



Public Accounts Committee

Quarterly Review Hearing

Witness: Chief Executive, States of Jersey

Monday, 8th February 2021

Panel:

Deputy I. Gardiner of St. Helier (Chair)
Connétable R. Vibert of St. Peter
Connétable J.E. Le Maistre of Grouville
Connétable K. Shenton-Stone of St. Martin
Senator T.A. Vallois
Mr. A. Lane
Mr. G. Phipps
Dr. H. Miles
Ms. K. McConnell, Comptroller and Auditor General

Witnesses:

Mr. C. Parker, Chief Executive, States of Jersey
Mr. R. Bell, Treasurer of the States
Mr. T. Walker, Director-General for Policy
Ms. C. Madden, Chief of Staff
Ms. M. Benbow, Group Director, Commercial Services
Ms. S. Le Sueur, Group Director, Customer and Local Services
Mr. T. Daniels, Director, Jersey Property Holdings
Mr. K. Hemmings, Head of Financial Governance
Ms. L. Gardiner, Head of Corporate Portfolio Management Office
Mr. A. Metcalfe, Director of Policy and Performance
Mr. M. Thomas, Director of Risk and Audit

[14:04]

Deputy I. Gardiner of St. Helier (Chair):

Good afternoon, all. I would like to welcome you to the Public Accounts Committee quarterly hearing with the Chief Executive. I would like to remind you that it is the remit of the Public Accounts Committee to check how the States decisions were implemented and if the value for money principle has been applied properly. I would like to introduce the Public Accounts Committee members. We have with us today Senator Tracey Vallois. We have the Constable of Grouville, the Connétable of St. Martin and the Connétable of St. Peter; as lay members, Graeme Phipps, Adrian Lane and Dr. Helen Miles; myself, Deputy Inna Gardiner, Chair of the Public Accounts Committee, and the Comptroller and Auditor General is joining us as an attendee. Chief Executive, can you please introduce your members?

Chief Executive, States of Jersey:

So, there is myself as Chief Executive, Chair; Richard Bell, Treasurer; Tom Walker, the Director-General for Policy; Catherine Madden as Chief of Staff; Maria Benbow, who is the Group Director for Commercial Services; Sophie Le Sueur, who is the Group Director for Customer and Local Services; Tim Daniels, who is the Director of Jersey Property Holdings; Kevin Hemmings, who is Head of Financial Governance; Lizzie Gardiner, who is Head of the Corporate Portfolio Management Office; and Andrew Metcalfe, who is the Director for Policy and Performance. We also have the Director of Risk and Audit, which is Mike Thomas.

Deputy I. Gardiner:

Thank you. I would like from the start to ask that answers will be short as possible and if we would need to extend we will follow up with our written questions. So, the first question, we are going into the Island public estate management strategy. At the last public hearing, you indicated that the Island's public estate strategy was discussed on 9th December by the Council of Ministers. When will this be published so we can plan our work accordingly?

Chief Executive, States of Jersey:

So, as far as I am aware, Chair, you have had a copy of the presentation and the document being circulated to P.A.C. (Public Accounts Committee) members already, and the final publication of the proposed framework is due to be the subject of an R. report. Tim Daniels, who is on the line, will probably be able to let you know exactly when that will go fully public, Chair.

Deputy I. Gardiner:

Okay. Before I go Tim Daniels, my question: on 9th December it was presented in front of the Council of Ministers. We are 2 months down the road so what has happened? Why has it not been

published until now? We did have a draft but this draft was shared with us in confidence so I cannot question you around the draft. It was not the final version.

Chief Executive, States of Jersey:

So you now have the final version ...

Deputy I. Gardiner:

Why has it not been published? What has happened during the last 2 months? What was the delay? What caused the delay?

Chief Executive, States of Jersey:

So, the draft was then subject to some further discussions after the Council of Ministers' meeting, which was completed. Clearly, we obviously had in the period from that meeting until the early part of January a significant amount of COVID activity, so we at the same time were dealing with those matters, after which the document has been through the preparation for publication in order to be able to be in the glossy format that we agreed that we were going to present. That has now all been done, so I think the situation was no more than the COVID uptick probably then created a diversion and also resulted in us not being able to finalise some of the meetings with the Ministers accordingly.

Deputy I. Gardiner:

When will it be expected to publish now, approximate expectations for publication?

Chief Executive, States of Jersey:

If Tim Daniels could just answer that question, please.

Director, Jersey Property Holdings:

Yes. It will go to the Greffe next week, Chair.

Deputy I. Gardiner:

Okay, thank you. Back to you, Chief Executive. I understand that COVID caused delays. At the same time, the estate management strategy should be published in February 20. It has not been published. But my question is: the development of the Island estate strategy has been a long and drawn-out process. What has the Government learned from this process and how can it be used to improve in the future?

Chief Executive, States of Jersey:

Well, the problems about getting both a strategy for the estate and also a longer-term asset management strategy goes back probably at least 10 years. So this is well before my time and this

has been a perennial problem, which I think we have discussed on a number of other occasions, Chair. So I am not sure that I need to repeat all of that.

Deputy I. Gardiner:

No, no, my question ...

Chief Executive, States of Jersey:

When I came ...

Deputy I. Gardiner:

... what has the Government learned and what will be improved in the future for developing strategy. Because it is about the process. It is about the process of developing strategy and it took longer, and we discussed it. So for me what is taken to the future from this?

Chief Executive, States of Jersey:

So I think I did mention previously, Chair, that one of the challenges was that we did not have a capacity in the organisation to deliver this. There was not the joined-up agreement across all departments, so many of the departments had their own view of property and their own responsibilities for property. So by bringing it together, by creating a single team and then going out to try and get the capacity recruited to that team, all of those fact sets have contributed to the problem about getting an overarching and coherent corporate framework. That is now done. We now have an appointment to the head of that division and we are also in discussions with our colleagues in reference to a previous conversation that we have had with regard to S.O.J.D.C. (States of Jersey Development Company) about their role in potentially supporting the development of the delivery of the strategy. So I think with the benefit of hindsight, until we started doing the modernisation and bringing together all of the property functions in one place, that created a more disparate and siloed position. We have now overcome that. We now have an agreed framework. Ministers have signed that off and for the first time in probably a decade we have a way forward. The key now will be about delivering that, so it is less about the strategy and it is more about its implementation. The other aspect then of that is the link to 2 things. One is the I.T.S. (Integrated Technology Solution) project and the asset management component of that, and the second is to recruit up to the team in order to be able to deliver in the way that I think everybody wants to do. So, those 2 aspects are linked. The I.T.S. project is about to move to its next level, which should see, with the appointment of a preferred partner, the onboarding of that partner and then the work stream starting to kick off, that will then enable us to determine the staffing requirements to deliver the strategy.

Deputy I. Gardiner:

Okay, thank you. I will hand to Senator Vallois for the next question.

Senator T.A. Vallois:

Thank you, Chief Executive, for being with us today. Can I ask: there were comments papers made by the Public Accounts Committee on estates management. A number of key issues were highlighted within that comments paper. Is there anything in particular fundamentally that you do not agree with in terms of the comments paper that was produced?

Chief Executive, States of Jersey:

I am assuming that this was the paper that was the last P.A.C. report ready for the preparation for the ongoing review that they are going to report back on. Because I think if that is the case, we are due to provide our written comments on that in the next couple of weeks, so we will be providing some more detailed responses to that, Senator.

Senator T.A. Vallois:

Okay, I appreciate that. Could I just ask then, Chief Executive, if you could explain how you have managed during your time with the States of Jersey under the Corporate Asset Management Board to continue to function with regards to the assets of the States of Jersey for value for money without such an estate management strategy?

