



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Wednesday, 27th September 2017

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Present:

Sir Richard J. Collas, Kt, Bailiff and Presiding Officer

Law Officers

R. M. Titterington, Q.C. (H.M. Comptroller)

People's Deputies

St Peter Port South

Deputies P. T. R. Ferbrache, J. Kuttelwascher, D. A. Tindall,
B. L. Brehaut, R. H. Tooley

St Peter Port North

Deputies, J. A. B. Gollop, C. N. K. Parkinson, L. C. Queripel, M. K. Le Clerc,
M. P. Leadbeater, J. I. Mooney

St Sampson

Deputies L. S. Trott, P. R. Le Pelley, J. S. Merrett, G. A. St Pier,
T. J. Stephens, C. P. Meerveld

The Vale

Deputies M. J. Fallaize, N. R. Inder, M. M. Lowe, L. B. Queripel,
J. C. S. F. Smithies, S. T. Hansmann Rouxel

The Castel

Deputies R Graham L.V.O, M. B. E, C. J. Green,
B. J. E. Paint, M. H. Dorey

The West

Deputies A. H. Brouard, A. C. Dudley-Owen, E. A. Yerby,
D. de G. de Lisle, S. L. Langlois

The South-East

Deputies H. J. R. Soulsby, H. L. de Sausmarez, P. J. Roffey,
R. G. Prow, V. S. Oliver

Representatives of the Island of Alderney

Alderney Representatives L. E. Jean and S. D. G. McKinley, O. B. E.

The Clerk to the States of Deliberation

S. M. D. Ross, Esq. (H.M. Deputy Greffier)

Absent at the Evocation

Miss M. M. E. Pullum, Q.C. (H.M. Procureur),
Deputy J. P. Le Tocq (*absent de l'île*)

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States of Deliberation

*The States met at 9.30 a.m. in the presence of
His Excellency Vice-Admiral Sir Ian Corder, K.B.E., C.B.
Lieutenant-Governor and Commander-in-Chief of the Bailiwick of Guernsey*

[THE BAILIFF *in the Chair*]

PRAYERS

The Deputy Greffier

EVOCATION

CONVOCATION

The Deputy Greffier: Billet d'État XVIII of 2017. To the Members of the States of the Island of Guernsey, I hereby give notice that a meeting of the States of Deliberation will be held at the Royal Court House on Wednesday, 27th September 2017 at 9.30 a.m. to consider the Items listed
5 in this Billet d'État which have been submitted for debate.

STATEMENTS

Committee for Economic Development – General update – Statement by the President

The Bailiff: Members of the States, good morning to you.

I have had a request that Members be permitted to remove their jackets if they wish to do so, and you may.

We start the business with a Statement by the President of the Committee for Economic
10 Development.

Deputy Ferbrache: Thank you very much, sir.

Because of our so important Rules and time limits I will canter through this as quickly as I can.

I am very grateful for the opportunity to make a Statement on behalf of the whole of the
15 Committee for Economic Development and all I can do in the time permitted is to give an outline of the workstreams we have progressed.

It is the intention of the Committee to bring back a report to the States in December of this year, which will deal with our view of economic development. We believe it will be bold and ambitious, and it will clearly set out an economic path that we hope will ensure that Guernsey
20 continues to thrive.

But of course, we have got to deal with other matters first and I will provide an update of the main areas of the Committee's focus, beginning with a review of the air and sea links. We regard strategic links – and I say in the written Statement 'to the Island' but I mean to the Bailiwick – as

25 one of the highest priority issues that we currently face and it is at the forefront of the
Committee's endeavours. We are particularly concerned to find a long-term solution for both
freight and passenger services. The present uncertainty is not satisfactory in certain respects and
we cannot, at the moment, recommend the signing of any long-term contract with the current
operator.

30 We must ensure that our policy decisions are based on robust information. In liaison with P&R
and in accordance with the States' Resolution in June, we have prepared terms of reference for a
study into the Island's – and that should be Bailiwick again – sea links and air links so that we can
bring proposals to the States in March or April next year.

35 That does not mean we are all simply awaiting that advice. We are taking active steps, in
consultation with Jersey, to set up a passenger-only inter-Island ferry service for next year. The
current intention is for it to run during spring and summer, and we are seeking expressions of
interest from a number of carriers. If it is successful in year one – and that will depend on the
public – we would look to ensure that this continues to run for a sustained period.

40 The delay in the finalisation of the Aurigny review does not mean there will be any delay on
our part in addressing strategic air links. What happens to Aurigny in terms of its eventual role
and size is relevant, as are wider issues within our mandate. But while the interests of Aurigny as
an airline are undoubtedly important, they cannot be, and are not, the beginning and the end of
our considerations. We want to encourage as many providers and carriers as we can to service the
Bailiwick. That may require a radical approach as stagnation and decline, managed or otherwise, is
not acceptable.

45 Re: Air Transport Licensing, we are in the process of drafting a policy letter that we hope will
be back before the States this year. It includes, but by no means is limited to, the policy that we
think should be adopted for London Gatwick.

50 We have regular engagement with Aurigny, Flybe and Blue Islands to ensure that we are
making the most of our existing routes. We also have constructive dialogue with a number of
carriers who do not currently serve the Bailiwick and we are open to discussions with any of them
and anybody else in respect of any current or new route. Part of our work involves the active
investigation of options for other providers that may have an interest in the London City route
after Aurigny ceases its service next month. However, that may well not happen immediately.

55 The Committee also is working with its European Charter partners to try to help secure the
Rotterdam and Dusseldorf Charters for next year.

Tourism has always been very important to the Bailiwick, not just in terms of its contribution to
the GDP, but also its ability to show off these remarkable Islands to the world. The Committee is
continuing its work on revising the Tourism Strategy. It will set the direction for the industry at a
critical stage in its economic cycle. A number of workshops have already been held. There have
60 been meetings with the Tourism Sub-Group and they have confirmed their top 10 priority areas.
We will continue to work with that group, and indeed the wider industry.

65 Quarter 2 of this year saw an overall increase in departing visitors of 4.7%, excluding cruise
passengers and visiting yachtsmen. The statistics appear in my written Statement – all of which
States' Members have had. This shows an increase of visitors staying in commercial
accommodation – that is hotels and the like – of 5.1% and bed nights have increased by 16,900,
which is a healthy 7.3%. Departing visitors by air was fairly static, with just a 0.8% increase over the
previous year. Departing visitors by sea increased by 11%.

70 I am sure everybody here has heard of the globally successful book 'The Guernsey Literary and
Potato Peel Society' and it is being turned into a film. This is a once in a generation chance to
shine the spotlight on Guernsey. We recognise this and we are going to help Guernsey capitalise
on the opportunities presented by the film's release. We have had detailed marketing and activity
proposals discussions – the jargon is not mine – with Studio Canal, who are the financiers,
producers and distributors of the film. A Guernsey steering group has been created and a definite
release date has not yet been confirmed. They have told us they think it is likely to be April of next
75 year, but as soon as it is confirmed, the Committee for Economic Development, with the

Committee for Education, Sport & Culture and other stakeholders will finish the marketing and other matters necessary to try to maximise the opportunity. I emphasise again, it is a remarkable opportunity for the Bailiwick and we had constructive discussions with P&R over funding.

80 You will recall that the States approved a joint policy letter submitted by the Committee for Economic Development and P&R was passed earlier this year in relation to the Register of Beneficial Ownership and it showed that the States can move, on occasions, *expresso presso*. It received Royal Assent in July. The Registry was opened and went live on 15th August. It has been a significant collaborative effort between Government, the regulator, law enforcement and industry, so it was nearly on time and it was certainly on budget; £300,000 was the cost.

85 Another important element to our credibility as a financial services centre is the Channel Islands Financial Services Ombudsman. Its report has been lodged. We are working with the Ombudsman on new proposals and a discussion paper has been released for industry feedback.

90 We are presenting to the States today a policy letter in respect of the Guernsey Banking Deposit Scheme – and I will not say anymore because that is to seek to assist in the liquidity of the scheme.

In March of this year, the States approved the Committee's policy letter regarding the amendment and improvements to statutory provisions relating to the insolvency of Guernsey companies. Legislation is currently being drafted and the advice of industry is also being sought.

95 A policy letter recommending changes to the legislation to the use of electronic images of cheques was approved by the States in May; that, again, is another item for formal approval before this States.

100 Brexit, of course, is not only on our agenda, it is on everybody's agenda. There have been ongoing discussions with the Treasury and the Department of International Trade in the UK. There have been regular meetings with the various bodies and a future relationship as part of the World Trade Organisation is being considered. That considers to be a massive part of the work of all major Committees.

105 The Committee has identified the digital sector as an important area for potential growth in the Island and recently published a Digital Sector Strategic Framework. That contains a series of action plans seeking to develop the Island's digital economy, and it focuses on connectivity, infrastructure, digital skills and e-government.

Many will recall the success of the inaugural convention last year, which was ably chaired by my colleague, advocate – I say advocate, perhaps she is – Deputy Dudley Owen. This year's convention will take place at St James on 15th November. It will showcase digital and fintech products available.

110 Of course, we also recognise the importance to the economy of the construction industry. Part of that work involves the preparation of a policy letter on land for industry, following the successful amendment in June by Deputy Laurie Queripel. In this policy letter we will set out our position on the States-owned land for, in the words of the amendment, 'industrial purposes'. Again, we are hoping to come back to the States before the end of this year.

115 We are also very keen to see the Harbour Action area progress and we are actively working with other States' bodies to ensure that this comes back in the shortest timeframe possible. If approved and when approved, it will give a significant opportunity to boost and to boast about the local construction industry.

120 As you know, the States this year introduced the new Population Management Regime. This Committee clearly has a very clear interest in ensuring that it works for all sectors of our economy. Therefore, we will actively participate in the review of the Law and its policies following the successful amendment by Deputies St Pier and Lowe. We believe certain aspects of the Law have worked satisfactorily, but we have concerns as to its suitability and effectiveness in other provisions. We will therefore be rigorously pursuing this in the coming months. We intend, as soon as States' procedures permit, to bring proposals to the States for the reform or repeal of certain parts of the Law.

125

130 We all say the Town of St Peter Port is said to be the Jewel in Guernsey's crown. The Committee has been working harmoniously with the Committee for the Environment & Infrastructure on various access issues, to help viability. This issue was identified in our engagement with the retail sector this year and both Committees recognise the need to do all that reasonably can be done to enhance the health of Town.

I mentioned at the beginning of my Statement our intention to come back to the States in December with our vision of the economy. The Committee has identified the need to provide clear and purposeful direction and what you will hear will be bold, ambitious and perhaps radical. 135 I will call on you then, in the interests of maintaining the Bailiwick's strong economic position and high quality of life, to get behind this economic vision and to work with us to positively influence our future.

Thank you very much, sir.

140 **The Bailiff:** Members, we now have a period of questions on any matter within the mandate of the Committee.

Alderney Representative Jean.

145 **Alderney Representative Jean:** Thank you, sir.

Could the Chairman confirm that Alderney will be involved in the negotiations for an inter-Island ferry link; and could he also confirm that we will be able to participate and contribute financially, as there is some talk that Alderney would not contribute and would be looking for a free ride, so to speak? That is not the case.

150 I think he might agree with me that we recognise the urgency of our situation, just as Guernsey and Jersey do, and the fact that we have not had an inter-Island link for so long, it is desperately important to us all.

Thank you.

155 **The Bailiff:** Deputy Ferbrache.

Deputy Ferbrache: Sir, I do recognise that, absolutely, and I know the Committee do. The expressions of interest that either have gone out or are just about to go out in relation to the summer inter-Island ferry do invite expressions of interest in relation to Alderney too.

160 We are grateful that Alderney has got money to help assist. I am sure Deputy St Pier is also grateful that Alderney has money to help assist.

In relation to the wider ferry issue, which I think also is a part of Mr Jean's question – I will assume it is and I will take it as such – as I have said, we are not satisfied with certain aspects of the current service. That is part of the review which will come back before the States in hopefully the first third of next year and we will do our best to represent Alderney's interests. 165

The Bailiff: Deputy de Lisle.

Deputy de Lisle: Thank you, sir.

170 I am pleased to learn of the fact that air and sea links are at the full front of the Committee's endeavours.

Would the President agree with me that business in the Bailiwick and Jersey lost as a result of not having run an inter-Island ferry service this past summer?

175 **The Bailiff:** Deputy Ferbrache.

Deputy Ferbrache: The answer is I cannot agree with something I do not know. I imagine there was – well, I know there was – an opportunity in the past, for this year, for the summer just

gone. We have already, I think, examined that at some detail in this States' Assembly in recent previous States' meetings.

180 There is no point in looking back; we have got to look forward and the idea forward is ... and I am not going to give a guarantee, because Deputy de Lisle, quite properly, asked me to give a guarantee earlier and I would not do so, and I am not going to do so now; but we are further along the road than we have ever been in connection with securing an inter-Island passenger ferry service for this coming spring.

185

The Bailiff: Deputy Leadbeater.

Deputy Leadbeater: Thank you, sir.

190 I would just like to ask the President for Economic Development, if by setting up their own review panel and bringing a report back on corporation management, mindful that there is a review panel currently being set up with Members of Policy & Resources, Economic Development and Home Affairs, would that not be duplication of effort?

The Bailiff: Deputy Ferbrache.

195

Deputy Ferbrache: No, because if I thought it was the Committee would not bring it. It is moving too slowly. For those that deal regularly with the hospitality sector, they realise that it is in a desperate position. It cannot take the long road to China; it has got to take the fast bus from Torteval to Town.

200 We will participate in the review, absolutely, because that is a wider issue, it is not just limited to the matters that we will seek to bring back before the States as soon as the procedures permit. Why I say it like that is because we were going to bring a policy letter which we can get back before the States correctly, but we have got these wonderful roles that I am so admirable of, that I have such admiration of, that show we have got to do it by way of requête because we are not the Committee responsible. So that will take longer.

205

So we intend to work closely with everybody. We do not believe there is a duplication of effort and if the Committee, of which Deputy Leadbeater is a member, could get back before the States quicker than us and realise that these rules need to be changed I will applaud it.

210 **The Bailiff:** Deputy Lester Queripel.

Deputy Lester Queripel: Sir, I did not actually hear the interview I am about to refer to but I have been told the President was asked a question recently on *BBC Radio Guernsey* about whether or not he thought his Committee should be promoting naturism – (*Laughter*) (**Deputy Ferbrache:** Yes, yes.) as a tourist attraction here in the Island. Seeing as I did not hear the interview, could he tell me what he said in response to that question, please, if indeed he was asked that question.

215

Also would he be prepared to lead by example – (*Laughter*) and physically promote naturism as a tourist attraction here in Guernsey?

220 **The Bailiff:** Deputy Ferbrache.

Deputy Ferbrache: Sir, that is one of those rare matters where I would prefer to follow Deputy Lester Queripel! (*Laughter*)

225 **Deputy Brehaut:** I would like to see a cover up.

Deputy Ferbrache: And as Deputy Brehaut said, we would like to see a cover up, no doubt for both of us. But I was asked the question yesterday. I said I really knew nothing about it. I said I would speak to my able colleague, Deputy Jennifer Merrett, who heads Tourism today and I have

230 briefly had a word with her. So I have no doubt she will be taking that under a banner and marching forward with it. (*Laughter*)

The Bailiff: Deputy Prow.

235 **Deputy Prow:** Thank you, sir.

Following on from Deputy Leadbeater's question and the President's response, the President, in his address, has confirmed that he will be working with Policy & Resources and the Committee for Home Affairs with regard to the successful amendment brought by Deputies St Pier and Lowe to review the Population Management Law.

240 Against that background, will he and his Committee also continue to support the States' Independent Population Advisory Panel also set up under the Law, and encourage all sectors of industry to engage with that panel where they can perceive skills shortages and support the Home Affairs Committee, as an ongoing process, to modify those policies where the PEAP evidence a need to do so, and where they are able to do so under the Law and that it is conducted independently of, and where necessary, before the review reports to the States.

245 Thank you, sir.

The Bailiff: Deputy Ferbrache.

250 **Deputy Ferbrache:** I personally have already seen abundant evidence to know that it should be changed and I do not propose – and the Committee as equally; we are unanimous, we do not propose – waiting until at least March 2019 to do that.

Of course, we will work collaboratively with the Home Committee and Policy & Resources, and there is no contradiction, as I said, in relation to the able question put by Deputy Leadbeater; there is, in my view, no contradiction in connection with that.

255 What we are not going to do, when we are charged with looking after the businesses of the Bailiwick, and particularly Guernsey, is know that there is an industry in trouble and do nothing about it; we are not going to do that. And if it offends the Committee for Home Affairs or anybody else, well, I am very sorry, their dignity will have to be offended.

260 What I do say is that we do work with the relevant body that he has referred to, and indeed the hospitality sector representative of that has written to us – and others, I believe, but certainly to us – saying how dire the position is. So we do listen and therefore we are going to take some action.

The Bailiff: Deputy Fallaize.

265

Deputy Fallaize: Thank you, sir.

Deputy Ferbrache said his Committee could not bring a policy letter on the matter; I do not think that is true and I am happy to discuss it with him outside the Assembly.

270 He also implied that States' procedures were preventing him from bringing something to the States, but of course, surely he has to accept, does he not, that no policy letter or requête or anything else has yet been submitted. It is no good blaming the procedures of the States where nothing has actually been submitted. Would he agree with me that if something is submitted this week it can be before the States as soon as the first week of November?

275 **The Bailiff:** Deputy Ferbrache.

Deputy Ferbrache: I am grateful for that. I think of course Deputy Fallaize is right, nothing has been submitted. I did not say anything had been. We have been advised – and my other four colleagues are in the Assembly and then can say – we have been advised by our Chief Secretary that he has sought advice and that it has to be the requête route. We would much prefer it to be
280 the policy letter route, that is all I am saying, but what we do not want to do – and I spent much of

my professional life arguing over archaic points of procedure, which has not advanced civilisation by one jot, but it did help my bank balance over the years. *(Laughter)* But I do not want to do that in relation to public money; if we could do it by policy letter I would be very grateful for the assistance Deputy Fallaize can give.

The Bailiff: Deputy Gollop.

Deputy Gollop: Sir, is the President aware – and his board; and I am sure actually they are – that there are certain restaurants and places of hospitality on the Island that are now closing early and not running full staff rotas because of the perception, not necessarily the fact, that the new population and migration Law is inconvenient to manage and loses staff?

The Bailiff: Deputy Ferbrache.

Deputy Ferbrache: Sir, Deputy Gollop is absolutely right and I am sure I know the ones that he has got in his mind – and obviously we will not voice them in a public forum.

I know of others that are thinking of that and I know of others that, although they have not closed completely, are restricting their activities for exactly the point that Deputy Gollop has made.

The Bailiff: Deputy Lowe.

Deputy Lowe: Thank you, sir.

Would the President of Economic Development agree with me that the email that was sent out by Home Affairs encouraging all States' Members – and indeed it was put out publicly as well – that instead of the myths and the hearsay we encourage every industry to get involved with the Population Employment Advisory Panel because they are coming to Home Affairs in October and we have given an undertaking on the evidence based, of which the States approved any changes must be evidence-based, that we would bring a report by December or, if not, by January?

The Bailiff: Deputy Ferbrache.

Deputy Ferbrache: Fantastic. As I said in answer to Deputy Leadbeater's question, sir, if they could get there before us, if they could bring interactive proposals that we favour, fantastic; if not, we will continue as we are going to do.

The Bailiff: Deputy Lester Queripel.

Deputy Lester Queripel: Sir, in his Statement, the President referred to the need to enhance our Town. He spoke about his Committee liaising with several bodies, but I did not actually hear any reference to liaising with St Peter Port Douzaine. Can the President give me insurance, please, that his Committee will liaise with St Peter Port Douzaine when it comes to the issue of enhancing our Town?

Deputy Ferbrache: Yes, sir. That is a very good point by Deputy Lester Queripel.

Because it was read to be a brief Statement, it did not cover everything. Of course, we have liaised but we will continue to liaise, and I am sure Deputy Brehaut's Committee too, with the St Peter Port Douzaine.

The Bailiff: Deputy Inder.

Deputy Inder: Thank you, sir.

335 Last year's sea passenger figures were somewhere just above 80,000 folk, I understand, which is a 38% drop from 2011 passenger figures of 122,000.

Earlier this year, Condor reported a 48% rise in forward bookings – or rather predictions of. That seems to have been translated into around 3,500 extra passenger figures to date. Can I ask the Committee and the President are they comfortable with the performance of the company, its services and its contribution to any future connectivity strategy?

340 Thank you, sir.

The Bailiff: Deputy Ferbrache.

345 **Deputy Ferbrache:** It is old bad news. They do provide a service to the Bailiwick and it is a vital service. My view, and I believe it is shared by the other Committee members too, is that they have got a fair way to go before we can be totally satisfied with their service.

I have said, and the other Committee members have said, we would like to see a fifth vessel in the cycle because the bad mistake – and there may well be lots of reasons, and there are always lots of reasons for all these things – I believe made by the previous States was to agree with Condor that they could go from five vessels to four. (**A Member:** Hear, hear.) We are now, as a Bailiwick, suffering the consequences of that decision.

350 **The Bailiff:** Deputy Gollop.

355 **Deputy Gollop:** Sir, we know that this Committee has worked extremely hard in rebuilding areas that perhaps have fallen away a bit, whether it be engagement with the construction and building sector, the Google Conference, tourism and retail. But how does yourself and the Committee intend to deal with stronger public relations to certain key people in the business sector who are now going public with a view that this States is not focussed enough on economic development and sorting things out from a bureaucracy point of view?

360 **The Bailiff:** Deputy Ferbrache.

Deputy Ferbrache: Let's name names. The person who wrote the letter, and I think it was an excellent letter, and I did not know it existed until I read it in the *Press* last Friday, was Doug Perkins.

We owe so much in Guernsey to Specsavers. They are the biggest private employer, I believe, in the Island; they certainly are a major employer, and they are a standard bearer for Guernsey.

370 If he says that we are not business enough as an Assembly ... I believe I am, I believe the other four members of the Committee for Economic Development are; I would encourage the other 35 Members to be equally business-like.

The Bailiff: Deputy Kuttelwascher.

375 **Deputy Kuttelwascher:** Would the President agree that it might be useful today at this stage to get a legal opinion from Her Majesty's Comptroller as to whether or not we could bring forward a policy letter which would fairly and squarely fall into the mandate of another Committee – because that was the issue and the advice we had was you could not do it now? I do not know the answer to that. I am going along with the advice they said, which appears may be wrong. We could possibly resolve it now.

385 **Deputy Ferbrache:** Of course, sir, but I do not want to put ... As somebody who for 40-odd years still occasionally has questions posed by judges and I think how on earth am I supposed to answer that in a millisecond? I have always given an answer; it may not always be a credible one, but I have always tried. It may be an unfair question to H.M. Comptroller. He may need time to

reflect. If he feels he can answer it now, fine, but I fully respect his judgement if he thinks he needs more time because it is an important question and we would like it answered in the due passage of time.

390 **The Bailiff:** I see no one else rising. No?

**Development and Planning Authority –
General update –
Statement by the President**

The Bailiff: We will move on then to the next Statement to be delivered by the President of the Development and Planning Authority, Deputy Gollop.

Deputy Gollop: Thank you very much, sir.

395 Again the 10 minutes is a challenge. This is very much a Committee Statement that we have all participated with.

Sir, it is with great pleasure that I deliver this Statement as President of the DPA, which is responsible for advising the States on land use policy, developing and implementing land use policies through development plans and any other relevant instruments and for planning decision-making on our small but very special Island. We believe that Land Use Planning is a crucially important part of Government. We see the whole of the Island's population as our stakeholders who should all benefit from the planning process and what it achieves for the Island's economy, environment and community.

400 The last year has certainly been a busy one for both the Development and Planning Authority and the Planning Service officers who support us. For example, we steered the Island Development Plan (IDP) through to unanimous approval – after 30-odd amendments – by the Assembly, having dealt with a record number of proposed amendments on the way. We have dealt with around 1,600 planning applications, with only 16 refusals of planning permission – that is about 1% – since last November, thanks to continuing positive engagement with applicants and the more flexible policies of the IDP.

405 We have approved 220 new residential units in the last year and 869 m² net of new industrial or storage space, including the re-use of two redundant vinery sites for storage and distribution under the new IDP policy provisions. In addition, there have been pre-application enquiries relating to re-use of 24 redundant vinery sites – which might interest Deputy Queripel and other Members of the States – Deputy Laurie Queripel. The performance of both the industrial and residential sectors is an important barometer of the Island economy and the approvals granted indicate the successful application of planning policy to support the wider economy.

415 I would note the change in DPA membership earlier this year, with the resignation of Deputy Jeremy Smithies and appointment of Deputy Marc Leadbeater. Whilst Deputy Smithies was a valued member, Deputy Leadbeater has taken over the mantle adding an extra dimension to our team. All of the Committee members work very well together and provide incisive challenge from a variety of perspectives to the wide range of business which regularly comes before us.

420 The IDP forms a major element of the published Business Plan, of course, which covers the period up to 2020. The IDP has introduced a suite of new policy approaches relating to such diverse matters as sustainable development, sites of special significance, affordable housing and community plans. It has proved in practice to be as flexible, permissive and proactive as we claimed, enabling a more enlightened approach to development management, as evidenced by the extremely low number of refusals since last November, whilst providing robust policies to achieve the right forms of sustainable development in the right locations. This has recently been

430 acknowledged by the Chairman of the independent Planning Panel who has attributed the welcome reduction in the number of planning appeals to the clearer policy direction of the IDP.

Following the successful adoption of the Plan, there are statutory requirements for monitoring of its performance, which include quarterly statistics and an annual overview and recommendations. There are also many other elements which emerge, including the preparation
435 of supplementary planning guidance, which includes development frameworks which are required for certain housing development sites within the main centre and main centre outer areas and in the local centres, and in other instances described in the IDP. Of note at the time is the published draft development framework for the Pointes Rocques allocated housing site in St Sampson.

I would take this opportunity to correct a possible misapprehension that the location of that
440 site within a conservation area might somehow prevent the development of what is, after all, a specifically designated site for housing. This is not the case. Although the site is situated within a conservation area – which we supported – it is an allocated site for housing development and, therefore, housing can be built on this land. This was explained in detail in this Assembly when the Delancey conservation area was debated and approved last October/November. However, the
445 development must conserve and, if possible, enhance the character and appearance of the conservation area, as in the case with development in any of the other Island conservation areas.

The IDP also designates the Harbour Action Areas for Town and St Sampson. Taking forward the St Peter Port Harbour Action Area is recognised as a priority within the P&R Plan and will be a major element of work for the DPA, with the need for a local planning brief, planning inquiry and
450 potentially an environmental impact assessment.

The D&PA has also been responsible for bringing policy letters back to the States in relation to land for industry and the provision of a cafe at the Stan Brouard Landes du Marche site through the introduction of Certificates of Lawful Use. The process for taking development plans to the States has also been changed through amended legislation. In addition, we have worked towards
455 achieving a satisfactory outcome for retailing at the Oatlands Village complex and have commenced investigation of tariffs in lieu of affordable housing. The latter two matters were of course subject of a statement which I made earlier this year.

We have brought in an amended Use Classes Ordinance. This helps simplify and streamline the planning process for change of use by reducing the number of use classes helping business from
460 44 to 28 and allowing more permitted changes of use, particularly within the industrial, storage and distribution sectors. This additional flexibility will particularly assist the performance of these important sectors of our economy, whilst still ensuring that amenity impacts on neighbours are minimised.

Furthermore – as Deputy Brouard will be pleased to hear – the new High Hedges (Guernsey)
465 Law, 2016 will shortly come into effect, on 2nd October. Guidance for both the owner of a high hedge and their neighbour has been published to enable clear understanding of the process. The new Law will enable people experiencing significant problems with hedges causing a barrier to light, and who have not been able to resolve through discussion with their neighbour and then to make a complaint. I am grateful to Deputy Tindall, who has done a lot of work on that.

