



## Corporate Services Scrutiny Panel

### Quarterly Hearing

### Witness: The Chief Minister

Friday, 10th September 2021

**Panel:**

Senator K.L. Moore (Chair)

Deputy S.M. Ahier of St. Helier (Vice-Chair)

Senator T.A. Vallois

**Witnesses:**

Senator J.A.N. Le Fondré, The Chief Minister

Mr. P. Martin, Interim Chief Executive

Mr. A. Khaldi, Interim Director of Public Health Policy and Strategy

Ms. H. Cunningham, Group Director, Treasury and Exchequer

Mr. J. Quinn, Chief Operating Officer

Mr. M. Grimley, Group Director, People and Corporate Services

[10:30]

**Senator K.L. Moore (Chair):**

Welcome to this quarterly hearing of the Corporate Services Scrutiny Panel with the Chief Minister. Normal hearing rules apply. I think you are all familiar with those. For once we are all in the same place at the same time, which is a particular pleasure for us, I must say. Let us hope this continues over the coming months. If we could start with the introductions. If everybody could please state their name title and position. I am Senator Kristina Moore and I am the chair of this panel.

**Deputy S.M. Ahier of St. Helier (Vice-Chair):**

Deputy Steve Ahier, vice-chair.

**Senator T.A. Vallois:**

Senator Tracey Vallois, a member of the panel.

**Interim Director of Public Health Policy and Strategy:**

Alex Khaldi, deputy director in policy.

**Group Director, Treasury and Exchequer:**

Hazel Cunningham, group director, Treasury and Exchequer.

**Chief Operating Officer:**

John Quinn, chief operating officer.

**Group Director, People and Corporate Services:**

Mark Grimley, group director for People and Corporate Services.

**The Chief Minister:**

Senator John Le Fondré, Chief Minister.

**Senator K.L. Moore:**

We recently published our People and Culture Review and following its release on Monday it has been reported in the media that you believe that aspects of the report are either misunderstood, misinterpreted or misrepresented. Could you perhaps provide further context to the specific findings and recommendations that you believe fit that description please?

**The Chief Minister:**

Happy to do so, but just to clarify, I had understood the reason the interim C.E.O. (chief executive officer) is not in here at the moment to comment is to deal with specific areas.

**Senator K.L. Moore:**

Yes, that is all right.

**The Chief Minister:**

Obviously this is not that area because it is also going to the wider context of the organisation for which he has responsibility.

**Senator K.L. Moore:**

This is our first question and then we will move on to the next section.

**The Chief Minister:**

I think the summary position - as I said, we are working our way through it still - is you did not seem to recognise that the turnover of staff is significantly lower and has been for a number of years. That I was somewhat disappointed you do not seem to have engaged at all with Team Jersey, which I would have thought on an objective and evidence-gathering basis would be appropriate. Equally in terms of pay, obviously in the last 3 years, as we said, the public sector had slightly more pay rises than the private sector. What we have achieved in that time as well is addressing the equal pay for equal value scenario, which there was a very large differential when we first started and is now basically down to zero. The independent advisory report, I think in various points - I am trying to remember what the phrase was - but it was along the lines of ... it was not encouraging improvement, was it? There was an expression in the report the independent adviser did use, which was recognising that there had been progress and that obviously we all recognise there is further to go. No question. That is what I said in my media comments. But we think that it is not all as entirely negative as appears to be made out to be in your report.

**Senator K.L. Moore:**

Thank you. The interim chief executive posted a blog to States employees about the review when he had read it, and he seemed to identify that there were some positive points in there, particularly with regard to the importance of healthy cultural environment and that there were some learning points. Do you, as Chief Minister, see that there are some learning points in our report?

**The Chief Minister:**

I have said previously that we all know there are difficulties that we still face and therefore there are areas of improvement, most of which we were aware of already.

**Senator K.L. Moore:**

But you do not find any learning points from that report, in particular?

**The Chief Minister:**

I am still working through the 110 pages. I have skimmed it very briefly and we will give you the detailed response when we have finished analysing it. Obviously it has only been out a week.

**Senator K.L. Moore:**

Okay, but clearly to come out with quite a strong response, which accuses us of either misunderstanding, misrepresenting or misinterpreting our review you must have read it in some detail to feel confident to say that. So perhaps you might be confident enough to observe some learning points as well.

**The Chief Minister:**

I think, as I said, to pick up on that, I was disappointed, and perhaps maybe I am wrong. Did you engage with Team Jersey at all?

**Senator K.L. Moore:**

I think this is the forum for us to ask you the questions.

**The Chief Minister:**

I just want to make sure I am not wrong in saying that I was somewhat disappointed that from an objective evidence-gathering basis you did not seem to engage with them at all, as far as I could see. Yet there was a recommendation I think - I cannot find the exact recommendation at the moment - which was around ceasing the contract and in fact with TDP: "Moving forward, Team Jersey's contract should be halted" and that is a misunderstanding because Team Jersey is a government exercise. The contract is ... John can perhaps elaborate more. TDP were brought in to, if you like, set that element to the culture programme going. It was then essentially to then bring in Team Jersey leaders, of which I think there are between 150 and 200 at the moment within the organisation and it then carries on. Cancelling the contract is not quite right for Team Jersey, which is what your recommendation states. That elaborates as an example. That then leads into the misunderstanding where I was going and I would have thought, from a constructive point of view, it would have been more productive to have engaged directly with them and then those kind of misunderstandings could have been ironed out before it went public.

**Senator K.L. Moore:**

Thank you.

**The Chief Minister:**

If that is helpful.

**Senator K.L. Moore:**

We will begin a discussion about that particular report. As you say, we will wait for your official findings and response. We will pass on to Senator Vallois now who is going to follow the next line of questions.

**Senator T.A. Vallois:**

Chief Minister, thank you for coming today. It is based around the chief executive recruitment. So firstly, has an offer for the role of chief executive now been made?

**The Chief Minister:**

An offer, yes. Can I elaborate on the timeline because I think that might help?

**Senator T.A. Vallois:**

Yes, please.

**The Chief Minister:**

I will cover the interim and the permanent so it gives the context. The interim C.E.O. role was advertised on 11th December 2020. Paul Martin was appointed as the interim on 29th January. He started on 1st March. The permanent role was advertised on 24th March, a press release was issued on 24th March, so it was public. The C. and A.G. (Comptroller and Auditor General) report on S.E.B. (States Employment Board) follow-up on the employment of the former chief executive was issued on 20th May, and the closing date for applications was on 21st May. It was very much towards the end of that process. The candidate longlist was in the week commencing 31st May. I believe this panel wrote to me on 8th June, around the job description, which is one of the reasons ... while we noted the comments and we responded, we felt we were unable to change it bearing in mind the closing date had passed. The preliminary interviews were done through June, that was done through Odgers. The candidate shortlisting was late June, S.E.B. responded on 6th July to the C. and A.G. report, and final interviews were on 15th July. The offer was made, I believe it was on 20th July but essentially the identification of the successful candidate was before then and heads of terms had been exchanged and agreed all around that date, around 20th July. The proposition was lodged, and we had no inclination or warning of that, on 30th July. Out of courtesy on the proposition, we have not signed a contract. An offer was made and accepted before the proposition was lodged and we had no inkling of it. So we have been on a longish process. As we said, it was advertised in March. So it has been going on and we have concluded that process.

**Senator K.L. Moore:**

If I could, this panel wrote to you on 6th June, I think it was, and then the Public Accounts Committee wrote to you on I think around 19th July, so you were aware that there were concerns from your critical friends who have a democratic responsibility to offer their advice to you, Chief Minister, therefore the suggestion that there was no inkling that there were concerns about moving to an appointment is not correct.

**The Chief Minister:**

If I can phrase it this way ... I think it was 8th June, if it is the right letter, is that correct?

**Senator K.L. Moore:**

Perhaps, yes.

**The Chief Minister:**

Which is headed up “People and Culture Review: chief executive recruitment.” What it basically said is: “The panel concludes it imperative to consider lessons learned, adapt practices and ensure all employment matters are transparent and clear, especially in relation to management and disciplinary matters for all parties.” Now as we said, the recruitment process was happening and the date had closed so we were a long way into that process. Therefore we could not stop that process, in our view. It was not appropriate to stop that process however the point is most of the issues that are raised here are to do around process and procedure, I would suggest, looking at Mark here, which are within our control and ...