Chief Executive, States of Jersey:

Well, I think we have explained previously that clearly without the strategy we had not got an overarching view of all of the decisions that were taken on each individual property transaction. However, since I came into post I have taken more of a direct role in trying to be able to co-ordinate some of the bigger decisions that are quite critical to delivering the estates strategy.

[14:15]

So, by way of example, the office accommodation review and project, which releases sites, which then in turn enables us to start to be able to look at both what we might do for the individual assets and also what and how they might contribute to both the rebalancing of public finances in a value for money context and reduce our outgoings. You will see from that project there are a number of significant revenue savings which contribute to a better value for money judgment. Secondly, the hospital project has been a significant issue which needed us to be able to finalise a site before we could start to think about longer-term arrangements for projects or for land where the hospital may or may not have ultimately resided in. Until the Assembly made that decision at the latter part of last year, we have obviously got a number of sites which are now available for either disposal, for redevelopment and/or can contribute to the wider implementation of the strategy, which in turn will mean that we can start to either deliver a financial return to the Government's Exchequer or it will

enable us to deliver some of the projects that are absolutely essential, be it housing or wider regeneration opportunities.

Senator T.A. Vallois:

Okay, thank you for that. So can I just check and have confirmed from yourself that you have had direct oversight of the estates management work that has been going on at the Office of Modernisation and the hospital work as well?

Chief Executive, States of Jersey:

I have not been responsible for the Corporate Asset Management Board. That is the Director-General for I.H.E. (Infrastructure, Housing and Environment), which again we have explained previously to this Committee and also the Council of Ministers. When you were a member you will have recall that that was not led by me. However, what I have said is that I have had some oversight of key projects that have contributed to a better value for money arrangement hopefully that will flow from a number of key projects.

Senator T.A. Vallois:

Okay, thank you. Just finally, one of the key issues that were highlighted in the comments paper was actually with regards to the target operating model for the Infrastructure, Housing and Environment Department. Do we know when this will be complete?

Chief Executive, States of Jersey:

The department is going through its final consultation arrangements because, as you know, it is a new department. So we had to finalise the top tiers of that, which have been done, and we obviously on the back of that have 2 areas where there are further discussions taking place at the moment. One is J.P.H. (Jersey Property Holdings), which is, as I referenced earlier, a conversation that is taking place with S.O.J.D.C. about how best to discharge responsibilities between S.O.J.D.C. and J.P.H. in order to avoid duplication, best utilise their skills and avoid having to recruit into roles that perhaps might be better deployed by one or other of the 2 functions. Then the second part of the I.H.E. is the lower level of the organisation from tier 3 and below, which we are going through and finalising at the moment. But it is possible that Tim Daniels could bring you further up to speed on the fine detail of that if that is helpful.

Senator T.A. Vallois:

Thank you, Chief Executive. We have a lot of questions to get through but hopefully with the response to our comments paper from yourself that will help us to understand exactly what is happening with regards to that. So I am grateful for your answers. I will hand over to Graeme Phipps for the next question.

Mr. G. Phipps:

Hello, Chief Executive. **[Connection lost]**.

Deputy I. Gardiner:

Graeme, we did not hear the beginning. Now we can see you, please start your question.

Mr. G. Phipps:

A bit of a delay on the computer. Just a couple of implementation questions on the strategy. Can you confirm when the Corporate Asset Management Board met for the first time, how many meetings they have had to date, and what decisions have been made in understanding how it is working?

Chief Executive, States of Jersey:

I will ask Tim Daniels to come in on that because he is involved in the day-to-day detail. As you know, I do not sit on the Corporate Asset Management Group. It is not chaired by me, it is chaired by the Director-General for I.H.E., who unfortunately cannot join us today, but Tim may be able to give you more information on that.

Director, Jersey Property Holdings:

Yes. The board was established last year and it sat for the first time in anger in October. It is organised so that it coincides with the Council of Ministers and the Regeneration Steering Group. It has not taken any decisions yet because the strategy had not been approved for implementation, but the principal activity of the group is to ensure that all decisions, requirements, capital projects and funding issues across the entire government are understood and discussed in the round so that we do not end up with any silo decisions about a particular directorate wanting to develop a site that is better suited to another site.

Mr. G. Phipps:

Okay, thank you. That is helpful. A second question: what work needs to be done ...

Deputy I. Gardiner:

Graeme, sorry to interrupt, I just would like to ... I am sorry because I was at the previous Public Accounts Committee and I am bit confused. Just to clarify, when was the Corporate Asset Management Board established? Because in the July public hearing we had been told that it has been established in 2019, and you said it is in 2020. So when has it been established?

Chief Executive, States of Jersey:

I think, Chair, it was originally in a shadow form and then has now been formalised, which is what I think Tim was referring to.

Deputy I. Gardiner:

Okay. We need to go through the transcript because from my memory, and I might be wrong, we have been told that they met at the end of 2019, but maybe. Okay, we will look into this. Thank you. I will go back to ...

Mr. G. Phipps:

Okay, a second question on implementation. Can you let us know what **[Connection lost]**.

Chief Executive, States of Jersey:

I am sorry, Graeme, unfortunately I could not hear any of your question. We lost you there.

Mr. G. Phipps:

Let me try again. I am not sure why it is not working. What I would like to know is what work needs to be done to finalise the corporate asset management plan and really plans for each of those significant assets, and when will this work be done?

Chief Executive, States of Jersey:

So I think the Chair might have covered part of that earlier. So we are due to produce the final report as an R. report for the Assembly and then that should make it public. Obviously, from then, we will be looking to deliver the strategy in the way that we have discussed with the Committee previously.

Deputy I. Gardiner:

Clarifying this case, so we are going to receive publicly estate management strategy and it will be supplemented by the corporate asset management plan at the same time.

Chief Executive, States of Jersey:

I am afraid I may have misunderstood. So we have given you the framework which had previously been discussed in the first question. That framework is then obviously going to be published as part of an R. report to the Assembly, as previously referenced. On the back of that, then there is a series of deliveries of actions that need to flow from that, which is what I was saying would happen. Tim, do you want to come in with some more detail just to help ensure that we have covered all the issues that I think are being raised in these questions?

Director, Jersey Property Holdings:

I think that perhaps we are looking for a detailed asset management plan that is clearly going to fall out of the execution of the office strategy, which will release buildings and premises, the hospital strategy, which will release premises, and then once we understand what the scope of that work is and activities such as the education review have been completed, then the plan for refurbishment, regeneration or divestment for each of the premises will then be able to be executed. At the moment there is a broad consideration of the factors, but until the position is clarified and solidified the plans cannot be produced and signed off.

Deputy I. Gardiner:

So this was the question to Graeme's question and the question I repeat, and maybe, Tim, you can help: when will we see the corporate asset management plan which you mentioned in the previous public hearings, which it will be execution of the strategy?

Chief Executive, States of Jersey:

Right, so if I understand you correctly, Chair, sorry, the individual departmental asset management plans flow from the overarching framework that we have been discussing. As has just been explained, there are some aspects of the delivery of those which are impacted by other corporate decisions. So the hospital, the office accommodation ...

Deputy I. Gardiner:

No, Chief Executive, sorry, I would like to ... just a minute ...

Chief Executive, States of Jersey:

So, going back ...

Deputy I. Gardiner:

I apologise and I need to explain myself. During 2020 we have heard several times from yourself, from the Director-General, that the implementation would be managed by the corporate asset management plan - this is the word that was used - and the corporate asset management plan should be finalised by the Corporate Asset Management Board that will make the decisions, and the decision cannot be made before the strategy will be published. So the simple question, not going back to the department: when will we see execution plan agreed by the Corporate Asset Management Board? I am happy to receive an answer in "6 months" or "10 months", but I would like to understand when we will see an integrated plan from the Corporate Asset Management Board.