I can also confirm that the DPA has submitted its formal request to the Policy & Resources
470 Committee for the preparation of legislation to make provision for certificates of lawful use under the Land Planning and Development Law, for consideration by P&R as part of the current legislation prioritisation process. This was of course agreed by the States in relation to the Stan Brouard Cafe, but the legislation will apply when enacted to any scenario, both current and those
475 which may arise in the future, whereby an unlawful use can be declared lawful.

As well as its important role in land use policy formulation and the development of legislation, the DPA is of course responsible for planning decisions. Most decisions on planning applications, contrary to popular belief, are taken by professionally qualified officers of the Planning Service under delegated authority, and DPA members will see very few of these applications. The quality
480 of service delivery, though, is monitored at a high level by DPA members and improvements are suggested, and in accordance with the principles, expressed in the Business Plan.

I would add that the Planning Service team of officers works exceptionally hard and is highly experienced. Indeed, most of our planning officers were born on the Island – another myth busted – or lived in Guernsey for many years. However, the most contentious, high profile or atypical development applications are referred to us, the elected members of the DPA, and are then heard at open planning meetings held in public.

In terms of overall staff numbers, including vacancies, the Planning Service has a total of 43 staff, or 39.8 full-time equivalents. The DPA's overall budgeted income for 2017 was £2,550,000, of which £1,475,000 was allocated through the States' budget allocation process and over a million was derived from fees and charges.

Over the next year, our in-house project will be much closer to providing the ability for planning and building control applications to be made online, which will allow Islanders to view submitted plans without having to visit our offices. We have recently introduced an interactive version of the IDP, which has been developed in-house.

The Authority and its officers are continuing to work hard to deliver the planning and building control services efficiently and effectively. Our building control surveyors have been involved in detailed discussions regarding building cladding products in the wake of the Grenfell Tower disaster to ensure that nothing similar can occur on our Island. Our conservation officers have made excellent progress with the review of the Protected Buildings List and Guernsey now has a much more robust list of protected buildings of architectural and historic importance than has ever been the case. Eighty-six previously protected buildings have been removed from the list, whilst 78 worthy of protection have been added.

The Planning Service has devised and sponsored one of three Guernsey projects currently being considered as part of a pan-Channel Island practice run by the UK Design Council. The programme was launched in Jersey on 19th September as a masterclass which was opened by their Chief Minister and which was attended by Deputy Tindall, along with senior planning staff. The project is a significant one.

We are also pleased to welcome this week a professional planner's conference, which begins tomorrow and runs to Saturday, for the first time since 2004. This will give a welcome boost to staff morale and will provide our local planners with useful contacts with planners working in similar roles in the UK.

Sir –

The Bailiff: Deputy Gollop, I must stop you. You have exceeded the allocated 10 minutes.

Deputy Lester Queripel. Sorry, Laurie Queripel. (**Several Members:** Ooh.) Sorry, I am so used to saying Lester! It runs off the tongue, you know! (*Laughter*)

Deputy Laurie Queripel: An understandable mistake, sir.

The Bailiff: Deputy Laurie Queripel! I apologise.

Deputy Laurie Queripel: Thank you, sir.

Does Deputy Gollop really believe that the development of up to, I think it is, 150 houses on the Pointes Rocques vinery site will enhance the quality of the conservation area, and if so, how; particularly bearing in mind the infrastructure and service requirements needed to support that development?

Thank you, sir.

The Bailiff: Deputy Gollop.

Deputy Gollop: Sir, if I had finished I would have said I am happy to take any questions, but – (*Laughter*)

The Bailiff: You have to take them whether you are happy or not!

535

Deputy Gollop: I will not be able to answer any questions relating to individual sites and applications, in view of the fact that there is a site in process that both the Committee as a whole will review the feedback as well as ... I will decline to answer that question. But one can see examples both in Guernsey and elsewhere of excellent ecologically friendly development. Not all development is bad. *(Laughter)*

540

The Bailiff: Deputy Trott.

Deputy Trott: Sir, notwithstanding the previous answer, is the President of the Development & Planning Authority aware that at 2.30 p.m. this Saturday afternoon there will be at Delancey a protest march with regard to the potential – *potential* – overdevelopment of the Pointes Rocques area; and that, further, he and his Committee are welcome to attend as observers if they so desire?

545

Thank you, sir.

550

The Bailiff: Deputy Gollop.

Deputy Gollop: Sir, I may attend as an observer on a bus or in a cafe, but I certainly will not participate because we are warned, quite rightly, that we cannot prejudice ourselves showing partiality in any respect; and in any case, I – and I am sure the other Committee members – maintain an open mind.

555

It is open to anyone to make a planning application at any time and indeed to make a representation or indeed a demonstration, but the Development & Planning Authority would not allow the submission of the counter application to influence the separate process of consideration of the development framework.

560

We treat all parties engaged in the planning process equally and everybody has recourse to appeal.

The Bailiff: Deputy Roffey.

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Deputy Roffey: Thank you, sir.

Is the President happy with the way that the planning appeal system works in respect to applications that are being turned down after being supported by his professional planning staff; in particular, the fact that the Independent Planning Panel can only hear from two parties – the applicant, who clearly wants the appeal to succeed, and those planning officers who initially supported the application which his Committee subsequently turned down?

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Does that not feel completely contrary to actual justice and, if so, will he look again at how this system works?

The Bailiff: Deputy Gollop.

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Deputy Gollop: Deputy Roffey has implicitly raised a wider question – our whole process of tribunals and appeals and indeed whether the Development & Planning Authority should even exist long term, because I think some of our Members have concerns about how politicians who make statements and stand and win on manifestos can necessarily be entirely impartial in a quasi-judicial function.

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As regards planning appeals, they are populated by experienced lawyers and planners, they follow a process which at one time – as Deputy Ferbrache and others will remember – was done by our very noble Jurats in the Royal Court. The Jurats, it is fair to say, occasionally made maverick

585 decisions according to some people's thinking and we embarked on this new system which effectively is perhaps more planning focussed.

Our system does not allow third party appeals; we have looked at that as a Committee and it is unlikely that we will change that view any time soon, simply because the work involved would be enormous and we have to ensure that the IDP, in the context of ensuring economic development, moves forward.

Although I am not unsympathetic to third party appeals, my fear would be that it would lead to excessive complaints of the NIMBY kind –

The Bailiff: I must stop you again because you have run out of time. Quite a few of you have stood several times, so I am just going to make a note of all of you because there is time for you all to ask your questions. I will call you in the order: Deputy Soulsby, Deputy Yerby, Deputy Inder, Deputy de Lisle and Deputy Stephens. I will take you in that order. Sorry, Deputy de Sausmarez, I had not seen you standing. Deputy de Sausmarez.

Deputy Soulsby first.

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Deputy Soulsby: Sir, yes, I would like to follow up on the question from Deputy Roffey and, in light of Deputy Gollop's answer to that question, would like him to confirm, bearing in mind how he responds to that question, that he will be undertaking a review of the planning process and will be taking it to this Assembly during this term.

605

The Bailiff: Deputy Gollop.

Deputy Gollop: Yes, I will take that back to the Committee and see where the five of us are on that. I cannot give an undertaking on my own to do that, but I think we may well need a review. I would also say that we know ... at least myself and the Vice-President will actually be attending one of the planning tribunals next week, and probably speaking, and it does put an onerous duty on the officers and occasionally the members of the Committee, to praise what can be professional architects and lawyers who will make a strong case on behalf of the agreed applicant.

The Bailiff: Deputy Yerby.

Deputy Yerby: Thank you, sir.

Community plans were described in the IDP as an opportunity for a community to come together producing a vision for improvements to their local area, including enhancements to the environment, improvements to the public realm or traffic measures.

Does the Authority know if any community plans have been developed so far and does it consider it has any responsibility for promoting awareness of the ability to create community plans, perhaps together with Committees such as Health and Education to the benefit of local communities and for the realisation of our strategic aims?

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The Bailiff: Deputy Gollop.

Deputy Gollop: I welcome that question because I think we had, for example, a slightly contentious debate on the Forest West local centre. That area, for example, would be an ideal one to look at a community plan for, as indeed would many local centres; and I regret that mistakes have been made in the past by perhaps the former IDC and its successor, in that one saw new development plan ... that sufficient public transport infrastructure, community facilities and moreover was extremely poor in terms of travel planning, pavements, new footpaths and so on, so you got dead-end zones.

We are under a duty, that we only found out recently, to ensure that public places were overseen from the purposes of effective policing and security as well.

The Bailiff: Deputy Inder.

640 **Deputy Inder:** Thank you, sir.

Could the President give me an indication of the amount of approved but unbuilt homes dotted around the Island? I think the term cynically is 'land banking' and as building is an indicator of economic performance, are we starting to see any of these sites coming out of the ground?

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The Bailiff: Deputy Gollop.

Deputy Gollop: I could not give you an exact figure – I think I could within a day or so – but we know there are several hundred at least developments that are not done.

650 At the time of drafting, the IDP and currently the housing supply indicator was set at 300 additional new dwellings each year. We have slightly undershot that. But the KPMG report which addresses some of these issues will be taken into account by Committees.

655 If a lower housing indicator is approved by the States at the interim it simply means the current five-year housing supply will actually go somewhat further. The problem is I personally as an individual would quite welcome a bigger States that encouraged developers to build using various techniques. I do not think Economic Development would work that ...

660 I do not see what the States can do to encourage development if the market and/or procurement practices of the States in acquiring social housing does not direct it effectively. The housing market and the scale of development is very much linked to perceptions of economic growth and the availability of finance.

Therefore I, in a way, pass the issue back to Economic Development and Policy & Resources who perhaps could look again at a real bank, a building society, rather than just a land bank.

The Bailiff: Deputy de Lisle.

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Deputy de Lisle: I thank you, sir.

Would Deputy Gollop agree with me that the flexibility of the IDP and the few refusals for development permission has opened the gates to *laissez faire* planning?

670 **The Bailiff:** Deputy Gollop.

Deputy Gollop: That is an interesting perspective, (*Laughter*) Deputy de Lisle, because many developers were arguing exactly the opposite, that it is still too restrictive in many areas and that it does not necessarily provide the scope for new industrial and commercial development.

675 Clearly, if there are a division of views we would probably plump for the consensus in the moderate way, which is the right way to go at the moment.

680 As regards *laissez faire*, I regret that, for example, there are some sites, including at least one hotel site – two hotel sites – that we have approved, we would like to see people having 'tennerfest' meals there, or perhaps 'twentyfest', given the quality of those establishments, that have yet to be built. So if we are *laissez faire* we cannot demand that tourism picks up.

Deputy de Lisle also knows that it is still the case that 80% plus of new development will be focussed on the urban development area and will not be allowed to be in the rural areas.

The Bailiff: Deputy de Sausmarez.

685 **Deputy de Sausmarez:** Thank you, sir.

Would Deputy Gollop agree that our current planning processes allow no real mechanism for addressing inadequate transport infrastructure around and between developments, and would he agree to a review that actually looked to do that, to seek to do that, to not just accept that the infrastructure is inadequate but to find some mechanism – and I am not suggesting just on the part of the developers, but on the part of the States – to actually improve the infrastructure around and between developments as well in that process?

The Bailiff: Deputy Gollop.

695 **Deputy Gollop:** A quick answer to that, Deputy de Sausmarez, is yes. It is interesting that the Shepley Report a few years ago suggested that we should treat planning as a corporate States' resource and separate it from the political machinations of the Environment Department, now Environment & Infrastructure.

700 There are downsides to that as well as upsides, because it means that politicians entrusted to look after the environment and infrastructure are no longer directly involved with Planning, although we share offices. I think it is important that Planning maintains a link with Environment, looks at green thinking positively and works towards goals. Of course, should the Transport Licensing Authority acquire further powers relating to the licensing of buses, coaches and taxis, that could be another interesting political development that may or may not hinder an integrated approach.

The Bailiff: Deputy Oliver.

710 **Deputy Oliver:** Sir, would the President not agree with me that one of the reasons for fewer refusals is that we have more pre-applications and discussions beforehand, so when a site is not viable they know about it a lot sooner than actually at the planning application?

The Bailiff: Deputy Gollop.

715 **Deputy Gollop:** Deputy Oliver, given her Committee experience but also her career as a professional chartered surveyor, is well aware that, I think, generally the professional community of Guernsey in building, architecture and surveying are relatively satisfied with the work we do at Planning and have learnt to work within the system very constructively, and the pre-application meetings, although they sometimes can take a few weeks to organise, are very helpful.

720 We are actually slightly short of planning officer staff, so if any of you know locally qualified senior planning officers (*Laughter*) who would like to work with us, call me afterwards.

The Bailiff: Deputy Merrett.

725 **Deputy Merrett:** Thank you, sir.

Could the President of the DPA confirm how many objections and representations the DPA have received for Pointues Rocques draft amendment framework and the planning application?

The Bailiff: Deputy Gollop.

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Deputy Gollop: We have had a large number, both individual and collective, but I will ... We are still counting them, I think, really, (*Laughter*) but we will be in a position to know when they are all collated.

735 **The Bailiff:** Deputy Stephens.

Deputy Stephens: Thank you, sir.

Does Deputy Gollop agree with me that the audio and/or visual recording of open planning procedures would enhance the transparency of them and reduce the difficulties in responding to challenge to DPA decisions?

Thank you.

The Bailiff: Deputy Gollop.

Deputy Gollop: Yes, the open planning meetings have been refined, perhaps processes have been tightened up; they are done in a different way in Alderney and other places. I think it would be useful for these meetings to be recorded on electronic equipment. I know some members of the Committee have been keen to see electronic equipment as scrutiny use for minutes and I think they would be especially useful at open planning meetings.

I personally see no reason why, cost resources notwithstanding, a transcript of open planning meetings cannot be available on a *Hansard* at some point. But of course it is important that such a transcript would accurately reflect what was said and occasionally people interrupt meetings and say comments which are misguided.

The Bailiff: Deputy Dorey.

Deputy Dorey: Thank you, sir.

Will the Committee be developing proposals for the removal of derelict glasshouse sites that are an eyesore and do not fit the criteria to be used for industry?

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The Bailiff: Deputy Gollop.

Deputy Gollop: I already referred to legislation that we propose to work on relating to sites where inappropriate development has occurred. There is of course, too, work that we are doing on moving redundant cars and looking at a piece of legislation that could be useful to tackle misuses of areas where, clearly, they form a barrier to amenity, but it is not our role specifically to tackle legislation, nor is it our role to demolish glasshouses. We are not a renewed board of administration exactly. I think, very much, such a policy should come from a combination of Environment & Infrastructure and Economic Development; it is not specifically a planning matter.

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The Bailiff: Deputy Brehaut.

Deputy Brehaut: Thank you, sir.

Whenever the former Environment Department or the Committee for Environment & Infrastructure try to introduce very modest traffic calming measures we are told that the car is king, that we should leave the motorist alone, it would be a queue to social engineering. However, when people oppose planning applications they do so on the grounds of they are concerned about the increase of traffic and the proximity to pedestrians.

Does Deputy Gollop believe there needs to be a change in policy emphasis so that we look at the cumulative effect of traffic rather than traffic local to an area around one development specifically?

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The Bailiff: Deputy Gollop.

Deputy Gollop: Deputy Brehaut is reflecting my personal viewpoint that we developed on Environment & Infrastructure, but of course there is a certain amount of segregated thinking in the States because we do work closely with Traffic and Highways, for example. Traffic and Highways will come up with accurate advice based upon traffic movements, perhaps influenced by

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790 road safety and police thinking. In environmental policy, of course, which is much broader, linked to biodiversity and a way of life is in a different section, so are healthy options.

I very much believe we should look at accumulative traffic movement and, where possible, seek to re-organise them. I will give you an example of an unpopular view I personally hold, which at least one South East Deputy might agree with, but I think other Members might not. We have from time to time looked at new development in some semi-rural or local centres, such as St Martin's. I personally believe St Martin's, both from a public transport and private transport point of view, would benefit from a more developed one-way system. But I am sure that would be resisted in some quarters.

The Bailiff: Deputy St Pier.

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Deputy St Pier: Sir, is the President able to advise, either now or later, how many of the, I think, 1,600 planning applications that he referred to relate to applications in conservation areas; and also to advise the criteria which the Authority uses to assess whether an application does indeed preserve or enhance that area?

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The Bailiff: Deputy Gollop.

Deputy Gollop: That is another question I think I will have to refer back and answer in a more detailed way.

810

We have of course reduced the number of conservation areas; 15 years ago there were many more conservation areas on the Island and they have now been homogenised into larger, more sensible groupings; and conservation areas, of course, do not prohibit development and one could think of conservation areas in the heart of St Martin's, for example, where development has occurred.

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The Bailiff: Deputy Fallaize. This will be the last question.

Deputy Fallaize: Thank you, sir.

820

The Authority has responsibility for laying the certificates of lawful use legislation before the States, and Deputy Gollop alluded to this in his Statement. Can he tell the States when that article of legislation will be submitted, please?

The Bailiff: Deputy Gollop.

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Deputy Gollop: Of course, like many things, it is a combination of prioritisation of legislation which, sadly, is not a policy that Deputy Green's Legislation Scrutiny Committee fulfils. It is very much under the mandate of Deputy St Pier and Policy & Resources. So you first of all have legislative prioritisation, you then have allocation of resources to it and the speed which experts, legal draftsmen, can work. So to a certain extent, one could almost direct that question to Deputy St Pier or Her Majesty's Comptroller.

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As a Committee, I think we have talked about moving forward on this in the latter part of 2018. So hopefully if I am still here in a year's time you will see material progress on that front.

The Bailiff: That concludes the Statements.

835

Questions for Oral Answer

POLICY & RESOURCES

Review of the Committees for Education, Sport & Culture and Home Affairs – PwC costing, benchmarking and prioritisation

The Bailiff: We move on to Question Time. The first Questions are to be asked by Deputy Roffey, in this case to the highest person for the Policy & Resources Committee; Deputy Trott will be replying.

Deputy Roffey.

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Deputy Roffey: Sir, just to clarify, this is to the Vice-President rather than the President?

The Bailiff: It is the Vice-President, I am told, who will be replying.

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Deputy Roffey: First Question: the Policy & Resources Committee commissioned PwC (PricewaterhouseCoopers) to carry out reviews of the Committees for Home Affairs and Education, Sport & Culture, with the aim of identifying ways to reduce revenue expenditure. These reviews cost £358,000.

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Given that the largest identified saving, by far, a possible recurring £600,000 per year through merging Guernsey's Fire and Ambulance Services, was seemingly very rapidly rejected by at least one of the Committees concerned, does the Vice-President of P&R still regard the PwC reviews as representing good value for money?

The Bailiff: Deputy Trott.

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Deputy Trott: Thank you, sir.

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I start with an apology. The Policy & Resources Committee has been experiencing an extremely heavy workload in the preparation of the 2018 Budget. As a consequence, there was a genuine oversight in the construction of these answers, which only occurred late yesterday afternoon; and for that I apologise.

865

So the Answer: in short, yes we do regard the work as representing value for money. The project undertaken by PwC identified numerous opportunities for reducing expenditure without cutting services. Many as yet are uncosted, which are worthy of further examination. These include not only the merger of the Fire and Ambulance Services, but also the scope for closer working or merger between the GTA, College of Further Education and the Institute of Health and Social Care Studies; the efficiency of our secondary schools; possible improvements to the apprenticeship scheme run at the College of Further Education and the Home Operational Service Improvement Programme.

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The Bailiff: Any supplementaries?

Deputy Roffey.

Deputy Roffey: One supplementary, if I may, sir.

875

What is the time period before P&R expect to be able to crystallise the quantum of savings and have flow directly from this usually expensive exercise; and when they have done that assessment will they make it public?

The Bailiff: Deputy Trott.

880 **Deputy Trott:** Sir, that question is partly covered in a supplementary answer. There will be some Propositions in this year's Budget and, dependent upon the States' review of those Propositions, the timeline for the savings will emerge as a direct result of those Propositions.

885 **The Bailiff:** Nobody else is rising to ask supplementary questions. Your second Question, please, Deputy Roffey.

Deputy Roffey: Thank you, sir.

890 Will P&R as the commissioner of the PwC reviews and with its roles both in respect of the States' finances and policy co-ordination be making any attempt to persuade both Home Affairs and Health & Social Care to look more closely at this possible large efficiency saving?

The Bailiff: Deputy Trott.

Deputy Trott: Sir, thank you.

895 The Policy & Resources Committee would like to ensure that all of the ideas and suggestions arising from the PwC project are properly investigated and considered, including examining the costs and benefits via the Committee responsible and we will be putting forward Propositions in the forthcoming Budget to that effect.

I may add, sir, that the release date of the 2018 Budget is 9th October.

900 **The Bailiff:** Any supplementary questions? No. Your third Question. Deputy Roffey.

Deputy Roffey: Thank you, sir.

905 This episode seems to suggest that the States regards the views of its in-house experts as more persuasive in respect of what revenue saving steps to take than those from outside consultants. While this may be understandable, does it not suggest that most future fundamental spending reviews will be better and more cheaply conducted by teams of in-house experts rather than by consultants or large accountancy firms whose suggestions may well be ignored?

910 **A Member:** Hear, hear.

The Bailiff: Deputy Trott.

Deputy Trott: Thank you, sir.

915 The approach taken on the PwC project was very much a collaborative one. The team of consultants worked closely with those responsible for service provision throughout the project. The vast majority of ideas for savings through service changes came from those running the services and were challenged and developed with the team from PwC.

920 It was, and remains, our hope that this will lead to a series of opportunities that would be roundly supported.

The Bailiff: Deputy Roffey.

Deputy Roffey: Two supplementaries, if I may, sir.

925 The first is, if these suggested savings were indeed arrived at collaboratively between the internal experts, our staff and the external experts, PwC, then can the Vice-President of P&R explain to us who in his opinion may have overridden those joint recommendations in respect of merging the Fire and Ambulance Services?

930 **The Bailiff:** Deputy Trott.

935 **Deputy Trott:** I am not sure I understand the import of the question, sir. Am I being asked if the Home Affairs Committee, having considered the recommendations, reached the conclusion that they were not able to support? If that is the import of the question, well that is of course the political process. They are at liberty to make that decision based on the evidence presented in front of them.

I would also like to say, sir, that when you are working collaboratively sometimes the information that genuine independent consultants – people like PwC with a global presence – they will arrive with a figure – let's use Education, for instance – where they said that the cost of providing secondary education when capital was included worked out at a staggering £11,750 per pupil, per annum in the States sectors. Of course, when questions were asked of the President of the Education Department those questions were at a discount to that figure.

Sir, that is where political judgement comes in. Who do we believe? A firm of global, international accountants or figures that are presented to us internally? It is an interesting point.

945 **The Bailiff:** Deputy Roffey. (Interjections and laughter)

Deputy Roffey: Slightly tangential. I think my real point was that I understood that the recommendation had come both from the internal staff and from the consultants, and therefore who had overridden both of them. But I will park that.

950 I suppose the final supplementary question is, in his answer, the Vice-President said that the vast majority of savings or ideas for savings came from those running the services; does that not just reinforce the idea that possibly such reviews of expenditure could be done more cost-effectively internally rather than by constantly running to big firms of accountants or similar firms?

955 **The Bailiff:** Deputy Trott.

Deputy Trott: Yes, sir.

In the past there was a tendency during the fundamental spending review to use outside consultants and indeed to reward them for the recommendations that were made. Where the problems came through that process was that very often, even back in those days, the majority of the suggestions came internally.

960 What you do need though is you do need an independent process – a scrutiny process – where a firm of independent unbiased consultants are able to take an oversight of the suggestions that are being made and see the broader picture, because we have a very large number of able public sector workers, but they by definition, sir, become focussed, they become specialists in their area and are not always able to see a more extensive perspective. That is what the consultants of PwC offer – a broader understanding of best practice in the private sector and a more fundamental understanding of the breadth of public services as a consequence of their regular use as consultants in assisting us in arriving at sensible, objective and well-informed policy decisions.

970 **The Bailiff:** Deputy Gollop.

Deputy Gollop: Would the Vice-President of Policy & Resources, though, agree that the downside of employing highly qualified management consultants and globally branded firms of accountants etc. is that they in some cases lack the political nous and populist feel that Committees and elected Members of this States generally have?

980 **The Bailiff:** Deputy Trott.

Deputy Trott: Sir, I am not sure if that is a good thing or a bad thing, (*Laughter*) but what I will say is that there has been an increased tendency over the last few years to use locally based

consultants so that those revenues have a multiplier effect within our economy. Occasionally those consultants will augment their local specialism with those from overseas.

985 But the point is that these are people who are members of our community who use these services and often have a thorough understanding of the importance of ensuring at all times that value for money is the number one objective.

The Bailiff: I see no one else.

HEALTH & SOCIAL CARE

Health awareness – Gynaecological Awareness Month; Mental Awareness Week; Information and guidance for the public

990 **The Bailiff:** The next Questions are to be asked by Deputy Gollop of the President of the Committee for Health & Social Care.
Deputy Gollop.

Deputy Gollop: Thank you, sir.

995 As always, I have a few technical problems and for some reason I did not get the Answers to any of these yesterday.

The Bailiff: I do not think I did either. I do not think either of us got the Answers.

1000 **Deputy Gollop:** Yes, but anyway I am happy to ask them, assuming they can be answered.

The first Question is: MacMillan Cancer Support, a highly respected organisation, designated September as the Gynaecological Awareness Month nationally in the United Kingdom, in order to counteract fears and myths, and give useful information, guidance, health information exchange and reassurance; is the Health & Social Care Committee able to promote research and expend resources on such worthy work and aims? Of course, I am aware of the work that you are doing with skin cancer.

1005 **The Bailiff:** Deputy Soulsby.

1010 **Deputy Soulsby:** Sir, yes, firstly I apologise if Deputy Gollop did not get the Answers to the Questions. I think they were sent around about three o'clock yesterday, but I will double check and make sure that they are circulated.

There are a significant number of health awareness months, weeks and days throughout the year arranged by charities. MacMillan's website itself identifies a further nine cancer awareness months. Beneficial work of the third sector in respect of raising awareness in this way cannot be underestimated.

1015 While the Committee is not in a position to actively promote each and every initiative, we fully support the need to raise health awareness and are keen to move the emphasis of service delivery away from intervention and towards prevention as a key part of a new target operating model.

1020 In respect of Gynaecological Awareness Month, we are actively involved in education surrounding gynaecological cancers. The Health Promotion Unit supported Ovarian Cancer Awareness Month in March this year and also supports Bright Tights, a Guernsey registered charity providing practical, financial and emotional support to women in the Bailiwick suffering from a gynaecological cancer.

1025 The unit is planning a study morning in February next year focussing on prevention and early intervention of cancers and will be specifically including a topic on gynaecological cancer prevention and early intervention.

The Bailiff: Do you have a supplementary?

1030

Deputy Gollop: Thanking you very much, Deputy Soulsby.

On the wider question of cancer prevention, the excellent Wessex Medical Trust Hope lecture that Deputy Tooley attended – and Deputy Yerby – made the shocking admission that the Channel Islands are well above the European and UK average for skin cancers. Will this prevention work not focus on those cancers as well?

1035

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Sir, absolutely and this was highlighted in work that was done earlier this year, the high instance of skin cancer, and this is where the Committee has been working very closely with that group to actually support greater awareness and understanding on how skin cancer is formed.

1040

Deputy Gollop: Thank you very much.

1045

The Bailiff: Your second Question.

