police. Recently we spent a fortnight solidly down at the harbour and we have identified a number of people that have been trying to come into the Island without licences, and they have either been turned around and gone back or they have applied for a licence and paid their fee, and been given a licence. So we are working also together with trying to ensure that the ferry operator does have something when people are booking to bring vans over that they are aware of what they have to do before they come to the Island because not only has it been a useful piece of work for ourselves, customs are also now identifying some vans that are coming in that are carrying goods and they are now stopping them for G.S.T. (Goods and Services Tax) as well. So it has been of real benefit of working together. As you are aware, the new legislation

allows for officers of customs and immigration, the police and our officers to work under our law, the Control of Housing and Work (Jersey) Law, so they can identify things for us.

**Deputy R.J. Rondel:**

That was one of the concerns in our first report, the harbour. Are you able to share some of that data with us in terms of numbers and feedback?

**The Assistant Chief Minister:**

I think discreetly we will.

**The Chief Minister:**

I think we could confidentially do that.

**Deputy R.J. Rondel:**

That would be very useful for the Panel.

**The Chief Minister:**

It is working. We have not made a song and a dance about it but it is working very well so it would be useful for you to have that confidentially so you can see what is happening with some of these individuals that historically would have been able to get in.

**Deputy R.J. Rondel:**

Absolutely, thank you. That was what we suspected.

**The Deputy of St. Ouen:**

Could you tell us when did this new initiative start?

**The Assistant Chief Minister:**

Well, the law has enabled it so since the law came in. There have been periodic times when it has been happening but there was a concerted effort a few weeks ago and we hope to be able to maintain that level because now that everybody is used to doing it, the customs and immigration people will be in a position to follow that through because they are always there. If you look in the interim population policy document there is a suggestion that we are going to have two extra staff as well to bolster the compliance.

**The Deputy of St. Ouen:**

So basically you are telling us that up until a couple of weeks ago when you had this concerted effort, there were individuals coming into the Island that were not being challenged and ended up working on the Island without the appropriate permits?

**The Chief Minister:**

I suppose we are saying there may have been but now we are putting in place a programme which we hope will ensure that there are not into the future.

**The Assistant Chief Minister:**

I hope you see that as a positive thing.

**Deputy R.J. Rondel:**

Absolutely.

**The Assistant Chief Minister:**

Yes, I am sorry, it is longer than that, I do apologise.

**Deputy R.J. Rondel:**

One of the other recommendations, and I think you did start a whistleblowing exercise through Social Security or something, how has that performed? Have you had any positive feedback through that?

**The Assistant Chief Minister:**

I honestly cannot answer that, I am sorry I do not have the detail of that at all, I would need to speak to Paul Bradbury about that because that is an operational thing which he would...

**Deputy R.J. Rondel:**

Again, if there were any figures or feedback from that, because I know that it was highlighted at the beginning but it seems to have gone quiet in terms of a publicity campaign for people to know there is a number to ring.

**The Assistant Chief Minister:**

Yes, it was publicised initially but whether we need to publicise it again, perhaps that might a good thing to do. But I will seek an update from Paul Bradbury when he is back.

**The Connétable of St. Lawrence:**

I want to come back to my question about spot checks. So what you are saying is you are doing them now at the harbour, my question really was referring to enforcement officers or whatever you want to call them, visiting businesses, whatever business, be that financial, retail, construction, and undertaking spot checks of their employees without prior warning.

**The Assistant Chief Minister:**

Yes, it is happening. There are officers within our department but I forgot to mention also we are working closely with Social Security as well because their officers do go and do compliance checks as well. When they identify things which relate to population matters they are also able to share information with us. So it is our team, Social Security's team as well, who do do visits to businesses to check up on things.

**The Connétable of St. Lawrence:**

Okay, so the checks are made, presumably they find on occasion that some people have been flouting this, what are the sanctions?

**The Assistant Chief Minister:**

Our first approach is to see how serious it is and we prefer them to just comply and ensure that they are correctly doing what they are supposed to be doing. I am not aware of...there have not been any cases brought as yet because I do not believe there has been anything that has been really serious, but there has been some non-compliance which I know the employers have been spoken to and got them to put their things in order.

