

STATES OF JERSEY

Economic Affairs Scrutiny Panel Transfer of Functions

MONDAY, 23rd NOVEMBER 2015

Panel:

Deputy S.M. Brée of St. Clement (Chairman)

Deputy D. Johnson of St. Mary (Vice-Chairman)

Connétable M.J. Paddock of St Ouen

Deputy J.M. Maçon of St. Saviour

Witnesses:

The Minister for Education, Sport and Culture

Assistant Minister for Education, Sport and Culture

Director of Education, Sport and Culture

[9:02]

Deputy S.M. Brée of St. Clement (Chairman):

First of all, good morning, gentlemen, Minister. Thank you very much for coming along to this public hearing to do with the Draft States of Jersey (Transfer of Functions), P.46/2015. The purpose of today is to discuss with you the way in which this is going to work, what work has been done on it so far. I would like to draw your attention, if I may, just to the notice in front of you. I am sure you are fully aware of the rules and regulations regarding public hearings, but if you could just refresh yourself with that. For the benefit of the tape, if we can just go round the table and introduce ourselves. I am Deputy Simon Brée, Chairman of the Economic Affairs Scrutiny Panel.

Deputy D. Johnson of St. Mary (Vice-Chairman):

David Johnson, Vice-Chairman.

Connétable M.J. Paddock of St. Ouen:

Connétable Michael Paddock of St. Ouen.

Deputy J.M. Maçon of St. Saviour:

Jeremy Maçon of St. Saviour, co-opted member for this review.

Director of Education, Sport and Culture:

Justin Donovan, Director of Education, Sport and Culture.

The Minister for Education, Sport and Culture:

Deputy Rod Bryans, Minister for Education, Sport and Culture.

Assistant Minister for Education, Sport and Culture:

Connétable Steve Pallett, Assistant Minister for Education, Sport and Culture.

Deputy S.M. Brée:

Thank you very much, gentlemen. Now we sent you a number of questions, which you kindly responded to, to sort of form a framework for this public hearing. We would like to explore, if we may, in a bit more depth, some of the responses that you provided to us, together with a number of other areas that we would like to talk about. So if I start. Obviously the first question that really was in our minds was that P.46, that being the transfer of functions regulations, is talking about the benefits that the move of ministerial responsibility will bring. We were a little bit surprised by some of the responses that you provided to us. We would just like to go through. Where we asked what was the benefits that the proposed changes will bring to your department you spoke about the Minister for Economic Development, Tourism, Sport and Culture, rather than your department. You make a number of assumptions in your responses which were concerning to us. But what we are trying to get to here is to go, okay, we understand your view of things, but when we look at the responses that we have had from the Minister for Economic Development, and I will just quote, if I may, from one of the responses. He talks about ... if I may: "The transfer in of Sport and Culture will more closely align both sectors with E.D.D.'s (Economic Development Department) responsibility for tourism and allow the ability for product development in the areas of sport, culture and heritage-led events, promotions and exploitation." Are you happy, Minister, being the Minister currently responsible for Education, Sport and Culture that particularly sport and culture are looked upon as being areas to be exploited?

The Minister for Education, Sport and Culture:

Yes, a very provocative word, is it not? Just to roll back, your question was about what are the benefits for us? I think the real benefit for us very early on in discussions about these transfers was the notion that we are wanting to, with the new director and the new department, focus on education purely and there was a consideration that perhaps that hadn't been done in the past. That certainly myself in my role as Assistant Minister found it very difficult to do those concentrations when you had ancillary things such as sport, in particular, affecting time and opportunity. So there were two sides that we struggled with, with sport in the past, and that was considerations of where we placed money for grants and one thing or another. That took up a great amount of time and was particularly difficult for the previous Minister. So I was aware of that going in. Then with culture, again there was a feeling perhaps that culture needed a refreshment or a new perspective, I think is probably the best way to describe it. In answer to your question, I do not know that perhaps the choice of words by the Minister for Economic Development was ill-advised but I think the exploitation, as I say, is a bit provocative. I think it is about getting a new perspective.

Deputy S.M. Brée:

If I may just then, you are saying that you want to focus on education only; do you not see sport as an important part of education?

The Minister for Education, Sport and Culture:

Absolutely. But then it is intrinsic to what we do. It is within our curriculum. As is the culture side of things. So even though the responsibilities for certain areas of sport and culture move across, sport and culture within the school is still going to be a major part of what we do.

Deputy S.M. Brée:

In your response, you also mention ... you talk about improving the health and wellbeing of Islanders as being one of the benefits of moving it to the Economic Development Department. We were hoping to see some evidence for this. Where is the evidence to support that statement?

The Minister for Education, Sport and Culture:

Could I pass to my Assistant Minister who does ...?

Deputy S.M. Brée:

Certainly.

Assistant Minister for Education, Sport and Culture:

Concerning the health and wellbeing of Islanders, clearly sport is seen as a tool to enhance that moving forward. I think we already do that. I think through our Active scheme at all our sports

centres, clearly we are trying to get more and more people participating in sport and I think the opportunity to build on that with some of the expertise we have got at Economic Development, I think will hopefully draw more people into sport. That is the whole idea. At the moment we have got participation levels in sport but I think there are opportunities, I think with the synergies with E.D.D., to grow that.

Deputy S.M. Brée:

What studies or analyses have been done to support that statement?

Assistant Minister for Education, Sport and Culture:

There are no studies or analyses being done to do it apart from some of the in-house figures that we have got in terms of increased numbers into sport, increased ... I think some of the better results we are getting through some of the participation in schools affect the future strategy, and the benefits and the success we have had with that will show that sport is heading in the right direction.

Deputy S.M. Brée:

Sorry, just to confirm and clarify. There are no studies being done, there is no analysis being done to support the statement that the move out of Education, Sport and Culture into Economic Development is going to bring benefits to improve the health and wellbeing of Islanders; is that correct? No work is being done?

Assistant Minister for Education, Sport and Culture:

That is what currently is being set up now. We are currently doing an in-house review. I have asked for that from day one to know where we are so that in 3 years' time when we go through this particular term we know exactly what benefits have been and we have measured those benefits. I think if we are putting money into sport, and we are putting money into sport, we are retaining the levels of funding in sport, that we have the benefits of that. We know what those benefits are and what the health ... whether we have got an improved health within our young people, for example. Something that for me is really important.

Deputy S.M. Brée:

I am not disagreeing with you.

Assistant Minister for Education, Sport and Culture:

I am sure you are not.

Deputy S.M. Brée:

I think I am surprised that no, as I say, studies, analysis or work has been done prior to lodging the P.46, to transfer the functions across to Economic Development. It seems to be merely a political will to do so. Am I correct in saying that?

Assistant Minister for Education, Sport and Culture:

If you are trying to say have we analysed what the benefits are moving forward, I think that will all be based on current information we have, current information that we have put together over a period of time, to give us a base to start from. Although when I say 'start', the journey has been a long journey over the last few years in terms of improving people's health through sport. I think there is an opportunity now to benchmark that, and that is what we are currently doing is benchmarking it, so that we can analyse what we are doing moving forward.

Deputy S.M. Brée:

So there is nothing that you can provide to this Scrutiny Panel to support your statements?

Assistant Minister for Education, Sport and Culture:

Have we done an analysis of what we are going to gain from moving from one department to another, the answer is no.

Deputy S.M. Brée:

Okay. We are just trying to clarify where we are in things. We are not necessarily saying anything else. The next question that we were looking at was whether or not you, Minister, are in full agreement with the proposals. I have to say that the answer you gave to that question was not really an answer. You say: "The proposals have been developed following discussion between the relevant Ministers and the relevant issues have been addressed." Are you in full agreement?

The Minister for Education, Sport and Culture:

Yes. I mean it has taken me a while I suppose in a sense to get there. I think the difficulty for myself was when these transfers were proposed is that I had worked so closely with Culture in particular. It was my role as Assistant Minister to develop Culture, to work on Culture and so when it was initially proposed that Culture went across I still had ... you want to hang on to those kind of very things that you helped create more than anything else. But going back to the point I was making earlier. I think my reservations have disappeared as we have found the extent of what we had to do are tasks set in front of us - and I am pleased the director is here with me today - in terms of focusing purely on education and moving across sport and culture has given us a real focus and intent. So I did have doubts initially but I think as we progressed along this route ... I wish we could have done it a lot quicker, I have got to say, but those have been assuaged.

Deputy S.M. Brée:

Okay. Now you do mention relevant issues have been addressed. What issues?

The Minister for Education, Sport and Culture:

Relevant issues ...?

Deputy S.M. Brée:

In your response that you gave us you talk about the relevant issues have been addressed; we would like to know what issues.

The Minister for Education, Sport and Culture:

I think there are lots of issues when you transfer responsibility from one department to another, so particularly those people who were not expecting this, both in Sport and in Culture, had concerns so they would raise issues themselves. We have been able to talk to those and confirm that even though responsibility is moving across, the sort of intent and the way in which we operate as a department will carry on. So an illustration would be Culture moving across to E.D.D., it was in our curriculum, we have made sure that we have written in a passport for the children to enhance their knowledge about the history of the Island. So culture carries on very closely with heritage and various other departments. So there were these sort of issues that initially arose.

Deputy S.M. Brée:

Do you, Minister, because you currently have ministerial responsibility for sport and culture, do you feel that you carry a very high degree of responsibility to ensure that there are no issues to do with sport and culture within the schools of the Island when the transfers take place? Do you feel a responsibility?