Deputy Gollop: My second Question is: the Mental Awareness Week, as always, commences in early October and has in the past received encouraging commitment and support from local public sector health professionals, health partners and indeed some political input – one remembers the work of former Deputy Bebb, for example, and Deputy Jones; does the current budgetary constraints, workload and transformation agenda enable the new integrated Health & Social Care Committee to prioritise the seminars, lectures, events and indeed sharing of information?

1050

1055

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Sir, in line with my first Answer, we are committed to stepping up the emphasis on prevention and early intervention in respect of both physical and mental health. In doing so, we have to make pragmatic decisions about how our limited resources can be used to greatest effect.

1060

We know that there are a great many positive public health messages throughout the year, along with learning opportunities, and have to balance support and attendance with the need to focus on core service delivery.

1065

Since the approval of the Mental Health and Wellbeing Strategy in 2013, we focussed on our key task of delivering high quality mental health services, most significantly investing in the Oberlands building, enabling both improved inpatient and outreach services. We are of course supportive of any initiative which promotes awareness and the importance of good mental health amongst Islanders.

1070

The Bailiff: Deputy Gollop.

Deputy Gollop: I am positively aware that certain key members of the Oberlands are very supportive of extending, enhancing and developing a community café facility. I trust that the board of Health & Social Care will support such endeavours providing they are resource neutral?

1075

The Bailiff: Deputy Soulsby.

1080 **Deputy Soulsby:** Sir, without wishing to give anything away in terms of our policy letter for later this year, the idea for a community cafe will very much fit with our new target operating model.

The Bailiff: Your third Question, Deputy Gollop.

1085 **Deputy Gollop:** My third Question is what policies will the Health & Social Care Committee follow in further signposting, informing and guiding patients, parents, professionals and friends of people needing help to ensure we develop, in conjunction actually with the Employment & Social Security Committee and the tertiary volunteers sector, state of the art communication tools and systems to assist people who need treatment or therapy, sound health travel insurance and
1090 financial guidance?

The Bailiff: Deputy Soulsby.

1095 **Deputy Soulsby:** Sir, ensuring that the entire health and care system provides integrated person-centred care, promotes clear information and maximises the use of technology is essential to the Committee's policy letter in respect of the new target operating model which is due to be debated at the end of this year. Subject to approval, we hope to provide an innovative solution that will be both appropriate and proportionate for the Bailiwick.

1100 **The Bailiff:** Any supplementary questions?
Deputy de Lisle.

Deputy de Lisle: Sir, supplementary.

1105 In all health care issues, I am getting complaints about delays and cancellations to appointments and operations; some along the lines that we hear about in the UK, yet here we are such a small Island. How can all this be justified?

The Bailiff: Deputy Soulsby.

1110 **Deputy Soulsby:** Sir, I do not quite see that that arises from the previous Question. What I would say is that different circumstances may affect different people. It certainly is not the case generally across the service. If people have issues with the waiting times that they have got they need to contact Health & Social Care and we can see what the problems are.

1115 **The Bailiff:** I see no one else.

HOME AFFAIRS

Benchmarking policy alternatives to custodial sentences – Numbers of prison inmates; methods of punishment and rehabilitation

The Bailiff: We will move on to the next series of Questions, to be asked by Deputy Gollop of the President of the Committee for Home Affairs.

Deputy Gollop.

1120

Deputy Gollop: Thank you, sir.

Again, I am working without the Answers on these, but I will continue regardless.

1125 Sir, I would like to ask the Home Affairs President, Deputy Lowe, two Questions. The first is: I note under a news feature and Freedom of Information request that the States of Jersey prison facility at La Moye, Corbière, St Brelade's has experienced a steady decline in annual mean prison population to a new modern low quoted as 134 residents or inmates, which for a resident Island population of around 104,000 means perhaps a figure of around 13 prisoners per 10,000 residents; our numbers in Guernsey, although similar, suggest a slightly higher number per capita despite our closer knit and, arguably, more caring community; why might this situation be?

1130

The Bailiff: Deputy Lowe.

Deputy Lowe: Thank you, sir.

1135 The downward trend in the prison population in Jersey in 2016 was reflected in our local population with the annual average figure being 89. It would be inappropriate to directly compare the jurisdictions as many factors influence a prison population, including the type of prisoners held, differing regimes, budgets, as well as external factors.

1140 Rates of imprisonment are readily available for jurisdictions worldwide. Recent figures suggest that per capita rates of imprisonment in Guernsey remain lower than in neighbouring jurisdictions including Jersey and England and Wales.

The Bailiff: Do you have a supplementary, Deputy Gollop? No.
In that case, your second Question.

1145 **Deputy Gollop:** Yes, thank you, sir.

We are aware of the current Home Affairs Committee commitment to exploring options for punishment and rehabilitation, but have the Committee got further plans to explore alternatives which may be working well elsewhere, including, for example, your counterparts led by Minister Deputy Kristina Moore in Jersey, which has clearly seen a rapid turnaround of change?

1150

The Bailiff: Deputy Lowe.

Deputy Lowe: Thank you, sir.

1155 As you have noted, the Committee has already made a commitment to explore alternative sentencing options. This has been done in close partnership with all key stakeholders. The Committee will of course be looking at best practice in other areas and continue to work with counterparts in other jurisdictions.

The Bailiff: Deputy Gollop.

1160

Deputy Gollop: Things have changed, but historically the Island's average mean prison population was higher than most European countries and indeed three of the American States and Mexico, which surprised me.

1165 Will the Committee be benchmarking constructive alternatives elsewhere, not just in the Isle of Man and Jersey, but maybe European models?

The Bailiff: Deputy Lowe.

Deputy Lowe: Thank you, sir.

1170 Part of the Justice Policy Review always had a look at what has been happening in other jurisdictions around the world, not just by our neighbours. I am pleased to say that our prison population here is lower than other jurisdictions. It appears to be working extremely well.

The Bailiff: I see no one else. That concludes Question Time.

Billet d'État XVIII

ELECTIONS AND APPOINTMENTS

I. Policy & Resources Committee – Tax on Real Property Appeals Panel – New Chairman, Deputy Chairman and three new members appointed

Article I.

The States are asked to decide:

Whether, after consideration of the policy letter entitled 'Tax on Real Property Appeals Panel - Appointment of a New Chairman, New Deputy Chairman and Three New Members' dated 18th August 2017, they are of the opinion:

- 1. To note the vacancies left by Mrs Caroline Latham FRICS (Chairman), Sir de Vic Carey (Member), Mrs Sheelagh Evans MRICS (Member) and Mr Harry Gold (Member) from the Tax on Real Property Appeals Panel.*
- 2. To designate Mr John Martyn Weir FRICS as the Chairman of the Tax on Real Property Appeals Panel.*
- 3. To designate Miss Julia Anne Springett White as the deputy Chairman of the Tax on Real Property Appeals Panel.*
- 4. To designate Mrs Zannette Bougourd as an additional member of the Tax on Real Property Appeals Panel.*
- 5. To designate Mrs Audrey Mary Branch as an additional member of the Tax on Real Property Appeals Panel.*
- 6. To designate Miss Thalia El Chammah as an additional member of the Tax on Real Property Appeals Panel.*

1175 **The Bailiff:** We move on, therefore, to Elections and Appointments, Greffier.

The Deputy Greffier: Article I, Policy & Resources Committee – Tax on Real Property Appeals Panel, appointment of a new Chairman, new Deputy Chairman and three new members.

1180 **The Bailiff:** Deputy St Pier.

Deputy St Pier: Sorry, sir, I am just struggling to find it electronically.

1185 Sir, yes, this short policy letter simply takes the opportunity to bring the numbers on the Panel up to where they really need to be and the Panel goes through periodic amounts of work that is required, but in particular, we have had the sad passing of the previous Chair and it is important that the Chair is now replaced, and this is what we seek to do through this process.

1190 **The Bailiff:** Are there any requests for any debate? No. In that case, there are six Propositions noting vacancies, designating Mr Weir as the new Chairman, Advocate White as the Deputy Chairman and three additional members: Mrs Zannette Bougourd, Mrs Audrey Mary Branch and Miss Thalia El Chammah.

I propose to take all six Propositions together. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare them all passed and those people duly elected and appointed as appropriate.

**II. Committee for the Environment & Infrastructure –
Planning Panel –
Appointment of an ordinary member and a reserve member**

Article II.

The States are asked to decide:

Whether, after consideration of the Policy Letter entitled 'Planning Panel - Appointment of an Ordinary Member' dated 4 August 2017, they are of the opinion:

1. To elect Advocate Mark Gideon Andrew Dunster as an Ordinary Member of the Planning Panel with effect from 1st October 2017 to hold office for the unexpired portion of Mr. Patrick Russell's term until 31st March 2021; and
2. To note the appointment of Mrs. Victoria Anne Russel as a 'Reserve Member' of the Planning Panel.

1195 **The Deputy Greffier:** Article II, Committee for the Environment & Infrastructure – Planning Panel, appointment of an ordinary member.

The Bailiff: Deputy Brehaut.

1200 **Deputy Brehaut:** Thank you, sir.

I have just spilt my water! It is okay it is only over my telephone! *(Interjection and laughter)*

Thank you, sir. This is interesting, bearing in mind the exchange between Deputy Roffey and Deputy Gollop earlier on and it is worth reminding of the degree of separation there is between the Committee for Environment & Infrastructure and the DPA. Section 2.1 in this very brief States' report says:

1205

2.1. The Land Planning and Development (Guernsey) Law, 2005 ('the 2005 Law') came into force on 6th April 2009. Section 86 of the 2005 Law explains the requirements for establishing the Planning Panel:

Section 86 says:

86.(1) The States shall, on the recommendation of the Committee for the Environment & Infrastructure, draw up and maintain a panel to be called the Planning Panel which shall consist of nine independent persons and from which the members of the Planning Tribunal shall, from time to time, be appointed.

It may have been in a brief exchange earlier on the confusion possibly over those respective roles, but I am pleased, sir, to put forward the name and to ask you to elect Advocate Mark Gideon Andrew Dunster as an ordinary member of the Planning Panel with effect from 1st October 2017 to hold the unexpired portion of Mr Patrick Russell's term until 31st March 2021. We thank Mr Russell ... Patrick Russell's service to the Planning Panel. And also to note the appointment of Mrs Victoria Anne Russel as a reserve member of the Planning Panel. Both of these CVs are attached. And I think it is important to note Deputy Gollop's comments earlier about the decrease in appeals following the approval of the IDP.

1210

1215 Sorry, sir, in that rather clumsy delivery, but I was thrown by being near saturated! *(Laughter)*
Thank you.

1220 **The Bailiff:** Any debate? No, we go straight to the vote then to elect Advocate Dunster as an ordinary member of the Planning Panel and to make the appointment of Mrs Russell as a reserve member. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare those Propositions carried.

III. Election of a Member of the Elizabeth College Board of Directors – Mr Andreas Tautscher appointed

Article III.

The States are asked to decide:

(1) To elect a member of the Elizabeth College Board of Directors, who need not be a member of the States, to replace Advocate Davey G. Le Marquand whose term of office will expire on the 5th January 2018, in accordance with Rule 16 of The Rules of Procedure of the States of Deliberation.

1225 **The Deputy Greffier:** Article III, the election of a member of the Elizabeth College Board of Directors.

The Bailiff: Deputy Trott, I believe you have a candidate you wish to propose.

1230 **Deputy Trott:** Yes, sir, I wish to propose Andreas Tautscher. He will be seconded by the President of Education.

The Bailiff: Deputy Le Pelley, do you second Mr Tautscher?

Deputy Le Pelley: I so do, sir.

1235 **The Bailiff:** There is provision here for additional members to be proposed from the floor of the Assembly if anybody wishes to do so. Are there any other nominations? No. In that case, we go to the vote on the proposal to elect Andreas Tautscher as a member of the Elizabeth College Board of Directors, as proposed by Deputy Trott and seconded by Deputy Le Pelley.
Those in favour; those against.

Members voted Pour.

1240 **The Bailiff:** I declare Mr Tautscher duly elected.

APPOINTMENT

**Guernsey Banking Deposit Compensation Board –
Chairman and ordinary members appointed**

The Deputy Greffier: The following appointment is laid before the States: the appointment of the Chairman and ordinary members of the Guernsey Banking Deposit Compensation Board.

ORDINANCE LAID BEFORE THE STATES

The Transfer of Funds (Guernsey) Ordinance, 2017

1245 **The Deputy Greffier:** The following Ordinance is laid before the States: the Transfer Funds (Guernsey) Ordinance, 2017.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

**The Criminal Justice (Review of Notification Requirements)
(Bailiwick of Guernsey) Regulations, 2017;**
**The Air Navigation (Air Transport Licensing Laws) (AOC Amendment)
(Bailiwick of Guernsey) Regulations, 2017;**
The Public Transport (Fees) (Guernsey) Regulations, 2017;
**The Air Navigation (Bailiwick of Guernsey) (Single European Rules of the Air)
(Preliminary) Regulations, 2017;**
**The Air Navigation (Bailiwick of Guernsey) (Single European
Rules of the Air) Regulations, 2017;**
**The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit)
(Amendment) Regulations, 2017;**
The Financial Services Commission (Bailiwick of Guernsey) (Amendment) Regulations, 2017;
**The Financial Services Commission (Regulatory Laws)
(Bailiwick of Guernsey) (Amendment) Regulations, 2017**

1250 **The Deputy Greffier:** The following Statutory Instruments are laid before the States: No. 32 of 2017, The Criminal Justice (Review of Notification Requirements) (Bailiwick of Guernsey) Regulations, 2017; No. 36 of 2017, The Air Navigation (Air Transport Licensing Laws) (AOC Amendment) (Bailiwick of Guernsey) Regulations, 2017; No. 40 of 2017, The Public Transport (Fees) (Guernsey) Regulations, 2017; No. 46 of 2017, The Air Navigation (Bailiwick of Guernsey) (Single European Rules of the Air) (Preliminary) Regulations, 2017; No. 47 of 2017, The Air Navigation (Bailiwick of Guernsey) (Single European Rules of the Air) Regulations, 2017; No. 48 of 2017, The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) Regulations, 2017; No. 49 of 2017, The Financial Services Commission (Bailiwick of Guernsey) (Amendment) Regulations, 2017; No. 50 of 2017, The Financial Services Commission (Regulatory Laws) (Bailiwick of Guernsey) (Amendment) Regulations, 2017.

The Bailiff: I have not received notice of any motion to debate any of the above.

**IV. Committee for Economic Development –
The Electronic Transactions (Cheque Imaging) (Guernsey) Ordinance, 2017 approved**

Article IV.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled 'The Electronic Transactions (Cheque Imaging) (Guernsey) Ordinance, 2017', and to direct that the same shall have effect as an Ordinance of the States.

1260 **The Deputy Greffier:** Article IV, Committee for Economic Development – the Electronic Transactions (Cheque Imaging) (Guernsey) Ordinance, 2017.

The Bailiff: Is there any request for debate or clarification? No. We go straight to the vote then.

1265 Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

**V. Committee for Employment & Social Security –
The Health Service (Approved Prescribers) Ordinance, 2017 approved**

Article V.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled 'The Health Service (Benefit) (Approved Prescribers) Ordinance, 2017', and to direct that the same shall have effect as an Ordinance of the States.

1270 **The Deputy Greffier:** Article V, Committee for Employment & Social Security – the Health Service (Approved Prescribers) Ordinance, 2017.

The Bailiff: Any requests for any debate or clarification?
Deputy Gollop.

1275 **Deputy Gollop:** I, of course, have seen the legislation and approved it, both at ESS and the Legislation Scrutiny Committee, but I would like to put on record that I think this is a useful piece of legislation. We have on page 4 of it:

'approved prescriber' means –

(a) a nurse prescriber, or

(b) a nurse independent prescriber, pharmacist independent prescriber or community practitioner nurse prescriber who –

(i) is employed, contracted or engaged by the Committee for Health & Social Care, or otherwise authorised by that Committee to work as such,

(ii) is approved by the Committee for Health & Social Care to issue medical prescriptions for the supply of pharmaceutical benefit, subject to any conditions and restrictions specified by that committee, and

(iii) is acting in accordance with those conditions and in compliance ...

This develops an earlier piece of legislation and reflects practice elsewhere. I hope it will contribute to an even more efficient target operating model, but I think having sat on the previous Social Security Committee with Alistair Langlois and, of course, Deputy Le Clerc, we know

1280 the work, particularly that former Member Sandra James M.B.E put into this over many years and I think this is a good day for the nursing profession that they will be given a greater degree of professional responsibility which they will use wisely.

The Bailiff: Deputy Le Clerc, do you wish to reply?

1285

Deputy Le Clerc: Sir, I do not think there was actually a question in that, but I endorse everything that Deputy Gollop has said and I would ask people to approve.
Thank you.

1290 **The Bailiff:** We go to the vote then on the Health Service (Approved Prescribers) Ordinance, 2017.

Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

**VI. Committee for Home Affairs –
The Firearms and Weapons (Guernsey) Ordinance, 2017 approved**

Article VI.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled 'The Firearms and Weapons (Guernsey) Ordinance, 2017', and to direct that the same shall have effect as an Ordinance of the States.

1295 **The Deputy Greffier:** Article VI, Committee for Home Affairs – the Firearms and Weapons (Guernsey) Ordinance, 2017.

The Bailiff: Any debate or clarification requested? No. We go to the vote.

Those in favour; those against.

Members voted Pour.

1300 **The Bailiff:** I declare it carried.

**VII. Policy & Resources Committee –
The Guernsey Financial Services Commission –
2016 Annual Report and Accounts –
Proposition carried**

Article VII.

The States are asked to decide:

Whether, after consideration of the Policy Letter dated 6th June, 2017, of the Policy & Resources Committee, they are of the opinion:

1. To note the annual report and accounts of the Guernsey Financial Services Commission for the year ended 31st December, 2016.

The Deputy Greffier: Article VII, Policy & Resources Committee – the Guernsey Financial Services Commission: 2016 Annual Report and Accounts.

1305

The Bailiff: Deputy St Pier, do you wish to open debate? Deputy Trott, the Vice-President, will do so.

Deputy Trott: Sir, the full spiel, I so move.

1310

The Bailiff: Deputy Gollop.

Deputy Gollop: I did notice that although good progress has been made, the expenses have increased faster than the income, and the nature of the increase in the expenditure by the Commission, I am sure in a worthy way, has been almost 10% and I just wondered what Deputy St Pier and Deputy Trott and Policy & Resources would say if a States' Committee was seeing that increase in expenditure.

1315

The Bailiff: Deputy de Lisle.

1320

Deputy de Lisle: Sir, I would like to make a few points with regard to this Report. It is the Annual Report of the GFSC and to begin with concern really under the banking and supervision and policy report on page 14, because I note the following comments.

First, a further four banking licences were surrendered in 2016, bringing the number of banks in Guernsey to 25 at the end of the year. That is down from 48 in 2008 at the beginning of the financial crisis and 77 in 2000! Deposits have also fallen and that surely should be some concern to the States of Guernsey.

1325

The other point is under the banking supervision, we are told that the biggest recurrent regulatory challenge that Guernsey banks face is outsourcing key activities without loss of control. That is something that I have been placing as an issue before the GFSC for some time now, for some years, because outsourcing has also led to a reduction in staff employed locally. It has also led to businesses shrinking as a result and the amount of office space vacant is another consequence of this.

1330

Under the Chief Risk Officer's report – that is on page 22 – the point is made that prison as a system and methodology for risk based supervision is not a *panacea* for all, and the challenge in 2017 and going forward for the risk team at the Commission is to provide insight into the potential risks that the financial service industry and the Commission face.

1335

Again, on page 23, the point is made that throughout 2017 the risk team will be considering how to best use information received to help identify future risk trends within our firms and the wider industry along with assessing new risk areas that may arise.

1340

Sir, given that Guernsey firms have been increasingly outsourcing operations to regions including South Africa, Asia and Eastern Europe and Ireland, there is a danger that maintaining compliance with local laws and regulations can be regarded as a formality and that strict compliance is not given sufficient consideration. Service level excellence, security and confidentiality of business can also be placed at risk. These are matters for the risk section at GSFC to take up in their risk review and I would ask that they consider that particular area in their 2017 programme.

1345

Thank you, sir.

The Bailiff: Anyone else? No. Deputy Trott will reply.

1350

Deputy Trott: Thank you, sir.

1355 I will start with Deputy de Lisle. I will certainly convey to the GFSC on his behalf the issues he
has raised regarding risk assessments and risk matters generally. He makes the point about the
reduction in the number of banks and of course he is correct that there has been a significant
consolidation in the banking sector ever since the global financial crisis really – or the last one
back in 2007-08. A number of the islands manage banks. Banks that were managed by other
banks, if you like, are no longer here and there has been consolidation, but it has been positive
consolidation in the sense that the quality of the banking sector today is arguably stronger than it
was hitherto.

1360 It is also, I think, fair to say that the significant drop in deposits can be regularly identified in
one particular area; it is the reduction primarily in Swiss fiduciary deposits, for a combination of
reasons, not least low interest yields; that particular banking operation was not considered
appropriate by the main protagonist.

1365 So those are the two reasons I have primarily for the reduction in numbers and deposits.

The other point that was made by Deputy Gollop regarding expenses, I think he is right, we
would be very disappointed indeed if the expenditure of the public sector rose by 10%. However,
the GFSC is experiencing, like we are as the States, a number of very significant issues
simultaneously. They, for instance, are impacted by Brexit in terms of the global regulatory
environment and that is something that is consuming a significant amount of their resources.

1370 I do not think, sir, I can add anything else; I do not have sufficient detail of the numbers to do
so, other than to mention that there has been a significant increase in the bad debt provision
which has materially contributed to the increase in their expenditure.

1375 Thank you, sir.

The Bailiff: There is a single Proposition. It is to note the Annual Report and Accounts of the
Guernsey Financial Services Commission for the year ended 31st December 2016.

Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

**VIII. Committee for Economic Development –
Guernsey Banking Deposit Compensation Scheme Availability of States' Loan Facility –
Propositions carried**

Article VIII.

The States are asked to decide

*Whether, after consideration of the Policy Letter entitled 'Guernsey banking deposit
compensation scheme availability of states' loan facility' dated 27th July 2017, they are of the
opinion:*

*1. To direct the Policy & Resources Committee to make available an on demand facility of
£15 million in favour of the Guernsey Banking Deposit Compensation Scheme Board, on such
terms as the Policy & Resources Committee may agree with the Board.*

*2. To authorise the Policy & Resources Committee, at its discretion, following receipt of a written
request from the Guernsey Banking Deposit Compensation Scheme Board, to make available a
facility of a maximum amount of £57 million on such terms as the Policy & Resources
Committee shall agree with the Board.*

1380 **The Deputy Greffier:** Article VIII, Committee for Economic Development – Guernsey Banking
Deposit Compensation Scheme Availability of States' Loan Facility.

The Bailiff: Deputy Ferbrache.

1385 **Deputy Ferbrache:** Sir, I hope this is uncontentious. It really follows an exchange between Deputy de Lisle and Deputy Trott just a minute or two ago.

The world suffered – Western Europe and America etc. – a massive financial crisis in 2007-08. The States set up a Guernsey Banking Deposit Compensation Scheme. The proposals here are to make liquid assets available, should payments need to be made, in the total sum of £72 million: 1390 £15 million is a primary facility and £57 million is a secondary facility. As it said at paragraph 1.2 of the policy letter, the idea is to give liquidity.

Compensation under the scheme is capped at the moment at £100 million in any five-year period and if claims exceed this cap then compensation is reduced *pro rata*. At the moment, there is a maximum of £100 million in connection with the money to be provided to help people if there 1395 is a collapse of a bank or banks. Ten million pounds is levied on all licensed banks already and it is equal so that money is – no pun intended – in the bank. Secondly, there is a secondary levy of £90 million, but in connection with that there is a formula: it is either £1 million or a sum which does not exceed the average of 15% of the profits over the three years.

As you can see from footnote 8 on page 4, we are consulting both in relation to the 15% cap 1400 and also about increasing the threshold from £1 million to £2 million. So we have got to deal with the world as it currently is and therefore the idea is, because the primary levy if it is every called up, that the money is made available, the £10 million, within 72 hours; the other money takes a period of a couple of weeks or so.

So what we would want to be able to do – and we return to paragraph 8.2 of the policy letter – 1405 is to make sure that people are paid possibly within six months if there is a default. The only way that can be achieved is if the States of Guernsey, i.e. Policy & Resources, make available these facilities. We hope that if ever called upon ... it is a bit like an insurance policy; you have got to have it in hand in case you ever need it.

I hope, therefore, these proposals are uncontentious. They have been fully discussed obviously 1410 with Policy & Resources. Therefore, I ask the States to approve them.

The Bailiff: Deputy Parkinson.

1415 **Deputy Parkinson:** Yes, sir, I was instrumental in the establishment of the bank deposit protection scheme back after the financial crisis, and the initial intention at that time was to try to, when market conditions allowed, move to an insurance basis for the scheme. At that time, in light of the collapse of several very large banks, there would have been no market at all for insuring these risks.

Could the President advise me please when he sums up whether his Committee has explored 1420 whether there is now an insurance market for these risks and have they considered whether that is a viable alternative?

The Bailiff: Deputy Gollop.

1425 **Deputy Gollop:** Although I have always welcomed the scheme and with Deputy de Lisle and others ... were very much instrumental in working with some of the victims, in a way, of the land's banking situation and feel that Guernsey initially was behind the place where it should have been.

I am a little concerned that the States' significant Capital Reserves are very much used for 1430 underwriting our potential liabilities, whether it be pensions, start pensions, other risks, whereas we do not seem quite so effective in using our reserves or assets in order to promote ventures and economic growth. Again, if this effectively weakens our ability to invest for the future then that will be a disadvantage.

The Bailiff: Deputy Yerby.

1435

Deputy Yerby: Sir, I am a little apprehensive about this proposal and my questions to Deputy Ferbrache in particular are about the context in which it might be necessary to raise £100 million levy; and whether in that context, which would presumably be a substantial failure of the banking sector in this Island, it would be realistic for the States to expect ever to recoup the £57 million or £70 million that it might put in to top up that levy.

1440

Additionally, I note there is a footnote in the policy letter that says there is consultation ongoing with the banks about increasing them at the rate at which they would pay into the levy. I would like to ask Deputy Ferbrache if the States' decision today would not rather take the wind out of the sails of that consultation somewhat?

1445

I was interested to hear Deputy Parkinson's point and I too would like to know what has been done in terms of putting this on an insurance footing, as that seems a very appropriate way forward.

The Bailiff: Deputy de Lisle.

1450

Deputy de Lisle: Sir, I was concerned that we seem to be lagging behind, in this whole scheme, the UK and Europe, and I do not know what effect that might have on depositors choosing Guernsey *vis-à-vis* other locations, because I note that in the UK now it is £100,000 that is guaranteed together with, for very big depositors, £1 million.

1455

The other point that I would like to make is there is a whole issue of transparency in this particular policy letter, because there seems to have been a change in understanding from what was put together in 2008, and that needs to be explained by the President, I think.

1460

I understand that it was £20 million that was to be placed as a limited guarantee where the States should provide that initial funding, which then would be taken up by the private sector and the banks. So I think that needs to be explained more fully and it might be along the lines of the question also that was being posed by Deputy Parkinson. But it is a matter of understanding where we are, whether this money is a guarantee in lieu of waiting for the money to be progressively placed year on year by the banking fraternity.

1465

So I would like to have some real clarification on this from the President as to whether also the £57 million ... how is that drawn up? It seems an awful lot of money again and I just worry *vis-à-vis* the bond, for example, whether it will all be actually utilised at the end of the day.

Thank you, sir.

The Bailiff: Deputy Ferbrache to reply.

1470

Deputy Ferbrache: Why don't we deal with Deputy de Lisle's point first, sir.

