



Privileges and Procedures Committee
Democratic Accountability and Governance Sub-Committee

Senator Kristina Moore

President

Scrutiny Liaison Committee

By email: K.Moore2@gov.je

29th March 2021

Dear Senator Moore

Democratic Accountability and Governance Review

I write in relation to a new Sub-Committee which was recently established by the Privileges and Procedures Committee. The 'Democratic Accountability and Governance' Sub-Committee will undertake an in-depth review of the Island's system of government, focusing in particular on the accountability of government to the public and the States Assembly. The desired output will be to make recommendations for improvement. The review's Terms of Reference are appended to this letter.

As part of the review, we would like to hear from all relevant stakeholders about Jersey's system of government, including the role of Scrutiny, in order to seek their views on how accountability to the public and the Assembly might be improved. As the Scrutiny Liaison Committee comprises the Chairs of each Panel and the Public Accounts Committee, we would be grateful to receive the Committee's views on these matters.

In recent years, there have been some substantial changes to the Island's public administration. The changes stemmed from [P.1/2018](#) and the implementation of the Machinery of Government (Miscellaneous Amendments) (Jersey) Law 2018 and included:

- The establishment of the Chief Executive Officer as the Principal Accountable Officer for the public administration through the Public Finances (Jersey) Law 2019;
- Implementation of the One Gov project, aimed at modernising and improving public services;
- The making of changes to ministerial offices by Orders made by the Chief Minister and transfers of budget by a single decision of the Minister for Treasury and Resources; and
- The intention of a single legal entity for Government.

Despite these changes (or plans for change), the Island's system of government still remains a topic of conversation, as it has been for many years. In 2020, Deputy John Young lodged P.98/2020 "Ministerial Government: Review" which called for an independent, external review of Jersey's system of governance. Although the proposition was defeated, the debate did raise a number of concerns from members which we also hope to explore further during this review.

The Sub-Committee invites the Scrutiny Liaison Committee to provide a written submission primarily covering the areas to be addressed within the Terms of Reference and, in particular, the areas related to Scrutiny. In that regard, we list below a number of thought-provoking questions which might assist the Committee in formulating its submission:

1. What are the Committee's collective thoughts on Jersey's system of government?
2. What opportunities could there be for States members to be more engaged in the process of government?
3. Does the Committee consider the current ministerial and scrutiny portfolios set out in Standing Orders appropriate? Are there any alternative structures, or alternative systems for electing Members to ministerial office or Scrutiny, which would enhance accountability and effectiveness?
4. What is the Committee's view on the process for changing ministerial portfolios and moving Ministers around? Is the process as effective as it could be?
5. More generally, if the Committee could suggest any improvements to Jersey's system of government, what would they be?

Ideally, we would prefer to receive a collective response from the Committee in the first instance. However, should you wish to meet the Sub-Committee in person to discuss your personal views or those of the Committee, please do let Kellie Boydens (Principal Committee and Panel Officer) know at k.boydens@gov.je who can make the appropriate arrangements.

Thank you in advance for your consideration and assistance with this review. We would be grateful to receive a written response by the 16th April 2021, if possible.

Yours Sincerely,



Senator Tracey Vallois
Chair, Democratic Accountability and Governance
(Privileges and Procedures) Sub-Committee

The Sub-Committee's Terms of Reference for the Review are as follows:

AIM

To undertake a review of the accountability of government to the public and the Assembly, with a view to making recommendations for improvement.

DELIVERABLES

A report to PPC that sets out the Sub-Committee's findings in respect of the issues to be addressed. This report should define any problems with the current system of government and should also contain recommendations to resolve those problems.

SCOPE

Included

The roles of the Council of Ministers, the Chief Minister, Deputy Chief Minister, Ministers, Assistant Ministers, and the States Employment Board and how they may be held to account by the public and the Assembly.

The relationship between ministerial structures and civil service structures in relation to policy development, implementation and operational management, particularly in view of the development of the OneGov project, and how this affects accountability to the public and the Assembly.

The role of Scrutiny and the Public Accounts Committee in holding the executive to account.

Whether the current ministerial and scrutiny portfolios set out in Standing Orders remain appropriate or whether there is an alternative structure, or an alternative system for electing Members to ministerial office or Scrutiny, which would enhance accountability and effectiveness.

Opportunities for States members to be engaged in the process of government.

Excluded

Matters in relation to the efficient use of resources to achieve value for money.

The maintenance of standards of performance through financial management and forms of governance.

Consideration of the accounting officer structure.

Changing from a ministerial system of government to an alternative system, although the review will consider how the best aspects of the former committee system could be incorporated within the current system.