[9:15]

The Minister for Education, Sport and Culture:

Of course I feel a responsibility. That is the role of the Minister.

Assistant Minister for Education, Sport and Culture:

Can I just add there: in terms of relevant issues, yes, there were relevant issues. I think further down in question 4 are 2 of the issues around outdoor education and disability play schemes are things that had to be discussed through. Clearly getting on the point about schools, there have been some concerns about facilities in terms of how those facilities will be used in future. I think they have been addressed satisfactorily. Also how P.E. (physical education) is going to be delivered in schools now that Sport has come across to Economic Development. Whether, for

example, there was going to be a more commercial element to providing that. There is not going to be. It is going to be provided in the same way, business as usual, and if anything - and I have been speaking to the Minister about it - they want to enhance that P.E. structure within schools to a physical literacy programme, so I think rather than having a negative effect I am hoping it is going to have a positive effect. Just a few of the issues there have been concerns about we have had to address over the last few months that I think have been addressed in a positive way.

Deputy S.M. Brée:

Before moving on to the next area, are there any questions from panel members that you would like to put at this stage on those first couple of areas or shall we move on?

Deputy J.M. Maçon:

Just one question that goes back to your initial question, Chairman. In the response from E.D.D. how do you envisage the change on the focus of the sport function, the culture function, as it goes across?

The Minister for Education, Sport and Culture:

In response to E.D.D., sorry?

Deputy J.M. Maçon:

Yes, E.D.D. has said that the focus of sport and culture is going to change and what I was trying to establish is what is the baseline now and how is it going to change?

The Minister for Education, Sport and Culture:

It is a very good question. One of the reasons I was less concerned about this situation, particularly to do with sport, was that when you get to the point, as you are designated as Minister, you receive the role, I was able to follow through and choose my Assistant Minister who I had already chosen prior to that sort of event in my mind. I wanted somebody that would be a champion for sport and the person that I elected to choose was Constable Pallett and fortunately, in that circumstance, we have got somebody then that can sit in both sides of the fence, as it were, in terms of this transfer. So his mind over what we had and how closely he has dealt with sport in the past gave us the opportunity to have a foot in both camps. So I was quite comfortable with the fact that I had somebody that was both quite dedicated to sport within the schools, being a champion for sport, and somebody that had a knowledge of E.D.D. So in terms of where we saw ourselves I was quite comfortable with that.

Deputy J.M. Maçon:

But how do you see it is going to change?

Assistant Minister for Education, Sport and Culture:

In terms of changing, sports evolve and I think the whole sports division has had to have a look at where it is going to move forward. In terms of the sports development side, although it is not an issue for the transfer of functions, I think the creation of a new independent sports body, in terms of Jersey sport, will give us a focus and allow an independent body to see where that vision will be. I see the vision for sport and I only looked last night ... so the U.K. (United Kingdom) equivalent in terms of Sport England and some of the sports bodies there is the vision for sport comes through those independent bodies. What I will be working with that particular group is to put a vision for sport moving forward. Clearly I think we are in quite a good place in terms of what we produce at the current time but the vision for sport will move away from government, although clearly I am going to have an interest in what that vision is going to be and what their business case will be for moving sport development forward. But the vision will come from, very much in a sports development side, that body. In terms of the facilities there is going to be very little change. All we are doing is moving lock, stock and barrel our facilities from E.S.C. (Education, Sport and Culture) to E.D.D. I have worked very closely with the Operations Manager up at the Fort. He has got some fantastic ideas for some of the things he wants to do to improve what we currently deliver, but at the moment it is business as usual and when we move over hopefully we can start to pull some of those things together to improve the facilities in terms of what they deliver to the public and provide a better service and, considering the current position, a more efficient service.

Deputy S.M. Brée:

Sorry, can I just pick up on a point? You obviously are very enthusiastic about sports development. The concern of this panel is not sports development, it is the continuation and development of sport within the schools of the Island. If your focus is more towards sport development then it does raise the question: what is going to happen to sport as an important part of the curriculum?

Assistant Minister for Education, Sport and Culture:

There is a simple answer to that. Sports development covers everything from 3 year-olds up to 95 year-olds. In fact we discussed this at the last E.S.C. ministerial meeting. At the moment we have, I think, a very positive P.E. structure within primary schools. We are starting to see some of the schools invest in their own P.E. expertise within those schools. What I want to see, and I think it is within the Economic Affairs Scrutiny Panel response, was that ... I am an advocate of physical literacy. I am. At the moment I do not think we have got a truly consistent physical literacy programme through schools. Something that I am keen to see in all primary schools is something that we are currently working on and hopefully will have a programme together very early in 2016 to cover the majority of schools, so there is going to be more support for P.E. in schools, not less.

It will come through the Sports Development Department in terms of some of the expertise that is given and pushed through in support in terms of the support to P.E. teachers within schools. So it is going to be more help and assistance with the schools, not less. All the sports development officers are already heavily involved with providing P.E. within the primary schools and it will carry on being the same. Physical literacy and sports development are the same thing.

The Minister for Education, Sport and Culture:

Just to expand on that. It is also worth bringing in the fact that the Chief Officer, Derek de la Haye, was previously a P.E. teacher, because I used to teach with him back in Grainville, back in the day. So his ability to understand the concepts of the transfer happens and to bridge that gap, along with the Assistant Minister, is important. He understands the reality of dealing with schools.

The Deputy of St. Mary:

More of a general comment. My personal concern, which I think is shared by the panel, is that the ... as you said before, in a way it probably helps you to not shift Sport from your department but leaving Education to concentrate on where you go. My concern has always been in this that the extent to which you regard sports participation by school children as being an essential part of education, and the whole ... the replies we have had seem to suggest that it is ... the mantle has been very much taken on by the economic side and that is where the thrust is. My general concern is, coming through, through all these questions, as to whether enough emphasis has been placed on sport within schools. That is not to denigrate the evidence of the Assistant Minister, because he is split between 2 functions.

The Minister for Education, Sport and Culture:

I think it is a really good question. I was with the governor visiting the school just the other day at Haute Vallée where they put a new 4G pitch, which previously I was the chair of governors at Haute Vallée and they struggled with a very badly draining field and now they have got this opportunity to get more sport into the school. So it is written - and I am going to ask the Director to speak in a second - into the curriculum very much that sport is still part of what we do, is part of our educational system. Equally, I think the thing that ... a standard with the Governor was how much extra sport is done as extracurricular work in terms of what the school children attend. It is massive. Sports is still very much part of what we do in the education system.

Director of Education, Sport and Culture:

From an officer point of view, this is a political decision, I think arrangements work very well, the new arrangements I think we can make work equally as well. There is a difference between sport and culture, different issues. In terms of sport, just to be clearer about this, wherever community sport sits, responsibility for sport within the curriculum will remain in the Education Department. It

has always been that way, always will. Jersey has some additional support for sport, which most educational authorities do not have. So we have a community sports system here which is far better than anything I have come across, and so it has an influence to be positive within our schools. If you look at standards across our schools, sport is one of the key things in the curriculum at the moment. Far better than the U.K. It is one of the few subjects which is well ahead of the U.K. That is because of a decade of solid investment and having experts coming in coaching children alongside teaching. There is a big difference between the 2, you have a teacher and a coach in the same room the kids know immediately this person knows how to play football, Miss does not, and it has a huge impact. So what we have is continued responsibility in my department for sport in the curriculum. The additional support we get will not now sit in my department, it will sit somewhere else. I am not concerned about that because the relationships are so strong that wherever sport sits I think that support will continue. So I am comfortable with that. But I would not want the panel to think that we are giving up responsibility for a part of the curriculum. We are not. We are simply moving an additional support to help develop that part of the curriculum from my department to another and I am confident those relationships will continue.

Deputy S.M. Brée:

It raises an interesting question. If you feel that you are still responsible for sport in the curriculum, but you no longer have control over the facilities to deliver sport within the curriculum, then how is it going to work?

Director of Education, Sport and Culture:

We do have control over all the facilities within our schools. Certainly all our primary schools and most of our secondary schools remain in our control. What we will not have control over are one or 2 of the sports centres, such as Oakfield and Langford and the swimming pool. That was a concern of our heads and I have spent a long time talking to them about that. That is why we have been developing a memorandum of understanding which gives assurance to our heads that they will have control over their facilities from before school until after school to make sure they can be timetabled and we will not have other people using them.

Deputy S.M. Brée:

It is interesting that you should raise that. It was an area that we were going to ask you about later on, but as you have raised it I think it is quite appropriate we talk about this memorandum of understanding. Where is it?

Director of Education, Sport and Culture:

I have copies, if you will bear with me. It is a very rough draft.

Deputy S.M. Brée:

How rough a draft is this?

Director of Education, Sport and Culture:

There have been 3 meetings. First of all the heads met on their own with some of their governors so that they were absolutely clear what their concerns were, and they are twofold. First is control over the facilities during the curriculum time. That is not just the teaching time. That is from about half 7 in the morning until about 5.00 in the afternoon, so it is before and after school clubs. What they want is absolute assurance that those facilities remain in their control. The second is over the quality of those facilities. So if there is a problem with the planning or something goes wrong they want a clean line of sight of who is going to fix it. What they want is the current arrangements to continue in that way. So they met on their own. Then Derek and I met with their representative, Nick, the head of Hautlieu, who made their point quite forcibly. We drafted a memorandum with Nick. That went back to the secondary heads who met last week. They have gone back and made some alternations to it. That is a holding strategy in the sense of even with Sports within my department, we are already in the process of writing a very detailed service level agreement, so this is simply to sit over that. That was already in place.