1475

It explained in the policy letter how the £72 million is needed. On page 5 there is a column at paragraph 7.1 which deals with it. A hundred million pounds is the maximum, there is the £10 million in the primary levy which will be got within three days and there is no anticipated difficulty with that; they have then got to come up with other money and what we are advised and what Policy & Resources are advised is if that money was called upon within the two-week period or whatever, the best you would likely get would be £18 million, so therefore there is a shortfall of £72 million.

1480

It is not bond money, it is general States' money and it touches upon a point raised by Deputy Gollop: of course if that money has got to be made available it cannot be because it is a guarantee, you have got to within the appropriate period of time produce that money if it is needed. So it could not be used for other things because it is a bit like you sometimes, if you borrow money from the bank they want you to lodge somewhere else some other money so that you can guarantee at least part payment of that money. But there is nothing we can do about it; that is the world we live in.

1485

As to Deputy Parkinson's point, I can only say that we as a Committee have not looked into the insurance issue; we were not advised that was an issue. It probably comes back to the 2008 point that I did not quite understand from Deputy de Lisle, which was: how has it changed, how is it not transparent? I think this is perfectly transparent.

1490 Certainly, as a result of Deputy de Lisle's comments today, and Deputy Yerby made the same point, we will look into whether it is capable of being insured but it may be prohibitively expensive, it may not be practical. I was not aware that was an option; it may not be an option. I undertake to look into it and if there is a material change I undertake to come back to the States and report to it.

1495 I think that also deals with Deputy Yerby's point: the £1 million to £2 million and the other points, we will come back to the States if there is any change in that, and report. We will actively keep the States informed of what procedures there should be.

1500 As to the increase from £50,000 to £100,000 that Deputy de Lisle has referred to, that is a decision for the States. We are not the Treasury Committee, we are the Economic Development Committee. The Treasury Committee falls under the auspices of Policy & Resources, so I cannot really answer it. If I were answering it I may be saying we live in a world where, as Deputy de Lisle has highlighted, we have gone from 77 banking licences to 24; we have got fewer deposits – that has been explained by Deputy Trott today; and we have got to do what Mr Micawber failed to do for most of his life until Mrs Micawber gave him a good shaking, which is live within our means.

1505

The Bailiff: Two Propositions. I put both to you together. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare them carried.

**IX. Committee for Education, Sport & Culture –
The role of the grant-aided colleges and their future funding arrangements –
Debate commenced**

Article IX.

The States are asked to decide:

Whether, after consideration of the Policy Letter of the Committee for Education, Sport & Culture entitled 'The Role of the Grant-Aided Colleges and their Future Funding Arrangements', dated 4th August 2017, they are of the opinion:

- 1. To approve the continued provision of States funding to Elizabeth College, The Ladies' College and Blanchelande College ('the Colleges') from September 2019;*
- 2. To endorse the cessation of the existing grant aid arrangements at the end of August 2019;*
- 3. To approve a new seven-year model of funding for the Colleges commencing in September 2019, comprising two forms of grant aid provided by the States:*
 - a. a grant equivalent to the total fees charged by each College in respect of Special Place Holders educated at that College from September 2019; and*
 - b. a general grant of £816 in respect of each fee paying pupil educated at that College from September 2019, which figure will be adjusted in line with RPIX.*
- 4. To direct the Committee for Education, Sport & Culture and the Policy & Resources Committee to carry out an internal review of the new funding arrangements on an annual basis.*

The Deputy Greffier: Article IX, Committee for Education, Sport & Culture – the role of the grant-aided Colleges and their future funding arrangements.

1510

The Bailiff: The debate will be opened by the President, Deputy Le Pelley.

Deputy Le Pelley: Thank you, Mr Bailiff.

1515 I have the honour today to present the Committee for Education, Sport & Culture's policy letter on the role and funding of the grant-aided Colleges.

The three colleges – Elizabeth College, the Ladies' College and Blanchelande College – are of course – lest we forget – independent, self-governing institutions – an important fact to hold onto throughout our debate today.

1520 In introducing this policy letter, I am reminded of a famous comment by Winston Churchill when he was writing a letter to his wife Clementine. He said something like: 'My darling Clemmie, I hope you will forgive me writing you a long letter but I simply do not have time to write you a short one!' (*Laughter*) Of course, Sir Winston – he was Winston in those days – was making a serious point: it is much harder to write concisely and informatively than it is to throw everything you possibly think of into a letter or document.

1525 Our policy letter is short in comparison to previous reports on this subject, but do not let this fool you. The policy letter contains everything you will need to make clear, well-informed decisions based on reliable evidence, which is a lot more than I can promise for some of the amendments that will be placed here later today.

1530 You have all the information you need. The policy letter sets out the role as we see it of the Colleges at this time and for the seven years after the expiration of the current model, i.e. from September 2019 onwards; it sets out the level of funding currently enjoyed by the Colleges; the impact we expect following the withdrawal of selection on College funding and pupil numbers; it sets out how we propose to treat the current special place holders during the transition – that is only funding the actual take-up of places; our view on the level – or if you prefer, the quantum – of funding which is appropriate for those parents wishing to take up paid places at the Colleges; our desire to see, as part of any funding agreement, revised conditions of grant aid and a memorandum of understanding; it sets out the Committee's view that any grant aid should not be used to reduce fees for those best able to afford them; the Committee's recommendation that during this transitional period, and a certain level of understandable anxiety from the Colleges, that there is a safety net for the Colleges to remove all financial risk.

1540 The policy letter, sir, is open and transparent – something which I feel is sorely lacking with some of the amendments to be laid later. It does what it says on the tin. In terms of the amount of grant aid being recommended, the recommendation is that the States should pay in respect of fee payers exactly the same amount as now – what could be fairer than that?

1545 But wait, we could, I suppose, guarantee this amount in real terms to make it even fairer. Well, yes, Deputy Trott, you guessed it: that is our recommendation. So what are we suggesting? We have suggested a figure of £816 per annum, per student, maintained in real terms. This is, as I have explained, the current level of fee subsidy.

1550 It is more so, more tellingly, the level of subsidy which demand for fee-paying places remains strong. I would encourage Members to note the information contained in the table at paragraph 6.2 in this regard. There can be no possible justification without sufficient and supporting evidence for paying anything at all above this level. When challenged by the Education, Sport & Culture Committee, the Colleges were unable to provide that justification.

1555 In our view, paying above this level would be contrary to the continued climate of fiscal restraint and could have other unintended consequences. What possible justification could there be for paying more than we do now?

1560 Our proposal is supported even more by the facts that this figure is forecast to drop still further in the current funding model to a level of less than £600 next year. Members are once again directed to a table, this time appearing at paragraph 3.6. The figure bottom right of that table shows the fees subsidy next year to be estimated at £581.43.

So, 'Why hasn't the Committee gone for this lower figure?' might be one reasonable question. The simple facts are we do not know – no one does – what impact paying less than this could

1565 have on College numbers. We have preferred to deal with what we know for certain, and what we know for certain is that this level of financial support does not appear to be deterring parents from seeking a College place. It is an evidenced based decision from the Committee. It is true that this level of support would in time – in fact over a long period of time – reduce States’ funding by around 8% from the current level. This was not a target figure, as I have heard suggested; it is simply a natural consequence of applying the logic I have already just explained to you.

1570 The Colleges’ finances do not fall over a cliff, which seems to be another misapprehension. Will this withdrawal of States’ funding be replaced? Yes, the Committee believes it will. Where will this funding come from? The answer to that is surprisingly simple really. With no selective intakes at the Grammar School and Colleges, the Colleges would only need to replace their 52 special places each year from the 132 to 152 pupils who formally took up special places; that is around one in three. We know from data that the Committee has seen that this is more than possible. Therefore, 1575 why pay more than the £816?

The Committee did listen to what the Colleges were saying, but we also had to think of the possible consequences of paying the *vast* sums the Colleges were suggesting – *vast* sums! We believe, with a reasonable level of subsidy, that the numbers will be maintained with our suggested subsidy. The Committee therefore had to consider what impact paying considerably 1580 more than £816 would have. Sometimes what you think might happen is not what happens. Putting an extra £2 million in year on year, which is effectively what the Colleges were asking for, could have serious negative effects. One might imagine that fees would go down. Not so. There is absolutely no evidence that would happen. In fact, if we pump an extra £2 million into the Colleges each year – and remember that is actually £3 million a year on top of the £900,000-odd 1585 we are offering – we might simply see more of the same. There is no guarantee that fees would not continue to rise. No guarantee! Remember that.

The Colleges are independent, self-governing institutions and therefore responsible for setting and collecting their own tuition fees. In fact, with such a lucrative cushion on which to bed their finances, there was every prospect that the Colleges could become even more choosy about who 1590 they admit and there might even be a case for fees to rise still further to help maintain their smaller class sizes.

The Committee came to the conclusion that our figure of support was the right Goldilocks figure – not too high that it could result in dysfunctional behaviour by the Colleges, not too low that the College finances could be unduly disruptive, but just the right figure to maintain balance and equilibrium as we move through this next transitional phase. 1595

Was there any justification for increasing our offer on the grounds that the Colleges take pupils who might ordinarily be educated in their own schools? No. No, there was not. Independent schools will always be with us. There will always be parents who choose to go private. As I have already alluded to earlier, our assessments, if continued in a future take-up, are 1600 based not on blind hope, but reasoned analysis and data – evidence based. No one can predict the future, that is true. Therefore, we have the safety net or review mechanism.

There is absolutely no risk and everything to gain from the Committee’s proposals. No risk! Remember that. No risk. When we were discussing numbers we were of course mindful of the Colleges’ supposed capacity to take on more pupils and whether this was something we should 1605 bear in mind, particularly with the debates to come on secondary and post-16 education. However, again, no justification could be found for increasing our offer. In total, there are just 147 surplus spaces across the three Colleges, and this is across all of the 11- to 16-year age groups. This has not really helped the Committee that much. To be of any practical use, these vacancies would have to be all in the right Year groups and of course pupils would need to be of the right 1610 gender and, to a lesser extent perhaps, happy to be placed in a faith school.

I shall not give way, sir.

Notwithstanding these comments, I can assure the Assembly that the limited available capacity at the Colleges has been taken into consideration in terms of our future plans.

1615 These are just some of the matters my Committee has had to be mindful of when considering whether to stick to current levels of funding or to accede to the Colleges' request, which in our view, would have seen an extra £2 million a year flowing into the Colleges, over and above what might be considered reasonable.

1620 Isn't it part of the offer that the Colleges maintain some level of exclusivity? Isn't that what the majority of parents buy into? Going much further with funding, going beyond what the Committee is suggesting, therefore potentially, has far reaching consequences that at first glance may not be apparent.

1625 The Committee would not want to see wage push inflation. One consequence of having, or being seen to have, large amounts of cash is the inevitability that there is pressure to spend. Employees will certainly want to join in that 'successful scenario'. The Colleges would no doubt be able to pay much higher wages than they do now, all courtesy of States' funding. But this might be a good thing. However, let's not forget that that could leave the States having to reciprocate in order to maintain and keep its own staff in its own schools. We then get into the nonsense that we are funding private institutions to outbid our own schools in the market.

1630 The final irony is that the Colleges are part of the States' Superannuation Scheme and, no doubt, part of the general deficit in that respect too. Higher salaries could lead to higher commitments within the scheme, and larger deficits perhaps. It is worth thinking about.

1635 In paragraph 9 of the report, the Committee gives its views on the discussions which took place with the Colleges regarding bursary schemes and our conclusions on this. The Committee was not averse to the Colleges' discounting of fees. Indeed, that already happens with teaching staff receiving preferential rates, as I understand it, and perhaps it goes beyond that, I do not know. Those who sit on the College Boards and also in this Assembly will know about that far better than I.

1640 What I do know, though, is that it is quite possible for the Colleges to run their own bespoke discounted fees scheme, best suited to the individual needs of the separate Colleges. Funding would be targeted and one size would not have to fit all.

Let me repeat again, the Colleges are self-governing, independent institutions responsible for setting and collecting their own fees and much else besides. It would be wholly inappropriate for the Government in Guernsey to get itself involved in a State's administered bursary scheme.

1645 It would be wrong on two levels. Firstly, such a scheme would be a backdoor selection by another means and this Assembly would be deceiving itself and the people of Guernsey if it were to vote in any way other than contrarywise to a suggestion of bursaries. We are all familiar with the connection between family circumstances and educational attainment. Secondly, whenever a Government body gets involved in some sort of benefits scheme, it invariably becomes the case that the public expect a different level of response than they would, say, from a private undertaking. Student loans are a prime example.

1650 The Committee did not want to walk into a student loans scenario when there is a perfectly good solution available through the Colleges. If the Colleges want to offer discounts it is up to them, pure and simple. I know that the experience that the student finance team, who, you may be aware, undertake financial assessments for higher education students, has highlighted significant issues which you might call negative behaviours should a scheme be run by the States, which would not otherwise apply to a scheme run by the Colleges; or if they did, they would do so to a much lesser extent. The Committee has therefore suggested a low-profile arrangement through a memorandum of understanding.

1660 I trust, therefore, that I have been able to give the Assembly a flavour of the myriad of issues that the Committee has had to consider before seemingly coming up with this simple solution, which of course is not simple at all. It is important to note what you are voting for. It is important to know the consequences of your vote. All through this debate today I trust Members of this Assembly will bear these self-evident statements in mind.

Thank you, sir.

1665

The Bailiff: Before we go to the first amendment, can I just remind Members – and really I am doing this for the benefit largely of members of the public who might be listening – of Rule 17(15) that states that:

A Member who has a direct or special interest in the subject matter of a Proposition ... or who is aware that his or her spouse, co-habiting partner, infant child or any company in which he or she has a controlling interest on his or her ... behalf has such an interest, shall ... (a) before he or she speaks on the Proposition; or (b) if he or she does not speak, before a vote is taken on the Proposition, declare the said interest by disclosing it to the meeting.

1670 So any direct or special interest must be disclosed, but it does not prevent the Member from voting on the Proposition.

We have some amendments laid and I propose to take, first, the amendment to be proposed by Deputy St Pier and seconded by Deputy Trott.
Deputy St Pier.

Amendment:

To delete the Propositions and substitute therefor:

1. To note that the current arrangements through which the States provide financial support to the grant-aided colleges (Elizabeth College, The Ladies' College and Blanchelande College) ('the Colleges') shall expire on the 31st of August, 2019; and

a) to agree that between the 1st of September, 2019 and the 31st of August, 2025 the States shall pay to the Colleges only the fees charged by each college in respect of special place holders; and

b) to agree that with effect from the 1st of September, 2025 the States shall cease to provide financial support to the Colleges; and

c) to direct the Committee for Education, Sport & Culture, having reviewed all legislation, resolutions and any other relevant documentation in respect of the current relationship between the States and the Colleges, to submit to the States any proposals necessary to ensure that the Colleges have complete operational independence from the States.

OR, if Proposition 1 shall have been defeated,

2. To note that the current arrangements through which the States provide financial support to the grant-aided colleges (Elizabeth College, The Ladies' College and Blanchelande College) ('the Colleges') shall expire on the 31st of August, 2019; and

a) to agree that between the 1st of September, 2019 and the 31st of August, 2025 the States shall pay to the Colleges the fees charged by each college in respect of special place holders; and

b) to agree that with effect from the 1st of September, 2019, and in addition to paying the fees in respect of special place holders, the States shall continue to provide financial support to the Colleges on the basis that they have historically been and remain an integral and integrated part of Guernsey's education system; and

c) to agree that with effect from the 1st of September, 2019, and in addition to paying the fees in respect of special place holders, the States shall continue to provide financial support to the Colleges on the basis that they educate a substantial number and proportion of the Island's students from years seven to thirteen; and

d) to agree that with effect from the 1st of September, 2019, and in addition to paying the fees in respect of special place holders, the States shall continue to provide financial support to the Colleges on the basis that they provide choice of educational environment or ethos; and

e) to agree that with effect from the 1st of September, 2019, and in addition to paying the fees in respect of special place holders, the States shall continue to provide financial support to the Colleges on the basis that they provide competition in the education sector; and

f) to agree that with effect from the 1st of September, 2019, and in addition to paying the fees in respect of special place holders, the States shall continue to provide financial support to the Colleges on the basis that they help attract employees and entrepreneurs from overseas who may otherwise not move to or invest in the island; and

g) to agree that with effect from the 1st of September, 2019, and in addition to paying the fees in respect of special place holders, the States shall continue to provide financial support to the Colleges on the basis that they provide education cost effectively, the diminution or in absence of which would mean that the costs to the states of providing education would inevitably increase; and

h) to agree that the financial support to the Colleges provided in this proposition (other than by reason of paragraph a)) must be used exclusively for the establishment of a scheme (to be developed pursuant to Proposition 2 k)) of assisted places ('the Scheme'), whereby the States (having regard to ability to pay) would pay part or all of the fees and costs charged by each college in respect of students holding such places, which shall be awarded in such a way as to ensure that each cohort of assisted place holders is broadly representative of the student body in the States' all-ability secondary schools in relation to socioeconomic and educational background, provided expressly that it shall be an ongoing condition of financial support to the Colleges that there shall be no academic selection of assisted place holders and the Colleges shall not introduce or expand any other schemes which involve academic selection for any other students; and

i) to agree that the funding paid by the States in respect of the Scheme shall be phased in proportionately for each academic year from 2019/20 as the cost of funding special place holders reduces such that in respect of the academic year 2025/26 the sum paid by the States shall be not less than 55% and not more than 65% of the total sum (in real terms) paid by the States to the Colleges in respect of the academic year 2018/19; and

j) to agree that the arrangements relating to financial support of the Colleges shall continue for a period of ten years until the 31st of August, 2029, at which point they shall be subject to review; and

k) to direct the Committee for Education, Sport & Culture and the Policy & Resources Committee jointly to develop and agree by no later than 1st of September, 2018, in consultation with the Colleges and such others as they deem appropriate, the detailed financial and practical operation of the Scheme for phased implementation in accordance with paragraph i) by the Committee for Education, Sport & Culture commencing with effect from the academic year 2019/20.

AND if Proposition 2 shall have been approved,

3. To direct the Committee for Education, Sport & Culture and the Policy & Resources Committee jointly to develop service level agreements with each of the Colleges in order to implement the Scheme which is compliant with the States' Donations, Grants and Loans Directive and which would provide for a closer working relationship between the States and the Colleges and to agree that in the development of such agreements the following shall inter alia be considered:

- provision for the use by the States of any spare capacity at the Colleges;
- appropriate key performance indicators, including the means of monitoring the educational value added and outcomes for the holders of assisted places;
- sharing of resources, including teaching resources and courses;
- co-operation on outdoor activities, sport and other extra-curricular pursuits;
- sharing academic enrichment experiences;
- opportunities for teachers to take advantage of continuous professional development;
- access to States' special educational needs services;
- exclusion and expulsion policies;
- roles and responsibilities regarding safeguarding.

Deputy St Pier: Thank you, sir.

1675 I do not propose to have the amendment read, sir.

I have an interest to declare. My youngest daughter is a fee-paying student at the Ladies' College. She has just started Year 10, the first GCSE year in the ordinary course, therefore she is likely to be in the school until 2021. My wife and I would therefore directly benefit from the Committee for Education, Sport & Culture's proposals. Conversely, if new Proposition 1 from this

1680 amendment for no future funding is accepted we can expect our fees to be higher; and if new
Proposition 2 is accepted we would not benefit from the new assisted places scheme. I hope, sir,
that succinctly discloses my interests in this matter.

May I also thank those in the Assembly responsible for helping Deputy Trott and I to draft this
amendment, which we of course lay on their behalf too.

1685 Sir, some of the Members may recall that four years ago in 2013 I stood against former Deputy
Peter Gilson for the position of Chair of the Ladies' College Board of Governors. Deputy Gilson, of
course, beat me in that election. However, in my pitch to the Assembly for the role, I argued
strongly against the present funding model for the grant-aided Colleges and, in particular, the
1690 general *per capita* subsidy. I believed then and I believe as strongly now that those, such as me,
who are fortunate enough to be able to make the choice to opt in to the Colleges as fee payers
should not expect or receive any financial support for doing so from taxpayers. So, for that reason,
sir, if the Committee's Propositions remain unamended I will be unable to support them.

I argued in 2013, and have the opportunity to do so again through this amendment, that any
financial assistance must be directed to those who are not so fortunate, that it should be directed
1695 to those with the greatest financial need through a system of bursaries. (**A Member:** Hear, hear.)
Or, in the language of Proposition 2 of this amendment, assisted places.

Government has limited resources available and we must always remember that those
resources do not belong to Government by right but come from all of us, our community as
taxpayers. We are therefore always required to ensure that as we deploy the limited funds that do
1700 not belong to us, we do so in such a way as is the most effective use of those resources. I cannot
accept that obligation is properly discharged in this case by making a block grant of a general
subsidy to the Colleges in the way proposed in the Committee's policy letter.

Sir, for reasons that are unclear to me, the Committee for Education, Sport & Culture have
decided to debate this matter separately from the rest of their proposals for the secondary sector
1705 of which the Colleges are an integral part. So be it. But, as is clear from the correspondence we
have all received, today is not the day to destabilise the college sector in our integrated education
system. There is already enough uncertainty ahead of the debate on the secondary system, and
this amendment offers the policy options that will provide clear direction and certainty to the
Colleges one way or another.

1710 Before I turn to the substance of the amendment, I wish to set it in the context of Policy &
Resources' letter of comment. Whilst the members of Policy & Resources have differing views on
the right funding level for the Colleges, we all agree that the Committee for Education, Sport &
Culture's policy letter was disappointing, (**A Member:** Hear, hear.) in failing to present any
coherent policy rationale for any funding. In other words, whilst the policy letter attempts to
1715 provide rationale for why the Committee is recommending £816 per head in general subsidy, and
Deputy Le Pelley has sought to justify that today in his opening, it does not make any attempt to
address why this should be a general subsidy.

Policy & Resources believes that any funding must be based on a sound and clear policy
footing which has the support of the majority in this Assembly. It is that hole, that lacuna, that
1720 failure which this amendment is seeking to fill. As with any amendment, it can and, no doubt
during this debate, will be criticised for failing to address every issue arising. I accept that as fair
criticism, but it is fair criticism in respect of almost all amendments as they cannot possibly be
comprehensive enough to cover off every angle, which is of course the role of a good policy
letter.

1725 The amendment seeks to provide, initially, a binary choice. In other words, no funding at all
versus funding. Deputy Trott and I believe that this is the logical starting point. It can be argued
that the Colleges are, or should be, independent of the States, and Deputy Le Pelley has said
repeatedly this morning that they are self-governing and independent, perhaps ignoring of course
the role of the States in appointing governors and directors.

1730 If that is the majority view of the Assembly then the logical conclusion is that they should be
cut free entirely from any relationship with the States and should not receive any further financial

1735 support after the last special placeholder has left the schools. I do not believe that and if this amendment is successful I will not be supporting Proposition 1, but I do believe – and I believe strongly – that the States must be given the opportunity to debate and accept or reject that Proposition; and that is why it is included in this amendment.

Turning now to what would become new Proposition 2, this has been structured intentionally to provide the States with a menu or suite of policy reasons for financially supporting the Colleges from sub-paragraphs (b) to (g). It has been structured in this way to allow Members to vote on them separately if Members so wish.

1740 In summary, the menu of policy reasons are: that the Colleges have been and remain an integral and integrated part of the secondary education system which is the extant policy, and has been for many years; that they educate 30% of the secondary school age population; that they provide educational choice; that they provide competition; that they are an important part of our offer to those moving to the Island; and finally that they provide cost-effective education, in the absence of which it would cost taxpayers considerably more to educate in the state system those students not educated in the Colleges. **(A Member: Hear, hear.)**

1750 Members may agree or disagree with some or all of those reasons and this amendment enables this Assembly to articulate its collective view on which, if any of those reasons, provide the policy basis on which financial support is to be given. Some Members may feel that these and ... if there are indeed other reasons which could or should justify giving financial support. Deputy Trott and I are not claiming that this is an exclusive list, but we do believe that these are the key policy drivers on which the States should be asked to decide one way or another.

1755 The heart of the assisted places scheme is in 2(h) and I want to highlight the key parts of this important sub-paragraph. Firstly, and most importantly, it states that it is provided expressly that it shall be an ongoing condition of financial support of the Colleges that there shall be no academic selection of assisted placeholders. This could not be clearer; this is not selection by the backdoor. Belt and braces, the amendment goes on to say that the Colleges shall not introduce or expand any other schemes which involve academic selection for any other students. This is to prevent the Colleges hollowing out the all-ability state schools by developing other schemes based on academic selection. I am pleased to say the Colleges have come out in public to say that they too regard this as a reasonable condition to impose in return for public funding.

1760 The amendment provides that the assisted places scheme will be awarded having regard to ability to pay and would pay part or all of the fees and costs charged by each College in respect of students holding such places. Firstly, the reference to 'part or all' envisages a scheme which will be graduated based on financial need. Secondly, the reference to 'fees and costs' is to ensure that the other costs of attending a College, such as for example school trips, will be included within the scheme. This is essential to enable the fullest inclusion and participation in College life by those students whose parents might otherwise be unable to afford to do so.

1770 The amendment also says that the places should be awarded in such a way as to ensure that each cohort of assisted placeholders is broadly representative of the student body in the States' all ability secondary schools in relation to socio-economic and educational background. The language has been used to ensure that the scheme, when fully designed and implemented in the next phase, is not just accessed by the articulate middle class, but is actively made available to those, for example, from social housing who have been so underrepresented or even unrepresented amongst special placeholders. **(Several Members: Hear, hear.)**

1775 Again, I am pleased that the Colleges have enthusiastically endorsed this provision. This will ensure that the Colleges do not become the exclusive preserve accessible only to the financially most elite members of our community, which would be to the detriment of us all. **(Two Members: Hear, hear.)**

1780 Paragraph 2(i) secures by 2025-26 a 35% to 45% – or about £1.5 million to £1.9 million a year reduction in the current level of financial support to the Colleges. I am pleased that the Colleges have confirmed that they are supportive of this reduction. In other words, we can continue to

educate 30% of our secondary school aged students for 35% to 45% less than it costs us today. That is excellent value for taxpayers' money. (**Several Members:** Hear, hear.)

1785 The Committee's proposal is that we take the chance that the Colleges can successfully replace all 52 special placeholders each year with fee payers. If they are wrong then we will have more students in the state sector at just the time we know that secondary school numbers will peak in 2025. How many more we just do not know, because that will depend on the price elasticity of demand to an unknown increase in fees. Deputy Le Pelley conceded in his opening speech that he
1790 has no idea what the impact will be. That is a set of circumstances which is sufficiently unclear – in other words, a gamble – that we should not be willing to take. Deputy Le Pelley says there is no risk with his Committee's proposals, which I think is wholly inconsistent (**Several Members:** Hear, hear.) with his statement that no one has any idea what the impact of fees will be.

Paragraph 2(j) provides for a 10-year life to the initial scheme. This is to allow for an overlap at
1795 the ending of the special placeholders scheme after seven years. As the assisted places scheme will be phased in as the special placeholders scheme is phased out, it will only be in full operation at the end of the special placeholders scheme. It seems reasonable that there should be effectively a two-year period of full operation before it is reviewed in the final tenth year.

Paragraph 2(k) and new Proposition 3 then provides for an 11-month development period in
1800 which the Committee for Education, Sport & Culture and the Policy & Resources Committee will jointly develop the details of the scheme to ensure its timely implementation one year later at the beginning of the 2019-20 school year. As the new Proposition 3 makes clear, the service level agreement will need to address matters such as the sharing of resources, the development of the right key performance indicators and the use of any spare capacity in the Colleges. Frankly, it is
1805 disappointing that the policy letter fails to give consideration to any of these issues, which is what I would have expected. There are some who may see the conditions as being far too much Government interference in the affairs of the Colleges; I see it as a reasonable set of conditions to impose in return for substantial Government funding over the next 10 years. In contrast, it is hugely disappointing that the Committee for Education, Sport & Culture see fit to recommend
1810 £900,000 a year providing a general grant for the Colleges to do with pretty much as they see fit and without any obvious conditions attached, as far as you can tell from their policy letter. As far as I can see – and Deputy Le Pelley has conceded this this morning – the Colleges could take that grant and use it to attract the most talented children on the Island. That really would hollow out the States' new all ability system.