**The Connétable of St. Lawrence:**

Were these checks going to be increased?

**The Assistant Chief Minister:**

Well, the interim population policy as approved does identify for there to be two additional staff so hopefully we will be able to increase that.

**The Deputy of St. Ouen:**

Moving on to the modernisation programme subject, Minister, so you can look at your file, in respect of workforce...I do not know what section it is but I am sure you will find it.

**Senator S.C. Ferguson:**

Section 4.

**The Deputy of St. Ouen:**

In respect of workforce modernisation, last time we met you advised us that you were creating new handbooks for staff and updating the competency framework for recruitment, how are those pieces of work progressing.

**The Chief Minister:**

Perhaps I should say at this point that it was a delight for me to realise that I was coming to see you again only two months, or not quite even two months, since I last came to see you. John, do you want to give a review of what we have done in those two months?

**Chief Executive Officer:**

Specifically in terms of the handbook as you referred to, I think as we described to you some months ago the relationship with the 4 main unions is now very much stronger than probably it has ever been. The work that is going on at the moment, which is still some time off, certainly only a few months away, is getting a new public sector employee handbook out and that will hopefully cover the bulk of manual work for civil servants, which is quite a major step forward, because that really reinforces the tremendous steps that were taken at the end of last year to change the way in which the 4 main unions come together and work together, which is the public sector employees civil servants, manual workers, nurses and teachers. So that has come a long way. There is also a lot of work going on at the moment but it is very complex, which is about a job evaluation scheme in terms of looking at the pay spines that we have got. I think as we have explained to you before we have a multitude of different pay spines in the States and looking across between one pay spine or employment sector and another we have to make sure that we get the alignment right because is very important for the future. So that is a very detailed piece of work but we started with Health, with the nurses and health professionals and that is going well. It is probably taking longer than we expected but we are making good progress on it now. In terms of...I think you mentioned performance in terms of how we are applying performance within the organisation. We have started with a new rolling out of a performance management framework which we are starting to apply across the organisation. Starting fairly light touch to begin with but it is just getting used to it and getting staff used to reporting against certain criteria and objectives. I started in Chief Minister's as I did appraisals at the end of the last year into this year, so of course that second objective, which we are going to start looking at midway through this year when we do interim appraisals to see how staff are performing against those so it is early days but we are making progress on them.

**The Deputy of St. Ouen:**

When is it likely for our staff to see and receive the new employment handbooks?

**Chief Executive Officer:**

We have to be a little bit careful with this because it is not all staff, it is not one handbook for all staff. We never intended there one handbook for all staff because it would be impossible to create something which meets clinical, medical, teachers, blue light services, emergency services and public sector employees as one handbook. So we never envisaged there would be one but the main handbook which will probably cover civil service manual workers, which is bringing together what in the past was some slightly fragmented policies and agreements between the two. That is certainly scheduled for this year. I am not going to give a date yet because there is still discussion ongoing with the unions obviously negotiation to finalise the relevant policies that go into that book.

**The Deputy of St. Ouen:**

How many different handbooks are there likely to be then?

**Chief Executive Officer:**

I think we have always envisaged that there will be 4 main employee groups which will be clinical/medical, so the health professionals and the reason for that is because we attract the majority of our staff from off-Island in the U.K. (United Kingdom) and we have to keep alignment very much with U.K. standards because that is where most of those staff come from. Teaching is another profession where, again, a large number of teachers come in from U.K. predominantly and we have to make sure we kept in alignment with that group between U.K. and us to bring them in.

[15:30]

So that is two groups, clinical/medical and teachers. Blue light, which will be most of the emergency services together, we have already got similar agreements in place with two of the groups. The fourth group will be what I call public sector employees, which would be bringing together the terms and conditions and aligning terms and conditions for manual workers and civil servants.

**Senator S.C. Ferguson:**

But will a lot of the handbooks not be common. You know, whistleblowing policy, complaints, code of conduct, all those sort of things.

**Chief Executive Officer:**

Yes, and where they are there will be the same...

**Senator S.C. Ferguson:**

So you really have one handbook with perhaps a different appendix or a section at the end which is different for blue light and medical staff.