Chief Executive, States of Jersey:

So, as I was trying to just explain, there will be a series of individual departmental asset plans, management plans, flowing from that which will be dependent on some key decisions. So, as a consequence of that, we will come back to you with the plan and the Corporate Asset Management Group will be looking at the implementation and we will provide you as a committee with that. But I cannot give you that at the moment because some of those decisions have only either just been made or have not yet been finalised, and once they have been then the consequences of that can then be followed up by the group in order to be able to create the delivery timetable that you request.

Deputy I. Gardiner:

Okay, thank you. I am not sure if Graeme is still connected.

Mr. G. Phipps:

I am not sure if I am. Can you hear me okay?

Chief Executive, States of Jersey:

Yes.

Chief Executive, States of Jersey:

Okay, one last question pertaining to the portfolio. Can you give us an idea of the States property portfolio currently, how much of it complies with the disability legislation and to what extent that may be an issue we need to watch?

Chief Executive, States of Jersey:

I will have to ask Tim to give an answer on that. I do not have that detail.

Director, Jersey Property Holdings:

We completed last year a set of assessments of each of our public-facing buildings and, in concert with a local charity, have had a review of what work needs to be completed. The local charity has prepared a number of reviews, key among which is the education of our customer-facing teams and the, if you like, human response to people with disabilities. I cannot put a figure that says we have 27 per cent compliance because there are a number of different aspects to the access that are not simply physically disabled access. There are issues about quiet colour schemes, the ability to respond carefully to people with different requirements. We are in the process of going through the education of our customer-facing teams and I believe that we are making good progress to compliance with the D.D.A. (Disability Discrimination Act).

Mr. G. Phipps:

Okay, thank you.

[14:30]

Deputy I. Gardiner:

Thank you, Tim. We would ask that we will follow with a written question to have a report which states numbers, how compliant, how partial compliant, what is the plan forward to be sure that our estate can comply with the legislation that came into force in 2020.

Director, Jersey Property Holdings:

Of course.

Deputy I. Gardiner:

Now, Chief Executive, I would like to ask ... you mentioned in a previous answer about the office strategy and office accommodation strategy. I would like to ask: how were non-mins departments considered to the account to the development of the strategy? We did have the energy report and communication between non-mins and Government that we are looking into.

Chief Executive, States of Jersey:

So, as part of the Office Strategy Group Project Board, the non-mins are represented on there and their representative has been at a senior level and has been involved throughout the whole of the development of the project. As part of that development of the project, we have discussed with the non-mins about the appropriateness and the nature of how we can improve their facilities, including options for refurbishment, for potentially them being accommodated in a new build, and all the issues pertaining for any decant and/or the costs associated with that. So I think the non-mins have been represented right from the beginning. They have played a full role and they are party to all of the development of the office strategy and the delivery of the project.

Deputy I. Gardiner:

Between one and 10, how would you rate satisfaction from the non-mins that their needs were addressed in the coming office project?

Chief Executive, States of Jersey:

I am not sure I could quite understand that. If you are asking me have they been involved and do they think that they have been involved, then my view is that that would be nearer 10. If you are asking me are they happy with some of the options about whether their building should be refurbished, whether they should retain their own separate identity and/or whether they should come into the government offices, that has varied. So at the beginning the project discussed the option of refurbishment. That was prior to COVID. When COVID came along and the impact of some of the

costs of the project in a way where it seemed appropriate to look at potential options about incorporating them in the possibility of a single new facility with their own entrance and with their own integrity and independence supported, I think that they felt unsure about the merits or otherwise of that. But, of course, going back to the Senator's question about value for money, those were considerations that needed to be considered as part of the project's development. So, they would not have felt very happy. They would not have felt very happy about that but, of course, from an oversight of public money, then that was a consideration and part of the project that needed to be looked at. So, in that situation, they probably felt 3. Where we are currently is that at the moment the project is developing. We have not finalised where we are with the non-mins, but it is unlikely that they will come into the project because they feel strongly about that, but that will be a matter for Ministers and for the Assembly at the appropriate time in talking with non-ministerial representatives.

Deputy I. Gardiner:

I would like to pick up on their involvement, when you said 10, and it might be 10. Were they present at the discussion about the purpose of Morier House or were they excluded from the meeting that involved a decision about Morier House?

Chief Executive, States of Jersey:

No, the position is very clear. When there was a decision taken about the discussion on the non-Ministers being part of it, they were excluded. That is slightly different from understanding and the non-Ministers being ... departments being clear about the options that were available. They were always party to those discussions and have had all the relevant information. In addition to that, they have also had individual briefings, both at officer level and there have been discussions with other representatives of the non-mins. So, just from a governance point of view, they were excluded from a Council of Ministers' discussion and one discussion that took place with officers when a decision was taken about awarding the contract.

Deputy I. Gardiner:

Okay, thank you. The last question on estate management, especially the office accommodation project: how are you taking changing working practices due to COVID into the new accommodation project? Because the practices have changed. How can we be clear what we really need and for what we are committing?

Chief Executive, States of Jersey:

So, as was explained to the private briefing that you had last week, we prepared a report last year after the first wave of COVID. We looked at all the issues about the impact of COVID. That report was considered and formed part of the review of the procurement process and fed into a decision as to whether to proceed with the office in its current format. Some adaptations have been made

as a consequence of that report and an example being, as I think we said also at the private briefing to a variety of Scrutiny members last week, that the COVID pandemic has created an opportunity for us to be able to have the project, reinforce it, but do things in a different way about more flexible working, how many people will be in the building, how often they would be in the building, and all of that was subject to an independent report ... sorry, to a report which has been forwarded to all of the Scrutiny members separately.

Deputy I. Gardiner:

Okay, thank you. I am handing to Adrian Lane to continue with the COVID questions.

Mr. A. Lane:

Yes, a number of questions on the COVID response, please, Chief Executive. So, the first is: what measurement, monitoring and reporting have you adopted to report on the performance of the exec and the impact on work programmes during the pandemic?

Chief Executive, States of Jersey:

So, we do not have a formal separate report of the management of the pandemic. That will come out in the various C. and A.G. (Comptroller and Auditor General) reports, which I know are being produced, which will look at different components, whether that is financial management, whether that is procurement, health, et cetera. What we have got is a range of meeting minutes that cover a whole series of the activity that the executive was overseeing, whether it is from the S.C.G. (Strategic Command Group) or the T.S.G. (Tactical Support Group), whether that is through to the various decision-making bodies that involve politicians, and obviously on the back of that we have had a whole series of instruction letters that have gone out regarding accounting officers' roles. We produced a 6-month report on the Government Plan, which showed how we had changed or varied or stopped activity in relation to B.A.U. (business as usual) as a consequence of COVID and, indeed, at the 12-month report for the Government Plan that was further followed up. Then, on the back of that, we obviously have managed to maintain certain B.A.U. activity as well. So, I think no jurisdiction has probably got a delivery plan for COVID that involves an ongoing monitoring and performance framework for its activities because the pandemic by its very nature is wide-ranging and we are currently still in it. We believe that much of what we will be doing will be looking at it post the pandemic, but at this moment in time that is the range of monitoring and oversight arrangements that we have been adhering to.

Mr. A. Lane:

So, specifically when you look at the use of public funds, do you have instances of non-compliance or waivers and, if so, how many in terms of the public finance manual?

Chief Executive, States of Jersey:

Yes, we do, and there are reports that have come in recently from the C. and A.G. I will ask at this moment for the Treasurer to come in on the detail, which will allow us to be able to give the Committee confidence that we have been maintaining and managing the value for money and the public finances bit right. Could Richard Bell come in, please?

Treasurer of the States:

In terms of the number of exemptions, there were 36 exemptions from the procurement requirements of the public finances manual and 5 breaches.