1815 Please do not criticise this amendment for not having all the details of the scheme down to the last 'i' dotted and the last 't' crossed; this is not practical or the purpose of an amendment which should be in sufficient detail to give policy direction – which I think this amendment does – not to operationally implement. (**A Member:** Hear, hear.) But what I do know is that there are plenty of examples of independent schools in the UK – Christ Hospital perhaps being one of the most
1820 famous and longest standing – who have successfully operated schemes that allow them to educate the children of some of those least able to pay in some of the most socially deprived areas. In short, yes, work needs to be done to turn this amendment's policy adjective into a live scheme, but the wheel is not being reinvented.

One concern I have heard expressed is how the scheme will operate if there are more
1825 applicants than funds available; that is possible. It will clearly be necessary to devise, compliant with the terms of the amendment, a non-academic method by which those applicants can be whittled down to match the funds available, whilst ensuring an uptake which is broadly representative of the intake in the state schools. That is not selection; it is the task of Education, Sport & Culture and the Policy & Resources Committee to design an appropriate methodology in
1830 the next seven months. (*Laughter*) If the scheme is vastly oversubscribed that should not be seen as a threat to the all ability state sector. Neither the States or the Colleges should be afraid of the other competing for all ability students; both should have the self-belief and standards to be able to confidently explain to parents and students what their education offer is, their culture, their

ethos, their added value and their quality, without fear that they are a substandard to another school.

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This funding model, unlike that presented by the Committee for Education, Sport & Culture, also ensures that the States is not locked into funding the Colleges if, by not maintaining their standards, they fail to attract and retain applicants for assisted places. If there are no applicants there will be no funding. (**A Member:** Hear, hear.) If a student joins and then leaves, the Colleges will lose the funding for that student.

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Sir, in summary, this amendment will enable the States, after the main debate, to choose from a logical suite of policy options. Of course, it is not and cannot be perfect, but it is a vast and essential improvement on the policy letter and the Propositions before us, and I commend it to the Assembly and ask Members to support it.

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The Bailiff: Deputy Trott, do you formally second the amendment?

Deputy Trott: I do, sir, and reserve my right to speak later. Thank you.

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The Bailiff: Deputy Le Pelley, do you wish to exercise your right to speak on the amendment at this stage?

Deputy Le Pelley: Not at this stage, thank you, sir.

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The Bailiff: No.
Deputy Roffey.

Deputy Roffey: Thank you, Mr Bailiff.

I am afraid my speech on this Item is going to be rather long, so I will help Members by starting with an executive summary.

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I want to maintain a healthy private school sector in the long term. I do not know exactly how big that sector will be and nor do I think we as a States can guarantee that it stays at a certain size. Indeed, the better our new state system, the smaller the market for private education will probably be. In the long term, I think the private schools should receive very little, if any, taxpayer subsidy, but over the next two years of transition I am more than willing to be far more open handed to secure their existence in an uncertain environment.

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If that means paying more than the amount suggested by Education in this policy letter over the next five years or so, I can live with that. However, I will not support funding any form of assisted placeholders scheme which is not only unnecessary in a world of all ability state schools, but indeed is virtually a pre-emptive vote of no confidence in those schools.

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Still less will I support one with the utterly unworkable qualification criteria of the scheme put forward by Deputies St Pier and Trott. (**Two Members:** Hear, hear.)

Now the longer version! (*Laughter*)

When we consider how we publicly fund various elements of our secondary education system in Guernsey we have to consider how that system works. So the level of future taxpayer funding for the Colleges should be determined by the role that the Colleges will play in our state secondary school system going forward. To that extent, I think I am in complete unity with Deputy St Pier. But alas that is where our meeting of minds ends. In particular, as I have just said, I find his idea of state-funded bursaries to pay for children to attend private schools to be illogical – even perverse, given our very recent decision to move away from selective secondary schools to an all ability system; and worse than that, there is no doubt in my mind that it would be a ringing vote of no confidence in the all ability schools we have decided to create.

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What a way to start an era of improved education for all Guernsey children! What pride and confidence we would be showing in the new all ability schools we intend to create, if the first action that this Assembly takes in this comprehensive world is to shovel millions of taxpayers'

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pounds into a system to allow Guernsey children to opt out of those state schools and to go private instead.

1890 I have to say, sir, one of the expressions which has really annoyed me in the run up to this debate by those who have been canvassing me is the claim that a new bursary scheme would allow all Island children, no matter what their financial circumstances, to enjoy the advantages of a College education – *the advantages of a College education!* There is only one conclusion logically you can draw from that expression: that those using it believe that there are somehow disadvantages to secondary education within our state system. But I emphatically do not believe that.

1895 But it is more fundamental than that and this comes back to Deputy St Pier's point about what are the roles of the Colleges going forward. Make no mistake, when successive Assemblies voted to scrap selection they did far more than that alone; they implicitly, but patiently, changed the roles of the Colleges in Guernsey's state secondary education system.

1900 Previously they had a dual role. Firstly, they were the providers of private education for those who wanted to opt out of the state system, and that is a right I completely and utterly agree with, and I want the private schools to be there so they can continue to exercise that right, just as I defended individuals' rights to opt out of other States-provided services like health or public transport, and pay to go private instead.

1905 Secondly, the Colleges were, and had been for an awfully long time, an integral part of the state education system. They educated those within the state system which a dodgy exam at age 10 or 11 had deemed to be the most academically able. They carried out that role historically because they had been best placed to do so. They had the academic curriculum that allowed them to take the most able. It went on, in my view, for many decades too long, but nevertheless I warmly thank the Colleges for playing such an important part in Guernsey's state education system over decades. They did so with distinction and it is not the Colleges' fault, but going forward the decisions taken by this Assembly clearly mean that that second part of their role has fallen away, it is no longer valid. We no longer need them to take a tranche of children who are still within the state education system because we are moving to schools well able to provide for all of those pupils.

1915 Indeed, the very idea that we still need to fund special place holders – or call it what you will, assisted place holders – albeit with different selection criteria than used currently, is to undermine our new education system from day one.

1920 Sir, the Colleges now really have one function: to provide a private alternative to those who wish to opt out of the state education provision. Will that make them more elitist? Yes, it probably will to some extent. I am afraid it is the nature of private education that to some degree it is elitist. Let's not over egg this pudding. I mean if you look at the Colleges now the vast majority of people going there are either from families who are well-to-do or aspiring middle class; and in future exactly the same will be the case – it will be mainly people from families who are well-to-do or aspiring middle class. But the ending of the special placeholders will actually move it slightly further down that route. I accept that and I understand and I respect – I actually am grateful for the Colleges at being uncomfortable with that, but it is just a corollary of where we are going with our state education system.

1930 **Deputy Trott:** Sir, Deputy Roffey is misleading the States – (**The Bailiff:** Is this a –?) Point of correction, very much so, sir. (**The Bailiff:** Deputy Trott.)

The data that has been released very recently has confirmed that the average income of those families who have children attending the Colleges is moderate, to say the least. These are not wealthy people by and large.

1935 **Deputy Roffey:** Sir, I said wealthy and aspiring middle classes. I have seen that data and I see how it compares with the financial circumstances of people in other schools, and I think it absolutely supports my argument rather than undermines it.

Sir, frankly, that was not really a point of correction, it was just an intervention which I would not have chosen to have allowed if it had been put in that term.

1940 Sir, the Colleges really now have one function – to provide private education in Guernsey – and I think they do need to adjust to that new reality and I think this Assembly needs to adjust to this new reality. This amendment suggests that actually some of us are really struggling to do so. Some might say, 'Well, if that's the way you feel then vote for this amendment from Deputy St Pier and then vote for Proposition 1' – the new Proposition 1 that it would insert.

1945 I am not going to do that – for two reasons. Firstly, because I am not so green as I am cabbage looking. I realise that option 1 is really there to get some Members to replace the Education Committee's proposals with the St Pier proposals, knowing full well that option 1 under their own amendment would be a non-starter today and therefore their preferred option 2 would become a dead cert to be passed from the moment their amendment is approved. But actually it is far more
1950 important than that. I am not going to vote for this amendment and then Proposition 1 because I do not agree with Proposition 1. It is true that I do see the situation outlined in it as the logical end point some considerable years down the road moving towards zero funding of private education.

1955 Actually there is part of Proposition 1 under the St Pier amendment that I think we should do now, and that is getting the States out of the governance system of the Colleges and giving them the freedom that any other private school deserves to do to run their own affairs entirely without interference from Government. That part I agree with. But the other side of the coin – stopping all state funding for our private schools – while logical in the long term, I simply do not think that at
1960 a time of huge transition for our whole educational system in Guernsey is remotely the right time to remove all state funding from the Colleges. It just is not a safe thing to do and I certainly do not want them to fail. Why not? For all of the reasons set out in the subsections of Proposition 2 of the St Pier amendment: the provision of high quality private schools are indeed important to some people seeking to locate to Guernsey; they do provide competition; and they do provide a different ethos and so on, as all those subsections set out.

1965 His reasons for wanting to increase the proposed state funding for private education, those sub-clauses are completely nonsensical; they are simply stated as being good things in their own way, which indeed they are, and then it suggests without any logic whatsoever that means they are reasons for higher funding. It is a complete *non sequitur*. In fact, to suggest that we need to fund bursaries for the Colleges for one of the reasons put forward – because wealthy incomers to
1970 Guernsey, who I presume would not be likely to qualify for those bursaries under any circumstances, are retracted by the option of private education – is about as bizarre an argument as I have ever heard put forward in this Assembly – and I have heard some pretty odd ones in my time, I can tell you! Where on earth is the logic?

1975 This bursary idea gets weirder and weirder when you look at the details. We are told that the new special placeholders will need to be educationally reflective of all pupils in the state sector, and yet there is to be no selection by academic ability. I suggest, sir, you would actually need a very in depth academic assessment to each applicant if you really were going to ensure a wide spread of ability amongst those being given the bursaries. After the testing would come the allocation of places. That will be fun! 'I am sorry, Mr and Mrs Le Paige, but your little Johnny was a
1980 bit too bright for this place but not quite bright enough for that place, because after all we need an even spread of ability amongst all the assisted placeholders; that is what the amendment told us to do.'

1985 It gets worse. The selection of placeholders must also be allocated to a representative spread in a socio-economic sense as well! What kind of intrusive assessments will that involve? Also, logically, if we are going to follow the wording in this amendment – I am always told we must follow the wording of amendments once passed – it presumably means some of those bursaries, to satisfy that clause, would have to go to the uber-rich who certainly will not need them! Because if they do not they will not be reflective ... there are some uber-rich in the state sector and if they are going to reflect the spread of socio-economic circumstances in the States, some of them

1990 would have to go to the advocates and doctors. Fine. Maybe Deputy St Pier does not have any problems with that.

Then when it comes to the allocating of places on this basis, that is going to be even more fun! 'Sorry, Mr and Mrs Le Paige, you are not quite poor enough for this place, but you are a bit too poor for that one over there. After all, we need an even spread of socio-economic circumstances.'

1995 What on earth induced the proposer and seconder of this amendment to come up with such a ludicrous and unworkable system? I suspect – I do not know, but I suspect – it was the negative reaction to an aspect of the presentation from the three Colleges who thought, presumably, that it would appeal to Deputies if every penny they received went into a bursary system focussed purely on the poorest parents to apply. They thought that was very socially inclusive. When
2000 pointing out that, far from being socially inclusive, this would actually limit College education to the wealthy who could afford the private fees and the very poorest who would qualify for assisted places – in other words, the whole of middle Guernsey would be excluded. I guess a plan B was needed to come up with and they scrabbled around and this was the plan B – this illogical dog's breakfast of a system that has been put forward this morning!

2005 Frankly, it smacks of, 'This is how many millions we want and we will implement any system you want, however daft or unworkable, if that delivers the cash'. I have to say, if that is the case, I am sympathetic actually – not to the daft and workable systems, but I am sympathetic to concerns over whether or not enough cash has been allocated. If the Colleges have existential concerns and are really worried about their futures and they need more money than currently on offer over this
2010 next period of uncertainty, to secure their future, I would rather they simply said that. That would have been a basis for negotiation and I am certainly not anti-private education and I would have been happy to look at that, (**A Member:** Ha ha ha.) but I am not. Why on earth would I be saying that I am willing to give more than the Education Department in order to secure their future over the next few years if I was? I am against the bursary scheme.

2015 But to insist that any extra cash has to relate to the new form of assisted places is nonsensical. How far do you take it? I know some people who cannot afford the fees would quite like to go to the Colleges, I accept that, and under our new system they will not be able to do it, but then some of them might prefer to go to private primary schools as well, rather than all ability state primary schools which are very similar to what are going to be our new all ability state secondary schools.
2020 But we do not provide a bursary scheme to let them get out of the Castel School or St Martin's School or the Vale School because they may not like the state system. Let's have a bursary to go to Beechwood or Melrose. Of course we do not. So where is the logic in doing it once they have reached the age of 18?

2025 Actually, Deputy St Pier referred to bursary schemes operating in the UK. I can understand and appreciate why some UK private schools who offer a very academic curriculum do offer bursaries or scholarships based upon ability – to allow those who could not afford the fees to access that sort of curriculum. I certainly do not think Government should follow them, but I understand their rationale. But a sort of luxury of life to move from one all ability system to another private all ability system is weird, with a capital 'W'.

2030 I am going to be politically incorrect for a minute. Do Members really think that very many of Guernsey's poorest families will be queueing up to enter their kids for these bursaries? If they do they are living on Planet Zog. Of course they would not. No matter what their good intentions are on day one, it will be totally counterintuitive for most of those families and they would be worried, to be honest – and this is not politically correct – that their kids would feel like a fish out of water.
2035 In reality it would become just like the current special placeholders system has become. Neither were intended on day one, but it would become just another state-funded scheme to provide Guernsey's middle classes with free private education.

2040 To be even more politically incorrect, I actually think we can ill afford to lose all of those middle-class kids, or more appropriately middle-class parents, from our state sector. If there is one thing that has been lacking in our high schools over the years, even though they have had some excellent parent bodies, it has been sufficient, pushy, articulate, demanding, middle-class

parents who will not take no for an answer and advocate on behalf of the school that their kids go to. This scheme is going to take them out and leave us exactly in that situation.

2045 So what do I want? What do I want? Apart from lunch in 20 minutes! (*Laughter*) Certainly, to ensure good quality private education continues to be an option for those who want it in Guernsey. For those who, for their own reasons, wish to opt out of the state-funded system, it is their right and I would hate it to be denied to them because we had acted too hastily or too meanly. Large transitions always generate unforeseen circumstances and we have heard both speakers refer to that already.

2050 We need to feel our way carefully here. This is not the time to be too hasty or too purist. We do know from elsewhere that comprehensive education can be highly successful; what we do not really know is how this introduction will impact on private schools in a community where an unusually high percentage of pupils attend such schools. I can just shrug that off as an issue for them, but I do not because I think that would be irresponsible.

2055 In the long run, sir, I have no doubt – absolutely no doubt – there is a healthy future for private education in Guernsey. The nature of our demographic and our economy means that there will always be a strong demand for it, and as with any other service, a strong demand would be responded to by the providers.

2060 What I do not think we can either know or seek to guarantee is whether the Colleges in future will educate 30%, 25% or 20% of our children. Neither do I think we can actually guarantee that in 10, 15 or 20 years' time there will be three private Colleges in Guernsey. We do not know how that market place is going to pan out. Indeed, to seek to offer that guarantee would be perverse because, as I said in my summary at the beginning, the more successful our new comprehensive system is the less the incentive will be for parents to pay to go private.

2065 By the logic of some people, if we produce 'absolutely outstanding' at all ability schools and private education then contracted somewhat as a consequence because people felt a confidence in our schools, we would then need to increase our public funding for those private schools to make up for the lost income due to more parents choosing to keep their kids inside the state sector. It would really be like that Ealing comedy where husband and wife are unwittingly bidding against each other in the auction room.

2070 Let's be honest, we really do not know what the impact of the new system will be on the size of our private school system in Guernsey. I could argue it both ways. Education may be right. They are claiming that the private schools can easily recruit extra fee payers to replace their special place holders. Indeed, I suspect many of the families who are currently selected as special placeholders would be in a position to afford those fees. On the other hand, traditionally some families have only resorted to paying fees for private education when the 11-plus has selected their child for a high school education, believing, rightly or wrongly, that they would not be academically stretched in a high school. Indeed I think I remember one Member of this Assembly telling us that was exactly his route into being an Elizabeth College fee payer. But in future that issue will not even exist because the alternative to forking out the fees will be an all over elected state school system which will stretch all of its pupils no matter how able they are. So it can be argued both ways.

2075 In reality, I suspect two things. Firstly, that the size of private education in Guernsey in future will be a direct but reversed correlation to the quality of our new comprehensive schools; the better they are the smaller it will be. Secondly, that there will be a spike in demand for private education over the next few years. As transition inevitably instils a sense of uncertainty in some people, but always that such a spike will probably be relatively short-lived.

2080 But that said, I am just guessing and so is everybody else. None of us is really sure what the impact of our new state system will be on Guernsey's private schools. It is a classic one of Donald Rumsfeld's known unknowns. That is why I will not vote for this amendment and then option 1, because doing so will be just supremely bad timing to withdraw all funding from the Colleges. We should not cut them off without a dime at such a time of uncertainty, we should not cut them off at the legs. What a suggestion to even put forward! We should certainly continue to give some

2095 support until the dust settles on what the impact has been; five to seven years feels about the right time for that.

Is the Education Committee's proposal the right way to do that? Is it logical? I do not think it is supremely logical, I have to say, except perhaps that at a time of great change it can be really helpful to keep some things exactly as they are, and in a way, that is exactly what the Education Committee are proposing. At the moment, we fully fund all the special placeholders, all the cost of their education and on top of that we provide a subsidy of circa £800 per year, per fee payer.

2100 If we accept the proposals unamended then in future we will be fully funding all special placeholders and on top of that providing a subsidy of circa £800 per year, per fee payer. Radical, isn't it. The only difference is that in future we will not be buying any new special places. Why? Because the long overdue change to our state system means we will no longer need them. I am sorry that impacts on the Colleges, but we will no longer need them.

2105 Put simply, hitherto part of our state education system has been outsourced, but now we are bringing it in-house. We are bringing it in-house precisely because we no longer need to outsource it. We can do it ourselves. In those circumstances, to react by immediately suggesting that we continue to outsource some of our state education in a different way when there is zero reason to do so, is perverse. For the suggestion to come from members of our finance Committee is unfathomable!

2110 Mr Bailiff, I wish our private Colleges well in the future, but from there really I sit here to ensure high quality public services and to guard public finances, and that can be a difficult balancing act, but in this case the amendment ticks neither of those boxes so there is nothing to balance. It seems to me entirely driven by the needs or wants of the private Colleges rather than wider public policy.

2120 I am sorry, I am supportive of the Colleges and they are private institutions and will simply have to develop a new business model to face the new reality where special places no longer exist. That is their job. It is not the job of Government to buy new style special places that are simply not needed. It is not the job of Government to undermine its own education system before it is even up and running by voting millions of taxpayers' money to fund pupils to opt out of it. What a kick in the teeth for our new schools and those people who are charged with delivering them.

2125 Sir, please reject this illogical and damaging amendment and read my lips: support our Education Committee. Actually, I was not very supportive a few months ago; the vast majority of this Assembly seemed to be remarkably supportive and in the run up to this debate I have heard nothing but comments to try to undermine – almost exclusively from those people who told me I was wrong in wanting to change the Education Committee some time ago.

2130 I do not say they got it exactly right. If we throw out this nonsensical amendment I am open to honest suggestions to increase the level of funding, to increase the cushion, because I want to be absolutely safe when I walk out of here that I have not destroyed the Colleges because I want them to be here and be here in the long term.

But, sir, this amendment is not the way to do it! *(Applause)*

2135 **The Bailiff:** Deputy Smithies.

Deputy Smithies: Thank you, sir.

I will be brief to get us off to lunch on time.

2140 I think we are here again where we have a relatively clear policy letter from the Committee and the amendments seem to be to seek to muddy it. It is always disappointing when the layer of an amendment, in his opening remarks, urges Members not to support half of it! *(Laughter)* However, I will seek to change his mind.

I am, like Deputy Roffey, a supporter of independent education. Indeed, I have benefited from it and have taught in two independent schools. I continue to support independent education

2145 through involvement fundraising organisations. However, I have long believed that independent schools should be independent.

Of what are the three Colleges afraid? They each offer their own unique perspective and are different from state schools. In the case of Elizabeth College, they have had more than 450 years to establish their independence. For Blanchelande, when the decision was taken to close the original school, the parents, teachers and trustees set to work to create a new College founded on strong principles. They succeeded and for many years survived without States' assisted places or grants. Now, for the first time since moving to Les Vauxbelets they have such strong enrolment figures that they have three class entry into Year 7.

2150 I voted against the ending of selection, but like many Deputies, I am now working to make the new system succeed. Do those Deputies who are on record as saying that they wish this new model for education in Guernsey to succeed, as well as those who voted to end selection, really believe that they will be doing their best for the new model if they now vote for selection by another means?

2160 I am all for choice but to put public money into private institutions practising non-comprehensive education sends the message that there was a politically motivated wish to get rid of the Grammar School and that the three Colleges will offer an elitist superior education. That attitude is current and is summed up in the comment made to me the other evening by someone in a senior position in finance that, 'non-academic students are the dregs'. Yes, that attitude does prevail amongst the liberal Guernsey elite, 'bien-pensant' – shocking though it is to hear it and an attitude which I thoroughly and roundly reject. (**Several Members:** Hear, hear.)

2165 While I am in no doubt that any agreements already entered into must be honoured, why are we being asked to commit taxpayers' money into funding independent schools which will no longer have assisted places? I have long argued, indeed while I was teaching at Elizabeth College, that the fees were kept artificially low and are actually hampering the ability of the Colleges to flourish by reducing their need to aggressively market themselves and more actively seek donations.

2170 It is beyond argument that the Colleges have amongst their former pupils many people of opulence who could be prevailed upon to fund bursaries and scholarships, but who might hold back whilst the taxpayer is keeping these institutions afloat.

2175 The school which I attended – a more ancient foundation by 50 years, than Elizabeth College – receives no Government support beyond recognition of its charitable status and it is flourishing as indeed are the vast majority of schools attached to the Headmasters and Headmistresses Conference, the Girls' School Association and the Girls' Day School Trust in the UK.

2180 Deputy St Pier referred to the colleges and schools in the UK which do offer bursaries. I do not believe those bursaries are actually funded by Government, but I stand to be corrected.

2185 Let's take this opportunity to wean the Guernsey Colleges off the drip feed of taxpayers' money and enable them to grow up and stand on their own two feet – or six feet as there are three of them. How patronising to consider continued financial support should be given and how feeble of the Colleges to continue to wave a begging bowl. Let them show some backbone and put their principles of independence and resilience to the test. Vote for the admittedly straw man, but vote for Proposition 1.

The Bailiff: Does anybody else wish to make a speech?

Yes, Deputy Merrett.

2190

Deputy Merrett: Thank you, sir.

First, I have got a declaration of interest. I am a mother of a fee paying student.

2195 First, I would like to thank Deputy St Pier and all the other Deputies who have contributed to this amendment, because without it, sir, I feel we would indeed be well lacking in policy choice and even more lacking in policy direction.

2200 But those who giveth also taketh away, so it is with disappointment that I note the President and Vice-President of Policy & Resources once again believe that they need to direct another Committee to work with them. If the Proposition is approved then we will all vote in Proposition 3, 'To direct the Committee for Education, Sport & Culture and Policy & Resources to jointly develop service level agreements with each College.'

2205 Surely, sir, Education, Sport & Culture should have the capability to do this if directed to do so by this Assembly. If they have not then we should be asking why they have not, as education is clearly within their mandate. The transformation of secondary education should arguably be their priority in this electoral term – thus ending many years of uncertainty within our secondary educational system. Surely, they should have the ultimate accountability for delivering Proposition papers to the States that take into consideration States' Resolutions, States' direction but also surely they should be making other recommendations regarding our children's educational outcomes.

2210 However, maybe only having a Committee of three active participants is reducing the debate and deliberations around the Committee table. I think it is only fair to note that surely Education, Sport & Culture Committee have been asked to leave the room or have indeed recused themselves from discussions and the Committee meetings –

2215 **Deputy Le Pelley:** Point of correction, sir.

The Bailiff: Deputy Le Pelley.

2220 **Deputy Le Pelley:** The point of correction, sir, is that Deputy Meerveld and Deputy Dudley-Owen recused themselves. They were not asked by the other members of the board to go; they actually recused themselves and actually then later on asked Her Majesty's Procureur to actually confirm that what they had done was correct and Her Majesty's Procureur actually confirmed that. So that is what happened.

2225 **Deputy Merrett:** That is not a point of correction, sir.

I believe I said I think it is only fair to note that two of Education, Sport & Culture Committee have been asked to leave the room *or* have recused themselves from discussions in the Committee meetings due to a perceived conflict of interest regarding the Colleges, even though I do not believe the Deputies who have children in the state sector recused themselves from discussion regarding state education.

2230 Perhaps they should consider inviting other States' Members into their deliberations. Why do I mention this, sir? Why? Because I am concerned the Colleges are not being seen as part of the whole picture of our secondary education offer. The Committee for Education, Sport & Culture are dealing with this in a piecemeal fashion rather than seeing it as a whole. After all, the Colleges currently educate 30% of our secondary education children.

2235 We are trying to put together a jigsaw with no idea what the picture on the lid is. I am not sure even how many pieces there are and I do not know about you, sir, but I like to find the edge bits first then fill in the rest; I like to find the outline to find what it will look like. How many pieces? How complicated jigsaw can I do? Should I try 250 pieces or 500? Do I have the capability, time and patience to complete the jigsaw? Do I have the resource? Do I need others to help me? Or if you really want to go back to the beginning, could I even afford to buy the jigsaw in the first place?

2240 Sir, that is surely an aside. At last we finally have the opportunity to ask and answer one of the real questions – an important question regarding our secondary school provision: should the States give any funding to the Colleges? If so, why and how much?

2245 If Members agree to Proposition 1, then they are agreeing to wishing to have elitist Colleges, Colleges that only the financially affluent families can attend; they are agreeing to no transition for existing fee paying families, no transition for, in example, the 70% of the fee paying children at

Ladies' College, all of whom are our children. If the fees continue to escalate ahead of RPX and families have to withdraw their children, is this in the best interests of children?

2250

Deputy Fallaize: Point of correction. Proposition 1 proposes –

The Bailiff: Under the Rules, Deputy Fallaize, you stand and say, 'Point of correction' –

2255

Deputy Fallaize: Oh, I am sorry, sir. *(Laughter)*

The Bailiff: – but then wait to be invited to speak further by the Presiding Officer. So Deputy Fallaize.

2260

Deputy Fallaize: Thank you, sir. I am grateful for the reminder.

Proposition 1 proposes that there would be an £816 subsidy in relation to all students at the Colleges and Deputy Merrett just said that there would be no transitional arrangement to provide any subsidy for fee payers who are at the Colleges.

2265

Deputy Merrett: I am referring to Proposition 1 of the amendment, sir.

Deputy Fallaize: Well, sir, it is not Proposition 1 and Members already keep referring to Proposition 1 or number 1 of the ... There is no clarity about what is meant.

2270

Deputy Merrett: I am referring to Proposition 1.