**Chief Executive Officer:**

We are looking at it the other way, we are saying there will be a handbook for each of those groups but there will obviously be common policies throughout.

**The Deputy of St. Ouen:**

At a previous briefing we were informed that KPMG had been contracted to look at e-Government and produce a business case. Can you inform us what the main outcomes of that business case are?

**The Chief Minister:**

Yes, John, I do not know if you want to run through a briefing now. As I said earlier, that this outcome was agreed by the Council of Ministers on Wednesday and is being launched with Digital Jersey tomorrow morning.

**Chief Executive Officer:**

I can send you a copy of the presentation but in essence the bulk of it is about providing easier access for the public the vast number of States systems we have, so it is about providing access, e-access, through anything from connection of laptop or P.C. (personal computer) through to tablet through to iPhone. So it is looking very much to the future to make sure access is available on all media that is currently being used and accessible, through a portal and that will allow a number of workstreams to then communicate with the bulk of the core systems that we have: the tax system, the finance system, the H.R. system, social security system, et cetera. What we are not planning to do, it is very important to stress this, we are not going in and stripping out and fundamentally changing the core systems we have or at Social Security because that would be a multi-million pound major project which we are not aiming to do, but what we are doing is putting on top of that...in technical terms it is called an enterprise buzz but effectively it is a pathway that allows the citizen to enter into the system and data - my data, your data - to be securely stored and the right levels of security applied to it so that access can be made to those areas. So, as a simple example, if I am accessing as a citizen the system and I am putting information in and it is common - so it is my name and address or data such as that - then that same data will be able to go...say I move house, for example, and I change my address, I would only have to tell the system once and it will tell the health system, the Social Security system, the tax system, that I have changed my address. The unique identifier is typically name, date of birth and Social Security number.

**Deputy R.J. Rondel:**

Does that filter out through to the Parishes as well?

**Chief Executive Officer:**

Certainly part of this strategy is to make sure that we work closely with the Parishes so that the link is there from a Parish Hall perspective. The one comment that is being made to us, which we recognise very much, is that while this is looking at the future and we want to move from our current figure of about 7 per cent contact and work electronic through a digital phase to about 75 per cent, we recognise that we obviously cannot meet all of the population's expectations through moving to e-government digital. There will always be a proportion who need that access face to face. So linking and working with the Parish Halls is going to be crucial to us to provide that contact.

**Deputy R.J. Rondel:**

That is happening as well at the moment.

**Chief Executive Officer:**

That will be part of the roll-out for it. Phase 1 is about getting the technology right, to get the communication systems working, as I said, to communicate across the way and there are about 29 individual projects, which are designed to make it much easier for a citizen to work and interact with government.

**The Deputy of St. Ouen:**

Sorry, just to stop you there because I notice the time is cracking on, is all of this information contained in the KPMG business case report on e-government?

**Chief Executive Officer:**

It is in the business case which the business case that KPMG supported us but it is the business case of the reform programme team that presented it to the Council of Ministers.

**The Deputy of St. Ouen:**

So there is no separate report that is provided or produced by KPMG?

**Chief Executive Officer:**

No, it is a joint report. They have had input into, that is the report which is our business case, which sets out the deliver, the costs and phasing of it.

**The Deputy of St. Ouen:**

First of all obviously we had at the briefing requested and been told we would receive that report and obviously if it is about to be published I am rather disappointed we have not received it prior to publication, but if you would be kind enough to send the report to our scrutiny officers.

**Chief Executive Officer:**

It only just went to the Council of Ministers yesterday and you could quite happily have my copy this afternoon if you wished.

**Senator S.C. Ferguson:**

No, we prefer them electronically, please.

**Chief Executive Officer:**

Yes, I know you would.

**The Deputy of St. Ouen:**

Minister, perhaps more importantly are you able to confirm...

**Chief Executive Officer:**

We can do that when we get back to the office.

**The Deputy of St. Ouen:**

Chief Minister, are you able to confirm how much the e-government project is going to cost to deliver?