Mr. A. Lane:

Just to put that in context, how would that compare with a normal period?

Treasurer of the States:

In terms of exemptions, that would be more than we would expect over such a period of time and probably understandably so in that limited opportunity given the time pressures involved to go to extensive tendering processes, for example.

Mr. A. Lane:

Okay, thank you. Turning to the procurement of P.P.E. (personal protective equipment) and vaccines, how have you tracked progress with those essential items during the pandemic?

Chief Executive, States of Jersey:

So, we established a P.P.E. cell right from the beginning of the pandemic which monitored the distribution of the P.P.E. at various different stages before handing that over ultimately to a proper P.P.E. function that was established after the initial phase. We also have a proper vaccine group that has met to look at the way in which we receive vaccines from the U.K. (United Kingdom). On the exact procurement details I am going to ask Maria Benbow to come in because I am afraid I do not have all of the finite details to my fingertips.

Group Director, Commercial Services:

Sorry, Adrian, what specifically did you want to know around the P.P.E.?

Mr. A. Lane:

The question was how has the procurement been tracked.

Group Director, Commercial Services:

Okay. So there has been a number of ways in which the procurement has been tracked through. You can appreciate we have been through quite a challenging time since March last year, but all the procurement, as Charlie had already mentioned, everything was tracked through the P.P.E. cell. So that included everything we were procuring, all the demand, and also the supply and distribution, because remembering that we were not just supplying our own hospital and care workers, we were also providing a much broader supply across the Island. So that has been constantly reviewed with daily updates, metrics, and we have kept on top of any capacity that we have needed. We have ensured we have had enough capacity through frameworks we have developed during this time.

Mr. A. Lane:

So just some sort of forecasting of inbound logistics and utilisation as well then?

Group Director, Commercial Services:

Yes, obviously we rely on our Statistics Unit, and I think Tom Walker is on the call as well. So we rely heavily on our health colleagues, S.T.A.C. (Scientific and Technical Advisory Cell) and the Statistics Unit to provide us with that insight to enable us to prepare.

Chief Executive, States of Jersey:

There was a specific set of requirements that went back to the competent authorities' meeting and also the Emergencies Council, which asked for a regular update and report and agreed a framework for the de minimis amount of supplies under a variety of different categories to enable us to ensure that we had enough stock permanently on Island and were able to flex between what was the predicted worst-case scenario if the pandemic had ripped through the Island versus what was needed to maintain the right level of P.P.E. at different stages throughout the last 12 months. So you can obviously imagine at the beginning and particularly, for example, at the recent second wave levels would have been a lot higher.

[14:45]

But those reports then went through to competent authorities and we have a specific agreement with the Minister for Health and Social Services, who is very clear about the levels. So there was a separate set of reporting that also went through to the Minister for Health and Social Services to ensure that he was satisfied about our capability at any given time.

Mr. A. Lane:

Great, thank you. So obviously COVID-19 will impact on your strategic K.P.I.s (key performance indicators). How are you proposing to report that within the States of Jersey annual report?

Chief Executive, States of Jersey:

So we are going to be giving you a separate briefing I think on 22nd February, which is going to take you through quite a lot of the detail around both the Jersey framework and the C.P.M.U. (Corporate Portfolio Management Office) and the governance reporting arrangements. I have Andrew Metcalfe on the call. He will be able to give you the specifics in reference to the annual report.

Director of Policy and Performance:

Thank you, Charlie. So the annual report and accounts is due to be published by the end of March and that will provide information that is usually included in the annual report and accounts.

Mr. A. Lane:

Without giving the specific disclosures, what types of disclosures will you make about the impact of COVID on the Government K.P.I.s?

Director of Policy and Performance:

We are still working on the annual report and accounts at the moment so I think it is too early to be able to say that at the moment, but obviously as we develop those we will be able to give you more information.

Mr. A. Lane:

Just give us some idea of the assurance processes that you will have around that as it develops. How will you make sure that those adjustments have been appropriately developed and scrutinised?

Director of Policy and Performance:

Can you just specify which adjustments are you referring to?

Mr. A. Lane:

If you are making adjustments or disclosures of what would have happened or what the separate impact of COVID has been, how will you make sure those adjustments are appropriately governed and scrutinised?

Director of Policy and Performance:

In terms of performance measures, we have recently been joined by the new interim Director for Statistics and Analytics. He has been working with departments on their performance measures, their reporting of performance measures, which will be included in the annual report and accounts. So that is the first line of assurance. Obviously, within departments, D.G.s (director generals) and their teams work on collecting their statistics as well.

Chief Executive, States of Jersey:

We also prior to the end of year position had a number of conversations about the halt, defer and reduce position on some of the Government Plan proposals, which was shared both with the Council of Ministers and also with Scrutiny previously, which looked at the financial ramifications and the performance around the use of public monies. Secondly, each department then went through their business plans and they will be able to report when their annual report comes back about the arrangements that they have made to ensure that they are giving a clear indication about what projects in 2020 were not able to be brought forward and will come forward in 2021 or the remainder of the Government Plan from 2021 to 2024. Clearly, there have been discussions with Ministers about certain priorities and also on the back of that we did report, as I said, on the 6-month and the 12-month periods on the Government Plan 2020 changes that came about as a consequence of COVID. In addition to that, we have also had internal audit do a number of ongoing audits where appropriate, which look at COVID issues but also some of the impact on B.A.U. We have the internal audit plan for 2021 and going through to 2022 that will be picking up and looking at some of the priorities as to where we have either deferred, stopped temporarily or we have re-profiled activity into 2021 and beyond. So each and every one of those will have a consequence from a performance point of view and will be captured in respect of that. The bit that follows from that is the role of the corporate performance portfolio team, which Lizzie Gardiner heads up at the moment. We have on our system a log about where all of those are and a risk assessment as to those key projects. Again, that will be part of the presentation that we are going to give on the 22nd that links performance, links the C.P.M.U.'s work and also links in with the update that we have made around governance frameworks, which linked all of that. But it may be, just to reassure you, Adrian, that if Lizzie very briefly summarises what they have been doing, which captures some of the activity to ensure that we have a proper assurance and a risk-based analysis of what we are doing.

Mr. A. Lane:

Yes, thank you.

Head of Corporate Portfolio Management Office:

Good afternoon. So, the Corporate Portfolio Management Office was established in 2020 and at the end of last year we have developed our one-year strategy and plan for 2021. We have been consolidating all of the corporate change from last year with all of that change that was approved in the Government Plan for 2021 and it also highlighted in those operational business plans into one master portfolio. We have built all of those initiatives on to a portfolio reporting tool called Perform, which we hope to present to you later in February, where we have monthly dashboard reporting on all programmes and projects. My office reports that up to the executive leadership team and all of the departments have portfolio review sessions ongoing on a monthly basis within their areas so

that all change activity is being monitored and all of that performance is also being regularly reported and oversight is in place.

Mr. A. Lane:

Thank you. This will feed into the monitoring of funding and other resources required during 2021, will it?

Head of Corporate Portfolio Management Office:

Yes, we are working very closely with partners in Treasury and the Exchequer and also within Strategic Policy, Planning and Performance as one united team to ensure that all this is being undertaken accurately.

Mr. A. Lane:

Thank you. The last question from me is: what have you done to mitigate the continued absence of certain officers from various departments, please, Charlie?

Chief Executive, States of Jersey:

Are you referencing that they may not have been in work because of any particular issues about COVID?

Mr. A. Lane:

Or where you have people redeployed to manage COVID-related issues.

