



Scrutiny Liaison Committee

Bulletin of Panel/Committee Activity

For weeks ending Friday 8th (where applicable) and 15th May 2020

Scrutiny Liaison Committee

At the weekly meetings held between the President, Vice President, Chief Minister and Chief Executive on 5th and 11th May, matters discussed included:

- The medical health advice underpinning Government decision making and the access of Scrutiny to that information. It was agreed that in addition to ongoing access to Council of Ministers papers and Emergencies Council papers, all written advice received by the Minister for Health and Social Services that underpinned his decisions (for example Orders) would be actively shared with the Health and Social Services Panel.
- Government/States employees on zero hours contracts
- Preparedness for any possible future litigation against the Government for actions taken during the response to the pandemic.
- Testing update and the rationale behind the policy
- Economic Recovery Group
- Timetable for a requisitioned sitting of the States in May
- Exit from Lockdown Strategy – next steps
- Evolving roles of the Medical Officer for Health and associated staff
- Questions Without Notice in the States - forthcoming propositions
- Our Hospital – concerns over key papers not being provided to Scrutiny in line with Ministerial obligations

The Committee also met daily (except where there was a clash with an all Member briefing and a States meeting) to share information, issues and questions to be addressed by the relevant Panel/Committee, and to discuss all forthcoming legislation and ongoing/forward looking activity.

Corporate Services Scrutiny Panel - Activity Update

Week ending 8th May:

The Panel is has mainly focused on ongoing Covid-19 actions, with business as usual actions also being considered.

- The Panel continues to review its section of the Government Plan: 2020 -2023 S.R.13/2019, highlighting impact and potential prioritisation following Covid-19
- The Panel requested and received information on the operational status of the tax helpline, and details of outstanding tax returns from the Minister for Treasury and Resources
- The Panel contacted the Director of Communication regarding public confusion around relaxation of lockdown measures
- Updated tracking details on use of reserves to fund COVID-19 actions were received from Treasury (6th May)
- The Panel continues to develop a scoping document for a joint review with Economic and International Affairs Panel into COVID-19 Response and Recovery
- The Panel held its weekly meeting with the Minister for Treasury and Resources
- The Panel received answers to questions that were missed due to time constraints during the Quarterly Hearing with the Minister for Treasury and Resources
- The Panel is drafting letters to the Chief Minister and Minister for Treasury and Resources requesting an updated indication of the priorities in work programmes across the next 12 month, and updated timelines of these programmes

Future meetings

- The Panel has weekly meetings to discuss COVID-19 and general business, scheduled on Wednesday morning's
- The Panel has weekly meetings with the Minister for Treasury and Resources, scheduled on Wednesday afternoons
- The Panel has scheduled a meeting with representatives from Jersey Water for Wednesday 13th May

Week ending 15th May:

The Panel has mainly focused on ongoing Covid-19 actions and upcoming Public Hearing with the Minister for Treasury and Resources.

- The Panel has scheduled a hearing with the Minister for Treasury and Resources for Monday 18th May, a question plan has been formed

- The Panel has received confirmation that there is nothing lodged under its remit for the next States Assembly sitting
- Updated tracking details on use of reserves to fund COVID-19 actions were received from Treasury (13th May)
- The Panel received items from the Emergencies Council's meeting on 7th May
- The Panel has received COM Papers from 6th May
- The Panel continues to review its section of the Government Plan: 2020-2023 S.R.13/2019, highlighting impact and potential prioritisation following Covid-19
- The Panel is finalising a scoping document for a joint review with Economic and International Affairs Panel into COVID-19 Response and Recovery
- The Panel held its weekly meeting with the Minister for Treasury and Resources
- The Panel sent letters to the Chief Minister and Minister for Treasury and Resources requesting an updated indication of the priorities in work programmes across the next 12 month, and updated timelines of these programmes
- The Panel received links to guidance on declarations and requirements given to businesses applying for the Co-funding Payroll Scheme

Future meetings

- The Panel has scheduled a hearing with the Minister for Treasury and Resources on Monday 18th May at 2pm
- The Panel has weekly meetings to discuss COVID-19 and general business, scheduled on Wednesday morning's
- The Panel has weekly meetings with the Minister for Treasury and Resources, scheduled on Wednesday afternoons
- The Panel had scheduled a meeting with representatives from Jersey Water for Wednesday 13th May, this has been delayed Wednesday 20th May following the States Assembly extended sitting

[Economic and International Affairs Panel - Activity Update](#)

Week ending 8th May:

The Panel is mainly focussing on the work of the Minister for Economic Development and the support offered to the business community. The Panel is also focussed on the economic impacts of the outbreak.