**The Chief Minister:**

I think it best if we let you have the...James, would you like me to say how much I think it is going to cost so that everybody who is going to tender for it will then put in at that cost? I do not think you would but I am quite happy to share with you, as a Panel, the cost, which is in the documentation.

**The Deputy of St. Ouen:**

Maybe the next question needs to be: is it anticipated that the cost of delivering the e-government project are able to be funded from with existing resources?

**The Chief Minister:**

Yes.

**The Deputy of St. Ouen:**

Great. I think you have probably already answered this question but just for the sake of completeness, has the report been positively received by both the Corporate Management Board and the political oversight group?

**The Chief Minister:**

Yes, and...

**Senator S.C. Ferguson:**

That sounds hesitant.

**The Chief Minister:**

...the Council of Ministers. Well, I just wanted to...one of the things that the report does is say that you can only deliver this sort of service if you have complete buy-in right across all the departments that are going to be involved. That is going to be critical to delivering this project. Yes, is the answer to your question, there is buy-in but we will need to continue to work to make sure that that continues throughout the delivery, first of all the procurement stage and then for the designer...the detailed design stage, the procurement stage and the implementation stage.

**The Deputy of St. Ouen:**

Moving on quickly to government reform which you are seemingly quite passionate about, Minister.

**The Chief Minister:**

Is that my next tab?

**Deputy R.J. Rondel:**

Tab 6.

**The Deputy of St. Ouen:**

You have recently lodged, I believe, P.33.

**The Chief Minister:**

I have. Do I have your support?

**The Deputy of St. Ouen:**

In the name of the Chief Minister. Why has it been lodged in your name rather than Privileges and Procedures, or indeed the Council of Ministers?

**The Chief Minister:**

It is tough at the top. As you know, the P.P.C. (Privileges and Procedures Committee) set up a sub-panel right at the start of this term of the States, that sub-panel did a lot of work, consulted...I am not sure if it was quite all States Members, I know they came to see me but I think they certainly consulted the majority of States Members. They did not wish to finalise their proposals until after we had dealt with the electoral reform process but they were largely working away and then they come up with a report that contained a number of proposals. We then, as you know, had an in committee debate and States Members gave their opinion on those proposals. After that P.P.C. agreed that we would set up a steering group, which involved the chairman of P.P.C., the chairman of what was then the sub-panel who happens also now to be the vice-chairman of P.P.C., I think, myself and the president of the Chairmen's Committee. We went away and then consulted on the particular items that were relevant to our particular branches of the governmental process. So I took the executive ones to Council of Ministers and the President took the Scrutiny ones to the Chairmen's Committee and they fed down to the relevant Scrutiny Panels. We then made our proposals to P.P.C. and we attended upon P.P.C. and it was agreed at that meeting that I, as Chief Minister, would take them forward.

**The Deputy of St. Ouen:**

You are on record as very much in support or promoting collective responsibility for the Council of Ministers and Assistant Ministers.

**The Chief Minister:**

Just a minute, when you say Assistant Ministers I hope you mean the Assistant Minister who is attached to the Minister for whom the particular piece of legislation or policy is...

**The Deputy of St. Ouen:**

I was quoting from your report.

**The Chief Minister:**

...connected.

**The Deputy of St. Ouen:**

Right, thanks for that clarification.

**The Chief Minister:**

Because it is that, not all Assistant Ministers. I want to be very clear on that.

**The Deputy of St. Ouen:**

But more importantly, perhaps, you also support, strongly support, the view that the Chief Minister Designate should be able to propose the team that he or she considers best suited to the delivery of the policy. Why?