Deputy S.M. Brée:

Okay, if I may ask, the concept of the transfer of functions between departments has been known about since November last year. The P.46 was lodged on 6th May this year. How come it has taken you so long to work out the details that the M.O.U. (memorandum of understanding) is surely fundamental to the relationship between sport and the curriculum and what will be Economic Development then looking after the facilities? Why has it taken so long to develop this? You talk about a service level agreement and M.O.U., this is due to be debated by the States on 15th December, I believe, and yet you have nothing concrete other than a first draft to put in front of the Scrutiny Panel for us to look at. We are surprised at that. We really are.

Director of Education, Sport and Culture:

The answer to that is simple. The heads only very recently raised their concerns, so we responded to the heads within 24 hours. So the heads met, put their heads together said: "We have got some concerns about this." It's quite late in the day we have to admit, so we met with them as soon as we possibly could and then produced a draft for them.

[9:30]

Deputy S.M. Brée:

What consultation was undertaken by your department, Minister, with the head teachers back in May?

The Minister for Education, Sport and Culture:

I do not think the head teachers back in May would have understood what was happening at that point in time. You are quite right, it has taken a while to get here. The underlying reason was in terms of sport and in terms of having my Assistant Minister and Derek de la Haye as the people leading it on that front, was that the fraternity and the community that is within sport is very ... this Island is very close to people and we understand it quite clearly, so the kind of concerns that were raised initially were not that large, so that we were not that too disturbed about it. It was only until recently, as the director says, that the heads had got together and said ... as this transition began to appear, they raised those issues and it was at that point in time, as the director has quite rightly said, that we addressed them.

Director of Education, Sport and Culture:

They were briefed at the time. It was a standing item on all the agendas, so were the governors. So on 2 occasions I have had all the governors in front of me and briefed them on this and no concerns were raised, partly because we were reassuring in the sense of they would have control over those facilities. The service level agreement, which has taken some time to develop, was being developed irrespective of the move. That was something that is going on internally and that has been worked on for some time. It is very detailed. What the heads would like is something without detail which just says: "We will have control of these facilities at the time of transfer" and then we will carry on dealing with the detail afterwards. But the heads were made aware of this on several occasions.

Deputy J.M. Maçon:

What is the delivery dates for both these documents?

Director of Education, Sport and Culture:

The memorandum of understanding to make sure heads have got the assurance over those 2 things: one is control over the facilities and also make sure they have got some influence over the quality should be ... the idea to have that is before the end of term; obviously before transfer.

Deputy J.M. Maçon:

And the S.L.A. (service level agreement)?

Director of Education, Sport and Culture:

The S.L.A. will take longer. That is going to be more like February, I understand. I will have to check on that.

Deputy S.M. Brée:

So you will have nothing to place in front of States Members as a concrete final document when it comes to debate this on 15th December, so that States Members, who are being asked to make the decision, have all the information in front of them and can see how it can work? You are not going to be in a position to provide that, correct?

Assistant Minister for Education, Sport and Culture:

I think to be fair, they have been guaranteed that there will be no change to the current use until the S.L.A. is in place. There has been a review of the use and I think rightly so. I think it was only right that the operations manager for the facilities had an opportunity to review the current use in terms of was it being used to the best of its capacity. There have been some issues around that and there have been some concerns about that. That will all be addressed with the S.L.A. but it is another piece of work that was carried out to ensure that we have not got pools standing idle and facilities standing idle during the day when they could have been put to better use. Have they got first opportunity to use the facility? Absolutely they have. They can have the flexibility of using those facilities when and if they want them. But we have to ensure that if we have got facilities that they are used to the best of their ability. We have got clubs and associations, such as the swimming clubs, that are crying out for pool space and the opportunity to use those pools to the best of their ability is really important. But I have to say, the schools and the ability of the schools to use those facilities, when they need them, will remain. So there will not be any change to the current use until the S.L.A.s are in place. That is guaranteed. They can get the space that they want.

Deputy S.M. Brée:

The point I was trying to make, Assistant Minister, was that when it comes to the debate on 15th December most Members would have expected to have seen from you, Minister, copies of the S.L.A. and M.O.U. to reassure Members that the transfer of functions and responsibilities had all been looked at, dealt with, and could satisfy any concerns that States Members had. I think really the surprise is that while you can say guarantees are given, et cetera, that there is nothing to place in front of the States Members to give them that reassurance. That is very concerning and surprising.

Director of Education, Sport and Culture:

The M.O.U. will be ready but not the service level agreement.

The Deputy of St. Mary:

Can I just make an additional point on the M.O.U. which we had planned for a bit later but as we are there? You say there is a draft there and obviously we have not seen it, the inference was that M.O.U.s between the heads and the Minister for Education, et cetera, now if the whole function is being passed over to the Economic Affairs there needs to be a wider range M.O.U. surely to ... whereby Economic Affairs assures Education that ...

The Minister for Education, Sport and Culture:

That is the reason for having an Assistant Minister that travels both camps. That is why he has had ... he has 2 responsibilities in that sort of role, so he sees the creation of the M.O.U. from his role as Assistant Minister ...

The Deputy of St. Mary:

I fully accept that. There is no ... I am just trying to divide the function into 2. There must surely be an M.O.U. where the responsibilities and the benefits which are set out so that Education can hold Economic Affairs to account.

Director of Education, Sport and Culture:

Exactly. That is what ...

The Deputy of St. Mary:

That is in there?

Director of Education, Sport and Culture:

Yes.

The Deputy of St. Mary:

So it is not ... you mentioned head teachers. They are not party to it then?

Director of Education, Sport and Culture:

No. So the head teachers need to agree that they are comfortable with this and then it is signed between Education and E.D.D. So not the heads will sign it. It will be the Education Department who sign it and E.D.D. will sign it.

The Deputy of St. Mary:

So the M.O.U. will effectively divide the ... will keep the benefits which are now attached to Education within that and set them out so Economic Affairs cannot trump them ever?

Director of Education, Sport and Culture:

Yes. What it will say is that from ... I forget, we spent a long time talking about when the curriculum time starts and finishes. I think in the end we agreed on 8.00 to 5.00 and I think we have changed it now to 7.30 Monday to Friday, so that the deputy heads who do the timetable will know nobody else can use Langford, it will be used by the schools from that time in the morning to that time in the evening. The problem we have at the moment is the reason why the service level agreement is being developed anyway, is frankly the facilities are not used as well as they should be outside of curriculum time, particularly from 6.00, 7.00 on. They are fantastic facilities and they should be used. The wider issue about other facilities in our schools I think should be used by communities, but that is for another day. So that basically gives that. The M.O.U. is signed between E.D.D. and Education. In a sense, what it does is give the Education Department assurance, which it then can pass back to its head teachers. But I think it is very important the heads are very happy with this before we sign it because in the end they are on the frontline and they have come back, this is the second draft. We have now got that back and we are hoping to get comments back over the next few days and then we can sign it.

The Deputy of St. Mary:

Are we allowed to say that in another life we vetted an M.O.U. We were very much part of it, can we have that same courtesy this time? Can we have input to it?

Director of Education, Sport and Culture:

Very happy, and I could email it to the panel today if you like. In fact, I can arrange for that to happen straightaway.

Deputy J.M. Maçon:

Please and thank you.

Director of Education, Sport and Culture:

If you like, I could leave a couple of draft copies.

Deputy J.M. Maçon:

Just one further question: you mentioned that there was a review of facilities that had been done. Can we have a copy of that document please?

Assistant Minister for Education, Sport and Culture:

I have not even seen that review. I know it has been carried out by the operations manager but I am sure there is some documentation. I think it boils down to the usage of the pools by the schools. If we have it, you can have it, yes.

Deputy J.M. Maçon:

Thank you.

The Minister for Education, Sport and Culture:

I think in part, going back to your previous question about exploitation, answers it to some extent, the notion that, as the Director has already said, and the Assistant Minister has mentioned, there are elements of certain other facilities where things were not being used perhaps in a more productive way. I think that could possibly be what he was referring to in terms of exploitation.

Deputy J.M. Maçon:

Optimise instead of ..

The Minister for Education, Sport and Culture:

Optimising, yes.

Deputy S.M. Brée:

If we move on through the areas that we would like to talk about. David, do you want to ...?

The Deputy of St. Mary:

There is a question here which you may say is very ... has a full business case been prepared for changes as they will affect your department: analysing options, opportunities, resource implications, any potential disadvantages? Now I think you are saying that everything is going to be embodied in the M.O.U. which we have not had, but has a business case been made out or is it just again discussion or decision made and just bouncing it off the various heads?

Director of Education, Sport and Culture:

There is no business case involved in this, no. We have been asked to transfer and that is what we are doing.

The Deputy of St. Mary:

On the documentation which is ... it is a serious question I asked before: the M.O.U. is going to be the only document?

Director of Education, Sport and Culture:

The service level agreements are of course for each individual facility so that is why they have taken a long time because they are all very different, particularly the swimming pools. The M.O.U., I would not want to overplay it. It simply says 2 things: one, schools will continue to have control

over the facilities for this period of time. E.D.D. will make sure they are in good condition and schools when they hand them back in the evenings will leave them in good condition. It is as simple as that. The detailed individual arrangements for each of the centres, those service level agreements have been worked on for some time, I understand, and continue. So it is a very brief document and it is simply there to give reassurance to the head teachers that from 1st January they will have their facilities in place. As I say, although it is only a draft because the heads have now got the second version, it is very brief. But there has been no business case for this at all. Largely because the budget is transferring lock, stock and barrel. Apart from 2 very small bits of the business, the whole business is being handed over intact.