**Senator K.L. Moore:**

But 2 follow-ups, if I may.

**The Chief Minister:**

No, hang on. The point being is that those are capable of being addressed during this process before the contract commences without changing that contract.

**Senator K.L. Moore:**

That is perhaps interesting to hear but, firstly, it is not uncommon for recruitment processes to begin but a recruitment not to be made, would you agree?

**The Chief Minister:**

Only if the candidates are not appointable, I would suggest.

**Senator K.L. Moore:**

For various reasons. The interim, as you stated earlier, started in early March, however the advertisement for the full-time chief executive was posted on 24th March and this process has been carrying on during the very early stages of the interim’s time with the organisation. Therefore there was minimal opportunity to see the way that the position would roll out, how the staff would respond, and how effective the postholder would be during that time period, which one would expect might therefore lead those making the decisions to reflect upon the recruitment as it was rolled out.

**The Chief Minister:**

I think we need to be very clear, the job that was advertised before Christmas was for an interim post and therefore there will be a variety of people that come in and apply for that on the understanding it is for an interim post. You then have to have a process in to make sure you have that stability in the organisation that you are recruiting to a permanent post otherwise if you have not

got that process ... the interim post was for ... it was originally ... I was going to say I was wondering whether I could say this or not because I am cautious about ...

**Chief Operating Officer:**

It was 9 to 12, it was advertised for 9 to 12.

**The Chief Minister:**

It was advertised ... I was going to say 6 to 9, but anyway it basically was advertised for around 9 months and, negotiations, it was extended to 12. But you have to have your main plan, which is you have to know that you have certainty that you can get your permanent post in. Therefore, we do not hang around in these things. We were very clear that we get the interim post and we start immediate recruitment for the permanent. We have been transparent because we put it out to the public domain, we have been advertising. We did write to the P.A.C. (Public Accounts Committee) on 29th July and have obviously responded to a number of the concerns that were raised by P.A.C. around the procedure basis in terms of things like grievance policies and things like that.

**Senator K.L. Moore:**

But at any time did you stop to consider whether perhaps the interim was being rather effective and performing well?

**The Chief Minister:**

It does not matter how good an individual is. We have said it is an interim post and we had made the decision to go straight in and go for permanent because otherwise you have no certainty. You still have no certainty that an interim would continue beyond that date. You are asking me to basically bank on something hypothetical when, for the good of the organisation, the leadership of the organisation, you want to make sure you have a permanent position in place. If I can just say one thing, I am disappointed in the way these things have emerged. I would have hoped, and it is that one should be welcoming the individual who has been appointed and I would hope we would be welcoming the fact that she is Jersey's first female C.E.O. You, for example, Senator, at various points, and other Members, have gone on about the gender pay gap, the message to women, how do we empower women in the organisation? We have done, and it is not because she was a woman, it is because she was the best of the candidates that applied for the job.

[10:45]

But for me that sends a really strong message that we are serious about that diversity side. I think that will send a really good message within the organisation and that is why I think we should be positive about this rather than what feels like negative from certain quarters.

**Senator K.L. Moore:**

We are making absolutely no comment about the person who has been offered this role but we have some questions to ask about the process.

**Senator T.A. Vallois:**

You went through a timeline, which was extremely helpful, so I just want absolute confirmation that I have that correct. So 15th July was the final interviews?

**The Chief Minister:**

Yes.

**Senator T.A. Vallois:**

20th July was heads of terms. For the benefit of the wider public and others, what does that mean in terms of heads of terms? You said that a contract has not been signed.

**The Chief Minister:**

No, a contract has been agreed.

**Senator T.A. Vallois:**

The contract has been agreed?

**The Chief Minister:**

It has been agreed. The contents of the contract have been agreed but it has not been signed. The offer has been made and accepted. Heads of terms have been agreed and accepted, which is the preliminary framework, if you like. Then that has been translated into a written contract, which has basically been agreed between both parties. There is just not a signature on the contract. Everything in terms of the heads of terms, et cetera, was all done before the proposition was lodged.

**Senator T.A. Vallois:**

The reason it has not been signed is because awaiting the outcome of the ...

**The Chief Minister:**

The proposition has been lodged. I was hoping to make an announcement around the first or second week of August.

**Senator T.A. Vallois:**

So in terms of ...



**The Chief Minister:**

Sorry to interrupt. It was therefore consistent with when the recommendations from, I cannot remember if it was yourselves or P.A.C., which was not to make an announcement until the contract had been signed because one of the lessons learned from 2017 is that the announcement had been made and then there was a very long gap between the announcement being made. I believe then the previous C.E.O. had resigned his post and then did not have certainty as to his contract having been signed here and it also meant there was a period of ... I do not know if the word is “uncertainty” or not, but around negotiations. It made it difficult on the negotiation front. So we have not done that. I am also obviously disappointed that the information has leaked out.

**Senator T.A. Vallois:**

Just on that point in terms of you have referred back to the previous recruitment process and the C. and A.G. did make a recommendation about reviewing that process to ensure that it is more robust this time round or different or whatever the case was. It was accepted that that would be the case, a review would be carried out by yourselves. The end date was subjected on the executive response as 31st July. How does that end date for that review to be carried out compute with, for example, the final interviews or the 24th March ... how did that work? Was it a false dichotomy to accept that recommendation?

**Group Director, People and Corporate Services:**

It was very clear from the C. and A.G.’s report into the termination of the previous chief executive what the issues were around the contracting arrangements in 2017. So those were already known issues to the States Employment Board and they assured themselves how they would undertake the process for recruiting the new chief executive. They also asked for a further report, which was presented to them, around the lessons learned. That was one of the areas that the C. and A.G. had asked that the States Employment Board assured themselves that they understood the lessons learned and not just the recommendations from the evidence that she had seen. That report was done as well. That report identified a number of unique circumstances in 2017 that should not have occurred. There were some areas around the liability in terms of the side letters, around the contract’s composition that the S.E.B. (States Employment Board) were already conscious of in entering into the recruitment process.

**Senator T.A. Vallois:**

Just in terms of those lessons learned, you have explained a couple of things there. Is there anything further from that process that is different this time round, just to understand clearly? You all know it, as the States Employment Board, but the rest of us do not understand why there is that difference

and there was that recommendation. I think it is important, for that trust and confidence in the process, to understand some of those unique points a little bit further.

**Chief Operating Officer:**

Some of the key differences from the lessons learned. This is going back to the start of the process, S.E.B. were not involved in the start of the process in 2017. S.E.B. commissioned the process this time round. S.E.B. did not select the recruitment firm. S.E.B. made the final decision on the selection of the recruitment firm for both the interim and the permanent role this time round. Then the key point, as has been highlighted, was that S.E.B. agreed principle terms at the beginning of the process, so we knew the main areas we were recruiting in the salary, the interim term of the recruitment, and then for the permanent that it was an open recruitment. As Mark said, one of the main lessons learned was not to have lots of side letters to the contract. The agreement with S.E.B. upfront was this would be a standard government contract. You will get a salary, you will get the normal pension. There were no deviations from the standard contract in the main points. Again, S.E.B. were very clear when we briefed the head hunters that this is how it is going to work. Those main points were carried straight into the recruitment from the beginning and we followed it through, and I am confident that every I was dotted and every T was crossed.

**Senator T.A. Vallois:**

Just to clarify and make sure on that basis. I believe it was a P.A.C. recommendation about the legal robustness, independently verifying the terms and conditions around this role; has that been completed? Has that been done?

**Group Director, People and Corporate Services:**

Law officers provided the draft.

**Senator T.A. Vallois:**

Just to understand, in terms of going out in March to press release and looking for candidates and then the shortlist, how was Jersey sold or the public sector, our public service as an Island, sold to the chief executive? Was it made clear the number of roles the chief executive officer holds?

**The Chief Minister:**

In the wider context it was a wide search. It went out to most corners of the planet, shall we say, mainly within the Commonwealth. Not just but mainly. But it was not just the U.K. (United Kingdom) and the longlist names reflected that. Sorry, the initial trawl of people certainly reflected that and then it started going down. There were some very interesting candidates in there. In terms of how Jersey was sold, there is an overall brief, which I think would have been in the public domain.