Chief Executive, States of Jersey:

So as part of the risk assessments that we have done and the work that, for example, Lizzie and Andrew have talked about, we obviously have taken into account those projects where we have had to redeploy key personnel and/or where we have had to stand up like the one C.T. (contact tracing) team to deal with COVID. We have then put in place either backfills and/or where, for example, on test, track and trace we have had to go out and get additional staff in so that we were not reliant on everybody coming from the health services to do some of that work at the beginning. So, in the main, the majority of those issues about risk for the ability to deliver on key projects because personnel were not there formed part of our assessment about the halt, defer and re-profiling of activity both through 2020 and into 2021. We have obviously backfilled on quite a few posts but on other areas we have sought to try and stand up separate teams, going back to my point about vaccine teams or test, track and trace.

Mr. A. Lane:

Okay. Thank you, Charlie. No further questions from me, thank you, Inna.

Chief Executive, States of Jersey:

Thank you.

Connétable R. Vibert of St. Peter:

Thank you for joining us this afternoon. I know your time is valuable, as you only have a limited time left in the post. So, the first question: what exit strategies have been developed, are being developed, to help staff ease back into usual working routines post the COVID measures being deactivated?

Chief Executive, States of Jersey:

Well, we are still in the second wave of COVID. Obviously, our arrangements are in part for ever being reviewed, but we are not in a place where I think we are fully out of it yet, Richard. So I think the reality is that we are probably throughout 2021 going to be in a state of some transition as we move the organisation back to business as usual. The vaccine programme will help, but I think everybody has learnt to recognise that COVID is no respecter of anything and, as a consequence of that, some aspects of our business will be longer in returning to normal than others. We expect to stand up the test, track and trace, the vaccine teams, all the work that we have been doing over an expanded public health programme for both policy development and work that we are doing with our health colleagues for some time. So some of those personnel will probably stay in their roles over the next few months. We have obviously put in place, as I think we have talked about before, a number of support mechanisms for staff during the pandemic over the last 12 months, whether that is directly where we have had the AXA service that we subscribe to being available, whether we have stood up through People Services a whole series of support mechanisms for those people who feel vulnerable or needed support to work from home or how we could transition people who felt under huge amounts of pressure during that time to ensure that their well-being was looked after, or whether we did a whole series of leadership support projects through the Team Jersey programme. Each and every one of those has been part of a more holistic support package for staff during 2020. As we come into 2021, the other flexing that we have done is that we recognise lots of people are very tired and we are going to need to be sensible about how we manage annual leave that has built up over the period, particularly into 2021 and 2022. So we have made special arrangements to allow flexing of our terms and conditions for carryover for annual leave. We have also supported a whole series of assessments about people working from home, enabling us to have A and B teams to protect people so that some people come into the office at some times, some people work from home, and we do not get contagion through any of our teams. But I have to say I think we will not know the full impact of either the mental health ramifications or some of the other societal issues for some time and that is work that we are very alive to and we are looking at. So the recent discussions that the competent authorities Ministers have had is around some of these

broader issues about how we monitor and look at that, and that is very much work in progress that Tom Walker's team in the Public Health Unit are starting to work through with colleagues in the Health and Community Services Department. So, it is work in progress. It is certainly not going to be something that we will complete over the next few weeks, and we expect the pandemic in some shape or form to be with us through most of this year, albeit that our ability to deal with things will be vastly improved as a consequence of the vaccination programme.

The Connétable of St. Peter:

Thank you for that. The good news is that you have answered the next question which I was going to ask, which was how you were going to mitigate the continued loss of officers. We just had an excellent answer from you previously on that. Really, my next question you have almost answered a lot of that as well, which was how you were going to help staff to get back to B.A.U. It seems odd that returning to B.A.U. would be an issue, but it is and I have sort of gone through that when I was contracting. But it is good to hear you are thinking about mental health and the stress, strangely enough, that you can be under just returning to what was your job prior to COVID.

[15:00]

Chief Executive, States of Jersey:

I do not think anybody will fully understand the ramifications of all of this for some time. If we are being honest, we are probably going to see some of that unwind over not just 2021 but beyond. There will be other issues which will, I think, be quite significant for the Island. For those people who have suffered bereavements, for example, there will be an impact. For those people whose families are still potentially impacted by COVID, whether it is long COVID or otherwise, will again require careful support. The mental health issues that you have touched on I think will be enormous and the wider issues about how families have got through this and what the ramifications will have been for relationships. We know that levels of domestic abuse have gone up, et cetera. These all impact on staff as well as Jersey as an Island, and I think it is a big issue which ultimately no one at this current moment I think can predict how and in what way we will react. But what we have to be alive to those issues and we have to start to put in place I think a long-term recovery plan. That does not then finally impact, of course, on some of the economic issues that will have arisen out of this. Some people will unfortunately have suffered huge consequences as a result economically. What does that do for families, for individuals, some of whom will be linked to our employees? How will that again impact on the Island? I think it is going to be a significant amount of work that we all will have to get to grips with. So I do not think we have the answers for that but we are aware and, as I said, the competent authorities Ministers are looking at this now.

Deputy I. Gardiner:

Chief Executive, apologies, I know that it is a conversation that we all can continue and thank you, Richard, for the question. One thing I would like to pick up: what policies have been halted or changed for the staff during COVID that have not been reinstated?

Chief Executive, States of Jersey:

Well, clearly staff cannot just come into work as they used to, so at the moment we are still operating on most people working from home or in a flexible environment where they sometimes come into their office environment. Clearly, that is something that we have yet to reinstate, which has significant impact on teams, meetings, the way in which relationships are managed, whether it is professional relationships, management monitoring of performance ...

Deputy I. Gardiner:

My question was about the policies, Chief Executive. For example, one of the policies that I am aware of is that you - not you, the States, the Government - cancelled flexitime last May and it has not been reinstated. So how does it help with well-being?

Chief Executive, States of Jersey:

Flexitime is always at the discretion of the employer and it is around the services. We have had to adjust our services hugely, so we are not in a place where we are saying that people cannot have time off, people cannot have leave, people cannot make arrangements to work to suit their domestic situations. What we are saying is that we at this moment in time cannot return to our previous operational model, and so within that we stopped flexitime because we were building up huge amounts of long-term commitments which were going to impact on our ability to maintain our services when we got back to B.A.U. Until we come out of the full arrangements of the pandemic we will continue to do that. We are not out of it yet and we will not be out of it for some time.

Deputy I. Gardiner:

I agree with you, we are not out of it and we will not be out of it for some time, but I feel like there is inconsistency because the flexitime supports well-being, especially when you have home schooling and other commitments. But we will go to the next one, performance ...

Chief Executive, States of Jersey:

Sorry, Chair, we made specific arrangements about home schooling, about support for people who may have been struggling. We have not in any shape or form not recognised those issues. Clearly, there is a difficult balance to make between maintaining the operation of the Government and also of the States and being paid for that work versus what happens as a consequence, for example, of home schooling. But we have limited that because we have got children back to school probably quicker than in other jurisdictions, in a safe environment, to assist and help people ...

Deputy I. Gardiner:

I am not running through the debate of the schools, so we will move towards the performance and I will ask the Constable of St. Martin to ask her questions.

Connétable K. Shenton-Stone of St. Martin:

Good afternoon. We are moving on to performance now and I am aware that we still have quite a few questions to go and we only have about half an hour. May I ask you: can we expect an independent assessment of your overall performance as Chief Executive Officer to be produced?

Chief Executive, States of Jersey:

There have been already independent assessments in each year.

The Connétable of St. Martin:

Yes, so we can expect one after your departure?

Chief Executive, States of Jersey:

That is not a matter for me, Connétable.

The Connétable of St. Martin:

What work programmes have been initiated for 2021 to improve the reporting and assessment of the performance of senior officers?