Deputy S.M. Brée:

All right, we have got a lot to get through. Shall we move on to the next area? Jeremy, do you want to ...? We have touched on this a bit.

Deputy J.M. Maçon:

Yes, we have touched on this a little bit but just looking for a bit more detail. So the broader question is what other work has been done within your department to prepare for the transition of the proposed arrangements? If there is anything else that you would like to add but you have not said already.

The Minister for Education, Sport and Culture:

I cannot think of anything at this moment.

Deputy J.M. Maçon:

I wonder if you could just flesh out for us the changes to outdoor education, disability play schemes; can you just explain how that is going to work; the detail underlying that?

Assistant Minister for Education, Sport and Culture:

Again, as far as those 2 go, they are going to remain within the Education Department and be managed as they currently are.

Director of Education, Sport and Culture:

Basically what we have done is those parts of the business which have remained linked with Education we have already moved them. So, for example, we have not talked about the Youth Service. The Youth Service was part of a reporting structure to Derek, so as soon as this was mentioned I now have the Youth Service reporting directly to me. Similarly with outdoor education; that was entirely to do with education, particularly St. Aubin's Fort. So that transferred across to the Youth Service some months ago and has been operating since ... 6 or 7 months, and it is

working fine. It has been upgraded, it is now booked online and all the schools have been briefed on that. In a sense those changes were made months ago and are fully operational.

The Deputy of St. Mary:

Sorry, could you clarify what “outdoor education” is?

Director of Education, Sport and Culture:

Canoeing, sailing, those kind of things. So use of Crabbé, use of St. Aubin’s Fort basically and schools book those facilities. They’re booked constantly. They are fantastically used. A very, very strong facility and superb staff again. Something Jersey should be proud of. So we have transferred those across to the Youth Service. There were already links between ... if you imagine the links between those facilities and the Youth Service so it made sense. We have also freed up a member of staff, Kevin Mansell, used to run the A.C.C.(?), he is internationally qualified at things like kayaking and now he works on outdoor education, so he has strengthened that part of our business.

The Minister for Education, Sport and Culture:

I think that illustrates really in this transition the opportunities that arise for us to begin to put some clarity on what we have. The Youth Service to report to Derek was always a bit of an anomaly, I thought, particularly in my role as Assistant Minister looking at the Youth Service. Now, as the Director has just articulated, this ability to encompass the outdoor stuff, because it is all about building up body and mind for those particularly vulnerable children who need that sort of thing, do not have those opportunities, I think has given us a great opportunity.

Director of Education, Sport and Culture:

Can I say one more point there as well? It has already been mentioned to some degree but the Assistant Director of Sport has built the links up with E.D.D. over the last 9 months. He sits in at the E.D.D. ministerial meetings, so I think that is something that is also being worked on over a period of time. He has worked within both departments and he clearly understands how both departments work. I think it is an important point to make.

Deputy S.M. Brée:

An interesting point you raised, because effectively what you are saying there is that the transfer of functions is being assumed by departments to be going ahead.

Director of Education, Sport and Culture:

Absolutely not. No, but we thought it was absolutely vital that those that will be involved with the transfer have an understanding of the department that they are moving to, and I think that is what has happened with the Assistant Director.

[9:45]

The Minister for Education, Sport and Culture:

I think you said earlier you were surprised certain work had not been done. I would be surprised if that was not happening, if we were not working closely with E.D.D. in the first place, and we are not making an assumption that the transfer happens because obviously it has to go before the States. But it is important that those dialogues began as early as possible and we started to identify some of the problems, which have just been illustrated by the director, that the heads have come to a point where they think: "Perhaps we need to have something to say." So we have been, right from the beginning it was mooted that this was going to happen, to make sure there were not that many problems.

Director of Education, Sport and Culture:

It might be worth adding to that, if it does not go through, the changes made in terms of Youth Service reporting to me, the outdoor education moved into the Youth Service, would remain in place. We would do that anyway.

Deputy J.M. Maçon:

Just a quick question: is there an implication for the Youth Service having to be involved in M.O.U., S.L.A.s for use of facilities?

Director of Education, Sport and Culture:

There are absolutely no changes to the Youth Service at all, other than reporting directly to me.

Deputy J.M. Maçon:

That is fine. We have touched on facilities, I think. There is a point here about meeting E.D.D. to consider budgets and their transfers as well as implications on H.R. (human resources) and I.T. (information technology) support. I wonder if you could just explain what implications there have been regarding this point.

Director of Education, Sport and Culture:

I will pick that up. It is going to put a little bit of pressure on E.D.D. because the sports personnel will significantly increase the size of that department. But because we have been reducing at the centre there will not be any additional H.R. or I.T. support going with them. So that is going to

have to be subsumed within the department because we are shrinking as well. So as we reduce back office functions, when Sport move across to E.D.D. they are looking at how they are going to manage in terms of the budget. I have to say from experience, because of the nature of the people who work in that area, it is very low maintenance. They are a highly motivated self-managing team, so it is a very light touch. I think I spend half a day a week on Sport, no more than that, partly because we have got very good people. But, as I say, it is the nature of the business it is up and running and going. All we have done with the budget is take out the actual costs of outdoor education and disability play and move those across and then just transfer the entire rest of the budget to E.D.D. We have also been in consultation over the last 6 months or so where any savings would fall to make sure that we are not cutting budgets before we send them over but we have had some interesting discussions about that.

Deputy S.M. Brée:

Yes, I mean, one question that I obviously think would be more interesting to learn about is, as a result of the transfer of Sport and Culture to E.D.D., will there be any job losses?

Director of Education, Sport and Culture:

No, not as part of the transfer, so the existing services will get moved across. In 6 months or so when we start looking at the next round of savings, then E.D.D. may make some decisions but there are no job losses in terms of transferring from us to them.

Deputy S.M. Brée:

Okay. So that really once the transfer ... provided it is obviously agreed to by the States Assembly then E.D.D. will be looking at 6 months' time, budgets, et cetera.

Director of Education, Sport and Culture:

As would we all.

The Minister for Education, Sport and Culture:

As with any department.

Deputy S.M. Brée:

So as far as Education, Sport and Culture are concerned, once the transfer has taken place then it is not your problem, so to speak.

Director of Education, Sport and Culture:

Yes.

The Minister for Education, Sport and Culture:

You said that.

Deputy S.M. Brée:

Okay, anything else on that area, gentlemen? No? I think we have quite hammered that out. So, Mike, do you want to ...?

The Connétable of St. Ouen:

Yes, this is to the Minister. Has the department consulted with any third parties about those changes and, if so, have you had any results?

The Minister for Education, Sport and Culture:

No, we have not consulted them. In certain areas where we have ... I am not sure what you mean by "third parties".

The Connétable of St. Ouen:

Well getting some advice from outside for what is being proposed and what you are doing.

The Minister for Education, Sport and Culture:

Certainly in terms of the Sport. I mean, when the proposal came through for an independent body and everything like that we have been in constant discussion with them. Unfortunately, the Assistant Minister has left now so I cannot pass to him that particular question. But I do not think there have been any external bodies that have been dealt with apart from the ones that have been involved in those particulars areas, whether it is Sport or Culture.

Deputy S.M. Brée:

Yes. In your response, Minister, or your department's response, to that particular question, you stated: "Third parties have been informed of the proposed changes but full consultation has not taken place." I think the areas we are trying to really look at there, when you talk about third parties, who? Who are the third parties?

The Minister for Education, Sport and Culture:

Well, like I said, I would think third parties in particular would be Sport or anybody associated with Sport. There was consultation done prior to this when we did the Fit for Future consultation, talking to the various people who would receive grants in one form or another. I was just mentioning when you were out of the room; the question was: have we consulted third parties in this relationship and I said in Sport, in particular, you had spoken to the various bodies that align themselves behind Sport.

Deputy S.M. Brée:

Okay, and you also said in your response, or your department stated: "Full consultation has not taken place." It does beg the question: has any consultation taken place?

Assistant Minister for Education, Sport and Culture:

From my point of view clearly I get around a lot of the sports clubs and associations. I have been to Advisory Council meetings in terms of the grants and grant funding. I have been to the Sports Council in regards to overall ... I mean, they champion sport in a large degree; One Foundation, who are an independent funder of Sport and Culture. As we have been having these meetings, obviously the potential E.D.D. transfers come up. So, it is not consultation as such but certainly it has always been a topic of conversation and some very interesting comments have been made around what potential benefits could be and some of the issues that the changes could pose. But I think the discussions have been generally pretty positive.

Deputy S.M. Brée:

So no formal consultation process has taken place, is that correct?

Assistant Minister for Education, Sport and Culture:

Not formal, no.

Deputy S.M. Brée:

Why not?

The Minister for Education, Sport and Culture:

I think really from our perspective this is a political transfer of departments and it was seen, whether it was Sport or Culture, most of it would continue in the way that it always would do. It was just, to some extent, a change of perspective and then a change in department.

Deputy S.M. Brée:

So, just to pick you up on that comment, Minister.

The Minister for Education, Sport and Culture:

Yes.

Deputy S.M. Brée:

You say this was a political transfer; therefore, effectively no formal consultation needed to have taken place, is that correct?