Deputy Fallaize: If Members are referring to the amendment then they ought to say they are referring to the amendment, because Proposition 1 is the Proposition from the Committee and they are proposing a subsidy per student.

2275

The Bailiff: Deputy Merrett.

Deputy Merrett: Thank you, Deputy Fallaize. I am referring to Proposition 1 of the amendment. The amendment is what I am speaking to currently.

2280

If the fees continue to escalate ahead of RPIX and the families have to withdraw their children, is this in the best interest of the children? Having an influx into the state system – does this help with Education, Sport & Culture's transition principles: one being to keep school Year group cohorts together or how about no move between Years 10 and 11? No, it does not.

2285

Section 4 of Education, Sport & Culture's transforming secondary education entitled 'How will transition work?' – well, there is not one mention of the grant-aided Colleges – 30% of our children not mentioned. We now have Education, Sport & Culture's policy letter that suggests £816 per fee payer, but with a version, potentially, of a means tested system. Good. Arguably, it could and should have always been means tested.

2290

But what about the economic viability of the Colleges? The presumption that special place holders will be replaced by fee payers. What waiting lists are there? We have been advised by all of the Colleges that there are no waiting lists in their secondary school provision. For more clarity, sir, there is maybe only one spare place in the Year group. Class sizes are good, but there are no significant numbers of pupils waiting to join. Why? One reason must surely be that the fees are not achievable at all. If there were a bursary system maybe then we could finally see the social inclusion, the social mobility which so many Members wanted and thought the 11-plus gave.

2295

So I thank Deputy St Pier and others for the opportunity to debate this important part of our educational jigsaw in Guernsey, to debate not only how but if and why we should support the Colleges. The biggest question is why do families, parents and children aspire to a College education? What are the States not providing? Tax to be paid, a state education provided. I do not

2300 intend to delve into the history of the Colleges. I appreciate that the history should be respected
and we can learn much from it, but today we are looking to the future. So choose better. Previous
States' Assemblies decided to abolish selection – confirmed and reaffirmed. Now we have to
broaden an educational system that is fit for our Island that revolves around educational
outcomes for our children. Islanders want and need to see that an all ability system can deliver the
2305 educational outcomes that future generations can achieve and aspire to.

Is it to ensure choice for Islanders and families coming to the Island? We know that we need to
attract families, that we need to invest in future generations. We know it will be a deciding factor
when people are considering returning to locating to Guernsey. It does help attract employees
and entrepreneurs who will invest in our Island. Is it the choice of a single state education, an
2310 education based on religious preference? Although it is interesting to note that only 30% of pupils
attending Blanchelande currently are indeed Catholic.

Is it to revive competition in the education sector? Well, it is only competition if it is affordable
to a wide enough pool of peoples. After all, state education is free. Well, nothing in life is free, it is
paid for by our taxes, but it is free at the point of entry.

2315 Is it because they offer education costs effectively, that their absence would mean that if the
States had to provide for 30% more students that the cost would inevitably go up? Yes, it would,
but then it was also the economies of scale. There is capacity in the state sector, so within the
economies of scale some could be absorbed without a considerable increase in the costs to the
States' payer. But arguably not 30%.

2320 Should the strategy be to reduce or increase this 30% figure, less the money given to the
Colleges, enabling the money to be spent in the state sector to improve the state offering –
improve the States' educational outcome? Arguably yes. So how and when do we get to that
utopia? We are starting to work towards it, but what is the role of the grant-aided Colleges and
does that differ during the transition period when the new all ability system is in place? I would
2325 say, yes, it is different. A transition period is just that – a transition for everyone, including the 30%
of the children in the independent Colleges.

So we are back to: should the States give any grant aid to the Colleges and why? I would argue
that it is about the social inclusion. Can we compare it to the university system, for example, which
offers social inclusion policies? Fees are set and bursaries given to those who can least afford it.
2330 Even universities have to demonstrate social inclusion. It is subject to audit and the universities
lose fees on a sliding scale; funds are withdrawn if they fail to honour their side of the agreement.
Nothing will make the system work better in the withdrawal of funding if the other sides to the
agreement fails to meet its obligations. The Colleges work well with autonomy but they will need
to have the relevant accountability if they are to receive any States' funding. The derided 11-plus
2335 was meant to allow social mobility and inclusion for children from financially poor backgrounds to
access the College or Grammar education. This system was and is being abused by coaching and
the lack of means testing.

So if we do not want fees to spiral, if we do not want the Colleges to become elitist, if we do
want an independent education offering in Guernsey and in doing so we do want to encourage
social inclusion, and if we want to support the Colleges in this transition period, then we do need
2340 to investigate and implement a bursary style system. (**A Member:** Hear, hear.) Therefore, I urge
Members to support at least Proposition 2(h).

Thank you, sir.

2345 **The Bailiff:** We will rise now and resume at 2.30 p.m.

*The Assembly adjourned at 12.36 p.m.
and resumed at 2.30 p.m.*

**Committee for Education, Sport & Culture –
The role of the grant-aided colleges and their future funding arrangements –
Debate continued**

The Bailiff: Members, welcome back.

2350 Before we take the next speech I thought it might be helpful just to remind people where we are, and clarify exactly what it is that we are debating at the moment. All we are debating is the amendment. In other words, deciding whether to replace the Committee's set of Propositions with the paragraphs set out in the Deputy St Pier/Deputy Trott amendment. We are not yet in general debate. Even if that amendment is approved there may yet be a further amendment from Deputy Langlois, which, if that is successful would replace those Propositions with another set of Propositions.

2355 At some time we will get to general debate, and in general debate people can debate. For example, if this St Pier amendment is passed and survives any further attempts, it will be in general debate that people could be arguing in favour of one of the sub-paragraphs or another sub-paragraph or arguing in favour of paragraph 1 rather than paragraph 2 or whatever, that is a matter for general debate.

2360 For the moment all we are doing is debating whether or not to replace the Committee's set of Propositions with the paragraphs in the Deputies St Pier/Trott amendment.

Deputy Prow.

Deputy Prow: Thank you, sir.

2365 You, very helpfully and beautifully, reminded us of Rule 17 at the start of this debate. I personally am not fully aware of the parameters of what a special interest is, but I will declare that I have two children both of whom have been educated through the excellent Guernsey education system. One went to the Grammar School and one went to Elizabeth College and they are now both undertaking university education.

2370 **The Bailiff:** Well, I do not believe that is a special interest. What I meant to say this morning is that if anybody has any doubt H.M. Comptroller is happy to give advice to anybody if they wish to. Another person raised with me the question of whether they should be declaring the fact they have grandchildren at one of the colleges. The individual is not paying the fees of those grandchildren and so I said that does not amount to direct or special interest. Obviously there
2375 may be some grandparents who are paying the fees on behalf of their grandchildren in which case they would have an interest. But if they are not then that would not be a special interest. But, if anybody wants to clarify their personal circumstances, without airing them publicly, H.M. Comptroller is very happy to advise.

2380 **Deputy Prow:** Well, thank you very much, sir. I think that interpretation of the Rule is very difficult for me in actually trying to determine what in fact a special interest is. But I am very grateful. I should also say that I am very proud of my two children! *(Laughter)*

2385 So, I rise to support amendment 1, particularly Propositions 2 and 3. In doing so, I must say from the outset that it is not because I do not generally support the Committee for Education, Sport & Culture in their endeavours. They have an unenviable task in following the States' Resolutions of March this year, and are doing what the Assembly asked them to do, which is return to the States with proposals of the consequence of those decisions.

2390 The States resolved by 21 to 19 to completely revolutionise education by disbanding the Grammar School and the concept of special place holders. I was one of the 19 who had faith in the current system and that we should only be seeking to fix the broken bits and not the whole machine, and I am happy to say so.

Currently, we have a first-class education system, as clearly evidenced by this year's overall GCSE and A-Level results, which when compared to those of the UK put Guernsey right up there.

2395 Therefore ESC have a challenging task – described by some as a huge experiment with our current students, to ensure that we can maintain, and hopefully improve, one of the most important responsibilities of Government, the provision of education for all our children. Now is the time, therefore, for this States to do all it can to ensure that we somehow achieve this, and I recommend pragmatism as a tool we must employ.

2400 So, we are now at the first stage of this process which is to consider the role of grant-aided Colleges and their future funding. Rightly, in my view, ESC has set out tests in relation to what change is appropriate with regard to the Colleges. The first is contained within Section 4.10 on page 8 of the policy letter, which considers the question of what is fair and reasonable; the second at 5.4 on page 9 which asks whether the proposals threaten the operation of the College system.

2405 Sir, it is with that lens that I have approached this policy letter. Unfortunately, I do not believe that on this occasion ESC have come up to proof against those two criteria they have set.

2410 Sir, the Colleges, who are not-for-profit organisations, educate approximately 30% of pupils. Historically, they have been an active and integral part of Guernsey's education system, over very many years. As said, the results from the Colleges are outstanding and achieve high standards of performance for those 30%. Guernsey's education system is very different to that of the UK who only provide education for some 6%. Whatever view one holds of the independent schools and their offering within our system, this is a major contribution which I believe the States and ESC should embrace, and work with, and not hang the Colleges out to dry. The cessation of the existing grant aid arrangements and funding of £816 in respect of each paying pupil is, in my view, not fair or reasonable, and will indeed risk and threaten the future sustainability of the
2415 Colleges.

This, to me, is endorsed in paragraph 4.4 on page 7 of the policy letter which confirms that the Colleges educate 30% of pupils at a cost to the taxpayer of approximately 6% of the total Education budget. I understand this amounts to a cost of around £10,000 in respect of each pupil educated in the secondary and grammar schools. In fact, the PwC report put the figure a lot
2420 higher.

Sir, at section 4.5 on the same page, the policy letter questions whether the 6% is needed at all because the demand for places is still buoyant. This, in my view, sir, is a very dangerous assumption, especially with the lack of supporting evidence. The post special places landscape will from now on be completely different. What will be the actual effect of the ending of selection on
2425 the College system? What will be the consequences of the recent downturn of the economy on the Island on the ability to maintain a buoyant level of demand for fee payer places? What will be the cost to the States if they have to provide education facilities for additional places should the take-up drop?

2430 Sir, what I do, however, agree with is that the level of funding for the Colleges needs reviewing, and the pressure across the whole of the States' budgets needs to be recognised. Increasing taxation must be avoided, and we must deliver education with continued constraints. Whilst, I therefore support a considerable reduction to the amounts paid at the moment, the formula outlined in the policy letter is, in my view, not a fair Proposition, and will damage the resilience of the Colleges.

2435 Collaboration with the Colleges in keeping them sustainable where, as said, many students will be educated at very considerable lower costs than those educated by the state system makes complete sense. Any funding allocation must now, of course, be on the basis of non-academic selective system, and should take into account ability to pay. The concept of the Colleges is about providing choice. Where parents make that choice to send students to the Colleges, they should
2440 expect to pay fees. However, in my view it is reasonable for the States to provide a limited provision based upon ability to pay, as outlined in the amendment. Inclusivity and choice must be ensured in a proportionate manner for those on low incomes in an education system where just under one third of students will be educated in the College system.

2445 My preference for the amendment is, for me, cemented by Proposition 3. I am attracted to the States working in partnership with the independent Colleges, and the development of the service

level agreement. This has to be the way forward. This will ensure that the taxpayer, in return for limited funding, will derive a value-added benefit by sharing resources in relation to teaching, and to courses, and to sharing facilities including for sport.

2450 Sir, the States should indeed be forging a partnership with the not-for-profit independent schools. This is particularly relevant in a time of immense change in the way States will deliver education, following its decisions of March 2016. It is especially the case when the implementation of this change involves high levels of risk and uncertainty for students, who are about to enter, or who are currently within, our education system.

Thank you, sir.

2455

The Bailiff: Deputy Langlois.

Deputy Langlois: Thank you, sir.

2460 I was going to talk on Deputy St Pier's amendment, but after the demolition job this morning by Deputy Roffey, there is not really much left of it, I believe.

2465 What I want to talk about really is the context, because if one looks at the original policy letter proposals, there is not anything like as much wrong with them as Deputy St Pier seems to imply. He uses, probably, an excessive criticism, an unjustified, probably, criticism of the Committee's proposals to justify something rather extraordinary, which is attempting to redefine the relationship between the States and the Colleges, through a two-and-a-half page amendment, and that is simply not the way to go about such a major change in our relationship with the Colleges. He has to dismiss the Committee's proposals to justify such a rather extraordinary amendment, as he has placed.

2470 There are flaws in the Propositions in the policy letter, and they can be addressed, and they will be if ever we get to debate amendment 3, but to piggyback something as absolutely radical as the idea of bursaries given to 52 students every year, not based on academic selection, and to claim that the details on how this selection is going to take place can be sorted out later, I think is extremely dangerous.

2475 I have seen no indication that anybody has got a clue how you could fairly and equitably select 52 children from a cohort of our primary school children and gift them a bursary to the Colleges, in any way that would not be detrimental to our education system, and really to society. I think it would be extremely divisive among the population, and even within families, and I have heard several people say, 'We can sort that out later, that is just detail'. It is not just detail. The whole principle behind these bursaries is extremely dangerous and I certainly do not want to see these Propositions being substituted for the Committee's slightly flawed ones.

2480 I am sure others will be discussing other aspects of this, and we might, later on in the debate, have to go into this a bit more fully, but that is my fundamental objection to these Propositions. They are going far too far. There has been no consultation with anybody. There is no policy letter for us to consider. This is simply a two-and-a-half page amendment tacked on to a Committee's policy letter. That is simply not the way to make major decisions as the one we are faced with today.

2485 So, I will certainly be voting against both Deputy St Pier's Propositions and his amendment. Thank you.

2490 **The Bailiff:** Deputy Tindall.

Deputy Tindall: Thank you, sir.

Sir, before lunch we had an excellent speech by Deputy Roffey, which unfortunately for me, made many of the points, in an articulate and amusing fashion, which I also wished to make.

2495 Whilst I am grateful that Deputies St Pier and Trott laid this amendment in order for the Assembly to identify the policy basis for any grant aid to the Colleges, I am not sure I wish the amendment to replace the Propositions in the policy letter.

2500 I have to say first, that I have supported all ability state schools. I do agree that from an ideological perspective there should be no grant to the Colleges. However, we are in a transition period, and with the introduction of a new system I am of the view that we need to continue some support to the Colleges during this period of uncertainty, and to keep that under review.

2505 Having worked on many service level agreements, I agree with the principle of identifying returns for States' money in specific terms, which make clear the reason for the funding and a means of judging the outcomes. However, my main issue is with what would be Proposition 2(h), if this amendment was successful. Deputy Roffey identified some of the concerns with regard to the words:

... which shall be awarded in such a way as to ensure that each cohort of assisted place holders is broadly representative of the student body in the States' all-ability secondary schools in relation to socio-economic and educational background.

2510 When identifying a means for choosing a small group of individuals, it is important that the criteria is clear and unambiguous. However, I do find this phrase both challenging and fundamentally flawed. We are informed by Deputy St Pier that the detail of how the scheme will work will be filled in later. This is not a detail; this is the very means by which the places are to be awarded. I have written many lines on the problems with this phrase, but will instead briefly express my concern.

2515 How do you reflect in a cohort both socio-economic and educational aspects? Broadly, it is a combination of the type of primary school they went to, and their parents' income group. Income group is fairly easy, but the educational side is not. Does this mean we need to consider a child's education and does this include whether they went to a States' school, a fee paying school, a religious school, had home schooling, or were schooled abroad; or does it mean whether their parents read to their children every night since they were born? Because that is what educational background means to me.

2520 Proposition 2(h) of the amendment is fundamentally flawed because of the contradiction between the basis of the award being on an ability to pay the College fees, yet those families who could afford them, and whose children form a part of the socio-economic make-up of the state schools are excluded from the cohort. So how can it be representative, even broadly? Although what happens if only one group, the middle income families – the squeezed middle whose children went to a States' primary school – apply? What do we do then? No assisted place, since the cohort is not representative?

2530 Of course, according to this amendment, this must be ensured. Broadly, but it cannot be exclusive to one socio-economic and educational group. No, not allowed. So, we can ignore one group, those who can afford to pay, but not the main group, if they are the only ones who do apply, and ensuring is no mean feat. I do not envy the group of people chosen to award these assisted places, as their decision to pick between little Juliette or little Ebenezer will be open to scrutiny through the administrative review process, through the courts by judicial review, or maybe this process will have its very own appeals procedure.

2535 As a child whose parents appealed against the school I was allocated when I was 10, this is one experience I can genuinely refer to in this debate; it was a highly unpleasant time for my parents, fighting to get what they believed was right for me. As we know, any uncertainty for business is something which we seek to avoid, but I think pupils and parents are going through enough uncertainty with the removal of the 11-plus, without bringing in a system which is fundamentally flawed.

2540 Personally, I consider that any scheme should not be unduly prescriptive or burdensome, and how children are chosen should be clear to all who apply. I hope we end up with a scheme whereby as many children as possible will choose to apply, from as broad a range of families as the main criteria, ability to pay, allows. Personally, I would rather not start the assessment of eligibility with whether the family could afford it or not. I would prefer the starting point to be a discussion with the teachers at primary schools.

2545

So, as Proposition 2(h) of the amendment stands, I cannot vote for it, but I am hopeful that a suitable amendment will be forthcoming, which I can support.

Thank you.

2550 **The Bailiff:** Deputy Ferbrache.

Deputy Ferbrache: Sir, I am grateful for your advice that you gave earlier this morning, and that you clarified earlier this afternoon. I say that, because it is going to lead me to a little precursor. Because as the grandfather of seven grandchildren, all of which I have loved from the moment they were born, and all of which I will love to the moment that I die, I have got two who
2555 are educated at Beechwood, and my wife and I pay their fees, so we will be affected one way or another, or maybe affected by the results of any decision this States makes in this debate. That does not influence me one jot, not one iota.

I also note your comments this afternoon about we are only debating the St Pier/Trott amendment. I accept that, of course I do, that is the guidance of the ruling that you have made, but we have got to look at the wider issues in deciding this particular amendment, because this is probably the most far reaching of the various amendments that are going to be tabled.

Deputy Langlois said, 'Well, I am really not going to say as much as I wanted because Deputy Roffey demolished the amendment put forward by Deputy St Pier'. He did not demolish anything!
2565 The States has vandalised, in its recent decisions, the education system that we have got. It vandalised it. It is more an act of vandalism than throwing a brick through somebody's window, (*Laughter*) because you can mend the window, you cannot mend the education system.

Both Deputy Roffey and Deputy Smithies said we have got this great new education system that is going forward. I did not hear Deputy Roffey today or any other occasion, I did not hear
2570 Deputy Smithies today or any other occasion, tell us what this great new education system is going to be, because we are going to have a debate in two months' time as to whether it should be three schools or two schools. My present inclination is that it will be a two-school model, which I think may be to say – I have got the thumbs up from Deputy Roffey, I am very pleased – but, and I do not mean any criticism of the Education department, because they have got a very difficult job, but this is a mess. We are discussing College funding today, we are discussing how many
2575 buildings we should have in two months' time, when are we actually going to talk about what it is all about, which is what the system is going to look like? How children are going to be educated, whether we are going to have ... it is all kind of issues: whether we have shorter summer holidays; whether we condense the apprenticeship scheme; whether we have more of a Baccalaureate type
2580 of approach; whether we have a different way of educating the children, face to face educationally, IT etc. That is the most important bit of all.

Perhaps using it in a way that ... because you always exaggerate a point to make an argument, but I saw a letter from Mr Wheadon who was the Principal of the College, I think, many years ago, after I left, but he was Principal of the College, where he said good teachers could teach people in
2585 a tent, and that is really it: the teachers that we remember that were our best teachers, they did not necessarily have the best facilities, they were the best teachers, they had the gift of teaching, and that is a gift, and very few people have that gift in the abundance that we should have it.

I have been watching this week with both avid interest and horror, the post *News Night* programmes on a party that I supported for many years, which is now a communist party. (**A**
2590 **Member:** Hear, hear.) I saw Mr McDonald say, 'We are taking it back in, we are taking it back in'. Mind you, it should never have gone out because of the PFIs there were ... a waste of time anyway, and what a waste of money. But I heard Deputy Roffey almost use that phrase in his speech, 'We are taking it back in, the education system, we are bringing it back in'. What are we bringing it back into? I cannot ask him a rhetorical question, because he is not allowed to answer
2595 it, and if he got up to interject, I would not give way, (*Laughter*) but the position in relation to that is what is our education system going to look like. We have blown up – to use a metaphor, which

is perhaps a better metaphor than Deputy Langlois' – an education system, without knowing what we are going to put in its place. That is an absolute disgrace.

2600 I do not criticise Education. I do criticise the tone of Deputy Le Pelley's speech this morning. The College are not the enemy. He and his colleagues for the next two years and nine months are going to have to – whatever you come up with – work with the three Colleges, and therefore treat them with respect. Whether you like them or not, treat them with respect, do not treat them as the enemy.

2605 I also do not like Deputy Smithies' comment about their feebly hanging out their begging bowls; that is an insult to them. Deputy Smithies said, previously in another debate, he and I do not move in the same social circles; that is absolutely correct, because I have never known anybody who made the idiotic type remark that that person made to him about two or three days ago about children who were academic dregs, I have never heard any of my friends say that, and I have got friends from ... and I do not want to seem resonant of the 1980's ... a bit like Deputy
2610 Roffey's speech which took me back to the 1980's and the 1970's; and remember, Members of this Assembly, just how dreadful the 1970's were for the UK, forget that at your peril.

I want us to forget about talking about middle classes, working classes, upper classes, we are all people. We have all drawn our first breath, and we all in due course will draw our last breath, we are all unique citizens. What worries me ... and Deputy Roffey also mentioned that horrible
2615 word 'comprehensive'. It is dreadful word. Scotland used to have a magnificent education system; it has now got one of the worst education systems in Western Europe. Britain used to have a pretty awful – except for the poshos, a pretty awful – education system, but it has got no better. There are some very good comprehensive schools. There are more often some mediocre ones.

I quoted, in a different context, Margaret Thatcher – I do not know if it was a direct comment or an indirect comment – the comment she made, 'We want all our children to grow tall, but some
2620 will grow taller than others'. Now that does not mean taller by getting a few GCSEs, because most of our captains of industry have not got lots of GCSEs, but they have got nous, they have got common sense, they have got judgement. They have lived a life. They realise that the word 'aspirational' means something. What we are doing is bringing in 'comprehensive' into our
2625 education milieu and taking out the word 'aspiration' (*Interjection*)

Every one of our children, both now and in the future, and in generations in the future, is important, what we are going to create ...? Well, I do not know what we are going to create, because I think Deputy Roffey in the applauded speech did not give me one syllable in a
2630 25-minute speech as to what the education system is going to look like. Deputy Smithies in his discursive remarks about the Colleges did not give me one syllable about what the new system is going to look like. Deputy Langlois has not given me one syllable about what the new system is going to look like. Nobody else has, neither has the Education Department.

We should have been debating all of these issues together, we should have debated them a long time ago. We should have addressed this issue, before we are where we are. I am appalled at
2635 the decision we have taken. I was in one of the 19. That has gone; I accept that, we have got to move on. We have got to move on with a system, (*Interjections*) but we have got to move on with a system that takes into account the fact, using the little box that Deputy Le Pelley referred to in the policy letter that educates in the Colleges' 1,100 children.

Now somebody said somewhere, or I read somewhere, it costs about £10,000 per annum, perhaps a touch more, to educate a child in the secondary education system. My arithmetic is not
2640 what it was, it was 'learnt' at the state school before I went to Elizabeth College, but I think it says this, I think it says this, £10,000 by 1,100 is £11 million. If we suddenly had to find £11 million to educate those children, we would not be able to do it, but that is the doomsday scenario.

About the one sentence I agree with, with Deputy Roffey, a bit like Mr McDonald ... they talked
2645 about all these things they were going to do with the economy but only talked one sentence about how they were going to pay for them. The one sentence I agree with Deputy Roffey's comment, is that the Colleges are not going to fail. They will not fail. They will become elitist.

2650 Now, of the 1,100 children that go to the Colleges, including the scholarship children – or whatever the phrase now is, because that changes over the years with the jargon, special assisted places – there are lots of people who pay for their kids to go to school, but who are not millionaires, they are not advocates, they are not accountants, they are not captains of industry, they are ordinary folk, who scrimp and scrape to pay for their children to go to the Colleges. If the fees go up, they will not be able to afford it, or they will have to scrimp and scrape even more. They may not have inherited half of the Castel, they may not have inherited lots of money from their parents, (*Laughter*) they may not. They may be ordinary people who have had to work for every penny that they earn to be able to do so.

2660 I do not find it wrong that people have money. I do not know why so many of this Assembly seem to say that there is a problem with people having money. (*Interjections*) I believe that by having this bursary system ... Let me tell you my views have changed. I can remember two or three months ago going to a dinner party with friends and I was of the view – it was the intellectual purity view – that the Colleges should get no funding at all, because the States had made the decision that there was going to be a non-selection system, and therefore the Colleges had to stand on their own two feet. It just shows what logic and purity can do to you, because it was practical nonsense. Because practically the Colleges will need some support.

2665 Deputy Smithies said he went to a public school or a fee paying school 50 years before Elizabeth College was founded. Well, Queen Elizabeth came on the throne ... (*Laughter*) I do not think he was one of the initial pupils. I accept that. (*Laughter and interjections*)

2670 **Deputy Smithies:** Point of correction, I never said that.

The Bailiff: Deputy Smithies.

2675 **Deputy Smithies:** Actually, I have been totally misrepresented, I am totally in favour of the selective system, (**Deputy Ferbrache:** Yes, but ...) I voted for it and I (**Deputy Ferbrache:** I don't want ...) some of the remarks that have been made actually traduce what I actually said.

The Bailiff: Deputy Ferbrache.

2680 **Deputy Ferbrache:** No, no. I thought he could only correct me if he corrected me! (*Laughter*) (**Deputy Smithies:** Which I did.)

2685 The point I was attempting to deal with – and if I have got this wrong then I will humbly give way to him in relation to the point of correction alone. The point of correction, I thought ... Elizabeth College was founded in 1563, it has now moved to the 21st century, because how many is that, 454 years after it was formed it has got its first female principal. Let's hope the Ladies' College in 20 years' time may have a male principal, because these social things, these gender things are mutually, a two-way street.

2690 But Deputy Smithies told us, I thought, that he went to a fee paying school which started its existence about 50 years before Elizabeth College. I do not know why he corrected me because I was right. (*Laughter*) I am glad for people to correct me because I can correct them. But, in connection with that, that means you move back from Queen Elizabeth I to probably Henry VIII. Now, I imagine Henry VIII moving on from how many wives he had etc. I would bet a dollar to a doughnut that the fees, if it is still a fee paying school, at the school that Deputy Smithies went to, are a lot more than the fees of Elizabeth College – and he is nodding affirmatively – so we are not comparing like with like. The fees at Elizabeth College are about £11,000 a year, I think – around that sum. So, the fees at the school that Deputy Smithies, and others from his social class, and he has already said I am not of his social class, that they are probably £25,000 or £30,000 a year.

2695 Now, Deputy Roffey said we are not going to have lots of children queuing up from social housing etc. wanting to go to the Colleges. How does he know? How does he know? How does he know there might not just be a few? How does he know that those few should not have the same

2700 chances as a millionaire's son? How does he know that their parents should not have exactly the same rights to choose their children's education as somebody else? Give them a chance. Do not assume that the Colleges will all be populated, are all populated, by up or middle class elitists. There will be some upper middle class elitists, and I said I would not use that terminology, but I now do. We have got a system – we have not got a system, we have thrown all the balls in the air, we have not got a clue where they are going to land, whether they are going to land to the left or to the right, or in the centre, whether they are going to bounce up three feet, or bounce up 300 feet. We have not got a clue.