- The Panel has been discussing ways in which it can support businesses that have been impacted by Covid-19. The Panel is planning to conduct surveys to gather information from the business community in relation to business owners' and self-employed people's views on the payroll scheme and its application process. The purpose of which is to identify any issues faced by the business community, sectors or particular groups of individuals so that the Panel can endeavour to support the business community in the immediate term.
 - Work on this has commenced.
 - The Panel has approached the States of Jersey Statistics Unit for its view on compelling question and survey approaches.
 - Initial draft survey questions have been defined.

- The Panel has been discussing the Government Plan in light of the Covid-19 Crisis. With the Government Plan due to be lodged in October, the Panel has decided to evaluate its proposals and consider the Government Plan's workstreams in view of the changing circumstances. The Panel is conscious of the fact that the Government Plan is likely to be reconsidered in part and areas addressed where expenditure can be reduced, and savings can be made.

By reviewing the Government Plan, the Panel will find clarity on what was previously proposed, what projects could change, and areas of importance that should not change, in its view, will be highlighted. In doing so, the Panel will be prepared and will have considered its views in advance of when the Government Plan is addressed later in the year.

- As part of this process, the Panel may hold meetings with the relevant Ministers to determine if and where cuts are being considered, additionally to express any concerns in advance of changes being made.

- The Panel has asked to meet with Matthew Berry, Senior Law Officer from the Law Officers' Department to discuss Jersey Employment Law in the context of the Covid-19 crisis. The Panel will ask whether some areas of the employment legislation could be relaxed and, if so, what the consequences might be. A date for this meeting is to be confirmed.

- The Panel met with the Minister for External Relations to discuss various "business as usual" workstreams such as Brexit and OECD. In relation to the Covid-19 crisis, the Minister explained how External Relations had been assisting with repatriation services and the co-ordination of travel for essential people (i.e. for work, for illness, etc.).

- The Panel has weekly catch-up meetings with the Minister for Economic Development (normally on a Thursday morning).

- The Panel is likely to hold further meetings/Hearings in due course. Witnesses identified include the Chamber of Commerce, Jersey Business and Jersey Hospitality Association. Dates to be confirmed.

Week ending 15th May:

- The Panel received a joint briefing with the Health and Social Security Panel on the Draft Covid-19 (Workplace Restrictions) (Jersey) Regulations 202- on Thursday 14 May. It was proposed that the Panel will review this piece of legislation given its remit. However, the Proposition was lodged by the Health Minister and therefore members of the Health and Social Security Panel were also invited to attend the briefing. The legislation was lodged on 13 May and is due to be debated on 19 May.
- The Panel received a joint briefing with the Health and Social Security Panel on an upcoming announcement around Family Friendly Employment on Thursday 14 May. Given the Panels earlier involvement in the family friendly legislation, it was invited to join the Briefing.

The Briefing was held by the Minister for Social Security who had previously directed the Employment Forum to consult on the current statutory leave entitlement under the Employment (Jersey) Law 2003 and a proposal to introduce an entitlement to a rest break during the working day. Given the current situation with the COVID-19 pandemic, the Employment Forum has delayed recommending any changes to the Employment Law.

- The Panel has been considering the guidance that has been offered to businesses as lockdown eases and as businesses begin to reopen. A public hearing has been arranged with the EDD Minister for Friday 15 May in order to question him on the guidance and concerns raised by businesses.
- The Panel has been discussing ways in which it can support businesses that have been impacted by Covid-19. The Panel is planning to conduct surveys to gather information from the business community in relation to business owners' and self- employed people's views on the payroll scheme and its application process. The purpose of which is to identify any issues faced by the business community, sectors or particular groups of individuals so that the Panel can endeavour to support the business community in the immediate term.
 - Work on this has commenced.
 - The Panel has approached Statistics Jersey for its view on compelling question and survey approaches.
 - Initial draft survey questions have been defined.
- The Panel has been discussing the Government Plan in light of the Covid-19 Crisis. With the Government Plan due to be lodged in October, the Panel has decided to evaluate its proposals and consider the Government Plan's workstreams in view of the changing circumstances. The Panel is conscious of the fact that the Government Plan is likely to be reconsidered in part and areas addressed where expenditure can be reduced, and savings can be made.

By reviewing the Government Plan, the Panel will find clarity on what was previously proposed, what projects could change, and areas of importance that should not change, in its view, will be highlighted. In doing so, the Panel will be prepared and will have considered its views in advance of when the Government Plan is addressed later in the year.

