



Deputy Lyndon Farnham
Chief Minister

BY EMAIL

25th April 2024

Health and Social Services: Role of a Scrutiny Panel Member in Executive work

Dear Chief Minister,

As President of the Scrutiny Liaison Committee, I would like to bring to your attention that the Committee has been made aware of the involvement of Deputy Bailhache, who is a member of the Health and Social Security Scrutiny Panel, in work being undertaken within the Health and Community Services Department on behalf of the Minister for Health and Social Services.

The Chair of the Panel, Deputy Doublet, has communicated with both Deputy Bailhache and the Minister to raise and seek to resolve significant concerns that this situation introduces in respect of the 'Troy rule' and the need for transparency and appropriate distinction between Executive and non-Executive roles.

She relayed in writing to the Minister on 4th April that '*any work undertaken does need to be visible and transparent so that any conflicts can be effectively managed*' and established 23rd April as a latest target date to cease such work. The Minister responded and there was further communication from Deputy Doublet reiterating her concerns. With neither the request for transparency nor the deadline resolved through their communication, Deputy Doublet further escalated the matter to the Committee.


In addition to the important matters outlined above, the Committee itself has identified significant concerns/questions in respect of this situation that it feels obliged to bring to your attention to address. These are:

- Lack of clarity about the purpose and rationale for the work that the Minister has engaged Deputy Bailhache to assist with;
- The policy/process through which the work is being undertaken;
- Whether the work is being undertaken with the knowledge and approval of yourself, the Chief Executive Officer and the Chief Officer, Health and Community Services and Health Advisory Board;
- The role of the respective Assistant Ministers in the work;
- Consideration that has been given to any potential governance concerns and 'constitutional' or legal implications.

We would ask you to give the full scope of concerns raised above your attention and, given the levels of concern we have at this stage, respond to us by 5pm on Wednesday 1st May. I should relay that based on our current understanding we are mindful of the potential need for certain matters to be subject to separate consideration and have copied in the Chair of the Privileges and

Procedures Committee accordingly for information. We do, however, await your response in the first instance to help ensure we are appropriately informed as to any further actions on our part.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Inna Gardiner', enclosed in a thin black rectangular border.

Deputy Inna Gardiner
President, Scrutiny Liaison Committee

CC Connétable Karen Shenton Stone
Chair, Privileges and Procedures Committee