**The Chief Minister:**

These changes are about delivering effective government on behalf of the community. Currently I would argue that there is a lack of accountability in the current system. The current system is set up in such a way that legally each Minister is a corporation sole and able to do within the law what they as individual corporation cells might think fit. I believe that if we are serious about engaging the public in the political process, if we are serious about democratic principles, what should happen is the person or people who want to be Chief Minister should be open about that with the electorate. They should come forward with a manifesto, which in effect is a...it is getting late in the day and I am forgetting my words...a programme of government, and in the first instance the public should then decide if they want that individual in that programme of government, then, of course, it goes to the States and you elect the Chief Minister, or I hope we elect the Chief Minister, on what their programme of government is. Therefore it does not seem sensible and it does not encourage accountability to either the States or the public if then the States says: "Well, okay, Chief Minister, it is fine for you to have a programme of government but we are going to give you 9 other people who may not agree with one item in your programme of government because they stood on a different platform at the election. Then we are going to ask you to work together to deliver a strategic plan, which by the nature of that process would be different from the programme of government that the public elected the individual who wants to be Chief Minister on, that the States elected the person that wants to be Chief Minister on." Then you are to say: "Well, we forget all that, we are going to give you these other individuals who have a different programme of government, we are going to ask you then to sit down and to go through all those different manifestos, all ideas, and come up with another different programme of government and call it the strategic plan." Then we ask ourselves why do the public feel disenfranchised with our electoral process? Why do they feel that their vote over here does not represent what they get out of the States at the end of the day?

[15:45]

We have a choice, I believe, with these proposals. Do not forget it is what Clothier recommended and we decided we were not going to do it. Lots of things that Clothier recommended that we suddenly got cold feet on and in the light of day we are starting to find that that perhaps that review was more on the money than people wished to admit in the...

**The Deputy of St. Ouen:**

If I can interrupt you, Chief Minister...

**The Chief Minister:**

It is important, James, because people have written all sorts of things and commented about all sorts of things about these changes and to my mind they have missed the fundamental important thing that there should be a golden thread between what people stand up and say during an election and what a government delivers. Currently the system does not allow that and I do not believe it is good for democracy, I do not believe it is good for our community. It has to change.

**The Deputy of St. Ouen:**

You are saying that in this term you found that difficult because you have not been able to select your team?

**The Chief Minister:**

That is a good question, James, a very good question. [Laughter]

**Senator S.C. Ferguson:**

Are you going to answer it?

**The Chief Minister:**

I am. If I look back over the not quite two and a half years, I have always had and will continue to have, and I believe it is important in our system where people are individuals, a consensual approach to delivering policy and delivering legislation. My time, I believe, should be spent delivering on the strategic plan and making sure everybody is delivering on the strategic plan. If I would look back and say one thing, it is that perhaps I have had to spend too much time...and you keep challenging me about having this co-ordinating role in government...

**The Deputy of St. Ouen:**

No, it is you, Minister, that told me.

**The Chief Minister:**

It is perhaps...I would not presume to do such a thing, James. It is perhaps that I have had to spend too much of my time making sure that we do deliver on that programme of government rather than us all being 100 per cent committed to it right at the start. So I have made the current system work but why should it be that I have to spend time making a system which is, I believe, not fit for purpose work when we could have a system whereby that would not be in doubt at all. We would have that link right through.

**The Deputy of St. Ouen:**

So just to be clear, we would have a different individual as our Minister for Treasury and Resources if the rules were changed to the ones proposed? Because you, I believe, did not put forward Senator Ozouf to be the Minister for Treasury and Resources, you put forward another individual.

**The Chief Minister:**

James, people have tried to look at this and say: "Well, the system would be all right if that individual was here or if that individual was there." They have tried to personalise it.

**The Deputy of St. Ouen:**

No, I am not aiming to do that.

**The Chief Minister:**

I think you are from the question you have asked. It is not about personalities, it is not about me, because who knows where I will be in October, that is in the hands of the public and that is rightly so. It is about putting in place a system of government which delivers on behalf of the people, of the community that we want to serve. Currently we do not have that system. It would be wrong for me to not try and put in place a system. But bearing in mind, let us just go back, it was not me as the Chief Minister that came up with proposals, it was the machinery of government sub-group, on which I did not sit. I was but one consultee on that sub-group. It was in the in-committee debate in the States Assembly where States Members stood up and indicated their preference for a whole range of changes which forms the basis and other than in one area all the proposals that I have in here comply or arise from the machinery of government sub-group proposals and from the in-committee debate...

**The Deputy of St. Ouen:**

But ultimately it is your signature on the proposition.

**The Chief Minister:**

...and have States Members indicated their preference.

**The Deputy of St. Ouen:**

Right, but ultimately, Minister, you obviously must support these proposals because it is your proposition.