Chief Executive, States of Jersey:

There is a new framework that has been produced for the appraisal regimes linked to senior officers, which is being rolled out in 2021 alongside a revamped accountable officer route. Plus, obviously, there being all the other improvements that have been taking place over the last 2 years to look at the way in which chief officers are overseeing, whether that is My Conversation, My Goals, whether that is through the departmental reporting plans, whether that is through the monitoring of performance that takes place at a departmental and service level, both at S.L.T. (senior leadership team) levels, departmental management group levels, and the executive leadership team levels. All of those have been put into place. All of those have been reported on back to yourself and will form part of what I presume will be further changes in 2021 that have been planned as part of the improvements that have been agreed with S.E.B. (States Employment Board).

The Connétable of St. Martin:

What improvements do you believe you have made to the handling, management and reporting of performance during your tenure as Chief Executive?

Chief Executive, States of Jersey:

We have a significant amount of performance management information that was never there before. Before I arrived, there was limited appraisals that were consistently delivered across the Government's services. The finance performance management reporting into the executive leadership team was limited. What we have now introduced is that we have a programme and project delivery performance framework that is seen by the executive leadership team monthly. There is finance and budget monitoring and efficiencies monthly monitoring to the executive leadership team, which was not there before. Corporate risk registers are monitored quarterly. Recommendations of the C. & A.G. and the P.A.C. are monitored and reported quarterly, which were not done before. Customer feedback and complaints are reported quarterly, which was not done before. There is a people dashboard that looks at a whole raft of issues from sickness to attendance to vacancies, which is reported quarterly, but also goes through departments on a much more regular basis at monthly. Then there are things like health and safety reporting, which never went through at a corporate level as regularly, and that is done quarterly now. Those are some examples, which I wrote to the Committee about in December. I have previously provided to the Committee a whole raft of other improvements that have taken place around performance in the last 3 years since I have been Chief Executive.

The Connétable of St. Martin:

We note the prior briefings with Scrutiny have established a series of deadlines for the delivery of the Jersey performance framework. Are these still in place?

Chief Executive, States of Jersey:

I think they are, but I can ask again for Andrew Metcalfe to give you more detail on that.

Director of Policy and Performance:

Yes, the Jersey performance framework was established at the beginning of 2020. It established information on the Island outcomes and indicators that show how the Island is doing at population level. Work has been ongoing to supplement those with service performance measures. Those service performance measures will appear in the operational business plans, which are due to be published imminently. Then, in due course, between here and the summer, those service performance measures will be used to, first of all, be reported on to the executive leadership team on a quarterly basis. In due course the intention is by the summer to then be able to use those to also start populating the Jersey performance framework. That work is now on target that by quarter 2 of this year the E.L.T. (executive leadership team) will start having that corporate view of service performance measures. In the summer, they will begin to appear on the publicly published Jersey performance framework.

The Connétable of St. Martin:

I take from that answer that you are keeping to the deadlines for the delivery of the Jersey performance framework. What action are you taking to improve data collection for use in the performance framework and can you give concrete examples of how it has improved performance?

Director of Policy and Performance:

The first part of the answer to that is that ...

The Connétable of St. Martin:

It was, I realised as I asked that it was answered, yes.

Director of Policy and Performance:

We have recently been joined by the new Interim Director for Statistics and Analytics. It will be part of his role to work closely with departments in not only pulling together the data that goes into those quarterly performance reports, but also it is part of his role to work with departments to report on the quarterly performance reports, but also to work with them to improve that going forward. I do not have specific examples to give you, but it will be part of his role going forward. No doubt he will be able to report into the panel on how that work is progressing.

The Connétable of St. Martin:

Thank you. I will now hand over to Dr. Helen Miles.

Dr. H. Miles:

Just a couple of questions over some staffing matters and then the handling of complaints. The 2020 Be Heard staff survey was launched in July and then closed in September. Can you tell us when the results are going to be published?

Chief Executive, States of Jersey:

Yes, we are expecting them to be published in the next week or so.

Dr. H. Miles:

In terms of the complaints handling, can you tell us what public improvements to this area have been made over the last couple of years? I am talking really about improvements that the public can see in terms of measurable improvements.

Chief Executive, States of Jersey:

Yes, we have provided some previous information to the Committee around complaints. But what I would like to ask is if Sophie could take you through the external arrangements because she is much closer to this on a day-to-day operational basis.

Group Director, Customer and Local Services:

We have made a number of improvements since 2018 when we recognised we had quite a long way to go in terms of our handling of complaints. Throughout, we have listened to customers about how they most want to give feedback. There used to be, from an online perspective, about 20 different ways that people could submit complaints, emails in different departments. We have consolidated that. But also, we have made really clear to the public that there is a simple online form they can use. We want to make it easy for the public to make complaints. Some people might prefer to give complaints over the phone. Some might want to give them face to face. Some might want to write in. All of those are available channels that they can complain by. We have also trained staff so that ideally we want to resolve as many complaints at the first port of call. That is something we really do continue to develop our staff in and try and resolve them. But, equally, we have good escalation routes and a good system in place to triage complaints if the need arises.

Dr. H. Miles:

Could you tell me if you have key performance indicators in place for handling complaints?

[15:15]

Group Director, Customer and Local Services:

We do. We have a number that are in the policy itself, which we report on to E.L.T. and to Ops.Co. (Operations Committee). Some of those are still in development. We are in the process of undergoing system enhancements to develop those key performance indicators. We are in the process of coming up with developing those on the basis of the C. & A.G. recommendations. So, we are speaking to both customers and to colleagues about making sure we get the most accurate ones and targets for those. But we do have some already recognised in the policy.

Dr. H. Miles:

I am just conscious of time, so I am not going to dig into that any deeper. I am going to pass you over to Senator Vallois who is going to talk about target operating models.

Senator T.A. Vallois:

My question surrounds target operating models. We are almost at the 3-year point now in terms of the implementation of target operating models. I just wonder, Chief Executive, if you could explain how the performance of these target operating models are monitored and measured.

Chief Executive, States of Jersey:

I am not totally sure that I understand why we would measure target operating models. What we measure is the services that they are responsible for delivering, whether that is through the performance frameworks that we have just been describing or through the delivery of services that best represent value for money or whatever. The target operating models, and we just need to be a bit clear, it is not about structure, it is about how we operate and work together as part of a single organisation. It is about how we can be more agile. It is about making sure that we can work across departments and join up some of our services. So, it is about culture, the way we work, it is not about a department X model being better than department Y's model. I am not sure if I fully understand how you would anticipate me monitoring. What we do monitor is when they have been delivered.

Senator T.A. Vallois:

Thank you for the clarity, Chief Executive. Maybe I should make my question clearer. Your one-year-on report in 2019 referred to restructuring tiers 2, 3, 4, and where appropriate tiers 5 and 6, as part of the target operating model. Your performance appraisal referred to page 35 on that about ensuring that new target operating models do not create a new siloism, so silos of departments. The question I am trying to ask and get an answer to is what is the difference between when you came in as Chief Executive, the introduction of target operating models, and therefore looking at the impact and what that means and whether it has made the improvements that you expected.

Chief Executive, States of Jersey:

The best example of where the target operating models and the whole way in which the One Government approach has worked is COVID. I do not think we would have been able to deliver our response as public servants without it. I certainly do not think that we would have been able to be as flexible and as agile. I am conscious that you were a Minister at the time, Senator, but I have given this committee some examples of where, during COVID, I visited teams that were made up of people from different parts of the organisation who were coming together to be able to support key aspects of our response for the pandemic. In the past, we would not have been able to do that. Whether that was the P.P.E. cell or whether that was some of our test, track and trace or whether that has been the way in which we have come together to support a range of initiatives in public health. Without that, we would not have been able to deliver as effectively. Indeed, that has been acknowledged by competent authorities and has been recognised by senior leaders. The other areas where we would have struggled is some of the delivery of the key changes that we made to introducing the Government Plan, the way in which we have responded to the establishment of better cross and more thematic working. You will have seen yourself as Minister about some of the policy and development work that we have been doing, whether that is early years. If you consider

that Children was previously part of the Health Department and was seen as very much the poor relations, how joining that up with the Education Services and support for young people has created a more integrated way in which people can operate professionally has been a definite aspect in which the One Government approach and the target operating models have worked.