- As part of this process, the Panel may hold meetings with the relevant Ministers to determine if and where cuts are being considered, additionally to express any concerns in advance of changes being made.

- The Panel has weekly catch-up meetings with the Minister for Economic Development (normally on a Thursday morning).
- The Panel is likely to hold further meetings/Hearings in due course. Witnesses identified include the Chamber of Commerce, Jersey Business and Jersey Hospitality Association. Dates to be confirmed.

Education and Home Affairs Panel

Briefings/Meetings arranged/work undertaken

- The Panel has received a briefing on proposals to introduce Fixed Penalty Notices to enforce the stay at home order. This is still in draft form and has yet to be agreed by CoM. The Panel is due to discuss a scoping document and Terms of Reference for a review of the proposals at its next scheduled meeting on 18th May. It has also written to the Minister for Home Affairs requesting that the legislation be lodged in line with the minimum lodging period (6 weeks) in order for it to conduct a thorough review should CoM agree to proceed with it.
- The Panel has received a briefing on P.60/2020 Draft Covid-19 (Civil Partnerships and Marriage) (Jersey) Regulations 202- and is in the process of producing Comments in time for the debate on Tuesday 19th May. The Panel is supportive of the proposed changes.
- The Panel has continued its weekly catch up meetings with the Ministers in its remit (Education, Home Affairs and the Children's aspect of the Minister for Children and Housing). The Panel has updated its log of issues either raised by members of the public or stakeholders that it has shared with the Ministers and will use as the basis for discussion at these weekly meetings.
- The Panel is also receiving a weekly briefing from Officers in the Children's Service on its operation during the Covid-19 outbreak.
- The Panel has the following hearings taking place in the coming week. Due to the emergency sitting of the States Assembly on 19th May, it will look to rearrange the planned hearing with the Minister for Home Affairs.
 - a) Minister for Education – Friday 15th May – 10:00am – 11:30am
 - b) Minister for Children and Housing – Friday 22nd May – 10:00am – 11:30am
- The Panel has written to all teaching and emergency services unions in order to gather their views on the response to Covid-19. Thus far, it has received responses from the NEU, NASUWT and Fire and Rescue Service Association.

Future briefings/legislative changes to consider

The Panel is due to examine the following legislative changes:

- The Panel is due to receive a briefing on 20th May on plans to stand up a Multi-Agency Safeguarding Team which would have oversight of safeguarding services across the Island (for both children and adult services).

- Further amendments are expected in relation to carrying out marriage and civil partnership ceremonies safely during the Covid-19 outbreak. The Panel is due to receive a briefing on these developments on Monday 25th May.
- Legislation is being considered around preventing 'unlawful gatherings' during Covid-19.
- Legislation is being considered around tackling riots as a result of Covid-19 matters. Again, this is currently in its infancy and would require significant changes to existing legislation.

The Panel will likely arrange briefings for all of these pieces of legislation and consult (where possible) with relevant stakeholders.

Comments/Amendment Published

The Panel has presented Comments on the following pieces of legislation since 20th March 2020:

- P.22/2020 – Draft Unlawful Public Entertainments (Amendment) (Jersey) Regulations 202-
- P.23/2020 – Marriage and Civil Status (Amendment of Law (Covid-19 - Temporary Amendment) Regulations 202-
- P.24/2020 – Draft Criminal Procedure (Jersey) Law 2018 (Appointed Day) (No.3) Act 202-
- P.30/2020 – Draft Covid-19 (Schools and Day Care of Children) (Jersey) Regulations 202-
- P.36/2020 – Marriage and Civil Status (Amendment of Law No.2) (Covid-19 - Temporary Amendment) Regulations 202-
- The Panel has worked with the Corporate Services Scrutiny Panel in order to develop the amendment to P.41/2020 Draft Covid-19 (Emergency Provisions – Courts) (Jersey) Regulations 202-
- The Panel has contributed its views to the Health and Social Security Scrutiny Panel's comments on P.48/2020 Draft Covid-19 (Restricted Trading) (Jersey) Regulations 202-

Environment Housing and Infrastructure Panel

Week ending 8th May:

Briefings/Meetings arranged

The Panel has undertaken work and received briefings on the following propositions and matters:

- The Panel reviewed their respective sections of the Government Plan on 30th April 2020, to begin assessment and prioritisation of current projects and initiatives which may be impacted by COVID-19 in preparation for the forthcoming Government (recovery) Plan 2021.
- The Panel reviewed the CoM Agenda on 6th May 2020 in respect of the financial update section and the update on the Island Plan.