The Minister for Education, Sport and Culture:

Not formal. I mean, I think discussions were had politically before the transfers were decided and then it is our role as Ministers to make sure that those transfers work as effectively as they can do.

Deputy S.M. Brée:

So this is a politically-driven decision as opposed to what benefits the public of the Island the best?

The Minister for Education, Sport and Culture:

I think it would be a combination of both of those things. A political decision is sometimes decided on that basis, so I think there has to be ... when you make a political decision you have to then weigh up the pros and cons of what you are embarking on in the first place. So, it is not a kind of a binary thing where you say we are doing one thing or another, the 2 would be combined.

Deputy J.M. Maçon:

But there is ...

Deputy S.M. Brée:

No, please. Sorry, I am surprised, that is all. Go on.

Deputy J.M. Maçon:

Yes, it is just you commented previously that with regard to third parties some of the clubs and associations kind of expressed concerns about the transfer of functions, what impact it would have on them. I wondered if you could just explain to us what concerns they raised and how many clubs and associations came forward. Because I do notice there is quite a long list of grants that the department gives out to various clubs and associations.

Assistant Minister for Education, Sport and Culture:

Can I say, when I say "concerns", it concerns very much in the same vein that you have been coming up with today as what the benefits will be, why, and issues like that and who made the decisions and things like that. The same questions that you are asking today and we have tried to explain the rationale behind what we are trying to do to all those clubs and associations and groups and individuals that have come forward to the department, and that includes staff. We have had good discussions with staff about the synergies of changing. It is a discussion that has gone on almost from day one. But there have not been formal consultations; they have been more around trying to allay people's concerns, issues and questions. There have been an awful lot of questions from staff, for example, and I think it has been a very good process of informing staff almost from day one where the Operations Manager up at the Fort has had Q. and A.s (questions

and answers) with staff, provided them with updates, regular updates, about how things are progressing or not progressing in terms of transfer functions and we have tried to allay any of the fears that they have. I think it is only right that the staff were at the forefront of this. They are the ones that deliver the service and it is only right that they are kept informed and abreast of what was going on.

Deputy S.M. Brée:

You mentioned the staff there: has any formal consultation taken place with staff?

Assistant Minister for Education, Sport and Culture:

Yes.

Deputy S.M. Brée:

Can you provide us with evidence of that?

Assistant Minister for Education, Sport and Culture:

Well, in regards to formal meetings where exactly the types of conversations we have had this morning have taken place but they were not minuted. They were very much a case of round-table discussions with interested members of staff. There was a set of Q. and A.s that were given to staff and we are quite happy to provide you with a copy of that; some of the issues that they have raised and some of the replies that we have given to that. There is certainly at least one document I know that is quite extensive. We got about 30 questions on it I think or 30 potential areas that wanted to be covered and I am quite happy to give you a copy of that, yes. But it is an internal document; we are quite happy to give you that.

Deputy J.M. Maçon:

Sorry, can I ask ...?

Deputy S.M. Brée:

No, please.

Deputy J.M. Maçon:

Again, looking at this issue of third parties, regarding the grants that are granted under leases, I am just wondering about how grants are awarded. Are they done on an annual basis from the department or do clubs and associations agree a 3-year rolling programme? How does it work?

Assistant Minister for Education, Sport and Culture:

No, it is year on year. Year on year, each club will put in a figure for off-Island travel. It will go to the Sports Advisory Council and they will make a decision on whether the grants are acceptable or not. That is done by the Advisory Council for Sport. That will be carrying on for this year because the independent body is not up and running yet but that is a function that is carried out by the Advisory Council.

The Minister for Education, Sport and Culture:

I think that highlights the sort of anomalies sometimes you find within departments. Certainly when I came in as Assistant Minister to find that Sport operated in that way, so the Minister for Education, Sport and Culture making a decision on something that he is, to some extent, far removed from did not make sense, which is the reason the capitalists were considering an independent body in the way in which the monies were paid out.

The Connétable of St. Ouen:

So does that list change from year to year?

Assistant Minister for Education, Sport and Culture:

It will change, yes.

The Connétable of St. Ouen:

Yes, so those people do not always get grants and people are added to try and get more?

Assistant Minister for Education, Sport and Culture:

Or some get more some years, some get less. Depends on what trips they have got planned for that year or where there is a particular championship, a European championship, something like that coming up, so it will change year on year.

The Connétable of St. Ouen:

Do the names change? The clubs come on, some come off?

Assistant Minister for Education, Sport and Culture:

Some come on, some come off, yes.

The Minister for Education, Sport and Culture:

That highlights the difficulty you have got. What would a Minister for Education, Sport and Culture be doing sitting there making those kinds of decisions when in fact he is so far removed from it he needs to be focused on Education? So that was when the strategy began to formulate itself.

Deputy J.M. Maçon:

Would you agree that for some of these clubs these grants are a lifeline for their associations and their activities?

Assistant Minister for Education, Sport and Culture:

Yes.

Deputy J.M. Maçon:

Therefore, when the transfer goes to E.D.D., how is this grant body, the budget for it, going to be protected and assured for the year-end board?

Assistant Minister for Education, Sport and Culture:

Well I can answer that. In terms of the new body they will, like any arm's-length government organisation that is grant funded, they are putting a business case together in terms of what funding they require for the following year. That will be in close collaboration with whoever the Assistant Minister or Minister is that is in charge of that particular department. At the current time, Sport, it will be with myself. That is something we have got to have ... obviously we have got funding for 2016 but we have not got any funding as yet for 2017, 2018 and 2019, so I will have to sit down at some stage during this year to discuss with whoever the new him or her who is going to be the chair of the independent board and discuss what funding requirements they may have for the following year. I will probably have to have a fair bit of input in the first year until they have got some background knowledge as to what funding they are going to require. But that is how it will work; it will work on a business-case scenario.

The Minister for Education, Sport and Culture:

That highlights the fact that it was not protected previously so we have to protect it because of the transfer.

Deputy J.M. Maçon:

This relates back to what we were talking initially about the change of focus.

The Minister for Education, Sport and Culture:

Yes.

Deputy J.M. Maçon:

So we are going to find ourselves in the situation where once the budget is transferred, it goes to E.D.D. and all of a sudden there is a rather nice marketing campaign which we prefer to use

somewhere else in tourism; therefore, why are we going to cut this budget? How is that going to be protected?

[10:00]

Assistant Minister for Education, Sport and Culture:

Well the first thing is ...

Deputy J.M. Maçon:

Apart from political oversight?

Assistant Minister for Education, Sport and Culture:

Well there will be political oversight from the Minister or Assistant Minister and there will be political oversight from the States Assembly themselves. I am sure if E.D.D. cut the Sport's funding by half to use it in a marketing campaign for tourism, I can guarantee you some people will be jumping up and down in the States Assembly within a matter of days and the Minister would have to justify that. The Minister for Economic Development would have to justify that decision. The onus lies with us as States Members.

Deputy S.M. Brée:

Okay, can I just ask a question here, please? We have moved now on to an area but we may as well continue with it.

Deputy J.M. Maçon:

Sorry, I beg your pardon.

Deputy S.M. Brée:

No, we are discussing the subject of grants. You talk about an arm's-length independent body, Assistant Minister?

Assistant Minister for Education, Sport and Culture:

Yes.

Deputy S.M. Brée:

This is something that can only be set up under Economic Development as opposed to what is currently ...

Assistant Minister for Education, Sport and Culture:

No, could I just be clear? The independent body for Sport will be set up as a result of the consultation and the Fit for Future strategy. That is separate to transfer of functions. But the actual setting up ...

Deputy S.M. Brée:

Well, no, I am afraid I disagree with you there.

Assistant Minister for Education, Sport and Culture:

Sorry, well I disagree.

Deputy S.M. Brée:

The grant system currently sitting within the budget of Education, Sport and Culture is a vital lifeline to sports clubs and organisations in the Island.

Assistant Minister for Education, Sport and Culture:

Yes.

Deputy S.M. Brée:

This is very relevant to the transfer of functions because that budget will be transferred, or that responsibility, if there be one, will be transferred to Economic Development. What we are looking at in this particular hearing is the Minister for Education, Sport and Culture's responsibility to maintaining or looking after sports clubs and organisations, i.e., a social responsibility that you currently have. For example, 2014 the amount of money awarded to various organisations, just all of it, in grants was £13,800,000.

Assistant Minister for Education, Sport and Culture:

Sorry, sports clubs and associations?

Deputy S.M. Brée:

To various organisations including sports clubs and associations.

Deputy J.M. Maçon:

It includes the culture side of it as well.

Deputy S.M. Brée:

It includes the culture side of it, so we are looking at the way in which the current Minister is responsible, has a social responsibility if you like, to looking after these areas. Taking various things out of that obviously reduces the total amount, but there are a large number of clubs and

societies in there that depend on grants currently coming from your department, Minister. How are you, Minister, going to ensure that that Government support of local sports clubs and associations continues or are you effectively going: "It has nothing to do with me anymore"?

The Minister for Education, Sport and Culture:

No, you raise a relevant point, but the point I was making earlier that the ... in fact, the Assistant Minister has articulated it very well. Those clubs and societies that were asking for grants would have to create a business case and on the basis of that business case in a sense were appealing to us for their grants. We would have to make a decision. That still exists when it moves across to E.D.D. They will still have to do it. You just have a different perspective from 2 different Ministers. We are not washing our hands of this situation. We will still have the opportunity to talk between ourselves as Ministers as to how they see the relevance, but the actual responsibility would transfer across to E.D.D., you are quite right. The various bodies would still have to make business cases.