**Chief Operating Officer:**

It is on the website.

**The Chief Minister:**

Then on the detailed role and responsibilities you have to go to the job description for that, I think it was.

**Group Director, People and Corporate Services:**

Within the role profile it talks about the responsibilities, the legal and statutory responsibilities, the accountable officer for finance law, it talks about being head of public service and the various bodies that the chief executive would interact with.

**Senator T.A. Vallois:**

That is helpful, thank you. I will pass to Deputy Ahier.

**Deputy S.M. Ahier:**

Chief Minister, are there any barriers to the interim chief executive staying in post should Deputy Morel's proposition P.73, be adopted next week by the Assembly?

**The Chief Minister:**

The reason I am pausing is I am just acutely aware that there will be advice provided to the Assembly. I am not too sure in what forum that advice is going to be given and that does impact upon the question you just asked. I think the best way of putting it at this stage, is that there is a process laid down in law and the S.E.B. have followed that process under the law and the interim chief executive did not apply for the post.

**Deputy S.M. Ahier:**

Aside from that, has the next C.E.O. been advised that this proposition is being brought?

**The Chief Minister:**

Yes.

**Deputy S.M. Ahier:**

Is she aware that there is a ...

**The Chief Minister:**

There has been engagement with the hopefully permanent C.E.O.

**Senator K.L. Moore:**

I think the thrust of the question however was were there any barriers to the interim being extended in terms of his availability to accept an extension?

**The Chief Minister:**

This is why I am being cautious because what I do not want to do is go down particular areas of detail which might end up politicising the role. I think I have to stick by my answer, unless there is anything else you think I can add.

**Senator K.L. Moore:**

Is that something that you might have considered, offering an extension?

**The Chief Minister:**

Yes, it was considered and, as I have made the point, and it is considered by the States Employment Board, the interim chief executive did not apply for the post.

**Senator K.L. Moore:**

But that is different to extending an interim position.

**The Chief Minister:**

We had started a recruitment process in March and the process closed on 21st May.

**Senator K.L. Moore:**

The recruitment opened 3 weeks after the interim had started his role.

**The Chief Minister:**

And concluded on 21st May.

**Group Director, People and Corporate Services:**

Chair, if I could, the recruitment of both interim and the permanent chief executive is following the legislation. It is overseen by the First Commissioner of the U.K. It is a regulated appointment and the terms of that appointment and the appointment panel must agree in advance the terms of the appointment, the terms of the contract. When we did the interim chief executive, the appointment was set out as a 9 to 12-month contract and that was the basis on which the recruitment was undertaken. The Jersey Appointments Commission have the power to intervene if they believe that an appointment has been made and the terms deviated from significantly. If there were to be a consideration around the extension of the contract the S.E.B. and the J.A.C. (Jersey Appointments Commission) would have to agree between themselves following advice.

**Senator T.A. Vallois:**

Sorry to interrupt, but the point on the power of the Appointments Commission, is that identified under the law or is that identified under their guidance?

**Group Director, People and Corporate Services:**

It is in the law, it is in the legislation.

**Senator K.L. Moore:**

Could you tell us which article?

**Group Director, People and Corporate Services:**

I think it is Article 27.

**The Chief Minister:**

26AA.

**Group Director, People and Corporate Services:**

26AA is the requirement for the appointment of the chief executive. The 2005 law under the articles establishing the Jersey Appointments Commission set out their power of intervention.

**The Chief Minister:**

I need to make another point. The whole principle of the changes that were brought to that law, in my view, was to depoliticise the appointments process because in the past the process was not followed. I would suggest there was too much political interference and that does impact on the result of the appointment. The Assembly took a decision, I believe, on the basis of depoliticising the role and therefore the law lays down the process that is to be followed because of the importance of the role. Therefore, we have to be very careful about focusing on an individual because that takes us back to the risk, it takes us back to the bad days of what I will call political interference, to what is effectively a statutory process.

**Senator T.A. Vallois:**

I have just read the part about the ability for them to intervene. It does refer to the fact that the Commission shall notify S.E.B. and the administration of the States conducting the recruitment on behalf of the board of its decision to intervene and the reasons for it that that be kept completely confidential. Would there be an ability to understand why they made that intervention?

**Group Director, People and Corporate Services:**

The Jersey Appointments Commission are keeping a watching brief and they are not intervening at this point. They have told the States Employment Board that they reserve their position on what is going on, obviously respecting States Assembly's right to debate matters. The power of intervention is not defined or constrained within the law. So while they may write to the States Employment Board to say that they are intervening, and how and why they are intervening, how they intervene is up to their discretion.

**Senator T.A. Vallois:**

But S.E.B. would ultimately be the decision makers when it comes to the recruitment process?

**Group Director, People and Corporate Services:**

They are. The J.A.C. may also present a report to the States if they feel they need to do so.

**Senator T.A. Vallois:**

More likely see it in their annual report, okay.

**The Chief Minister:**

The S.E.B. is bound by the law.

**Senator T.A. Vallois:**

No, I understand that. I was just trying to clarify the position.

**Senator K.L. Moore:**

Shall we move on to the disciplinary process, which also was a recommendation I think of the Comptroller and Auditor General, in relation to the role of the chief executive and the current lack of a disciplinary process. When will that disciplinary process be published, the changes to the Employment of the States of Jersey Employees Law?

**The Chief Minister:**

I am anticipating approval of it ... what time are we meeting this afternoon? About 2.30 this afternoon.

[11:00]

So a point I make again, obviously Mark has had a stream of work going on. These policies, as long as they are in place before any permanent contract commences, and we have roughly 5 months to get them in place. It is my expectation that they will be approved this afternoon.

**Senator K.L. Moore:**

At what point will that come to the Corporate Services Panel? We have been briefed about the need for these changes and the process but it has been some while since we received an update.

**The Chief Minister:**

I am sure once they have been approved, and once S.E.B. members have made their decisions, they will go to the relevant panel.

**Senator K.L. Moore:**

So you would anticipate that this would be debated in November or January?

**The Chief Minister:**

It is an internal, it is not a proposition as far as I am aware.

**Group Director, People and Corporate Services:**

Senator Moore is referring to legislative changes to the power of the chief executive.

**The Chief Minister:**

Sorry, apologies. Sorry, I was talking about the internal side, so disciplinary process is an internal matter, policy that does not get voted by the Assembly.

**Senator K.L. Moore:**

No, it is a matter for the Employment of the States of Jersey Employees Law, which the amendments would need to come to the Assembly, would they not?

**Senator T.A. Vallois:**

It was mentioned in the executive response that there may be a need to make an amendment to the law. I understand disciplinary policy is technically an internal but it is determined and agreed by S.E.B.

**The Chief Minister:**

I thought the question was about the policy, if you see what I mean. But there are some separate legislative processes, subject to any logjams in law drafting, we anticipate working on as quickly as possible. Again, I think we would hope to get them done on as timely a basis as we can.

**Group Director, People and Corporate Services:**

As previously briefed, the panel has split it into a couple of phases in order to address the J.A.C. independence first, deconflict within the Public Finance Manual issues that can be deconflicted without legislation and then anything else that requires changes at the beginning of next year.

**Senator T.A. Vallois:**

Can I just press the Chief Minister because I think this is vitally important and this has been delayed a number of times? There was great concern when P.1/2018 was agreed and within that report it specifically referred to the fact the 3 most important governance pieces of legislation were your Public Finances Law, your Employment of States of Jersey Employees Law and the States of Jersey Law. Now, the other 2 have not been amended alongside the new Public Finances Law and the balance of accountability in governance around the role, for example, of the chief executive now being the P.A.O. (principal accountable officer), do you not see the importance of bringing specifically those changes in the Employment of States of Jersey Employees Law forward, especially before the next election, to make sure the balance of power and the balance of responsibilities are clear statutorily?

**The Chief Minister:**

No, I do. I know your particular focus on the area, shall we say, and I think we are all supportive of it. The one other caveat I would add, I do not think it has muddied the water slightly, but it was the outcome of one of the employment cases that came through in the last 18 months or so, which has generated an exposure on liabilities, which is also being wrapped up into the piece of work that we need to do and is also extremely pressing. Yes, and we have an update on legislative pipeline and things like that coming through to us in due course. At that point on we will know exactly when these are going to be coming through.