This is a debate that causes me great harm. Great harm in the sense of psychologically I am thinking, Goodness me, what have we come to?'

2710 I was asked by Deputy Gollop a question this morning in connection with Economic Development and effectively he was asking me what I thought were the concerns about people like, he did not name, and I did, Mr Perkins. I can honestly see if we carry on along these lines, that the Specsavers of this world, and the future Specsavers of this world, will not come to Guernsey. We will have a socialist utopia of the Marxist kind with a little bit of the Hampstead socialist-type approach, and the average person in Guernsey, the average person in Guernsey will be done down, and the Colleges will be left to the elite and the rich, if they live here.

Please support the St Pier and Trott amendment.

The Bailiff: Deputy Tooley.

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Deputy Tooley: Thank you.

Sir, I would like to say something about bursaries and inclusivity, and exclusivity. I did a bit of looking up definitions of 'exclusive', and I have decided that actually for the purpose of this debate the Learner's Dictionary seems like the ideal one to look at. Something which is exclusive is not shared, it is available to any one person or group. Can somebody point to anything which suggests that there will be a bursary available to every child who wants one, because otherwise this does not become an inclusive system, it becomes a different exclusive system, but it is still exclusive? This is not offering choice to every child on the Island. This is offering every child on the Island, potentially, the chance to opt into a system to win a great prize, but not everybody is going to get that. It does not matter how many parents choose this style of education for their children they cannot all have it. It is an exclusive thing. I have no issue with it being an exclusive thing.

I have taught in the independent sector. I genuinely believe in Guernsey's need for an independent school sector, a thriving, excellent, independent school sector. We have that. I believe we will continue to have it into the future.

As lots of you will be aware, lots of the Members here, sir, will be aware that I want us to give some support to the Colleges to allow them to move to that new form of business model they may find. But this is not the way to do it. The philosopher Mercadona Marco Nawala ... (*Laughter*) because I figure this Assembly needs some diversity in its quotes, (I think you will find he is from the Vale – he probably voted for you, said this. He said, 'Wealth is relative. Some people are not really rich they just have poor neighbours.' Well, I want to turn that on its head, poverty is relative, some people are not really poor, they are just surrounded by wealthier people. I know without a shadow of a doubt that there many children in our Colleges who are there because their parents scrimp and save to have them there. I argue that that happens, I do not argue that it is their absolute right to do that, not for one minute. Those people who decide that they will not take a holiday, that they will not replace cars, that they will not buy designer clothing, that they will not do those things, absolutely fill the vast majority of the places in our Colleges, and that is absolutely their right to do so, and it will continue to be their right to do. But do not for one minute think that that means that the Colleges are inclusive, because actually the vast majority of people on this Island could not afford to pay for a College place for their child by not taking a holiday, by not buying a new car. They are making decisions about whether they can afford

sausages to go with the beans, not about whether they can afford an independent education to have instead of a holiday. The Colleges are not inclusive. I do not have a problem with that.

2755 An independent school's offering – and our schools are not independent at the moment, but I think perhaps they should be – is by its nature exclusive, and that is not a bad thing. That choice is still there for those hard working parents. But we have hard working parents who could never dream of making that choice, and we do not make it any more open to them by creating a bursary system which will be inaccessible to the majority, no matter how we draw it. If we draw a bursary system which gives those bursaries to the poorest people who apply for them, and let's
2760 just say that the poorest people who apply for them do all come from States' housing, and are all people on the lowest possible incomes, then we do nothing for the people in the next band up.

We cannot create an inclusive system of bursaries to the Colleges by giving some. So until we find a level of funding at which absolutely every parent on the Island could afford to make the choice to add a little bit extra to be able to give their child that education, we will not have an
2765 independent inclusive education system on the Island. It is not possible. It is sad, but it is not impossible.

Or is it sad? Because actually I do not personally believe it is such a great prize. We create this illusion that the best you could possibly hope for is to win a place in the hallowed corridors of the Colleges that exist on our Island. Well, that is not the education I chose for my children. It is the
2770 education some people choose for their children, and that is cool, but it does not make it the prize we should all be aspiring to, and by setting aside for the worthy, for the needful, for the whatever, this special place, we say that it is something that it is not. They are excellent schools; they will do excellently well. I believe we should help them to get there, but this is not the way to do it.

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The Bailiff: Deputy Gollop.

Deputy Gollop: First of all, I would like to comment on what was a very interesting and entertaining speech from Deputy Ferbrache. I would probably point out that although one or two
2780 of the leading speakers at the Labour Conference perhaps said very unwise things of both a political and pragmatic nature, my suspicion is that in reality the centre of the party is to the right of where the Labour Party was in the Attlee era, in terms of nationalisation and state control. But nevertheless he is right to warn us that there is an uncertain political broader environment out there, both in Europe and America and in the United Kingdom; and we therefore have to move
2785 forward very cautiously with our society, and with our offer for education. He also shrewdly made the point that many successful people in our society did not necessarily do well at examinations in school, and I have got to say that I passed 10 A-Levels, but perhaps lacked the millions of some people in our society. So everything is relative.

We heard earlier about Planet Zogg and pupils from certain backgrounds or styles being fish out of water, well I was a bit of a fish out of water, in fact I think I was in a goldfish bowl of my
2790 own really, in the private sector, or anywhere else. But although I can appreciate the idealism of what Deputy Tooley and others have said, the reality is that standing here as one of the more longer serving States' Members you become aware that things are not always black and white, and that there are many complicated nuances that sometimes escape the attention of newer
2795 States' Members and perhaps, arguably, elements of the Civil Service as well. You therefore are dealing fundamentally with what is often illogical. We know of leaders around the world who say, who write illogical tweets and so on.

Deputy Roffey gave us a very logical argument as to why we are where we are. I have to say that does not justify the Education, Sport & Culture's policy letter, because they came up with this
2800 capped number, with this blocked grant number, per pupil for the indefinite future. There is no justification for that in terms of the amount. One heard one of the Members, probably Deputy Le Pelley, saying that they wanted 'higher, higher', like the brilliant late Sir Bruce Forsythe would have said, and we want it 'lower, lower'; and that negotiations were strained on both sides, and we have

2805 heard different details about whether it is possible under the current system if a special place holder changes school, whether that place is available or not. They are details perhaps for a scrutiny review of this. But the reality of the situation is that none of this is logical. Deputy St Pier's amendment and the other amendments are not entirely logical. Nor is Education, Sport & Culture, nor is the Committee Deputy Green sat on, because it was an interesting Committee, full of people with great educational insight and vision, but one would suspect that at least one of the members was not a huge fan of the social impact of the Colleges on our society, but nevertheless they agreed by consensus that Colleges would go on being funded in a vague sort of way. It is hard to justify that when you move to a comprehensive system, but then I would argue, along with, I think, Deputy Ferbrache and a few others, that we did not necessarily vote to implement a UK comprehensive system here.

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2815 What I voted for was an amendment to the current regime, an end to the 11-plus and an end to the pressure that was putting on parents, teachers and the private tuition market, and how it had undermined, in some ways, social mobility. Social Mobility was a bit more present 20, or 30 or 40 years ago. I do not think I voted to abolish the whole system, or to use an emotive phrase, put a nuclear bomb under it. The Colleges are part of our system. It is yet again a historical anomaly that we could run a Friends of the Prialx or WEA lecture on, I am sure, or a series of lectures on how the Colleges are as they are. They are not exactly Royal schools, they are not exactly States' schools. They have leases from the State. They have Governors appointed. One has an ecclesiastical person of repute leading the board. It is all very anomalous and all very historic. You would not start from this position, and they are not really purely independent schools.

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2825 I want to talk further about anomalies. One could argue that the Education, Sport & Culture's policy of allowing Catholic parents the right of choice for primary schools is unusual compared to other religions. If we want to start unpicking where we are at, I could do a lot of questioning on that front. So, I think you have to accept the position you are in. The position we are in is that nearly a third of our pupils across the Island go to the Colleges, use the private sector. It would cost money and resources if they did not go. We will have a debate about two or three schools, and that partly is based upon building estates and capacity, and therefore any reduction in the size of the Colleges would be relevant.

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2835 Of course, we can all find examples of people who lobbied us, or people we have heard of who may or may not have means to pay for private education, but that is not the point, the point is living in Guernsey brings you costs and benefits, a cost of living here is air transport, a cost of living here is house prices and rents, and a benefit is the relatively lower fees for those who can partake of them. The problem with raising them is it destabilises our general offer both to migrants and locals, and moreover adds an extra element of uncertainty to the high schools.

2840 I have not heard any proposals from the three Colleges, or within the Deputy St Pier amendment that seeks to replicate 52 special placeholders a year. That is not part of the agenda: it is confusing to think that it is. (*Interjection*) What we have here is a reduced financial package. It makes clear in the amendment that it will be a reduction of 2018-19 figures going forward, but not a reduction on the scale of Education, Sport & Culture, and that is just part of it. We could, of course, vote in principle to abandon the whole thing; as the Bailiff has reminded us we are voting just to put the amendment at this stage. But bearing in mind we need greater vision and greater choice in the debate, I will support the amendment.

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2850 I would also say sometimes people accuse me of sitting on the fence in a debate; well actually of course I am wanting to pull down fences, or walls, or sea walls even, that somebody else has created, because we have had a wall in the education debate between people with very strong opinions about the Grammar School and the 11-plus and the merits of selection, and I have always felt like Deputy Parkinson and probably some other Members of the States, that we actually need to start from a completely different base. We need to look at outcomes. We need to look at variety, inclusivity, choice, compare competition even between the schools, and also inclusivity for children of all kinds, including those with special needs. I salute what Deputy Smithies said in that respect, in that you should not be pejorative about any students' abilities.

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So, I will support the amendment at this stage, and maybe one of the other amendments and I hope we will not spend all day on this, (*Laughter*) or days.

The Bailiff: Deputy Paint.

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Deputy Paint: Sir, unlike Deputy Gollop, I never passed any A-levels, or can remember taking any exams, but I did pass a Master Mariner's Certificate by examination after many years of studying. I did, and I will, continue to support the Colleges and the principle of the grammar schools, although sadly it appears to be lost.

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I also believe that the very slender vote to remove selection was flawed, and driven by ideology rather than fact. I feel very sorry for the members of the Education Committee; they have only carried out what this Assembly directed them to do. They do not deserve any criticism. They have done the best they could.

I will support the St Pier/Trott amendments, and number 2 and 3.

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Thank you, sir.

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you, sir. (*Laughter*)

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Deputy Brehaut: Is that the high hedges legislation.

Deputy Brouard: A couple of firsts this afternoon, sir. I am a bit light lipped really, so some of the words will not come out quite as I wish them to, and another first this afternoon, which I did not think I would be saying in this term, but I completely agree with Deputy Roffey's speech this morning. So, I did not think I would ever ... our paths do not normally cross, but I think it was excellent.

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I think if we want to do social inclusion for real, then we would be far better off doing things like strengthening families and those initiatives that are part of the Children and Young People's Plan, where for a fraction of the money you are talking about today, for £100,000, £50,000 you could really make a difference to some of the families who are really struggling the most.

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I think when you move away from academic bursaries and move it to a social bursary, I think, as Deputy Tooley outlined, it becomes extremely difficult, where you are going to cast the pebble. How on earth can you do it? How difficult would it be for some people in some social housing to actually go to the College with the full support, with all the bits that go with that? I think it would be difficult, and Deputy Roffey spoke of that. Because I think that is one of the attractions I picked up from the meeting with the Colleges – was well actually then if you are going to do it, let's do it for the people who are the poorest of our society, but that does not really work, I do not think it would necessarily be the best outlook. If we are going to make our education a success I think we need to put most of the Government resources into that, and either the two- or the three-school models.

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I am one of those who fought to save the Grammar School and some form of selection, but I lost that vote, narrowly, I believe twice, and I would probably feel happier if the people of my ilk were coming together to put it back on the table for the third time and try again, but I do not think Deputy St Pier's and Deputy Trott's amendment quite does it, and I think it is that fudge which does not actually help anyone.

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I am very supportive of helping the Colleges through the transition period. I think that is essential. I think there is some good wording in the actual report itself, which is in 8.2 where Education say that if the Colleges are in trouble they will be reporting back, and I am sure we as a States will be supportive. Of course we want them there; of course we want that offering.

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On balance, sir, I am going to not be able to support the amendment as placed and would probably, at the moment, be looking to supporting Education. I cannot logically work my way out of it, and I think Deputy Roffey said it extremely well.

Thank you, sir.

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The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, sir.

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I will keep this brief as I think some of the speakers just now have put similar points very clearly indeed.

I will start off by saying that I too think our independent schools are an absolute asset to this Island, and I do not think we should underestimate their strengths. I think they are a really important part of what Guernsey has to offer, and we should be very proud of them and their achievements.

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I do think we have some clear commitments to the Colleges, but especially, of course, to the students of those Colleges, and their parents and staff. I would not wish to see them be destabilised. In fact, far from it, I would like to ... especially over the course of this transition, I think that, actually, because it is a decision that the States have made, we owe it to all the people involved with the Colleges to make sure that we do not move the goal posts on them, or pull the rug out from under their feet. So that goes without saying.

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The two words that keep popping up are choice and inclusion, and I think Deputy Tooley put it brilliantly. For me, inclusion is not a sliding scale, it is either inclusive or it is not, and I have absolutely no problem with independent schools being exclusive to the degree that they are, but I do not think it is the States' responsibility to make them inclusive organisations. I do not really understand the purpose of that.

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This idea that it is okay there will be a way of allocating these spaces. I mean, if you think about it in terms of market forces, there is a service for which people are quite justifiably prepared to pay a lot of money, in the region of £10,000 per child per year. It is a lot of money and for those people it is a completely justifiable amount of money to spend on that service. But if we think about this in terms of market forces, if we then offer the same services, or product, or whatever you want to call it, for free or at a discount, then I think logic dictates that there will be a demand for those places, and there will be more demand than places that can be supplied. So we know for a fact, as sure as eggs is eggs, that there will have to be decisions made about how those places are organised, and as Deputy Brouard, who I barely recognise, put it so well, there just is not going to be a fair way of doing this.

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Deputy St Pier is at pains to assure us that, 'Do not worry, it is just detail, we will sort it out later.' He does not bring us any clear idea, of course, about what that detail might look like, and it does remind again of this quest for the Holy Grail. Of course it is out there, all the Education Committee, who are the ones deputed with this thankless task have to do is go and look for it, and I am sure it will fall into their laps. But, no, we must not delude ourselves, there is no fair and equitable way of allocating places, assisted places, there just is not. I think we should not delude ourselves that there is. So it really is not inclusive.

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But, it does bring us back to the question of why ... I do not have any problems with bursary systems *per se* at all. I think if you looked at the UK model of independent schools, which are operationally and financially independent, many of them run bursary schemes, but what I find confusing is why a bursary scheme should be States-funded.

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I was trying to think of some parallels of where we might look for a similar proposition, and I was thinking, well actually in our secondary health care system. If Deputy St Pier needs an operation the States will pay for him to have that operation. He is perfectly within his rights to go private, he could have that operation done privately, and he might see value in paying to have that operation done in the private sector, absolutely fair. Again, I defend his right to opt out of the States' service and choose to go down that private route, but what I do not understand is why the

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2960 States would then offer some kind of system to help more people opt out of a system, a service, that they are already providing, choosing them at random for the same kind of service, just on a different plane, it does not make any sense to me. It does not answer my question of why would we want a States-funded bursary system. It does not make any sense. In one sense, we are competing against ourselves and for what purpose? So for me that really does not make any sense.

2965 But also the main reason I wanted to stand up was to underscore the point that Deputy Langlois made, which is actually this decision is not just an amendment, this is a massive change of policy, it really is, it is a completely new Proposition that has not been ... we do not know the detail. I do not believe the detail in the way that it is being promoted actually exists, and yet we are in danger of voting this in, and I think we need to be absolutely clear that if we vote in a bursary system, as this amendment proposes, then we will have that bursary system, not just for 2970 the transitional period but for a very long time afterwards, because once we have a bursary system in place, difficult as that will be to actually implement, it will be even harder to take it away. So please think very carefully about this decision.

I do not believe that a bursary system is a panacea for choice and inclusion. We know it is not a choice, it is not a genuine choice, we know it is not inclusive, and really it is a very fundamental 2975 decision that I think should not be taken lightly. I would urge my colleagues to reject this amendment, because I think a bursary system is not something that should be brought in by amendment, and it should not be brought in at this time.

The Bailiff: Deputy Yerby.

2980 **Deputy Yerby:** Sir, in passing, and in the same manner as Deputy Ferbrache remonstrated with some of the prior speakers, I might remonstrate with him for complaining that no one has described the new system. He is, of course, well aware that there are mechanisms for deferring a debate until further work has been done, and if by some accident he deferred the wrong one in this meeting, then perhaps he might like to repos it. 2985

By contrast, I take some comfort, perhaps a little too much in the thought that in three months' time if the decision that we have made today is incoherent with the choice we make about the future shape of our education system, we will at least have an opportunity to unpick it. Nevertheless, I would implore Members not to vote for Deputy St Pier's and Deputy Trott's 2990 amendment.

In their letter of comment on the Committee's proposals, the Policy & Resources Committee, the two senior members of which are bringing this amendment, remonstrated with them for not having a clear policy aim. Parts (c) to (g) of this amendment, of paragraph 2 of this amendment, purport to be policy reasons why we should vote for it. They are, however, only policy reasons as 2995 to why the Colleges themselves should exist. There is no educational motive there. There is nothing that explains what the benefits of a College education are. The proposers of this amendment have not been able to put it into words. They have not specified the criteria by which children might be selected for a bursary. In fact, I think they dare not put it into words, because doing so would alienate the Members that they are trying to win over by emphasising the 3000 inclusivity card.

There might be reasons to buy individuals places at the Colleges in future, whatever funding arrangement we agree, on a case-by-case basis, particularly for pastoral reasons. There are certainly students who leave the Colleges and enter States' education for that reason, but that is far too specific and individual to form the basis of a whole bursary for 50 or more young people a 3005 year.

Deputy de Sausmarez is right, once we have got bursaries, particularly once we have got bursaries with no clear rationale or consistency with the rest of the system, we are stuck with them more or less for ever. It is a gamble of a large amount of States' money. It is fiscally imprudent, and I urge Members not to vote for it.

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The Bailiff: Deputy Fallaize.

Deputy Fallaize: Thank you, sir.

3015 I think it is easy, and it has been done at some length, to be critical about the amendment, but there is something that is sensible about this amendment having been placed, for those of us who are unhappy and disappointed in the Committee's policy letter. I do not support the proposal that the Committee has come up with, of just providing a subsidy to every student who goes in to the Colleges. It is completely unlimited. It does not matter how many turn up, it is effectively open ended. There is no policy basis for the States deciding that £816 a year of taxpayers' money should be paid to the Colleges in relation to every student whose parents have decided to fee pay them to that school. I think actually it was Deputy Oliver, in an email reply to one of the correspondents on this subject a couple of days ago who said this all started with, well she called it, a terrible policy letter, and I do think it is a highly inadequate policy letter, and that much of this debate could have been obviated if the policy letter had been better, and the policy basis for the proposals had been better.

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I think the amendment clearly extends the range of choice that is available to the States, and also if the States want to set up an assisted places scheme, this is the best way of doing it.

3030 I went to, as most Members did, the presentation that was put on by the three Colleges, and they proposed their scheme, and I was absolutely horrified, because they wanted to run the scheme, and they said well it will all depend on the parents who apply and we will choose the poorest parents who apply, but, of course, there is an enormous barrier for many parents, merely in the need to have to apply and turn up ...

3035 I came from a very sort of conventional, boring, provincial, middle class family, and the day I went to take the entrance exam was the first day I had ever set foot in the place. Two weeks before the 11-plus results came through, it would never have occurred to me at all to think about going to Elizabeth College. It was ... and I was middle class, but it was happening, all of the students who were there, were well outside of my social circle. I have often said that on my first day at Elizabeth College I knew as many people in prison as I did who had ever been through Elizabeth College. *(Laughter and interjections)*

3040 So I think that providing public money to the Colleges and allowing the Colleges to run some kind of admissions process, even if they have given this vague promise that they will not select academically, really would be quite inadequate.

3045 I thought the suggestion from the Colleges that they may be able to provide a sort of refuge for the poor, was particularly incoherent. So this amendment, I think ... but I thought actually when I left that meeting, I thought because of the response in the room amongst other Deputies that there would be appetite for an assisted places scheme. When I spoke to a few Members afterwards they appeared to have been, some of them were seduced by this idea.

3050 So, I believe that if the States want to have an assisted places scheme, it is not without complications, clearly, but the way that it is set out in the amendment is the best way of having an assisted places scheme, because at least it tries to guard against the assisted places being allocated on the basis of academic aptitude, and at least it makes some effort to ensure that the holders of the assisted places are not disproportionately drawn from one sector of society or another, but I will come back to that in a moment.

3055 Members who have spoken in favour of the amendment have spoken about their wish to support the Colleges to a greater extent than is proposed in the Committee's policy letter, but very few of them, with the exception, I think, of one sentence from one speaker, have told us why the support should be in the form of an assisted places scheme, and really that is what we should be debating. I am, I will not say indifferent to, but I am not terribly concerned about what the exact level of funding is. I think there are arguments that can be made in favour of the total level of funding proposed by the Committee, and in the amendment which Deputy Langlois may lay, and in the amendment which Deputy St Pier has laid, one can argue for more funding or for less

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3065 funding. I certainly do not want to provide no funding, particularly during this period of transition I think that would be, as well as being sort of gratuitously destructive of the Colleges, it would also be self-defeating to the States. But, what we should be debating on this amendment is the concept of assisted places, because that is the key part, it is not the level of funding that the Colleges would receive, it is assisted places.

3070 I said to Deputy St Pier, and others, in the lead up to this debate that I would support their amendment unless I could be shown a better way of directing financial support to the Colleges. I think that the way that is set out in the amendment that Deputy Langlois has not yet laid, but I hope he will, is probably a better way. Because I think a block grant is preferable to assisted places for this reason.

3075 This debate, I suppose, inevitably, has been, and probably will continue to be, very College centric. The tenor of the debate is about the extent to which we wish to support or not support the Colleges, and that is fine, it is a debate on College funding. But when we talk about College funding we are talking about 30% of the students. We have to give some consideration in this debate to the other 70%. There is absolutely no question, whether any particular Member wanted a comprehensive system or not; that is what we are going to get, because the States have democratically voted for it, twice now, and a comprehensive system quite clearly works best if there is a broad range of students, whether it is academically or socially. It works best where Government does not provide a way out of that comprehensive system for some students.

3080 That is the problem with an assisted places scheme. Even if the assisted placeholders are academically and socially representative of the whole Island, what message will it send out in relation to our level of confidence in our all ability schools if we say, 'We are setting up these all ability schools, where we are removing selection. There is no longer a grammar school operating as a grammar school. You can no longer get through to that style of education through a test of academic aptitude, so everybody is going to have to go to our all ability schools. But we are going to use several million pounds a year to provide some assisted places for some students. We do not know how they will be chosen, but there will be no more than 52 presumably, possibly fewer than 52.

3090 What are we going to be buying on behalf of those students? That is the question. Do we not think that we are going to send a message to the people who are going to run our new all ability schools, and to the parents who we expect to have confidence in our new all ability schools, that actually we have decided that there is a need to pay for the creation of assisted places to allow some children to get out of whatever it is that we fear about comprehensive schools. We are going to be suggesting, I think implying, that there is something better about the Colleges than there is about the all ability schools. That, I think, is the biggest problem with the assisted places scheme.

3100 I think that it could be operated in the way that Deputy St Pier suggests. I mean it is not easy, but I do not think that it is insurmountable that assisted places could be allocated in the way that is suggested in the amendment, but what concerns me most of all is the message that it will send out to those we expect to run our all ability schools, and to parents of those who we expect to be in our all ability schools.

3105 In the days leading up to this debate, I have asked ... because really it was the Colleges who came up with this sort of scheme, the concept of assisted placeholders in the first place. I have asked the Colleges, 'How are you going to deal with the issue of oversubscription?' because anybody who knows anything about competitive admissions processes in schools knows that the key issue is what are the oversubscription criteria. Because good schools are oversubscribed, and you have to have some way of deciding that some students will not get the place they have applied for and some will.

3110 Now the Colleges, bizarrely, came back to me and said, 'We do not think that there will be that much demand for these assisted places.' Well, I have the figures from the Education Office for the number of parents in each of the last three academic years who have selected as their first choice one of the Colleges. This is in advance of the 11-plus process. In the last three years the number

3115 of students whose parents have put down one of the Colleges as their first choice was 187, 179
and 205. We are talking here about a maximum of 52 assisted places per year, presumably. So the
assumption must be, or it is a reasonable assumption, at least, that around one in four of those
who wish to take advantage of one of these assisted places will be granted an assisted place; so
three in four will not. Now, let's say that it does not matter in relation to the three, but how are we
going to determine the ones that will be selected? It will not be by academic aptitude, because
3120 that has been ruled out. What are the other oversubscription criteria used in competitive
admissions processes normally? Proximity to the school, normally, is one –
Deputy Trott wants me to give way. I will –

The Bailiff: Deputy Trott.

3125 **Deputy Trott:** I am grateful to my friend for giving way, because that is not comparing apples
with apples, because clearly that demand has a cross section of socio-economic people within it,
and a significant number of those who would have expressed that interest will go on to fall into
the category that is able to make the choice, but he is right, there is a chance that there could be
3130 some oversubscription, but surely that is a good thing, because it shows the demand is there, and
the choice is required.

Deputy Fallaize: But, sir, I think the problem is that you cannot build a system like this and
say, well because we have put in this socio-economic range, or this socio-economic criterion, that
3135 the number of applicants is going to fall. Actually, the number of applicants ... the point that they
apply, the people doing the applying are not going to know how many places have been
allocated between each socio-economic bracket, and if the intake of assisted placeholders is
going to be representative in a socio-economic sense then some of the places are going to have
to be available to those who are relatively affluent, some of those are going to have to be
3140 available to those on sort of average incomes and some of them are going to have to be available
to those who are on below average incomes; that is the only way you are going to get a proper
range socio-economically.

So, it could be that there is significant oversubscription. So, how will it be determined? The
normal oversubscription criteria applied, not in Guernsey but generally around other jurisdictions,
3145 are academic aptitude, proximity to school, whether the sibling is educated there. Now,
presumably all of these possible options have been ruled out in this sort of scheme; we are not
going to say, 'Well, you are going to get an assisted place because your brother got one four
years ago.' Or, 'You are going to get an assisted place because you live in The Grange and
therefore you can be prioritised over the person who lives somewhere in The Forest or The Vale.'

3150 So some other way is going to have to be found to deal with oversubscription. I suspect if the
States approve a scheme of assisted places, and I suspect there will be oversubscription, and I
suspect the most likely way of dealing with oversubscription will be a lottery. I honestly believe
that will be the most likely outcome. We might say okay in this particular socio-economic bracket
we have got 10 assisted places to give out, we have had 38 applicants, we will put the 38 names in
3155 a hat and the first 10 that get drawn out will be offered, well a sort of golden ticket, a bit like a
Willy Wonka golden ticket to go to the Colleges, because how else do you deal with
oversubscription? That is the problem behind the concept of assisted places.

Now, I emphasise again if the States want to have assisted places we have got to do it in the
way that the St Pier and Trott amendment sets out. We cannot allow the Colleges to do it by
3160 invitation of applicants, and we cannot allow it to be done by academic test, because that clearly
will replicate what we have just removed in terms of selection at 11. I think that there are flaws in
the concept of assisted places, which will mean, even for those Members who think it might be a
good idea in principle, I think that the way that it operates in practice is going to be a significant
problem.