Deputy S.M. Brée:

We are fully aware of the fact that each body when it is looking for a grant needs to put in an application. To support that application there are obviously business cases or ... I do not like to use the words "business cases"; that is slightly incorrect. The case for continuing the grant, because there may be instances whereby they are providing a very important role in the sport and education of people in the Island, so it is not a business case per se. No, we were just concerned that obviously it is a huge budget. Take out some of the areas ... how can you, Minister, who is currently responsible for providing this level of funding to these local organisations and sports clubs, provide assurances to States Members that support in this area will continue?

Assistant Minister for Education, Sport and Culture:

I need to answer that because, again, I think when you talk about £13 million worth of funding Deputy Maçon is quite right, it covers a vast range of grants. Grant funding to sports clubs for off-Island travel - and that is all that is, is grant funding for off-Island travel - is within the allocated funds of £750,000 ...

Deputy S.M. Brée:

I hesitate to correct you ...

Assistant Minister for Education, Sport and Culture:

Can I just explain? There are ...

Deputy S.M. Brée:

This is not about off-Island funding. This is about smaller organisations who have facilities on the Island that require grants to continue the sports clubs. I am not talking about sports development, off-Island funding ...

Assistant Minister for Education, Sport and Culture:

Could you please give us some example of that?

Deputy S.M. Brée:

I am aware that this is a sensitive document and obviously this is a public hearing of which records will go public, but there are a number of clubs in here.

Assistant Minister for Education, Sport and Culture:

Well, if any clubs have been given money it is not a secret document. You should be able to tell us what it is because it should be in ... it should be financially accountable within States budgets. If it is money coming from the States it should be within States accounts.

Deputy J.M. Maçon:

It is your spreadsheet.

Deputy S.M. Brée:

Yes.

Deputy J.M. Maçon:

So if you want to talk about it you are more than free to.

The Minister for Education, Sport and Culture:

I can understand your hesitancy but I think there are a couple of things that just need to be said before we launch into stating who gets what where. I just want to make sure that we are not conflating 2 things, which is the normal grants that would be given to various culture departments or various areas within culture, and the sort of things you are talking about where you are down in the weeds with regard to small amounts given to grants for sports facilities for one reason or another. What I would say is, in answer to your more general question with regard to giving assurances to the Assembly, both of us act as Ministers, take that responsibility very seriously, and I believe one of the beauties of this Island is the close proximity to everybody and so everybody gets to see as much as possible through this. What I am wary about is creating a preservation of something that did not exist in the first state or the second state. So, in other words, again going back to the point I make about the small bodies, if they came to us and they say ... let us, for instance, say it is the budgie club, I do not know, it could be the budgie club, and

they came to us and they make a business case for that amount of money in that situation in that environment, we would have to make a decision on that. That concept transfers across to E.D.D. They equally would have to do the same, so again the budgie club would have to come forward with a business case and if it was considered to be viable then it would be granted, I am quite sure.

Deputy S.M. Brée:

But am I correct in saying - and again, Assistant Minister, please correct me if I get this wrong - that when it transfers to E.D.D. the decision-making process of who gets awarded a grant for whatever reason is going to be moved to an arm's length independent body?

Assistant Minister for Education, Sport and Culture:

It will be. The grant funds in terms of what is given, which is currently given through the Advisory Council, that function will be transferred to the independent sports body. So they will be coming to us saying: "We need X amount of money to run sport," which would include sports development, which would also include off-Island grants. This year the total budget for sports development is £1.5 million. That includes ... half of which is an extra sum that was put into the ... it was a growth bid in 2014, if I am correct, of £750,000. Half of that is a growth-funded bid which was not funded this year that I had to fight very hard for to ensure that it was funded for 2016. Most of the sports grants, and I am going to go back to the off-Island bit because it is the only bit that ...

Deputy S.M. Brée:

Yes, certainly.

Assistant Minister for Education, Sport and Culture:

... was within that, so if we had not have got that, then the vast majority of funding for off-Island sport would have gone out of the window. There would have been, I think, less than £60,000 or £70,000 for off-Island travel. At the moment there is £200,000 within that for off-Island travel. That would have gone if that growth bid had not gone forward. That is another thing which I hope you will be supportive of when it comes around to the M.T.F.P. 2 (Medium Term Financial Plan 2).

Deputy S.M. Brée:

When we have a public hearing later on today with the Minister for Economic Development that is certainly an area that we are going to discuss. As I said, this morning really is to talk more about the impact on the Education, Sport and Culture Department.

The Minister for Education, Sport and Culture:

Sorry, can I ask my Director ...?

Director of Education, Sport and Culture:

Just to clarify a point, the independent body to which you refer, that is not ... just as a point of clarification, that is not as a result ... that has not been put together as a result of the transfer. That independent body is as a result of the consultation which took place a few years ago, so if the transfer does not happen that independent body will be set up anyway. So that was already in play. I would not want the panel to think that that independent body is as a result of the transfer. It is not.

Deputy S.M. Brée:

No, no, no, we are not ... sorry, do you want ...?

The Deputy of St. Mary:

Well, just going back to the earlier question that I wanted to raise, which has been overtaken to a certain extent, in response to one of the written questions made by the panel you admit or acknowledge that there is a perception that E.D.T.S. and C. (Economic Development, Tourism, Sport and Culture) is a more commercial organisation with less concern for the social responsibilities to schools and young people.

The Minister for Education, Sport and Culture:

Which numbered question are we talking about?

Deputy J.M. Maçon:

Six.

The Minister for Education, Sport and Culture:

Six?

The Deputy of St. Mary:

Sorry, yes. So, that is acknowledged that there is a public perception that Economic Affairs will be less responsive to social responsibilities. That really is the basic point in a way. You go on to mitigate these concerns. The Assistant Minister with responsibility for Sport will remain a member of the ministerial team in Education and the M.O.U. already agreed. Two things, really. One is am I right in thinking that the original idea was not ... well, was it always intended that the Assistant Minister for Economic Affairs would remain as Assistant Minister for Education? My understanding originally was that once the function went through you would transfer and you would no longer have a foot in both camps.

Assistant Minister for Education, Sport and Culture:

I will let the Minister answer that.

The Minister for Education, Sport and Culture:

The decision to choose Constable Pallett as an Assistant Minister some time ago was made by myself and I thought he was a ... I think he has done a fantastic ...

The Deputy of St. Mary:

I am not challenging what ...

The Minister for Education, Sport and Culture:

No, I am just giving you context, really. The discussion has advanced itself in that there was a consideration at one point that Constable Pallett would move across with E.D.D. but I very much have been of the opinion that he should not do that. We have had that discussion and he is quite happy to stay and remain within the 2 camps.

The Deputy of St. Mary:

Yes, and fighting himself possibly on occasions. **[Laughter]**

The Minister for Education, Sport and Culture:

Well, I think through the process, because it was ... I do not want to speak for him, he can speak for himself in a second, but I think Constable Pallett has particularly grown within the Education Department. He has fulfilled other roles in relation to not just being a sports champion but has dealt with appeals and various other aspects of the functions of an Assistant Minister for Education, Sport and Culture brilliantly, so I am more than happy for him to remain.

The Deputy of St. Mary:

Yes, that is not in question. Sorry, the second point of that reply is this: an M.O.U. will be agreed to protect terms that schools currently enjoy. What I am really saying is that we have referred to an M.O.U. already but that M.O.U. should surely go beyond that and look at the social responsibilities to clubs, et cetera. Is that intended or does the draft recognise that? Because there is this perception that Education will protect schools and community services and it is not perceived that Economic Affairs will, so I maintain that something needs to be stronger to make sure that is embodied.

The Minister for Education, Sport and Culture:

Yes, I think it is a really good question because one of the things you said right at the outset, and it is good to identify this, is it is a perception. It does not mean it is actually true. I think Deputy Brée

said that, you know, do I accept the responsibility for the outcomes of carrying on the social aspect of all of this, and I think, yes, we do. I think, once again, this is a very tight community. We know exactly what is happening in everybody's camp so considerations are made not without long discussions and dynamic tensions within the Council of Ministers. We have discussed this in great detail. With regard to the M.O.U. I am not sure ...

The Deputy of St. Mary:

That is the point. I am saying that the M.O.U. should go beyond just schools. It should accept social responsibilities.

Director of Education, Sport and Culture:

It does not, no. The M.O.U. is simply heads raised very recently, a matter of a few weeks ago, concerns over access to facilities and the maintenance of those facilities. They were very concerned about it, so the M.O.U. is simply there to reassure them that they will have access and the facilities will be maintained while the detailed service level agreements on all of the facilities continue to be developed. So it does not cover the ground you are suggesting.

The Deputy of St. Mary:

Can it do? Is there any reason why it should not? We used this in another domain.

The Minister for Education, Sport and Culture:

Well, again, your help on this ... because we have already agreed that you could make comments on the M.O.U. Why not make that part of what you are doing?

The Deputy of St. Mary:

Okay, we will leave it at that then.

[10:15]

Director of Education, Sport and Culture:

It is there for a specific function to deal with a particular concern of 5 head teachers and their governing bodies. It is not there to deal with the broad transfer, simply to deal with that.

The Deputy of St. Mary:

Yes. I do not want to take it too far, but leading on from what the chairman said earlier, once the independent sports body is set up ... and I accept fully that the transfer of functions is not linked, but at the end of the day what is transferred to Economic Affairs will ultimately come under the umbrella of the Sports Council so there needs to be a follow through in anticipation of that, surely.