Future briefings/legislative changes to consider

- The Panel is due to meet to discuss potential Government Plan/Economic Recovery Plan work on 13th May and receive the Minister for Children and Housing for a Public Quarterly Hearing on 19th May 2020.

Week ending 15th May:

Briefings/Meetings arranged

The Panel has undertaken work and received briefings on the following propositions and matters:

- The Panel has not received any briefings since the 7th May update.

Future briefings/legislative changes to consider

- The Panel is due to meet to discuss potential Government Plan/Economic Recovery Plan work on 14th May.
- The Panel is due to hold a private meeting on the 20th May 2020 (TBC).
- The Panel is due to receive the Minister for Children and Housing for a private briefing on the Covid-19 (Residential Tenancy) (Temporary Amendment of Law) (Jersey) Regulations 2020 (P.42/2020) and Tenancy Agreements on the 20th May 2020 (TBC).
- The Panel is due to receive the Minister for Children and Housing for a Public Quarterly Hearing on 4th June 2020 (TBC).

[Health and Social Security Panel – COVID-19 Response Update](#)

Week ending 8th May:

The Panel has undertaken work and received briefings on the following matters:

- The Panel met with its advisors, who were engaged to assist the Panel with its review of the Jersey Care Model (via Teams), on 30th April to discuss next steps.
- The Panel received the Minister for Social Security for a Public Hearing (via Teams) on Tuesday 5th May 2020 on her response to Covid-19 and the impact of the pandemic on the Department's work programme.
- The Panel received an update (via Teams) on the Public Health Strategy on 6th May 2020 from Government Officials from the Strategic Policy, Planning and Performance Department. The Minister for Health and Social Services was also in attendance.

Future briefings/legislative changes to consider:

- The Panel is due to receive a briefing on the proposed changes to the mental health and capacity laws from the Assistant Minister for Health and Social Services. Date to be confirmed.
- The Panel has requested fortnightly briefings with the Strategic Policy, Planning and Performance Department on the Public Health Strategy and weekly update meetings with the Minister for Health and Social Services on his response to Covid-19.

Week ending 15th May:

The Panel has undertaken work and received briefings on the following matters:

- The Panel received a briefing on the proposed changes to the mental health and capacity laws from the Assistant Minister for Health and Social Services on the 11th May 2020.

Future briefings/legislative changes to consider:

- The Panel is due to receive a joint briefing with the Economic and International Affairs Panel on the Draft Covid-19 (Workplace Restrictions) (Jersey) Regulations 202- on the 14th May 2020.
- The Panel is due to receive a joint briefing with the Economic and International Affairs Panel on the forthcoming announcement on 'family friendly' matters relating to the Employment Law on the 14th May 2020.
- The Panel is due to receive a briefing on the changes to the mental health and capacity laws from the Assistant Minister for Health and Social Services which will include external stakeholders such as Enable Jersey on the 14th May 2020.
- The Panel is due to receive a briefing on the Draft Covid-19 (Physical Distancing) (Jersey) Regulations 202- from the Minister for Health and Social Services on the 14th May 2020.
- The Panel has fortnightly briefings with the Strategic Policy, Planning and Performance Department on the Public Health Strategy and weekly update meetings with the Minister for Health and Social Services on his response to Covid-19.

Public Accounts Committee Activity Update – COVID-19

The Committee is concentrating its efforts on only asking of the Chief Executive and Treasurer questions relating to the implementation of States decisions in respect of the Covid-19 outbreak and the Government's response to it.

- The States Accounts for 2019 were recently published and the PAC had a public hearing with the Chief Executive and Treasurer on 11 May. Concerns have been centred on the cost of faster closing of accounts and the impact of Covid-19 on previous estimates of recovery of revenue and valuations of assets.
- A comments paper, relating to the recent Executive Response to the PAC's Financial Management Report of February 2020, will incorporate the points above.
- The Chair and officer have weekly updates with the C&AG (Monday mornings) - 2 C&AG reports, Use of Enforcement and Insurance are awaiting Executive Responses, and the C&AG has advised she will be updating her Audit Plan in the light of Covid-19 and the Government's response to it.
- GHE – the PAC has delayed a review into Estate Management due to Covid-19, however it is expecting a response to several questions relating to estate management during the Covid-19 outbreak, on 19th May. It will hold a briefing with the Acting Director of GHE shortly thereafter.