**Senator K.L. Moore:**

We will move on to the States Employment Board questions, I think.

**Senator T.A. Vallois:**

Has the States Employment Board considered how the structure of appeals process will be amended to ensure an effective process exists for the chief executive as per the C. and A.G. observation?

**Group Director, People and Corporate Services:**

This afternoon. The C. and A.G. identified, or we shared with the C. and A.G., part of the deliberations of the States Employment Board last year was would there be a fair process for any chief executive, were there concerns about performance conduct, conflicts and there was not. A new procedure has been put in place. It goes further than the recommendations of the C. and A.G.,



so it deals with performance, conduct, complaints being raised by Members, raised by members of the public and staff, and it sets out the procedure. It establishes the subcommittees of the States Employment Board so ... the outstanding subcommittees, rather, being established. The terms of reference are set out and therefore the chief executive and the States Employment Board know well in advance before there is any conflict between the 2, should that happen, what the process is.

**Senator T.A. Vallois:**

Okay, that is helpful. I just wonder whether, just thinking what you are saying there, the Public Services Ombudsman's requirement has been asked for for a while now, whether that would assist in these types of processes if there was a more streamlined process. You mention the public complaining or Members of the States complaining. Would that streamline or make the process better in terms of efficiency and effectiveness?

**Group Director, People and Corporate Services:**

It would probably cause more problems than it would solve. The ombudsman looks at the public administration and if a member of the public made a complaint that was as a direct result of the actions or inactions of a chief executive, if that is found by the ombudsman it then becomes a private matter for the States Employment Board. It is a private law matter rather than a public administration matter. So the ombudsman only looks at public administration law. The contractual matter would then follow the internal process that the S.E.B. are agreeing this afternoon.

**Senator T.A. Vallois:**

Thank you. Finally, from me: do you conclude that additional changes identified in our People and Culture report need to be made to the States Employment Board to complete its legal requirements? As an example, if you are wondering what the question means, it is in terms of there is an ability to have a second adviser, as an example. So do you believe that that would be needed or what that may look like?

**The Chief Minister:**

The honest answer is we have not had a chance to ... as I said, it is 110 pages so we have not had a chance to digest all the recommendations. Once we get clear, bearing in mind it is meant to be Government Plan finalisation week, as it were, for want of a better expression, I think once we get clear of that then we can go back and properly look at the responses, as an S.E.B. ...

**Senator T.A. Vallois:**

As chair of the States Employment Board and the number of reports that we have seen and the number of recommendations, whether it is our report, C. and A.G., P.A.C. or learning the lessons from a number of things that have happened, the actual function of the States Employment Board,

what would the 2, 3 things, as Chief Minister, do you think really need prioritisation to make sure it functions probably more effectively? I ask you because it is a political board.

**The Chief Minister:**

The only observation I would make is that the remit and powers of S.E.B. are pretty wide. Equally Members of the Assembly are appointed there to keep that balance, which I think is appropriate. It is not beholden to Council of Ministers, if you see what I mean, although there are overlaps there are definite times when S.E.B. will take very much an employment focus. The areas that I think are sometimes tricky do focus around things like individual complaints and how we handle that side of things, for an example. That is not necessarily the first priority. But I think anything other than that I very much welcome. I think I am going to leave that with the S.E.B. as a whole before I comment mainly because although you are saying "to my personal view" it then gets translated into the view ... it would potentially risk being translated into the view of the S.E.B. without having properly had that discussion with them.

**Senator T.A. Vallois:**

I just ask you because I do not have the whole S.E.B. in front of me.

**The Chief Minister:**

That is okay.

**Senator K.L. Moore:**

We are going to invite the interim chief executive to join us. We are now going to open some questions about the OneGov project. Good morning and thank you for joining us. Could we just ask that you give us a name check for our transcribing purposes?

**Interim Chief Executive:**

My name is Paul Martin, I am the interim chief executive of the Government of Jersey.

**Senator K.L. Moore:**

Thank you very much. We are just going to kick off with some questions about OneGov and that programme.

**Deputy S.M. Ahier:**

Chief Minister, would an incoming C.E.O. be given the ability to alter the OneGov initiative?

**The Chief Minister:**

The point will be, which is why I think the timing of the permanent C.E.O. coming in, allows any person coming in to assess the position in the run-up to the elections and obviously then liaising with the political views at that point. We would then be in a position to discuss that with the new Council of Ministers, so in my view yes, because if there is a political decision that was to challenge that, that would be down to the civil service of the day and the chief executive of that point to take those concerns on board. I make the observation that OneGov is an entire change programme. So there are consequences to that which I think the then chief executive and the then Council of Ministers would have to consider.

**Senator K.L. Moore:**

But this Council of Ministers is not proposing to bring any changes to the OneGov initiative before the election?

**The Chief Minister:**

No, because we are in the final rundown before the election. Some parts of the change programme obviously are stabilising, if you are looking at personnel. My personal view is that would not be particularly helpful. The whole point, as I said previously, if you go through a change programme, if you are in the middle of it, it can be unsettling. As you come out of it, it hopefully stabilises, and I believe in many cases we are coming out of it. It is a consolidation kind of territory. It also depends how widely you go because, as we said, it is also a set of initiatives and it even goes, arguably, as far as the I.T. (information technology) programmes and everything else, which I would hope any right-thinking person would want to continue because not to invest in things like the I.T. would have left us seriously exposed and not able to deal with COVID in the way we have done. That is why I am cautious about ... it is quite a wide question that.

**Deputy S.M. Ahier:**

Would the rebalancing measures undertaken to date have been possible without the OneGov initiatives?

**The Chief Minister:**

I think it would have been harder. The reason I say that, when I came into this role and when I stood as Senator I was quite clear about things like the silo culture. In fact there are a whole load of reports around silo culture and the failure of the department to work properly with each other, all those type of areas. I have said it before, and I will say it again, I genuinely believe that if we had not had the various changes in structures and things like that, and that far better working together and make the investment that we did we would not have tackled COVID as well as we have done. So from that perspective ...

**Senator T.A. Vallois:**

Can I follow up on that? If it had not been for COVID do you think the silo culture would still be there or is it still there? I mean has it proved to join everything up or is that still some way to go?

**The Chief Minister:**

Firstly, in any organisation for me it is a constant change. Once you have done your big changes you have to have a constant set or you lose your ... as circumstances, technology, whatever it is, change. I certainly also agree that it is important to make sure ... well, in my view, it is important to make sure that the silo culture does not re-establish itself.

**Interim Chief Executive:**

I think that the link between rebalancing and the efficiency programme and OneGov and addressing the silo culture is about the capacity and the confidence of the civil service to manage change and to adapt and to modify and evolve. That seems to me to be a really important capability in a large public service organisation, to build that confidence and the resilience that enables change to take place that is obviously in the interests of Islanders and in line with what Members wish to see. I think the linkage is the development of that confidence. That is a journey. Your People and Culture review, in a sense, takes a view about the progress in that journey but it is an extremely important one, I think, to give all of our colleagues the confidence that change and development can be positive, beneficial to them and, most of all, beneficial to taxpayers and Islanders.

[11:15]

I feel very optimistic that progress is being made in that area. That certainly has been a significant contributory factor towards achieving the rebalancing that has already taken place and the efficiency savings that have been made. Of course, there is more to do and there always will be. The organisational form of that, which I guess is what we are talking about when we talk about OneGov, is an issue for Members - of course it is - and I hope that most observers - I think that most observers - would say that OneGov is operating in the interests of Islanders and is showing improved value for money, community impact and during COVID has worked effectively to protect and support Islanders but obviously we have to convince others that is the case, but I believe it is.

**Deputy S.M. Ahier:**

Do Ministers have more control in government policies under their remit than prior to the OneGov initiatives?

**The Chief Minister:**

I cannot comment on that from personal experience because I was not a Minister. I think it would also depend. There are some Ministers who will probably argue not necessarily. The majority of Ministers, as far as I am aware, are very comfortable with how the policies are produced and implemented, but I cannot comment on the past because I do not know directly from experience.