Assistant Minister for Education, Sport and Culture:

Jersey Sport, not Sports Council, nothing to do with it.

The Deputy of St. Mary:

Sorry, no, my mistake.

Assistant Minister for Education, Sport and Culture:

You have to be careful making comments around Sports Council because the Sports Council again is a separate independent body.

The Deputy of St. Mary:

Yes, okay.

Assistant Minister for Education, Sport and Culture:

I just want to be careful. We do not want to start transferring things when they are not expecting it.

The Deputy of St. Mary:

No, you are absolutely right. I did not mean that, yes. Okay, all right. That was my bit.

Assistant Minister for Education, Sport and Culture:

There are too many bodies. I think that is the problem.

Deputy S.M. Brée:

I suppose the biggest concern that this panel has is when we are looking at the transfer of functions, what will go with it, we are finding it difficult understanding the rationale for transferring so many facilities, so many programmes, out of Education which are largely school-related functions, i.e. the importance of sport within the curriculum. One of the reasons we are having difficulty understanding the rationale and the basis for which it is being done is that there is no ... there apparently are no studies and no analysis or no business case has been done by anybody to support this move, i.e. nobody can provide to this panel evidence showing: "We have looked at it. Here is the study. Here is the consultation. This proves that it will be of benefit to the public of the Island of Jersey as a whole." That is really where I think our concerns are coming from is nothing ... again with the greatest of respect, nothing today, Minister, that you have been able to tell us changes our view that there does not appear to have been any work done. As you have said yourself, Minister, this is a political transfer. It has been driven mainly for political reasons. Then the benefits have been created to support the political change, the political will. So, really just to

take a step back from the detail and who will be looking after what, do you really feel, Minister, that this is the right thing to be doing for the children of this Island?

The Minister for Education, Sport and Culture:

Again, very good question. I think there is a perception about what happens here. In terms of the context and the delivery of what we are attempting to do, I do not think a great deal changes. The culture will carry on in the way that it always has, Jersey Heritage, Société and everything else. The sports body is changing to some degree, but what we are doing in terms of Education is ... my responsibility, and you are quite quick to remind me of it, is to make sure that the children of this Island are accommodated for and are taught to the best of their ... given the best opportunities for the best education they can expect, and parents likewise. I would say that in terms of what we have done here, I probably disagree with the comment you made about benefits being created. I think when you shift a perspective to some extent you do see opportunities that did not exist before. We will always carry on with what we have been doing in terms of education. What this notion of transfer for Sport and Culture has given us, as I said right from the outset, is an ability to just focus on what we are best at, which is education. The sport remains still tight within our curriculum. We have already illustrated that it does not change in that sort of context. Children will still be playing in our playing fields. Children will still be taking part in physical education. It is very much part of their remit. Culture we have made great strides of bringing in Jersey Heritage and the various bodies within culture to knit into our curriculum a greater ... and with due respect, this is mostly down to my new director, a greater flavour for the history of the Island and the politics of the Island, as Deputy Maçon would be quick to remind me. So we are advancing somewhat quicker than expected because of some of these transfers. We have taken some of the responsibility for looking at these things, which was again illustrated by the unnecessary, I felt, ability for us to have to make decisions about grants and one thing or another for sports. So the change will change very little in terms of the context of what the public see and what the children feel. Do I feel it is going to affect the children of this Island? Not to the extent where it is detrimental to them. I think it will enhance what they are going to see.

Assistant Minister for Education, Sport and Culture:

You used the word "opportunity". I think the Minister has quite eloquently spoken about the opportunities I think for developing and improving standards within schools in terms of academia. In terms of sport opportunities, I think in my mind undoubtedly this will provide better opportunities for youngsters to achieve in sport, to physically develop in a much better way by having a much more enhanced physical literacy programme within schools. So I think the opportunities for youngsters will get greater, not less, and that will only feed into the sports clubs and associations and hopefully on towards providing us with athletes that will compete at the highest level moving forward. So I think the opportunities will be greater, not less.

Deputy S.M. Brée:

I suppose, again going back to what we were saying, is the lack of work that has been carried out by your department, Minister, on providing evidence. I refer back to the M.O.U. I refer back to the service level agreements. This debate is happening on 15th December and I think there is a lot of concern and surprise that not more work has been done to provide documentary evidence to States Members as to why this is a good idea, as to what the benefits will be to ... I use schoolchildren because obviously to me sport is a very important part of our overall education. I think there are going to be criticisms levelled against you, Minister, and possibly other Ministers but you in particular, about what is apparently the lack of body of evidence to prove this is a good idea. How would you counter any criticism?

The Minister for Education, Sport and Culture:

I would accept that there has been a lack of body of evidence, to use your phrase, but I would say that in terms of where we see ourselves and what we are achieving at this point in time, going back to what I was saying earlier, it was important that we began to focus on ... you know, I am an Education Minister. The education of these children has been called into question several times over the last few years and so we have focused quite graphically on curriculum. Again, that involves sport. It does involve culture to a great degree. We are now focused on families more greatly, dealing with 1,001 Days and the Early Years, bringing that into our domain. We are focused on autonomy; that has given more responsibility to head teachers and teachers within their schools. I think raising standards is the key part of that. These areas that you are talking about both in sport and culture are predominantly embedded into our education system, but the responsibility of giving us the opportunity and the access to get on with raising standards in particular has given us the freedom and the time and the opportunity to put more focus on those things. So that in terms of your ... what would I be replying to the States body? That is what I will be saying when it comes to the Assembly. This has given us the chance, taking away some of those constraints and those ... time, more time, more autonomy to deal and focus solely on education.

Deputy S.M. Brée:

If I may ...

Assistant Minister for Education, Sport and Culture:

Sorry, can I just add to that?

Deputy S.M. Brée:

Yes.

Assistant Minister for Education, Sport and Culture:

Rather than analyse the benefits or work on reports on what the benefits will be, I can only talk about the sports side in terms of what I have seen happen over the last 9 or 10 months. From a children's side, which clearly you are very focused on and making sure that there is no detriment to young people, the Fit for Future strategy I think has been a ... I think has shown what we can do with young people and how we can develop young people. There were identified gaps within that and in the last 9 or 10 months what we have done, rather than do reports on it, we have worked on or we are working on and towards introducing a proper, comprehensive physical literacy programme. It is not a case of analysing it, reporting it, we have gone and done it. On the other side with sports clubs, there are a lot of sports clubs that want to grow. There are a lot of sports clubs that want to put events on. There are a lot of sports clubs that want to grow their number of participants. What we have done, I think, over the last 9 or 10 months is at E.D.D. supported them in terms of wanting to put their events on, wanting to assist them. Now, that will happen through ... and we will talk about this when we get to the E.D.D. panel about Events Jersey and what that can offer in terms of sports clubs and helping them to market. So there are lots of things going on. Rather than sitting in an office and working on the grand scheme of things it is to get on and do some stuff, and I think the last 10 months have been quite incredible the amount of work that has gone on in terms of helping sport develop and achieve and do the things that they want to do. Am I too positive? **[Laughter]**

Deputy S.M. Brée:

No, it is nice to hear Ministers and Assistant Ministers being positive. However, I would remind you, Assistant Minister, that this Scrutiny Panel is an evidence-based panel.

Assistant Minister for Education, Sport and Culture:

Absolutely.

Deputy S.M. Brée:

We have to do a report to the States Members based on our findings.

Assistant Minister for Education, Sport and Culture:

Well, I will send you the physical ...

Deputy S.M. Brée:

If you cannot provide us with any consultation documents, business studies, analysis on why the transfer of functions is going to be as wonderful as you state it is, then we have to report that back to States Members that no evidence was provided to support this move. I hope you understand

that. I am not attempting to undermine all the good work you are doing. However, saying something and proving it is very often 2 different things.

Assistant Minister for Education, Sport and Culture:

Well, I will send you the physical literacy programme that we are working on.

Deputy S.M. Brée:

One of the areas we have not touched on, and I would like to touch on, is the issue of culture because we have concentrated mainly on sport. At the moment, culture comes under your responsibility, Minister. There are concerns, obviously, I think, that the support or the nature of the support currently provided to Jersey Heritage and various other cultural organisations will change so that the emphasis is more commercial than cultural. Obviously, that is a concern among various people. How would you allay any fears that people may have?

The Minister for Education, Sport and Culture:

I am pleased you raised that. From my perspective as somebody that is deeply involved in culture - just Friday I opened up a small exhibition of photography at the Jersey Museum - I will in terms of my own personal perspective be still heavily involved in culture because it is a dialogue that I started some time ago, even previous to coming into politics, and I cannot see how you cut those ties so immediately. Equally, I have a very good dialogue with both the Assistant Minister, Deputy Norton, and the Minister, Senator Farnham, so the consideration is they come to me and say: "What is the work you have been doing previously with these guys? Will it continue?" My addressing that is equally to ask the same sort of question. So I think there is a public perception that this is more about an economic fact but I do not know that that is particularly true. The evidence has yet to be seen if that is true. Again, Deputy Norton and myself attended the gala event at the Opera House the other night, so we are both still heavily involved in dealing with culture. As I said and as the director has articulated as well, it is very much written into our curriculum that culture plays a massive part in the education of our schoolchildren.

Deputy S.M. Brée:

So are you intending to put in place an M.O.U. or service level agreement between the various educational institutions and the various cultural institutions to ensure that schoolchildren still have access?