Senator T.A. Vallois:

Sorry, Chief Executive, thank you. I know we are very short on time. Just those couple of examples are helpful. I suppose 2 succinct questions are: have the target operating models now been completed? The second question is, if so, then if a cost-benefit analysis of these target operating models have or will be undertaken.

Chief Executive, States of Jersey:

Can I just take a step back? If you do change and if you deliver organisational change, you are constantly looking at organisational structures. In one way, the target operating model has been an issue for the Island, which is quite different from a lot of other jurisdictions where change is perhaps more of a regular feature. So, you change your organisational structure to meet the challenges and demands of what you are facing at the time. By way of example, coming through COVID, we will change the organisation again to reflect the lessons that we have learned from COVID. We have completed the organisational arrangements for target operating models in J.H.A. (Justice and Home Affairs), C.L.S. (Customer and Local Services), S.P.P.P. (Strategic Policy, Planning and Performance), Office of the Chief Executive, and we have gone down to tiers 5/6 in H.C.S. (Health and Community Services). You will know in C.Y.P.E.S. (Children, Young People, Education and Skills) we have a slightly different model where we have done the first 4 tiers. Then we are looking at a series of service reviews that will influence the final tiers, including the changes to the schools as part of the transformation of schools, which you oversaw in your time as Minister. The one area that I touched on earlier, which we have probably not completed, is the I.H.E. arrangements, but they are definitely work in progress, and we expect to complete those finally in the next few months, subject to the appointment of the D.G. and the other couple of key senior posts that will fall out, depending on the outcome of that. So, we are not where I would have liked to have been. In other places, when I was Chief Executive, we would have completed the organisational structures much more quickly. We did not have all the experience here to deal with the job evaluation process, which I again have reported to this Committee on in the past. But, in the majority of departments, we are through that. But, will there be further changes? Yes. In J.H.A. we are doing service reviews at the moment in 4 key areas. They will see further improvements. We have £100 million of efficiencies to deliver. That will see changes in the way in which some of our structures have been organised and established. That will see further changes. It is an ongoing process. It will not be fully ever complete. But the bulk of what was originally envisaged in 2018 has been completed, apart from in I.H.E.

Senator T.A. Vallois:

Thank you, Chief Executive. It is just to understand the target operating model as envisaged at the beginning of your tenure as Chief Executive; the reason for my question was understanding that. I would imagine all the other areas that you have referred to are things like business support reviews and the ongoing work around efficiencies and the Government planning for budgeting for the departments. Am I correct in saying that?

Chief Executive, States of Jersey:

Yes. Those, as I have just said, will be ongoing and are yet to be fully complete. But that is not part of the original target operating models. The review of business support and the way in which we deliver that is something that has come about as a consequence of the efficiencies programme. It is not necessarily in the original target operating model arrangements that were published in March 2018.

Senator T.A. Vallois:

Just a last question from me then, please, Chief Executive. I am just trying to understand. In terms of the introduction and implementation of the target operating model, understanding from point A to point B in terms of improvement and value for money of introducing such a model, where could we identify what that has done and what that means in terms of value for money for the public?

Chief Executive, States of Jersey:

We have produced evidence about reductions in senior posts. We have shown where efficiencies are in departmental spends. The question that you are really trying to say is: can you make a direct correlation between the target operating model and a reduction in cost? I have made clear, right from the beginning, the 2 are not necessarily the same issues.

Senator T.A. Vallois:

Thank you very much, Chief Executive, I will pass to Dr. Miles.

Dr. H. Miles:

Again, just a couple of questions. Could you please provide us with an update on the work to separate Statistics Jersey from the Government of Jersey?

Chief Executive, States of Jersey:

Tom Walker will give you an update on that.

Deputy I. Gardiner:

Chief Executive, apology, before we are moving to Tom, sorry, Tom, I would like to ask would we be able all to stay until 3.45 p.m. for extra 15 minutes?

Chief Executive, States of Jersey:

Yes, I have said I am happy to do that.

Deputy I. Gardiner:

Thank you very much. Yes, please, Tom. Thank you.

Director-General for Policy:

Statistics Jersey is already professionally independent and that is fully protected and guaranteed in law. The Chief Minister has asked for some work to be done this year to look at the Statistics Law to see whether there are good options that he would wish to bring forward to further enhance and improve the legislative framework around Statistics Jersey. That includes looking at structural options.

Dr. H. Miles:

Why was the full separation of Stats Jersey from the Government of Jersey not made an immediate priority issue when it became independent in 2018, following the approval of the Census Law?

Director-General for Policy:

The Statistics and Census Law gave Statistics Jersey full professional independence, so fully met the requirements of the United Nations Guidelines on Statistics Laws. So, there was not any immediate pressure in order to look at different structural options. Those structural options are currently being looked at to see whether there are any advantages to be had in other structures that would enhance other aspects of Statistics Jersey. Obviously, different structural options would not make any difference to their professional independence, which is already very strongly protected. But there are options around having more budgetary protection for Statistics Jersey. Those are the ones that I expect will be looked at during 2021.

Dr. H. Miles:

Thank you very much, Tom. My next question is for the Chief Executive. It is to do with your departure and succession planning. The question that we have is: given that you have been in the role now for nearly 3 years, why did you not have a deputy or a person that had been identified as a temporary C.E.O. (Chief Executive Officer) who would be able to stand in for you, either as a result of any long-term incapacity or, as with this situation, your departure?

Chief Executive, States of Jersey:

Two things. First, at the beginning, there was a view going back some time ago about whether there was ever going to be a Chief Executive. When I first arrived, it was made clear that there was a recognition that they did not want to have lots of different deputies or whatever. What I did was I have a deputy for the month. Each of the senior directors-general act for that month. Therefore, if there is any incapacity or illness or any other arrangements where I cannot attend a meeting, they step in and chair. There are delegations that are given accordingly for a variety of different roles and responsibilities. That has always been pretty successful. The situation that occurred was pretty unique. I do not necessarily think that would have resulted in the deputy necessarily acting up. That would have been a matter for the Council of Ministers and the States Employment Board about how they wanted the role to be filled.

[15:30]

That was the operational arrangement, and it has worked very well. There has never been a problem about somebody deputising on a rolling basis every month and it has been giving each of the D.G.s exposure to the role, which has been good for their own personal development. It has also helped in terms of being able to share the load across different members of the group so that it does not all fall on one individual.

Dr. H. Miles:

On the grounds of what you have just said and your commitment to ensuring we have a skilled, motivated, visible leadership, does it surprise you that the interim role has gone off-Island?

Chief Executive, States of Jersey:

That is not a question that I can really answer because I was not involved in the recruitment. I do not know anything about those candidates that came forward. All I would say is that being a chief executive in an organisation like this is not something that people can just do because you happen to live in a certain place. You need to have the right skills and you need to have the right experience. My advice always has been, but I have not been involved in this in any shape or form, is that you should get the right and the best person for such a role.

Dr. H. Miles:

Thank you. I am going to hand you over now to the next questioner to ask some questions about your departure.

Deputy I. Gardiner:

Chief Executive, thank you for all your answers and I am really grateful that you are able to extend time. Would you please confirm, are you the person who will sign off States annual accounts for 2020?