**Deputy S.M. Ahier:**

How have the OneGov initiatives put Islanders at the heart of government business on how to communicate honestly and transparently with both internal and external stakeholders?

**The Chief Minister:**

I think we have addressed the communications side. Obviously COVID has accelerated that probably but I would suggest that there has been a huge amount of communication both internally and externally to public and employees, way over and above anything I can think of in the past. That is from a range of political, consultation, putting information out there and, as I have said, I cannot remember the hits on the government website, for example, but they are in the millions and the number of interactions across the Island in terms of social media are in the tens of thousands, as in separate accounts. If you look at that as an engagement that may be a factor of COVID and is probably a fact of how the world has changed generally through technology. I think the communication side has significantly increased and that also goes to engagement with Members as well. It is difficult to take COVID out of that but I would argue that it has been certainly significantly different to when I first started.

**Interim Chief Executive:**

I think that the mid-year review, I am not sure if you will be asking questions perhaps about that, but it is an example of a level of coherence in the way that the Government are reporting their performance and their service evaluation in service measures. There is a level of consistency around the data that we are reporting and the measures, and it is not perfect, of course, but each year it will be improved. I think that the mid-year review is a significant advance on the first 6-month review a year ago. In answering your question directly, the benefit to Islanders is a greater level of confidence in the consistency and the standards that they should expect from the whole of the Government.

**Deputy S.M. Ahier:**

What strengths would you highlight of the OneGov initiatives and are there any weaknesses in the OneGov initiatives that you would outline as learning from moving forward?

**The Chief Minister:**

For me, I think the fundamental strength has got to be about the message to remind people that it is one Government, it is not department A, B, C, D. I do not work for department A, I work for the Government or the Island, and the reason for that is fundamental; it is the fundamental bit about the silo mentality. There were definitely instances in the past where even at a senior level it is: "Well, I am working out here. If they want to know my views they will have to come and find me" and that was not, in my view, a healthy culture because that was walls around. If anything that, for me, is the fundamental one. Depending on how wide you take the labelling of OneGov and the investment in things like technology and all the other changes that are going on you see, and I would argue you are starting to see already, far better improvement particularly with the engagement at a technology level, online and so on, a far greater improvement in matters compared to where we were, say, 3 years ago.

**Interim Chief Executive:**

Yes, all that is very fair. You asked about learning points as well, so I will pick up that element and, Chief Minister, you might want to add to what I have said.

**The Chief Minister:**

I can think of a direct example that John might want to give as well.

**Interim Chief Executive:**

Okay. On the learning points, and clearly I have only been here 6 or 7 months so I do not have the perspective that other colleagues around me have, but I think that a very significant programme of change was embarked on and all organisations will find that with significant change there is a level of upheaval and disruption and having a measured approach to change in which we are always taking people with us at every point is a very challenging thing in any large organisation, particularly in public services with the level of scrutiny and transparency that is expected of us. I think we should, as a civil service, be self-critical about what we have learned along the way and make sure that at every point we are learning and modifying our approach. What I find is in terms of bringing our colleagues with us, which is a very crucial part of the job that I do, I think people join public services and wish to work here because they have a public service motivation and they are fundamentally motivated by the work that they do and their engagement in their task. I did a staff induction for new employees on Monday morning and was asking each of them why they came to join us and what they had done previously. What our new joiners talked about is the extent to which they feel that they wanted to work in an environment in which their personal values were aligned with the work that they are doing in the organisation they are working for. This is tremendously important in a government context. I think that one of the things that I need to learn, and all of my senior colleagues, is to make sure that we are constantly in touch with that motivation and that we are painting a picture of how the work that they are doing is contributing to better public service

outcomes, better value for money, better impact for Islanders. I do not think we can do that too much. That is one of the learning points.

**Senator T.A. Vallois:**

On the basis of the OneGov initiatives from a political stance, I have seen over the years staff being overwhelmed by the number of priorities and expectations, whether it is Ministers or Back-Benchers. How does the OneGov initiative sit alongside prioritisation for the Council of Ministers? We hear things about the policy pipeline or things like the legislative framework, whatever we call these things these days, but how is that appropriately determined from a prioritisation level? Is it purely just the Chief Minister or is it the whole Council of Ministers that determine that, to assist with bringing the OneGov initiative at the higher echelon?

**The Chief Minister:**

If it is policy pipeline it is a matter for all Ministers because there will be individual areas. As I said, I am awaiting the next update and we need to do that iteration for what goes through until the end of this government period, but certainly as far as I am concerned, the only experience that I have had is that on an individual basis officers have come to me and said that they are going to the other Ministers. They have identified challenges within the legislative programme in terms of timing capacity. Again, I do not want to underplay the impact of COVID. As we know, there are logjams all the way through, which is why I think the next update will be important. In the past, certainly once they have been through that process, then from memory it did come to the Council of Ministers in a final form. That is what I would continue to expect.

**Senator T.A. Vallois:**

In the spirit of the OneGov initiative now we have got a central policy team, we did not have that previously, but is the finance policy section still separate to the whole of policy? This is what I am trying to get at. If we are truly doing the OneGov and there are no silos, is that all together now and, if not, how do you address making sure that does happen?

**Interim Chief Executive:**

It is a good and complex question to answer. Let me just check I have understood this correctly. Is the question in relation to the development of policy, whether that is wholly in S.P.P.P. (Strategic Policy, Performance and Population) or across all departments, where that policy development comes from?

**Senator T.A. Vallois:**

My understanding of OneGov and the point in S.P.P.P. was to bring all that policy and that support to Ministers for that policy development in one place. That was my understanding and that is why I

asked the question. Finance policy I understood was separate at the moment and I do not know whether that has changed.

**Interim Chief Executive:**

Thank you. That helps clarify. I think, and I do not know if this was the original concept of OneGov, but the way it works in practice is that the nerve centre of developing policy, the capacity, the integration and the join-up of development policy happens within S.P.P.P. In my mind, all directors-general and their senior teams have expertise and a role to play in the development of policy advice. It does not make them wholly operational ciphers. They have a crucial responsibility for the development of policy in its own right. So if I may, Alex, with my colleague from public health here, use public health as an illustration. Alex sits in the central policy department in S.P.P.P. with his public health colleagues, but he works closely with all other parts of the civil service, such as Children's Services and Health and Community Services and all other areas, and he will be advised at a level of detail on what the needs and requirements of children and young people are, or the health system. In that sense it is a collaboration where expertise is dispersed in departments, as well as joined up and integrated within S.P.P.P. I think that it is true of finance as well, so quite clearly if one wants expertise and insight on government finances one would go to the treasurer and the treasurer's top team. I do not know whether the OneGov structure was ever intended to say all policy would be located within S.P.P.P. I think you would know better than me but I think in practice it is a combination of a central expertise that ensures hopefully integration and join-up with collaboration in every department.

**Senator K.L. Moore:**

We are going on to that much awaited moment, the mid-term report. The first question is simple: why have the States Assembly not received a briefing of the mid-year review as it did last year?

**Interim Chief Executive:**

I think that is probably an oversight on my part. In fact, I have only learned very recently that there was a briefing at the end of August last year and I am not certain whether that was offered, maybe it was not, this year and it should have been. I think perhaps my colleagues thought that this was business as usual now, but perhaps that should have happened. I am sure it should have done.

[11:30]

I am told that a year ago the circumstances in the mid-year review were slightly different in that there was a level of interest in COVID around what services would be paused during the height of the pandemic, and a lot of that information was in the 6-month review last August. I am told that there was a particular level of interest at that point in time, for very understandable reasons, from States



Assembly Members, but I think if there is an appetite and interest for a briefing then that should clearly have happened.

**The Chief Minister:**

That can still be done.

**Senator K.L. Moore:**

Thank you. If we could go into the detail, then, table 2 of the report entitled: "Total rebalancing measures to be delivered in 2021", it identified a reduction of £5.8 million in the budgeted measures for 2021. The review indicates that this will need to be added to the existing objective to deliver a recurring £20 million in 2022. How were the measures agreed for 2021 to ensure they were realistic and why did they not previously account for environment and pandemic impacts?