Director of Education, Sport and Culture:

No, we do not feel the need for that. What we are producing instead that we were already producing before transfer is what we are rather grandly calling a cultural passport. So the idea is from next September all of our schoolchildren will be entitled to certain experiences, so, for

example, standing in a German bunker, visiting Elizabeth Castle. At the moment, those experiences are a little ad hoc. They can be of very high quality but it tends to depend on your particular teacher, personal contacts, where you are on the Island.

[10:30]

So we have rewritten our history and geography curriculum. We are currently rewriting I expect a 3-year programme and we are writing into that cultural experiences that children will engage in. We will be working very closely with Jersey Heritage on that. So, in a sense, it is our responsibility in the Education Department to say all of our year 4 children, for example, will experience standing at the top of Elizabeth Castle and having the recent history of the Island explained to them through those buildings. In fact, the recent history of the U.K. can be explained through those buildings. It is our responsibility to make sure that happens, so we will be writing that into the curriculum and making that an entitlement for all children from September 2017.

Deputy S.M. Brée:

So, Jersey Heritage obviously are a very important part of, if you like, the history, the local history and education of children?

Director of Education, Sport and Culture:

Yes.

Deputy S.M. Brée:

What consultation is being carried out with Jersey Heritage with regards to the proposed transfer to the Economic Development Department?

The Minister for Education, Sport and Culture:

Quite wide ranging, I suppose, really from the point of the initial decision being made because once again, as I say, it was my responsibility as Assistant Minister to get involved in cultural aspects of this Island and the Chief Officer, Rod McLoughlin, has played a hugely important role right the way through. He, like a lot of the public sector individuals, remains that constant golden thread all the way through these things. He has been very observant and we have met with Jersey Heritage. We have met with all the various bodies such as the Opera House, the Art Centre, the Arts Trust, and that dialogue to some degree, as I indicated before, will remain open because it is very much part of what we do within the educational system. So we have had long discussions between everybody to allay fears, to deal with those kind of perceptions you mentioned earlier regarding E.D.D.

Deputy S.M. Brée:

So at the moment from the submission that your department has made, the budget for culture comprises operating grants to Jersey Heritage, for example, of £2.4 million. Are you entirely satisfied that that level of support in the form of grants will continue to Jersey Heritage post transfer, should the transfer be approved?

The Minister for Education, Sport and Culture:

Post transfer I could not say what the Minister for Economic Development would be making in terms of his role and responsibility. At this moment in time I am confident that all of the arguments in relation to the way in which the grants are paid to Jersey Heritage and the various other bodies will remain fairly consistent. I cannot see why they would want to change it at this point in time, but I could not put into the Minister for Economic Development words that confine him in making his decisions. It is entirely up to him what he decides.

Deputy S.M. Brée:

Sorry, do you want to ...?

Deputy J.M. Maçon:

No, it was only the question on the culture side of it. Given that this department effectively works with one officer, have any of the cultural organisations expressed a concern with this transfer?

The Minister for Education, Sport and Culture:

Yes, and I think you have received a letter from Professor Ed Sallis giving some of his concerns as well. I think everybody when they see something like this being transferred has concerns about what ... you know, as you have already articulated, will considerations that were given before be given in the future, and to some extent we have had those discussions. As far as I am concerned, I am quite happy with what has been mooted in our discussion. Post that situation I would not know what would happen because it would be entirely up to the Minister for Economic Development to make those considerations.

Deputy S.M. Brée:

But again, no analysis has been done that you have agreed to looking forward for culture, so as far as ... I am not wishing to appear rude or blunt, but as far as you are concerned once the transfers have taken place, provided they are agreed to by the States Assembly, that is it, you wash your hands of that area?

The Minister for Education, Sport and Culture:

That is your choice of words. I do not wash my hands of it. As I have already indicated, I have a deep reach in terms of the dialogues I already have with these bodies and I am quite sure ... these bodies are well-seasoned concepts and have had very dynamic dialogues with myself as a Minister in terms of their funding for one reason or another. I think that would continue. I think this is the reason we pick these independent leaders such as Professor Sallis to argue their cases for one reason or another. As I say, I think it is important that we ... in terms of my mind the culture is deeply embedded in our curriculum. It is deeply embedded in the way our children are taught. I think it will continue to do so. E.D.D. has a slightly different perspective in terms of what they are doing, but I do not think that will prevail in a way that is so negative in the way that you indicate.

Deputy S.M. Brée:

Well, no, I was merely raising the point that if culture, as you stated, giving passes to year 4 children to experience a lot of things that Jersey Heritage look after, for example, then surely there is a responsibility on behalf of the Minister for Education, Sport and Culture to ensure that the facilities provided by Jersey Heritage are maintained because they do form a part of our curriculum?

The Minister for Education, Sport and Culture:

I think that is a given. In terms of where it affects our curriculum, rather like we have done with the sports, I think there has been an undertaking from ... maybe the Assistant Minister for Economic Development could amplify these things.

Deputy S.M. Brée:

Well, at the moment, if we can concentrate on Education, Sport and Culture, we are having E.D.D. in later.

The Minister for Education, Sport and Culture:

But again the Assistant Minister has that dual role so he can amplify what ...

Deputy S.M. Brée:

So the intention is for Connétable Pallett to remain as Assistant Minister for Education?

The Minister for Education, Sport and Culture:

In both, yes.

Assistant Minister for Education, Sport and Culture:

Yes. I think the discussions crossed paths. The Minister asked whether I wanted to stay and I think what I have stated at the last ministerial meeting was I felt it was appropriate that not only

now but in future there is a link between the 2. There should be either a Minister or an individual that has a foot in both camps that can ensure that the best interests of the schools are looked after.

Deputy S.M. Brée:

Okay. Any other questions or areas that people want to pick up on because I think we are getting close to time to wrap up?

The Deputy of St. Mary:

Yes, a minor one. Going back to sport in schools, is the intention to ... well, there are concerns by the schoolteacher fraternity that local associations might take a greater responsibility for sport in school. Is that intended?

Assistant Minister for Education, Sport and Culture:

Sorry, when you say ... you said by associations?

The Deputy of St. Mary:

Well, for instance, at the moment up to age 11 or whatever, schools will organise their football matches or whatever. If the intention is to have a greater throughput or linking between schools and associations, there is a concern that that might be taken out of schools' hands. But I take it, what, your reaction is that there is no such intention?

The Minister for Education, Sport and Culture:

No, not that I am aware, no. In fact, quite the reverse. Schools have always had a high input in terms of their sport. This is a sporting Island to a great extent and those associations and those links with those associations, as it were, have been always fairly strong and quite well articulated. I do not think ... there is no impression ... this is partly the reason to keep the Assistant Minister in the way that we have. I do not see that at all.

Deputy S.M. Brée:

Mike, any other areas? Jeremy, is there any particular ...?

Deputy J.M. Maçon:

Just one, it is quite a minor one and it might be the answer is service level agreements for other bodies, but things like entrance fees to Jersey Heritage and all those types of things, are they mopped up in the service level agreement between Education and Jersey Heritage? How are they dealt with?

The Minister for Education, Sport and Culture:

In the context of what, you mean after the transfer?

Deputy J.M. Maçon:

Because we do not want to find ourselves in a situation whereby the schools want to go into a heritage site but then they find that the entrance fee is whacked up, so I am just trying to understand how that is decided and what the level is.

The Minister for Education, Sport and Culture:

I think the Director has already indicated one of the reasons for creating this passport, which was his idea, was to make sure that there was greater attendance for high school children into particular areas. I do not see anything being hiked up at this point in time.

Director of Education, Sport and Culture:

My experience of working with Jersey Heritage and the Société and all the other organisations on the Island is that they ... once you get past their enthusiasm and knowledge, exhausting conversations as you can imagine because they are so keen, there is just a thirst to get young people into these facilities and to have them experience these facilities. So I cannot think of any of the heritage organisations on the Island that would try and put any barriers in the way. They have to recoup their costs. But there is probably an issue for us at the centre if we are going to have all of our children experience certain things at certain points in the curriculum. There will be some additional funding needed and so if we need to we will have to put some additional money into the school budgets or take it from somewhere else to make that happen. We want our children not to just learn about the Island's history and its culture but through it, so that is more time consuming. If you want to just teach children the facts about Elizabeth Castle or Mont Orgueil you could do that quite quickly and they can go away and do pictures. If you want them to learn through it they need to be in those facilities for a long period of time and have certain different experiences, discuss all sorts of moral issues and go into that at length. So I do not see a problem with that and if funding is an issue we will make a cut somewhere else to move funding across. It is crucially important to the children, particularly children who are new to the Island, to understand the culture here.

Deputy J.M. Maçon:

Yes, I take those points and absolutely agree with them, but the question I asked was: how is the funding, the cost that Education and the schools have to pay to Jersey Heritage, how is that decided? Is it through a service level agreement with Jersey Heritage? How is that done?

Director of Education, Sport and Culture:

There are agreements between at the moment Education and Jersey Heritage and those agreements will shift to E.D.D. So they will start with the same agreements but then they will be ... when they are up for review it will be E.D.D. that will carry out those reviews.

Deputy S.M. Brée:

Okay. All right. I think that has covered most of the areas that we wanted to discuss this morning. Thank you, gentlemen, Minister, very much for your time.

The Minister for Education, Sport and Culture:

Thank you.

Deputy S.M. Brée:

We will draw the hearing to a close now. Thank you.

[10:41]