**The Chief Minister:**

Of course I did and that is why I am pleased to put my name on the bottom of the proposition but it is important that we understand the genesis of these proposals.

**The Deputy of St. Ouen:**

Just to put the record straight, because obviously we would not want to personalise things, as you just suggested, could you just remind the Panel which other members of your team were not selected?

**The Chief Minister:**

I do not think the Panel need reminding of that. The Panel were in the States during that process and the Panel voted on the list of Members that I put forward.

**Senator S.C. Ferguson:**

All right, can we move on to freedom of information?

**The Connétable of St. Lawrence:**

Freedom of information **[Laughter]** you do not know what questions will be asked under that, do you, Minister?

**The Chief Minister:**

I do not.

**The Connétable of St. Lawrence:**

My question is: how is the work progressing?

**The Chief Minister:**

John, do you want to take that one.

**Chief Executive Officer:**

Yes, just very briefly. The additional contract staff have been advertised and quite a few have been recruited. The latest information I have is 65 retention schedules have now been completed which is the important...

**The Connétable of St. Lawrence:**

Sorry, what schedules?

**Chief Executive Officer:**

Retention schedules. This is the work we do in conjunction with Jersey Archive to make sure that we have a protocol...effectively that is what it is, it is a protocol that says what you should keep, for how long and then where it is stored. So 65 have been completed, another 25 are in draft and that is effectively the foundation for how we keep and manage our information for the future. Then once we have got the retention schedules set and each department has got its records in line with that schedule, then it is much easier to follow that all the way through, and that is perhaps an area that has been lacking in the past and why so much work has to be done now. So that is the main work.

**Deputy R.J. Rondel:**

Is there enough resources at the Archive?

**Chief Executive Officer:**

Part of the programme is the Archive are getting additional resources. So part of the funding that was agreed for the implementation of F.O.I. (Freedom of Information), I think it was two staff there but I would need to check that but I think it was included in that. That is obviously crucial because the Archive are the experts in advising us on the schedules and they are providing a lot of valuable information and support to departments.

**The Deputy of St. Ouen:**

John, can I ask while we are on the Archive, will the Archive have sufficient capacity - the building I am talking about - to provide and store the information?

**The Chief Minister:**

It is a trick question because probably the former Minister knows better than we do. **[Laughter]**

**The Deputy of St. Ouen:**

I am just wondering if you are on top of your game, Chief Minister.

**Chief Executive Officer:**

I think the answer is it is obviously a substantial facility but the key going forward is to make sure that our records are stored electronically, which is a very different proposition to what the Archive stores for us. Having said that, there are still an awful lot of manual records stored in different locations, which is where the retention schedule is important because we need to go through that sifting exercise to make sure we keep what we have to keep under the law and as required under F.O.I. to be able to answer any F.O.I. questions.

**The Connétable of St. Lawrence:**

How many departments are struggling with this?

**Chief Executive Officer:**

I do not think I can give you an answer to how many are struggling. I think everyone is finding that there is a lot of work to do...challenging, I think. Obviously some of the bigger departments who will have a lot of records will be the ones who are having the demand but equally the extra resource that identify and the funding to deliver F.O.I. we need to be able to channel and make sure we channel the resource to those departments to give them as much assistance as possible.

**The Connétable of St. Lawrence:**

The Chief Minister referred earlier, when he was speaking about the modernisation programme to all departments need to have complete buy-in for that. Do we have that for this project?

**Chief Executive Officer:**

The answer is they do not have a choice because the law is coming in on 1st January 2015 so we have to be ready for it.

**The Connétable of St. Lawrence:**

Will we be?

**Chief Executive Officer:**

The law will be in so one way or another the departments will have to be able to answer F.O.I. questions.

**The Connétable of St. Lawrence:**

Are regulations due to be lodged?

**Chief Executive Officer:**

Yes.

**The Connétable of St. Lawrence:**

When will that be?

**The Chief Minister:**

I am trying to think, it is either 2 or 3 weeks ago that I signed the decision for the drafting of some amended regulations so I do not exactly when...unless you have got the date, John.

**Chief Executive Officer:**

I am just going to see if it is on...I think it is on this.