**The Chief Minister:**

I will give the really high level, and I do not know whether Paul wants to correct my errors, and then we will hand it to Hazel. What is probably more helpful is to look at the principles, the draft that is on page 15. It is the principle that will then answer your question. If you look back at 2020 at the £40 million there, that was originally what we were going to do in achieving the efficiencies, the label in those days, I think there was a challenge as to whether we were going to achieve that £40 million. What happened, if you will recall, and you have alluded to it on a number of occasions, roughly we achieved £25 million in terms of recurring expenditure and £15 million was then done through one-off measures. If you then look in the narrative, about £15 million was carried into 2021 as an objective to achieve those recurring figures. The position, as I have understood the matter to date, is that of that now £60 million, so it is the £40 million for 2020 and the £20 million for 2021, we have now achieved £51 million of recurring expenditure, which I think is a good news story, because it means we have achieved 100 per cent of the £40 million and we have achieved a good chunk of the £20 million. So that is establishing the principle, yes, we are going to set an objective, we want to get as much of a recurring rebalancing now, but there will be times, for whatever circumstances, particularly as I will say "come out" of the pandemic we are in, we are still in it and we have still got degrees of uncertainty in 2022 but, as we come out of it, it is keeping the focus on achieving recurring, recognising there are going to be circumstances that we cannot achieve the exact quantum of the objectives, what happened in 2020 with the £40 million, but then saying: "Right, there is a plan A, B, and C", there is a plan D now but anyway, which is saying initial objectives, if not come up with an alternative, which is recurring, but if not you get it across the line. If you get it across the line as a one-off you still have got a pressure that is probably going to land on the senior leadership team or the L.T. (leadership team) across the board from a OneGov perspective to achieve in later years. As long as we get to that point and we achieve the quantum in the year, some of it will be through one-off, but we do not take our focus off achieving recurring going forward

I am more comfortable. I am saying we have achieved, of the £60 million target, for 2020 and 2021, we have now achieved £51 million recurring. So that is the principle that applies and then that applies to the figure that you alluded to. Paul will correct me or nod, and Hazel, do you want to correct me or nod?

**Senator K.L. Moore:**

Everyone seems to be quite content with your response. We will move on, unless you have anything in particular.

**Group Director, Treasury and Exchequer:**

If I may just raise one point in terms of the question that you pose, which is about the reduction of the £5.8 million. It is not technically a reduction. Currently in the mid-year review what is there reflected is the forecast position. Departments, as set out in the remainder of the report, are still working on measures that they can put forward. As the Chief Minister has set out, there is the plan A, B, or C so departments are still working towards the target that was set in the Government Plan originally and there may be cases where measures can be put in place on a recurrent basis before the end of the financial year, or those might be measures that are on a one-off basis. That figure has been improving, so it has even since the mid-year review. There have been some adjustments to that figure and we would expect that figure to continue to reduce towards the end of the financial year, but ultimately the figure will be balanced to the target that was set out in the Government Plan.

**Senator T.A. Vallois:**

How much time and money is spent trying to find savings, which is possibly not going into policy development and that more rigorous change development? That is where you are more likely to see some of the efficiencies happening, because some areas are stalemates, are they not?

**The Chief Minister:**

I was going to say, and I am assuming that is not what you mean, but there is a concern that if you take the focus off the rebalancing side, you do not want that programme to drift, you do not want people to get in the habit of: "Well, we have got lots of change here but it is not my responsibility, it is the responsibility across the organisation" and at the end of the day, as I said, when I first stood there was a promise that we were going to achieve £20 million of savings a year. I think the then C. and A.G. produced a report some years later that challenged whether that was properly achieved. On the basis of everything I get, I am very happy that we have achieved £51 million recurring and that has got to be worth doing. Even if it has cost, for example, £2 million - I cannot remember what the numbers are - or even more than that as a one-off, this is £51 million that is now going forward each year.

**Interim Chief Executive:**

Thank you. The search for better value for money and improved outcomes has no end, so I think that is a really crucial part of why we have senior staff to help identify that opportunity and to lead its implementation. I think that colleagues have undertaken a herculean task in achieving the rebalancing and efficiencies that have already been achieved, which is mightily impressive, but it is not easy, which probably talks to your question. It is not easy and over a period of time it can become more difficult, particularly if it is atomised in individual measures. I think what you will see when the Government Plan 2022 is lodged is a further impressive effort on rebalancing, and it will need a greater injection of energy to make sure that we achieve all that the Government requires of us in 2022 and beyond. At some point we are going to need to step back, evaluate what we have done so far, and work out a plan for achieving and continuing to achieve a reduced spend and improved outcomes. Probably that period is after the elections next year, I would think.

**The Chief Minister:**

We have always recognised that both 2022 and 2023 were probably going to be the more challenging years, from what I recall. Hopefully, and looking at John particularly, from 2024 and 2025 onwards with the I.T. systems coming through and things like the office strategy and stuff like that, you will then have or should be having (a) far better data coming through and, (b) the ability then to look at more structural savings.

**Senator K.L. Moore:**

Can we ask how the difference between the recurrent and non-recurrent rebalancing points are going to be recorded and measured so that everybody is properly aware what has and has not been achieved and what is yet to do and how often will it be checked so that we are all clear on where we go?

**Group Director, Treasury and Exchequer:**

We monitor the rebalancing programme on a monthly basis. We track every measure, so it is revisited on a regular basis and through that tracking system, as the Chief Minister highlighted, we record the approach that is being taken from the original set out in the plan, so whether it is plan A, B or C, but also we record whether the saving efficiency is on a recurrent or a non-recurrent basis. That is all recorded within our monthly reporting process, so there is robust governance around that measurement.

**Senator T.A. Vallois:**

I know I asked you about the time and money and I know it is a herculean effort every single time, and I do hope there is some looking at how you can do this more efficiently and effectively. There is also a cost to the taxpayer of consultants to assist with efficiencies and rebalancing. Surely, going

forward, and I am not going to focus on the past and say whether it is right or wrong, to have that value-for-money effect what would you see being put in place? You cannot carry on overwhelming and putting pressure on the staff in this kind of herculean attempt to find the savings constantly at what I believe would be potentially at the whim of not being able to do that bigger policy change, that bigger change programme at the top, that structural change that in some areas is needed. For me, I do not want to see consultants being brought in for efficiencies or rebalancing in the future. Would you see that happening again?

**The Chief Minister:**

I think the short answer is at the end of the day on an Island you have got a variety of competing pressures. You have got the willingness of the taxpayer ultimately as to how much tax going up they will swallow, plus the impact on the economy. Therefore, that constrains the number of permanent employees ultimately you can have, and also an expectation as things evolve and technology changes, unless you have a static position, which I would suggest is not a good place, you have got to have a continuous spirit of change. You are always going to have some form of change going through and you will see that in the private sector a lot. There is an expectation around that and, once people accept change, they do adjust to it. After that your issue then is bearing in mind what I said about the cap on the number of permanent employees you can have, is then depending on the nature of change or technology change or changes in circumstances that might happen in 4 years from now, I do not know what it is or what it looks like, but you can almost guarantee there to be something, you are either going to be recruiting permanently, which I am suggesting you have got a limit on, or there is going to be something pressing and therefore you need to bring a resource in. If you bring a resource in that is likely to be a consultant.

**Interim Chief Executive:**

Do you mind if I answer that? That is certainly right, but I think that we need to utilise the skills and experience that we have got within our own workforce, in managing change. That is growing and developing in a very heartening way. Within Hazel's team we have got the zero-based budgeting expertise, which is supporting departments in a practical way in achieving rebalancing. In fact, yesterday I had a one-to-one with a senior member of staff who has been involved in the COVID process and she explained that earlier in her career she was a consultant for one of the big 4 consultancies and was talking about the relevance of that experience and how she could utilise that to the benefit of our public services. Now we have got a lot of people within the civil service with expertise in change management who can support that. The only hesitancy I have got in the question that you asked is that there is sometimes a case for consultants. I know that that will always be challenged and rightly so, but there can be a case for consultants, which is a good case, because if it is adding an expertise and a specialist contribution that is not here within our organisation then we do need to recognise that, and I think it would be a mistake to rule out the possibility that that

could be utilised. As a general principle, I think the direction of your questioning is right, that we should only be using consultants when that case is made and proven and also it is incumbent on me and my senior colleagues to be sure that we are working with the staff that we have got who have learned so much about change to use their skills and experience.