Chief Executive, States of Jersey:

I sign off the performance framework for the annual accounts. The Treasurer is the person who signs off the financial statements. The 2 of us will be signing that in conjunction with the Chief Minister and the Minister for Treasury and Resources.

Deputy I. Gardiner:

So just to reconfirm and clarify, so you will be the responsible officer for the States reporting performance for 2020?

Chief Executive, States of Jersey:

The P.A.O. (Principal Accountable Officer) role has that alongside, as I say, the Treasurer. The 2 of us have statutory roles in respect of that. We will be overseeing and finalising the annual accounts and report.

Deputy I. Gardiner:

In the light of your experience, what are 3 areas that P.A.C. should prioritise in its work plan and why? If you can keep your answer brief, like bullet points, this area, and why do you think we need to prioritise in our work?

Chief Executive, States of Jersey:

I do not think, Chair, it is a position for me to comment on what your work programme should be.

Deputy I. Gardiner:

No, it is something that you may share from your experience what you think we need to look into.

Chief Executive, States of Jersey:

I know that you already have your programme for 2021 that has been prepared. I am not totally sure that my advice is going to be ...

Deputy I. Gardiner:

Fair enough. I just wanted to ask your opinion. We always can amend the programme if you think that there are some areas that could be great interest of P.A.C. and we might even cover.

Chief Executive, States of Jersey:

One of the things, if I am being honest, there is a general view about how Scrutiny, and the holding to account and learning from the work that it does in reference to the Government, has become very adversarial. It will be important for P.A.C. to look at a number of the things that we talked about today, where you can look at the changes that have come about around performance, around project and programme management and around governance, which we have made some significant improvements on, where you would, I hope, see the links back to the way in which the C. & A.G. reports have been in the past, work that this committee has done over the last period, to see that what we have been trying to do in the last 3 years is take some of the learning and to develop that and to work in collaboration, with your support and with the legitimate challenge that you have to give, to see how we can make improvements. I hope, when you get the presentation on the 22nd, you will start to see the links that we have been doing, along with the tracker, to give you some comfort that we have now got the evidence. If you could look at some of that work in detail, that will be a good way of being able to link through some of the work of the last 3 and a bit years back to the experiences that this Committee and the C. & A.G. have been asking us to do over the last 10 years.

Deputy I. Gardiner:

Yes, I am not sure if you are aware, we are just about to launch performance review, which will go through 2021. I am sure that you will see our report. But I can promise from my side, as a committee we will go and we will be absolutely impartial looking through all improvement in the performance over the last 3 years. I will hand to the Constable of St. Martin for the next question and then come back to me for the last ones.

The Connétable of St. Martin:

Thank you for all your answers so far. I am just moving on to media. At our last hearing on 7th December 2020, we asked if you were the person who signed off on the press release, which stated that the Chief Minister and the Deputy Chief Minister had approved you taking on the N.E.D. (Non-Executive Director) role. You said it was a matter for the Chief Minister. Subsequently, in response to an F.O.I. (Freedom of Information) published on 11th January this year, it was confirmed that it was you that signed the media response on behalf of the Ministers. Why did you not say this during our previous hearing?

Chief Executive, States of Jersey:

What I said, Connétable, was that the Chief Minister was looking into it and had asked for a report on that issue and that was a matter for the Chief Minister, and I was not going to comment until that had been completed. You will see from the report and the F.O.I. that there was clearly in the previous agreements around signing off of press statements, where a Minister was not quoted, the press statements normally go through the senior officer. In this particular instance that is what happened.

The Chief Minister subsequently has said that there needed to be a tightening up to ensure that there was enough certainty, I think were the words, and enough robustness to ensure that there was no misunderstandings. In the context of this particular issue, I did also speak to the Chief Minister, the Deputy Chair of S.E.B., and the Deputy Chief Minister, and explained through everything that they went on. But I did not give them the press statement themselves to sign off because, at the time, it did not need to have gone through Ministers because there was no ministerial quotes. That has all been explained in the report. The Chief Minister has made his comments. I previously have said that perhaps with the benefit of hindsight I could have and should have taken it to them. But I did not understand, and nobody understood, the context for some of the enquiries as you will have seen from the F.O.I. where we systematically went through what was asked at what stage. Then trying to seek clarification from the press about the enquiry that came through, but got no joy with that. So, yes, that was a bit of learning. That has been understood. The rules have been changed and now hopefully, going forward, everybody is clear about the way in which such things will be signed off in the future.

The Connétable of St. Martin:

Can I just say thank you for that and sorry I missed part of that because our fire alarm keeps going off here, so it might go off again in a minute. Do you think it is appropriate to sign off on the media release and do you believe that it is good governance to sign off on a press release that you have been personally involved in?

Chief Executive, States of Jersey:

I did answer that just now. I perfectly understand it, but I have just answered that.

The Connétable of St. Martin:

I will pass you on to our Chair because I think it is going to go off again. Thank you.

Deputy I. Gardiner:

Thank you, Karen. Thank you, Chief Executive. Now it is my last question for today, the Committee's last question. I would like if I can ask you to put very simple as possible, simple way, answer to the question: how are Islanders better off after 3 years of your tenure, of your time in Jersey? I would really ask you to answer this question without using our professional jargon like target operating model, performance indicators, governance. Just to the person, the public who is hearing us, how they are feeling they are better off after 3 years of your work with Jersey?

Chief Executive, States of Jersey:

I am not sure that is a matter for me to make comment about, Chair. I am in charge, and will be until the end of March, for the public service. Part of my role when I came here was to improve and to

modernise the public services that have not been, dare I say it, touched in many respects for the last 30 to 40 years. Despite what people will say, we have much more information that is available to Islanders, whether that will be about our performance, whether that is about how we spend our money, whether it is about bringing expenditure and budgets and income together in the Government Plan, which was never done in quite the same way before. Whether it is about complaints, which we have heard about today, whether it is about more external stakeholder engagement that has taken place, whether it is about the way in which we have supported people through the pandemic, all of those facets are examples of where some of the changes in the last 3 and a bit years have started to impact on Islanders. The other thing is that we are delivering some key projects. Islanders want that. Whether it is the hospital, whether it will be about Fort Regent, these are projects that have stayed without being developed for over a decade or longer in some cases. Again, for Islanders, these will be positives. There will be all sorts of controversy, but the Jersey Care Model will be another area which will modernise our services. The improvements to mental health, the work that we are doing to try to ensure that we avoid duplication on property, on some of the work with utilities, all of this is an example of where ultimately Islanders will see the benefit of some of the changes that are coming about over the last 3 and a half years. My work is nearly done, but it is not complete. It is a matter for my successor. I said it would take 5 years and I always said judge me at 5 years, not at 3 and a half years.

Deputy I. Gardiner:

Because you mention successor, I would like to ask what advice you would provide to your successor.

Chief Executive, States of Jersey:

This is a fantastic job in a fantastic place with great opportunities. Make the most of it, but come into the job with your eyes wide open. There are a lot of people who do not want you to succeed. There are a lot of people whose whole objective is to ensure that the status quo is maintained. It is going to be really important that my successor is not treated in the way that I have been. That means more collaboration and more work to try to ensure that we do what is right for the Island. The improvements in public services, if you go to speak to Islanders, they all know that they need to be improved. They all understand why some of them are not as effective and efficient as they should be. If we can create the right partnership for that, that will be great for that person. He will obviously work in a different way. You might argue that I am a challenging character. But my view is that they need to continue with the changes because that is what the Islanders want. But go into the role with your eyes wide open and then, if you can, make the most of it. Because it is a great role in a great place with great opportunities to make great improvements for Islanders.

Deputy I. Gardiner:

Thank you and I am really, really grateful for your time and for your answers and I wish you well in the future, whatever you decide to do. Thank you.

[15:43]