**The Connétable of St. Lawrence:**

What are they? What will we be debating?

**Chief Executive Officer:**

When you had the list it was not scheduled for a date. It is non-scheduled so it is down for...certainly it needs to be in this side of the summer recess.

**The Chief Minister:**

So it was about cost limits and fees.

**The Connétable of St. Lawrence:**

We are talking about implementation on 1st January next year, how many requests under the current system have you had this year for information?

**The Chief Minister:**

I do not have that information with me but I am sure we can get it.

**The Connétable of St. Lawrence:**

In that case you cannot tell us how many you have refused?

**The Chief Minister:**

No, I do not have the...

**The Connétable of St. Lawrence:**

You will supply us with that information then?

**The Chief Minister:**

Yes.

**The Connétable of St. Lawrence:**

Under the current system, because I am not an avid reader of the *J.E.P (Jersey Evening Post)* but I do tend to look through it and every now and again we see...

**The Chief Minister:**

You get it electronically now, I am just waiting for them to be able to tweet it as an attachment.

**The Connétable of St. Lawrence:**

Do not try and throw me, Minister. [Laughter] Disrupt my thought process. Every now and again you do see articles that they prepare based on information that they had access to by requesting it, I think, under the information code. I suppose you will not have the answer to this either, that is the media asking because the media are aware of what they are able to do, will you supply us with information on the number of requests that you have received from individuals as well as media?

**The Chief Minister:**

I am not sure they will be differentiated.

**The Deputy of St. Ouen:**

That is okay.

**The Chief Minister:**

Because currently there is no differentiation. There may be but I would not have thought so.

**Chief Executive Officer:**

No, we treat them all the same.

**The Chief Minister:**

The same, yes.

**Chief Executive Officer:**

I can certainly say, from the Chief Minister's Department, we have very rarely refused one. It would only be on the basis if there was personal information that was being asked to be disclosed, which under the code we would not do, or information that would jeopardise the financial position of the States. It is very rare that we refuse them.

**The Connétable of St. Lawrence:**

Thank you.

**Senator S.C. Ferguson:**

Finally, in the last 2 or 3 minutes, the Council of Ministers recently discussed the financial services industry policy framework. What was the outcome of those discussions?

**The Chief Minister:**

They approved the policy framework with some, as you would expect, suggested changes here and there. We are in the process of putting those through. As I said right at the start, that is one

of my top priorities to get that policy framework launched over the next 10 days or so before Easter.

**Senator S.C. Ferguson:**

Who are you launching it...what was the purpose of the document?

**The Chief Minister:**

It is a step forward. Government has not had a policy framework when it comes to financial services in the past. It talks about the working together of government, industry and regulator. It talks about why financial service institutions might want to come to Jersey, it talks about what we hope to do in the future.

**Senator S.C. Ferguson:**

Who is going to read it?

**The Chief Minister:**

Hopefully you are, Chairman.

**Senator S.C. Ferguson:**

I have read it.

**The Chief Minister:**

You have read it?

**Senator S.C. Ferguson:**

Yes. That is why I am asking the questions. I could not work out who it was aimed at.

**The Chief Minister:**

That is a good question because it has a multi-faceted audience so hopefully it will be aimed at, yes, financial institutions so that they know that government welcomes them and thinks that they have got a future here. It is more outward facing as well. So we take it with us on our trips. Also hopefully it will be read by States Members and hopefully also it will be read by members of the public.

**Senator S.C. Ferguson:**

I think I had better speak to you afterwards.

**The Chief Minister:**

I am ever optimistic about people reading government documents that is perhaps beyond reality.

[16:00]

**The Deputy of St. Ouen:**

Can I ask, are you expecting the States to endorse this industry policy framework?

**The Chief Minister:**

No.

**Senator S.C. Ferguson:**

All right, I think that is it for the moment. There are one or two things that we may send you an email or a letter just to clear up for us.

**The Chief Minister:**

Okay, and there are some take aways as well for us, is there not? Information to supply to you.

**Senator S.C. Ferguson:**

Super. The public section of this meeting is now finished. Thank you very much, gentlemen.

**The Chief Minister:**

Thank you.

[16:00]