[11:45]

**Senator T.A. Vallois:**

So just on that basis, your answer is kind of taking me into my next question which was people are our most valuable asset when it comes to our public services. In terms of our I.T. systems - and we know that our H.R. (Human Resources) systems were not particularly wonderful - the prioritisation in terms of that budget for change to the H.R. systems, is that a high prioritisation? Is that being delivered at the moment or are we still in some form of policy development phase because, to me, it seems there was criticism that we did not mention the importance of the systems for people and culture but we all know that is important, so where are we with it?

**Chief Operating Officer:**

Are you talking about the technology systems as opposed to the system?

**Senator T.A. Vallois:**

Yes. No, the technology systems.

**Chief Operating Officer:**

The contract was signed on 2nd September for the H.R. modules of I.T.S. (integrated technology solution) which will be the H.R. module itself so the core H.R. data, recruitment, learning management, talent management and performance management. All of those are signed. Work starts mid-November on design and they will go live next year in the second half of next year.

**Senator T.A. Vallois:**

So there will be a process where people will have to be trained up and understand the standardised way of using that system.

**Chief Operating Officer:**

Yes, so with the I.T.S. programme, release one is the finance module. That will go live in the first half of next year. I think you probably know we have a change partner in Deloitte who will be supporting us with the training, communications, providing information, and some of it will be training because people will need to know in detail. Some of it will be more around communications for those who are casual users. You do not go on a training course when you get a new iPhone. You

can just go and do the stuff so, yes, all of that is in hand. Finance goes first because, as you will recall from a previous time when I was here, our finance platform is very old. It is a 2005 vintage. That was our priority to get us off that JD Edwards platform and to start to build the capability to deliver much better financial information to the organisation. H.R. is our second priority so it is related to contracts signed. We start work in November and go live in the second half of next year and then the releases 3 and 4 cover assets, and release 3 will start work next year.

**Senator T.A. Vallois:**

So assets, is that property or is that all assets?

**Chief Operating Officer:**

Buildings. The whole of the Government's assets, whether it is sea walls, pumping stations and Energy from Waste plant.

**Senator T.A. Vallois:**

That is a job and a half.

**Chief Operating Officer:**

As well as the buildings, and there is a final release which is a bit of a catch-up, and mainly around commercial activity, so contract management and those kind of things, all to be finished by the end of 2023.

**Senator T.A. Vallois:**

Thank you.

**Deputy S.M. Ahier:**

Thank you, Senator. The digital transformation of G.S.T. (goods and services tax) and custom services states: "Additional expenditure has been identified such as increased warehousing to store seized items as a result of the reduced *de minimis*." Why was the cost not identified previously and will the increased cost be passed on to the consumer?

**Chief Operating Officer:**

It is not my area, unfortunately.

**The Chief Minister:**

Yes, I was going to say I am not aware of that one at all, I am afraid, so I may have to take that question and come back to you unless Hazel can help me.

**Group Director, Treasury and Exchequer:**

I do not have an immediate answer so I will take that away and then I will come back to the panel.

**Deputy S.M. Ahier:**

If we could be advised of that, thanks very much.

**Group Director, Treasury and Exchequer:**

Yes.

**The Chief Minister:**

Yes, interesting question.

**Deputy S.M. Ahier:**

Why will the Government not deliver the development of the financial independence in old age policy, the development of the long-term housing policy and the implementation of the Public Services Ombudsman in 2021?

**The Chief Minister:**

All right, sorry, the long-term housing policy.

**Deputy S.M. Ahier:**

They have all been deferred.

**The Chief Minister:**

The ombudsman, did you say?

**Deputy S.M. Ahier:**

The Public Service Ombudsman, yes, and the development of the long-term housing policy and the financial independence in old age policy.

**The Chief Minister:**

The financial independence, we were on track on, I believe, and I understood there was some feedback that was received when we were in the private sector about basically if you are introducing not a benefit but something that is going to use more money, then obviously there has to be a way of paying for it. I think the view was that during the recovery period on COVID, it was something that probably needed to be looked at in some greater detail/slightly deferred basis. There was some relative feedback from the public sector at the time. That is my understanding. It has only been, I understand, within the last 6 to 8 weeks I think that was brought to my attention and part of that, I

have been away. So I have not had a chance to properly catch up on that, but that was my understanding. It was feedback from the private sector on the initial consultation stage.

**Deputy S.M. Ahier:**

On the Public Services Ombudsman, which obviously you accepted the amendment of the previous Government Plan.

**Interim Chief Executive:**

That is in development. I know that is certainly up in the policy pipeline development. I think your question is why has it been delayed?

**Deputy S.M. Ahier:**

Yes.

**Interim Chief Executive:**

I believe that that would be because of the other pressures upon a small number of colleagues especially in relation to COVID, as the Chief Minister has said.

**The Chief Minister:**

I will go back and look at that because, as I say, I do not think I was fully aware of that. The long-term housing policy is what Deputy Labey, the Minister for Housing and Communities, is working on.

**Deputy S.M. Ahier:**

Thank you. Finally from me: why has the Government not prioritised the sustainable transport policy in 2021 and provided the associated efficiencies?

**The Chief Minister:**

I think part of that has been COVID-related and, essentially, because resources were reallocated, I think that has caused a delay.

**Interim Chief Executive:**

Well, there has definitely been an impact from COVID on sustainable transport, no question, and the reduced bus patronage is an obvious example of that, so COVID has disrupted some of those plans. The intention is to publish a carbon neutral roadmap just almost corresponding to the progress of the Government Plan in the autumn months. So that will advance and develop the work of the sustainable transport policy.



**Deputy S.M. Ahier:**

Thank you. I will pass back to the chair.

**Senator K.L. Moore:**

Thank you. Just on the Government Plan. I believe, Chief Minister, you mentioned earlier that that was due to be agreed this week.

**The Chief Minister:**

The Government Plan principles were signed off and approved by the Council of Ministers last week. In essence, they are just basically finalising the document and the flow through of tables. It is a practical exercise and not political approval.

**Senator K.L. Moore:**

It will be published. On the 13th, I believe it was due to be published.

**The Chief Minister:**

I do not think it is the 13th.

**Group Director, Treasury and Exchequer:**

The 21st.

**The Chief Minister:**

Yes, the 21st.

**Senator K.L. Moore:**

The 21st.

**The Chief Minister:**

To the best of my knowledge and belief, at this point, we are on track.

**Senator K.L. Moore:**

Yes, thank you. So we finally move on to COVID. It has been a long time coming, and thank you for being patient with us. The first question is about a public inquiry. You indicated to the panel previously, Chief Minister, that when the Island had returned to business as usual that we would look at a public inquiry. In your mind, is that when we are living with COVID or when there are no COVID cases in the Island?

**The Chief Minister:**

I think the answer is: is now the time to have a public inquiry? In my view, it is not. For me, we are still working with COVID, for want of a better expression. There are still a whole variety of things that we are preparing for including autumn/winter because that does fit into the booster programme. The under-16s' vaccination, where is that going to land after the vaccinations. So we have still quite a lot of working going on. In my view, a public inquiry at this stage, when we are not yet out of the pandemic, would drag resource away from dealing with the matters of keeping Islanders safe and protecting lives and livelihoods to dealing with ... yes, there have to be lessons learned but do something once we are out of it properly.

**Senator K.L. Moore:**

Thank you. Just earlier this week, I was talking to a very eminent Islander who was pointing out that they felt we would be living with the pandemic and versions of it for some time to come. Therefore, do you not consider that a relatively brief inquiry, which I think was being proposed by a member of the public in some publications earlier this week, might be a helpful way to take some learning so that we can adapt and consider what has been successful and less so in terms of our response to the COVID pandemic thus far?

**The Chief Minister:**

I think, as I look at Alex here, my one observation would be that we do continuously look back at what has happened and seek to understand if there are areas that need to be improved. I would make the point that we do not run the Government based on the views of an individual basically and, as I have said, for me the critical issue would be pulling resource out. I do not know if there is such a thing as a quick and cheap public inquiry. Obviously, the Care Inquiry cost somewhere between well over £15 million and you are talking about something that would go across the entire population and the entire Government and probably the private sector as well. So I do not think it is possible to do a quick inquiry.

