

STATES OF JERSEY



COMPROMISE AGREEMENTS: FOLLOWING UP THE INVESTIGATIONS OF THE COMPTROLLER AND AUDITOR GENERAL (P.A.C.1/2012) – RESPONSE OF THE STATES EMPLOYMENT BOARD

**Presented to the States on 6th September 2012
by the States Employment Board**

STATES GREFFE

**COMPROMISE AGREEMENTS: FOLLOWING UP THE INVESTIGATIONS
OF THE COMPTROLLER AND AUDITOR GENERAL (P.A.C.1/2012) –
RESPONSE OF THE STATES EMPLOYMENT BOARD**

Ministerial Response to: P.A.C.1/2012

Review title: Compromise Agreements: Following up the investigations of the Comptroller and Auditor General

RECOMMENDATIONS

	Recommendation	To	Accept/ Reject	Comments	Target date of action/ completion
1	3.1 A recognised and structured succession planning strategy for all senior positions including the Chief Executive Officer and Chief Officers' posts must be put in place (see 6.11).	Chief Minister's Dept.	Accept	It is agreed that a clear succession planning methodology should be in place to support States-wide succession for all Corporate and CO posts and their direct reports. In the longer term, such an approach can be extended to the whole organisation.	6/13
2	3.3 The States Employment Board must reconsider the role of the Chief Executive Officer so that it is clearly defined in light of the significant changes to that post due to the adoption of P.124/2004 Amd.(3). Alternatively, that Amendment should be rescinded (see 6.23).	Chief Minister's Dept.	Accept	An immediate review of the existing role and responsibilities of the CEO has occurred, and amendments have been implemented to support the public sector reform programme over the next 3 years. Longer term, as part of the Machinery of Government Review, the relationship between Ministers and the CEO/COs will be reviewed, and any decisions about the future shape of roles and responsibilities can be considered. If legislation is merited, it will be developed at that time.	12/15

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3	3.5 The Chief Minister must bring an amendment to the Employment of States of Jersey Employees (Jersey) Law 2005, compelling all employees to conform to a performance review process. This should include political oversight of the Chief Executive Officer and Chief Officers' performance review and appraisals (see 7.24).	Chief Minister's Dept.	Reject	<p>Performance management should not be subject to a legal requirement. It is best management practice to ensure that all staff have regular performance management reviews which are meaningful, honest and motivational.</p> <p>Such an approach should be established in a manner which is simple to execute but powerful in outcome. This should be led from the top, by the Organisation having in place meaningful Strategic and Business Plans, from which the CEO and CMB can implement clear objectives and establish a clear outcome delivery framework. Such objectives can be both qualitative and quantitative, and will set the cultural context.</p> <p>Accordingly, the existing performance management methodology will be re-designed to reflect a supportive framework for Public sector modernisation.</p> <p>This is a fundamental piece of work which cannot be completed in isolation from other key pieces of work such as Reward Modernisation. The SEB will establish a transition plan which can be reviewed from time to time.</p>	12/13

	Recommendation	To	Accept/ Reject	Comments	Target date of action/ completion
4	3.6 Serious concerns relating to behaviour must be acted on promptly, whether involving a Minister or public employee or both; appropriately recorded within personnel files, and accompanied by an explanatory note on how it was resolved (see 7.45).	Chief Minister's Dept.	Accept	A procedure will be developed which will fulfil this need. It should be noted that there are dependencies. For example, a revised ministerial and Civil Service Code of Conduct will be necessary – see Recommendation 3.9.	3/13
5	3.7 An independent mediator should be identified before the end of 2012 to work with the States Employment Board and the Privileges and Procedures Committee whenever serious concerns are expressed by the Chief Executive Officer and Chief Officers in respect of working relationships with Ministers (see 7.46).	Chief Minister's Dept.	Accept (in part)	A clear policy will be developed to manage such issues. The policy will need to have joint sign-off from both the SEB and PPC. At this stage, the concept of the independent mediator needs to be reflected upon in order to clarify role, responsibilities and expectations.	12/12
	3.10 The Chief Minister must provide the Corporate Services Scrutiny Panel with a timeline as to when he intends to change his policies in respect of the recommendations contained within the reports of the Comptroller and Auditor General (see 9.14).	Chief Minister's Dept.	Accept	A plan will be presented to the SEB on 18/9/12 which will provide for integrated transition planning of the recommendations that have been accepted contained in the report. This will facilitate future monitoring of activity by CSSP.	9/12
	3.11 The business case submitted by the Human Resources Department should be considered favourably by the Council of Ministers in order to create value for money across the whole organisation (see 9.35).	Chief Minister's Dept.	Accept	The business case has been included in the 2013–15 MTFP.	12/12