**Senator K.L. Moore:**

Well, you have told us in the past that you do not feel you would have done anything differently. We talked already today about learning so how would you propose to learn then if it were not for a rapid version of an inquiry?

**Interim Director of Public Health Policy and Strategy:**

May I come in, Chair? I think I will confine my comments to the situation that we find ourselves in at the moment in relation to COVID-19 and not to the question of the timing of any learning process and how that might be a constructive inquiry or otherwise in relation to COVID-19. What I would say currently is that whatever our definition is of a global pandemic and so on might be, we are still in an extremely busy resource hungry environment, which has all the features associated with it;

meetings and competent authority Ministers and very fast paced decision-making that are hallmarks of an emergency context. Of course it is the case that our risk has changed largely as a function of the very successful vaccination programme so numbers as a proportion of overall infections in hospital are much lower than they were. The chances of people being fully vaccinated and being hospitalised are much, much lower. However, there are still significant threats on the horizon and significant resources associated with the ongoing day-to-day management of the pandemic. So any learning process, if I can call it that, that does not immediately go to the nation as a formal inquiry, would need to be adjusted to the operational context that we find ourselves in and the reality that we do have finite resources as a small Island to put into ensuring that we keep Islanders as safe as possible. What I have found exceptionally useful over the course of the pandemic so far is the interaction of States Members and the role that Scrutiny has played in challenging but also contributing to the work of the public health team and other capacities within Government. I think that that continues to be a basis for adapting and learning as time goes on. The notion of a public inquiry with all of the resources that would need to be associated with it at this current time - and I cannot speak for 3 months, 6 months or a year hence because we simply do not know where we will be at that point - would seem to me to be a danger to our ability to deliver the ongoing work that is required to, as I said, keep Islanders safe.

**Senator K.L. Moore:**

Thank you. Are there any plans to adapt the communication methods that have been used so far in COVID messaging and sharing of policy changes, for example?

**Interim Director of Public Health Policy and Strategy:**

I am very happy to come in on that. So clearly the context has changed for reasons that are set out in my previous answer and, as a result, the nature of communications to the public has changed. It is observable that in an era where legal restrictions of quite a draconian nature to close businesses to limit personal and household activity, while they are not in place, we are seeking Islanders to take much more responsibility for their safety and the safety of those around them and the processes that they work and the use and continued use, for example, of lateral flow tests.

[12:00]

We have just learnt that we have had an extremely strong and positive response from parents, children, staff and teachers going back to schools to register for these lateral flow tests. It shows that we have a different basis for communicating to the public but some of the main aspects of emergency communications remain in place. So the Chief Minister has conducted 9 press conferences so far this year, in addition to the 27 that were carried out last year. There have been, I think, 11 States Members' briefings. The Scrutiny Panel continues to meet on a bi-weekly basis

and I think some 20-odd interviews that you have already performed. So that notion of regular reporting and updating the population continues but the messages are beginning to adopt a different set of characteristics. It is less about what the Government is telling you to do and more about what the Government is equipping you with to make risk-based choices about how you manage your risk in the context of changing disease risk.

**Senator K.L. Moore:**

Thank you. I am aware that we have now run slightly over time. If we could keep you all for just a couple more minutes, we do have some questions from members of the public which I think would be important. I could rattle through some of them; I am sure the answers can be kept relatively brief. First of all, it is about housing. "Can the Chief Minister pledge to provide a significant housing and land reclamation policy to the Island that is selfless in that it is deliverable and is so long term that they may well not be finalised during your political term and leave a legacy that is not a short-term reactionary political point?" says the contributor to that question.

**The Chief Minister:**

Sorry, was it "selfless"?

**Senator K.L. Moore:**

Housing and land reclamation policy for the Island.

**The Chief Minister:**

Yes, I heard something about "selfless".

**Senator K.L. Moore:**

Yes, they did say something that was "selfless" and not short term I think was the drive of the question.

**The Chief Minister:**

Well, the short answer is that I would hope by now that people hopefully understand I try not to do too much short-term work so, on that basis, I suppose the argument comes through that part of that comes through from the Island Plan and part of that is coming through from the work that the Minister for Housing and Communities is doing. So the short answer is, it is something I would certainly think we should be doing, and the quick answer on that as well is that, equally, we have been putting things in place to do things like increase supply, offering up sites, things like that, and also to start limiting demand, which is the work that Deputy Huelin is doing on population.

**Deputy S.M. Ahier:**

Yes, another question from a member of the public concerning COVID. “Can the Chief Minister confirm if there is any work which Islanders will not be able to do if they are not vaccinated? Will Jersey follow England and decide that Islanders cannot work in care, education and hospitals if they are not doubly vaccinated?”

**The Chief Minister:**

I need to check one position, which is care homes, but I think on that there is not anything.

**Interim Director of Public Health Policy and Strategy:**

Yes, we are watching and reporting to Ministers very closely developments in the United Kingdom where a formal foundation for particular workforces in terms of vaccination is now in the process of being implemented to date. If we take care homes as a good example, we have seen a distinction to the United Kingdom. A very high take-up of vaccination within the care home staff population so, while we are continuing to monitor those developments, we are not currently in a position of advising Ministers that mandation of vaccination, i.e. requiring certain staff groups to be vaccinated as a condition of their employment in the way that the U.K. are doing is necessarily proportionate.

**The Chief Minister:**

Sorry, I think we need to distinguish between government policy and I just need to be reminded what the position was on private sector employers, if they have a condition which is separate.

**Interim Director of Public Health Policy and Strategy:**

Yes, we do not have any data at the moment that private sector employers are, certainly to any scale, requiring employees to be vaccinated. Of course any development of that kind, we would continue to keep our eye on and it may, in due course, be a matter for the courts to try to deal with so it is very much in the context of getting a really good take-up for vaccinations so far. It is something that we are monitoring and watching very closely but not proposing to Ministers that they take what might be seen as an action which impinges on people’s personal freedoms in that way. Clearly, in the United Kingdom where that is happening, the context is quite different.

**Deputy S.M. Ahier:**

Thank you.

**Senator K.L. Moore:**

Just another question from a member of the public. It is about the cost of living. “What are you going to do about high prices of products in the shops? It would benefit the Island if prices were lower. Then we would not have the same need to buy online.” I think it is the general cost of living in the Island and how to tackle it.

**The Chief Minister:**

Senator Farnham was doing some pieces of work around that and certainly that has been falling in his territory. Part of that is around competition, productivity and all those types of areas, which is all about reducing costs. Have you anything to add, Paul?

**Interim Chief Executive:**

It is difficult, is it not, in terms of the limits of what the Government can achieve and the tools that we have at our disposal. So we have a restricted range of tools and I think we would have to be realistic about that and, hopefully, the member of the public will understand that. We do not live in a command economy and the Government is not in a position, nor would it want to be, to sort of direct pricing in shops. We have some influences over it, which the Chief Minister referred to in terms of ensuring that open markets are working well. The regulation is effective but indeed the delivery of supplies and services to Jersey is done efficiently and the logistics of that work in the Island's interests working with, for example, Condor. So there are influences that we have but regrettably, in many cases, I think the drivers of inflation and high prices are so often outside of this Government's control and probably any Government's control.

**Senator K.L. Moore:**

Thank you. A final question from a member of the public is about COVID again. "Chief Minister, why do you not stop the renewal of emergency powers and leave us to get on with it? After all, we need to learn to live with COVID."

**The Chief Minister:**

The short answer is we are not out of it yet. The renewal of powers is purely, one would say, precautionary because there is quite a lot the rest of the world that is still struggling with it. We are in a very, very good place but one equally does not take one's eye off the ball. If something was to emerge that we needed to react to fast, that is why we keep those powers in reserve and, as I said, they have been renewed twice now I think and, obviously, I think the matter is coming to the States shortly, from memory. It is purely precautionary. If things remain at a steady state, then hopefully we will not need to use anything. If something comes down that we have not anticipated, then one might need to react fast and that is about lives ultimately.

**Senator K.L. Moore:**

Thank you. Thank you, all, very much for joining us today. I am grateful for your time as well as my colleagues and, with that, I close the hearing.

[12:09]