3165 One more slight problem, I think, with this amendment is that the ... I do not mind that the level of financial support is not time limited, but the bursary scheme, the assisted places scheme, is not really time limited, because what it envisages is that bursaries or assisted places will be provided for 10 years or until 2029.

3170 Now by my calculations, and they may not be as good as Deputy Ferbrache's because he was a scholar and I was not, but that means that the last assisted placeholders will not leave, at the earliest, until the year 2036. So, I think we are being asked to put in place a funding scheme that will last for, essentially, the next two decades. I think that is a risk, if we take the view that during this period of transition it is reasonable to direct a fairly significant sum of money to the Colleges, which I do not have a problem with, but if we decide to do that during this transition period it seems to me not terribly sensible to direct that money by way of having an assisted places scheme that has a life span of at least the next 20 years.

3175 To conclude, I think the key thing for me, that determines the way I vote, is not what is the effect on the Colleges; it is what is the effect on the States schools. I do not want to be destructive of the Colleges; I want them to continue to survive.

3180 I should have declared an interest actually, and I now will. My wife is employed at Elizabeth College, which is a fairly substantial interest I ought to have declared.

I am in no way anti the Colleges, but if we can find a way of ensuring the Colleges remain viable without having a detrimental effect on our state schools then I think we should probably grasp that opportunity, and it seems to me that a block grant is a better way of doing that than an assisted places scheme, which can only send out the message that we do not have full confidence in our all ability schools.

3185 So I will reject the amendment.

The Bailiff: Deputy Trott, seconder of the amendment.

3190 **Deputy Trott:** Thank you, sir.

Sir, I have to declare a special interest, it is a special interest that this Assembly is well aware of. You elected me to the Board of Governors of Elizabeth College, and I am grateful to you for doing so. It was not for the first time, because the previous Assembly had elected me for a six-year term.

3195 Now, sir, immediately after Deputy St Pier's brilliant speech this morning (*Laughter*) we heard from the President of Education, and I listened intently to what he had to say. There were a number of things ...

The Bailiff: Deputy Le Pelley, point of correction.

3200 **Deputy Le Pelley:** I think I spoke first, (**A Member:** You did.) I have not replied to Deputy St Pier at all. So you have not heard me say anything in reply to Deputy St Pier.

Deputy Trott: You are quite right, you did speak first. I concede. (*Laughter*)

3205 Had the speech been more memorable, I would have – (*Laughter*) I would have noted it was first not second, and for that I apologise.

What Deputy Le Pelley – my good friend, Deputy le Pelley – said is that if you support the St Pier/Trott amendment an extra £2 million a year will be flowing into the Colleges. Now it is that sort of fiscal understanding that troubles me. Because it suggests that if you do not put this £2 million into the Colleges then it is a saving. Well, of course, it is not a saving, because these funds are going towards providing education for children at schools. The only material difference is that the Colleges do it at a discount to what we manage to do it in the state sector – according, of course, to PricewaterhouseCoopers.

3210 Now, I accept that the internal numbers produced by the Education Department are different, but as I mentioned earlier in my reply to Deputy Roffey, forgive me but I have greater confidence in independent figures produced by an international firm of auditors.

Deputy le Pelley: Point of correction, sir.

I do believe those figures were obtained from the Treasury staff at Policy & Resources.
3220 *(Laughter)*

The Bailiff: Deputy Trott.

Deputy Trott: They were confirmed by the Treasury Department that the figures contained
3225 within the PricewaterhouseCoopers report that I quoted were the figures contained within the
PricewaterhouseCoopers report, so yes, they confirmed they were accurate.

Now, sir, Deputy Roffey was the next to speak, and he said that he considers that it would be a
ringing vote of no confidence in the States' system to support this amendment. What an
extraordinarily negative thing to say. It is like he is saying that a College education is somehow
3230 better than an education within the States' system, of course, it is not better. But it is different, and
I will explain why in a moment. Better, certainly not. Personally, sir, I was embarrassed to hear him
say those words, because it is that sort of divisive politics that many of us who are behind this
amendment are trying to avoid.

So, now my first day at Elizabeth College is a day I will never forget. I met Deputy John Gollop,
3235 and he came up to me, and he will remember this as vividly as me, he sort of wandered up to me
in exactly the same style as he does today, he has not changed, and he thrust out his hand and he
said, 'Hello, I am Gollop,' and I said to him, 'That is a very odd Christian name. What is your
second name?' and he said, 'That is my second name', and it was then that I realised that that was
one of the things that was different about going to Elizabeth College: the fact that in those days, I
3240 am not sure if it is still the same today, one was referred to by one's surname rather than one's
Christian name.

But much more relevantly, about a week later, Deputy Gollop came up to me and he said, Did
you have a nice weekend?' and I said, 'Yes, I did', and he said, 'What did you do?' I said, 'Well, I
started by visiting one of my uncles and aunts and two cousins that live in the Genats Estate. I
3245 then that afternoon went and visited one set of great grandparents who lived at the Bouet Estate.
I then walked across the road and went in and had tea with another set of great grandparents that
also lives at the Bouet Estate, and then I went to meet with two of my cousins, my uncle and
auntie who lived across the road from them to have dinner with my cousins, one of which had
won a scholarship to Blanchelande, and one of which was being educated at the Grammar
3250 School.'

That is how the Colleges were when Deputy John Gollop and I were there. There were a very
broad mix of people from socio-economic backgrounds. Now there are some Members in the
States who may not remember the Bouet well. The Genats Estate is still going, I am pleased to say,
3255 but the Bouet States' houses were knocked down some time ago and replaced with social
housing. If you lived in that accommodation you were at the very bottom end of our socio-
economic strata. So let nobody ever think that I came from a privileged background, because I
can assure you that I did not. What matters to me, and it matters to me desperately, is inclusivity,
value for money, capacity and choice. Precisely what the Colleges have been imploring you to
accept and understand. Most of all, I do not want ... and I know I represent very many in our
3260 community in striving hard to avoid our Colleges becoming elitist establishments.

Sir, a couple of years ago in this Assembly something happened that had a profound effect on
me, and many will remember Deputy Andrew Le Lièvre standing up and telling us that there was
no one, there was no one in our Colleges who came from the sort of background that I came
from, and the sort of background that my cousins came from, and I was horrified to learn that.
3265 Now, at the time, the previous Education Department had supported a bursary scheme, entirely
sensible, and I laud my friend, Deputy Green, for being part of that. They were as determined as I
was then, and I am today, to ensure that the Colleges remain as inclusive as possible. Without this
amendment they will not.

3270 Now let's talk a little bit –
I give way.

The Bailiff: Deputy Fallaize.

3275 **Deputy Fallaize:** I am very grateful to Deputy Trott, and I concur with everything that he has said about the picture he has painted of the change in the Colleges over the years. But does he not think that the best thing we could do educationally for disadvantaged children in Guernsey, for all of them, is to ensure that the schools which the vast majority of them will attend, the state secondary schools, are as high quality as possible, rather than selecting a tiny fraction of them out and paying for them to go to the Colleges? (*Interjections*)

3280 **Deputy Trott:** I will address that in a moment, because I think the answer to that question requires a more than one dimensional approach because 'choice' is not a dirty word.

3285 Sir, there has been no opposition to the argument that the Colleges provide excellent value for money. Why? Because only a fool would suggest otherwise. It costs nearly £12,000 a year. Now, I know I have repeated this number on a number of occasions but I think it is essential that our community understands just how expensive it is for us to provide one year's education to a single person, a single young person, in our community. It is extraordinarily expensive – nearly £12,000 a year when capital is taken into account.

3290 Under the St Pier/Trott amendment, the enormous savings to General Revenue that occur when a parent who can afford to make choices chooses to educate their child at the Colleges is maintained, those enormous savings are maintained. So, far from funds flowing in the value for money enhancements are maintained.

3295 Now, choice – and this is the bit I want to come to, I think this is so important. 'Choice' is not a dirty word. It is not a dirty word. If someone chooses to smoke a cigarette we tax them for the privilege. If someone chooses to have a pint of beer we tax them for the privilege. But we have not got to the stage where they cannot make those choices; but we are going to, if we are not careful, get to the stage where the only choice that can be made educationally in our community is based on how much you have got in your back pocket, and that is completely and totally unacceptable to a very large number of those in our community.

3300 Many parents, and a particularly high number of those parents coming to the Island to work in our primary industry – which is the industry I am closest to, and therefore I am most intimate with the data – a very high percentage wish to educate their children in a single sex educational environment. 'Choice' is not a dirty word. If they want to do that they should be allowed that choice, but not only by how much they have got stuffed in their back pocket.

3305 It is the same ... I do not have any particularly strong religious beliefs, and we have heard from Deputy Merrett this morning that 30% – I think it was Deputy Merrett – only 30% of children who go to Blanchelande go there for religious reasons, and we are an increasingly secular society – that should not be a surprise – but they have that choice. It is right and proper that that choice is enabled, and it is available to the broadest possible spectrum.

3310 Now, this is a difficult one, sir – capacity. Given the wider questions regarding capacity and the ability of the Colleges to accept more pupils, it is easy to see that funds spent by the States at the Colleges contributes to financial efficiency within the Island's education system as a whole; efficiency, value for money, they are not choice; inclusivity they are not dirty words.

3315 There is an assumption in this policy letter that 30% of secondary age children will continue to be educated in the Colleges. Let us hope that is true. I doubt it will be without the Trott/St Pier amendment, but we shall see. But – and this is the but – the assumption underpinning the secondary proposals, that many of you have yet to see, that will be coming before the Assembly later on this year, those assumptions are based on the Colleges educating only 20% of the young people in this Island, a massive difference that adds cost and revenue costs and capital costs of a very significant nature. There is more to this debate than this debate alone. This debate will have a

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material impact on the decisions that we make in a few months' time about how the estate should look.

3325 A little bit on the outline of the scheme, and criticism from some that this scheme has not got all the detail to enable it to go operational tomorrow, is of course, a complete nonsense, a classic political red herring. What happens with these sorts of things is weeks and weeks and weeks of intelligent discussion is undertaken to arrive at a structure that serves the purpose, the detail does follow. I admit that the devil is sometime in the detail, but it usually, in our system, comes weeks later, not at this stage.

3330 So, the operational details of an assisted places scheme will need to be worked out in discussions between the Colleges and relevant States' departments to make sure it addresses the social inclusivity and educational objectives of the States. It is us that have made, quite rightly so, such a big play about the importance of social inclusivity, and yet here we are, potentially, arriving at a solution that does the complete opposite. For me, it is quite extraordinary, but others do not see it with that clarity, I accept.

3335 So, the Colleges have undertaken some work on what an assisted places scheme might look like, but wish to work with the States to agree the details. Again, that sort of collaborative approach is precisely what happens in our system. We are a small community, we work together to arrive at a solution that is in the best interests of all, not just the few.

3340 There will be no academic selection. Now, again, a couple of people have thrown that into the mix in order to suggest that this is selection by the back door. It is not academic selection in any way shape or form. But it is selection based on how wealthy your parents are, yes, and that is a very good thing.

3345 So the Colleges understand the decision of the States to end academic selection at 11. Assisted places would not be allocated based on academic ability under any circumstances. In other words there would be no replacement of the 11-plus, and places would not be awarded to the brightest pupils. Pupils of all abilities would be encouraged to apply for assisted places which would be allocated based on financial and other non-academic criteria. Now, why is that so important? Well, it is because if any school has got a genuine understanding of what comprehensive means, or any of the schools, it is, of course, the Colleges, because not only do
3350 they currently educate young people across the academic spectrum, but they also include special needs children within that cohort, that might otherwise be selected out of the States' system into one of our schools that is specially provisioned for such children.

3355 Sir, the tiered package of support for students from low and middle income families with the objective of supporting College student cohorts of similar socio-economic diversity as those in the States' sector schools is also laudable. If we have decided that we want a non-selective comprehensive system, then we should ensure that we have a non-selective comprehensive system across our educational offering; not provide for a system that creates that lack of inclusivity, that special group that I and so many others wish to avoid.

3360 Now, applications will be accepted from any families meeting the published financial criteria. ESC already has a system for the provision of funding for higher education, and has accessed the data on family income levels which could inform the design and operation of the system. This would be a sensible starting point for establishing criteria for determining which families would be eligible to apply for assisted places, and such criteria could be published to ensure that the application process would be transparent.

3365 In effect, sir, it is precisely what we do with applications for university fee help. It is thoroughly means tested. Parents know at the onset what the thresholds are. It is not rocket science. Where there is a will there is a way, and I very much hope, sir, that the States is persuaded by some, if not all, of those arguments and supports the St Pier amendment.

Thank you.

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The Bailiff: Deputy Le Clerc.

Deputy Le Clerc: Thank you, sir.

3375 I have got a huge dilemma, because I do not want to see the Colleges fail, I want to see them succeed, and I want to see them thrive. But I am not happy with the Proposition by the Education, Sport & Culture Committee, and I am not happy with the St Pier amendment.

I think part of it lies at the presentation that we received from the three Colleges a few weeks ago. I thought the presentation was quite weak, and I think they flip-flopped on some of the arguments that they gave us at that presentation, and the word 'inclusive, inclusive, inclusive' was
3380 part of the message, and I do not believe that the Colleges are inclusive on the current process that they have.

What I have not seen from them is a well thought out business case with some financial modelling of what the impact might be over the future years of a decrease in uptake of fee paying pupils, when under some of the proposals the special placeholders funding declines. I would have
3385 expected from institutions such as the three Colleges, with their academic ability and the parents there, that we would have seen far more financial modelling and a robust business case. When we are asked as Committees to put forward Propositions to Policy & Resources, we have to provide a sound business case. **(Several Members:** Hear, hear.)

I would also like to say that drawing attention to Proposition (h) of the St Pier amendment and
3390 it talks about:

There shall be no academic selection of assisted place holders ...

And if I draw people's attention – if I can find it on my electronic communicator – (*Laughter*) to
3395 the document that we received from the three Colleges, and I would just like to read out something from page 9, because it does not quite chime with the message that we are getting in the amendment:

'Pupils applying to the colleges are required to sit entrance assessments, which allow the schools to ensure pupils are able to cope with minimal curriculum requirements, and the school has the resources to meet the needs of the pupil. This would continue and there is a similar practice in the States' secondary schools.'

Well, I am not sure that there is that practise. I do not think you require an entrance exam to
3400 go through the state secondary schools. So one of the questions that I have got of Deputy St Pier to enable me to make up my mind is: your Proposition says that there will be no academic selection and yet the Colleges themselves are saying there is still some form of selection criteria. So, I have a real concern about that.

I also agree with Deputy Fallaize about the potential oversubscription of places, and on what
3405 basis would you be able to choose? I think in some ways the system would be even, perhaps, more heart-breaking than the current 11-plus system that we have got, and I need to be convinced by those people in this Assembly of which way I should vote this afternoon or tomorrow.

Thank you.

The Bailiff: Deputy Soulsby.

3410 **Deputy Soulsby:** Sir, I do declare an interest. As all here will know, having been re-elected a few months ago, I am a director of the Ladies' College.

Now, I am not an old girl, or rather I am an old girl, but I am not an old girl of the College. I went through the English state school system, and to be perfectly honest I did not even think
3415 about private schools whilst at school. There were no special places and you could only go if you could afford the fees. Because I had not thought of them I knew that only a select few could attend. It was quite a surprise to find when I got to university that I was one of only four from the state sector background on my university course at King's College. Of course, it will come in useful when we get to the debate on the anti-tank wall, mind.

3420 So, when I was asked whether I would be willing to become a Director of the College I thought
long and hard knowing that the future funding of the Colleges would come to the Assembly this
term, and that clearly as a Director I would be expected to put my support behind them. However,
I did accept the invitation, clearly, and the reason why I did so is also pertinent to this debate, and
which I will explain shortly. But, before I do so, I have to say why this policy letter is inadequate,
3425 and why the St Pier/Trott amendment addresses what that policy letter has so clearly failed to do.

In simple terms, the policy letter does not fulfil the recommendation as set out in paragraph
1.2. It does not properly consider the role of the Colleges, nor the rationale behind the funding.
Looking at the policy letter, it all reads like the three members of the Committee made up their
mind what they wanted to do at the start and then had officers write a report around it. There is
3430 no indication that a dispassionate and rational analysis has been undertaken, which has resulted
in an evidence-based decision. This is crystal clear when you look at paragraph 5.2, where the
rationale for the funding of £816 is given.

Firstly, we are told it is the right subsidy as it is the current level of subsidy. Now, factually, that
is true, of course, but is that a rational reason? For example, as a hypothetical for instance, say we
3435 had a housing target of 300, and we are told it should be 300 as it has been 300 so it must be 300,
but then you have an evidence-based analysis that tells you, well, 300 is not the right figure at all,
it is just hypothetical, of course. *(Laughter)* There is no logic, which is further proven when Deputy
Le Pelley says, it actually is not the current level of subsidy now.

Secondly, we hear that this is the level subsidy at which the demand for fee paying places
3440 remains strong. This is based on an assumption, not based on evidence, that the Colleges will be
able to keep fees at the same level, presumably as they will be able to sign up an extra 50 fee
payers per annum from day one, and fees will not have to rise considerably.

The fact that in paragraph 6.1 they do not see the link between an above RPIX fee increase and
the FTP funding reductions seems to indicate this is something they have not properly considered.
3445 An example of this mixed up thinking comes from the following statement in paragraph 4.5 and I
quote:

Private pupils [in] the lower schools receive no ... support, fee payers receive less than £1,000 in annual support, but
demand is still buoyant.

No account is made of the fact that the lower schools have far fewer places, no modelling has
been done on what would happen if fees increased beyond where they are now.

The policy letter is riddled with phrases such as 'the Committee believes', without any evidence
3450 to back it up, or actual analysis to support their assertions. There is no science behind it. If they
were course assessments I think the teacher would write at the bottom, 'Could do better'.

Most of paragraph 4.5 is devoted to saying that the Colleges will fill places and there will not
be a drop in income, but then at the end it states that:

... whether demand for places remains equally resilient with the ending of selection ... only time will tell.

But their recommendation is based on the Colleges making up the numbers. Filling the 52
3455 places per annum will be, and I quote:

Eminently achievable given the targeted subsidy approach to College places in the future.

Well, I think, given the Committee have not done so, we need to look at the reality of the
situation today. There are approximately 1,100 students in private secondary education. We are
told that because primary numbers are buoyant that will make things fine and dandy. Now there
are around 420 children in private primary education. Until now, half of the extra 700 pupils for
3460 the secondary schools have come from additional fee payers, with the other half from special
placeholders. So the Education Committee believe that without special placeholders it will be
eminently reasonable for the Colleges to double the number of additional fee payers at 11.

3465 That is what they are saying. Putting aside the fact it shows they must have little confidence in
the new system, the secondary system of education, if they believe that the Colleges can manage
that. It also demonstrates a lack of appreciation as to what has happened with pupil numbers over
the last 20 years. Thanks to the questions asked by Deputy Fallaize a few weeks ago, we have seen
that the numbers attending the Colleges at Year 7 have increased by 35 in the last 20 years. Yet
the Committee think it is eminently reasonable, to use their own words, that the Colleges will
manage to immediately increase numbers by 50 in the first year, and fill 350 places in seven. That
3470 is at the same time funding is cut by 80%.

That leads me to the last reason used to justify the level of funding, which is an 80% reduction
in States' funding over the next seven years. So, that is good, is it? Given Education Committee's
lack of ability to make a 3% reduction in its budget in one year, it does seem a bit rich to say the
Colleges can make up significantly greater funding cuts. At that level of reduction, fees will have
3475 to rise. Increased fees will reduce the number of parents able to afford to send their children to
the Colleges. The impact of the FTP reductions are already having an impact, as KPMG said in their
review for PAC last term would happen. At the Ladies' College we have seen 18 people leave in
Year 11 to go to the Sixth Form College, but interestingly all the special placeholders have stayed.

Deputy Le Pelley referenced Goldilocks but his policy, to me, seems a complete fairy tale.
3480 Throughout the policy letter the Committee makes it very clear that they do not really want to
support the Colleges, and are quite happy for them to go off on their own. Well, why didn't they
just say so? Do Education just want to give the Colleges minimal funding so they can have some
element of control over them? Quite frankly, why would the Colleges want to be monitored by
Education for a sum of money that would not enable an assisted places scheme to work?
3485 Something the Committee perversely says it does not want to set out in recommendations but at
the same time says that the demand is part of the Memorandum of Understanding. That is not
sufficient to satisfy anyone. Whether Education wishes to accept it or not, there are few who
would deny that the Colleges are important for the future of the Bailiwick. I do mean future, not
that old boys and old girls, they are an integral part of our education system, have educated 30%
3490 of the children of the Bailiwick. They provide choice, competition and add to the Island's offering
for those they wish to attract.

Proposition 2 sets out clearly why we need to retain the support for the Colleges, and ties that
in with a range of funding that the Colleges can live with. It should be noted that this is a level of
funding considerably lower than currently provided. It will give the Committee savings but in a
3495 managed way. It gives certainty to all sides over the next 10 years and stability at a time of change
in the States' education system.

The amendment states that funding should be around 55%, 65% of current levels to be used
for a system of non-academically selected assisted places. Now, whatever Deputy Le Pelley says,
the Colleges have not asked for more funding. This level of funding will enable the Colleges to
3500 make a difference to social policies, for the Colleges to be truly inclusive institutions, so the
assisted place pupils do not feel isolated within their cohort, and to sustain pupil numbers. The
Colleges are happy to work within that range.

Proposition 2 sets out a common sense position, the Colleges are part of the solution, not the
problem, (**A Member:** Hear, hear.) and they will be so through an assisted places scheme that is
3505 not based on academic ability.

Now, I think it is interesting hearing people say that there is not enough information about
how this will work. I am particularly surprised to hear Deputy Fallaize question this in relation to
potential oversubscription. You think that this Assembly agree the total detail of every plan that it
passes? Well, we did not have all the detail when it came to working out how the secondary
3510 pensions would work. We certainly did not have any detail as to how a potential insurance scheme
for Guernsey residents would work in place of our reciprocal health agreement either, which is
something that Deputy Fallaize put to this Assembly in the last term.

Deputy Fallaize: On a point of correction, sir.

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The Bailiff: Deputy Fallaize.

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Deputy Fallaize: In both of those cases the relevant Committee was directed to go away and work out the detail before the States would then be invited to approve the scheme or not. Here, we are being asked to approve the scheme in the absence of that detail. I think there is a slight difference.

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Deputy Soulsby: Not really, because the amendment makes it very clear, it would be the duty of the working party to resolve, just like it happens in virtually everything that we debate and agree in this Assembly. Just like Deputy Le Clerc is now involved in getting a scheme of secondary pensions and the insurance scheme to work.

3530

Turning to Proposition 3, this really provides the detail sadly lacking in the policy letter. Whilst the Committee believe there should be a service level agreement, as I have already said, probably those are the only reasons why they wanted to give funding at all, the policy letter is silent on what it should contain.

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It is through an SLA that Education could have shown itself to be truly innovative and understand how long-term savings could be made, but they did not. Through this amendment it will be possible to enable true comparisons between State and private sector, making each try to up their game, challenge how they do things. This is much harder where the private sector is almost kept out in the cold. Whilst it is hard comparing the quality of our education system with other jurisdictions it should be far easier when we have a private and public sector working far closer together. Here is an opportunity for the Committee to make savings through working collaboratively with the Colleges – also for sharing resources across the education sector, and sharing information. In the coming decades the sharing of information will be the key means to improve efficiency and what really matters, which is outcomes.

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I will not go through all the aspects set out in the Proposition, but an important one to note is that of capacity. There is, despite misinformation that has been flying around in recent weeks, capacity in the Colleges. This capacity may well be sufficient to cope with the peak in student numbers in a few years' time, which could result in a saving to the state sector. The Committee needs to understand that the Colleges are willing to be part of the solution for the future.

3545

So, as I said at the start of my speech, I thought very carefully about whether to accept the invitation to become a Director of the Ladies' College, particularly knowing this debate was coming up. However, there are three reasons why I did so. They are all interrelated, but the first two arise from what we have seen happen in our society over the last decade and what concerns me, should no or minimal funding be provided in the future. The third arises from my one personal observation.

3550

The first is in relation to social mobility, a phrase I have not heard so far today, which is really interesting, and I think quite odd, quite frankly. I cast people's minds back to the debates we had on the 11-plus. At the heart of many speeches was how it was not leading to social mobility, there were no children at the Grammar Schools or the Colleges ... whilst it might have done so in the past, the 11-plus no longer served the purpose for which it was originally intended, and indeed the same could be said for the special placeholders system too. They did do a great job, but perhaps are past their sell-by date.

3555

However, by removing or significantly reducing funding, this Assembly would be removing an opportunity for social mobility at the same time as creating a truly socially divisive system of education. I do not mean a good one versus a bad one, from an educational point of view. I am not talking about the quality of education here. I think the state sector can create a truly exciting new system, whether the Committee's current plans will result in that is a matter for another debate. But I want it to work, because that is our true investment in the future. If we believe in social mobility – and anyone involved in health and social care surely must – then we need the Colleges to be part of the solution.

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3570 This is very much the view of the Sutton Trust, which has campaigned for improved social mobility for 20 years. It works to combat educational inequality and prevent the subsequent waste of talent. As they say on their website, 'We are concerned with breaking the link between educational opportunities and family background so that young people are given the chance to fulfil their potential regardless of their family background, school or where they live.'

3575 Their proposal is called an open access scheme that opens up independent schools to those from all backgrounds. Under the scheme, the States would subsidise the fees in full or in part for those children whose parents were unable to meet the cost. Between 2000 and 2007 the Trust ran a pilot scheme for the open access programme in partnership with the Belvedere School in Liverpool. An independent evaluation by researchers at Buckingham University found that the social mix of the school became more representative of the general population, and the academic ability and progress of the pupils also improved. The open access programme has been independently evaluated by the Social Mobility Foundation, who gave it their support. So it can be done.

3580 This leads me to the related concern I have, should no funding be provided. Now, Deputy Tooley spoke about parents who scrape by and make sacrifices to get their children through the Colleges. I know parents who hold down more than one job because they believe the Colleges provide a different setting that will more suit their children's needs. I know a single parent who has taken a child out of the state sector because it was not working for them, and they had exhausted all other options. None of these people are rich. That is their choice, of course, and that is the point.

3590 There will be far fewer hard working families that will be able to do what they believe is best for the children if funding is reduced significantly. Unless we believe that the Colleges can fill 50 extra places from the moment the special placeholder system ends, and as I have said, that needs a huge leap of faith, or a complete lack of faith in the new system of secondary education. Whether the Colleges can or cannot survive with funding really is not the point. Without funding we will have a more divided society, us and them, rich and poor. A more divided society will result in a greater disparity in health outcomes, and Health & Social Care will be expected to pick up the pieces of that. I do not want to be a director of a college that will only comprise the rich elite. (**A Member:** Hear, hear.)

3600 So, to the final reason that led me to be happy to accept the invitation to become a Director of the Ladies' College, in the knowledge that I would be here today supporting a sustainable funding model as set out in this amendment. I have two children, one that has just moved up from the Grammar School to the Sixth Form, and the other that was a special placeholder at the Ladies' College, and has just left to go to university.

3605 Whilst the latter was obviously bright and able to become a special place holder, it was clear that in terms of a learning environment, the Ladies' College was the right place for her. During the open days we attended she felt more comfortable in the smaller environment that was offered by the Colleges, quite the opposite to her sibling, it has to be said. That was the right place for her, it was proven throughout the time she attended the College, and in particular over the last year where the environment and support helped her through a very difficult period.

3610 Both my children ended up at the school that was right for them, but that was only possible because there was choice. Equality of opportunity is not just about access to the curriculum. It is not about how much a new state system will stretch pupils. It is much more than that. By opening up the Colleges through an assisted places scheme we can increase that choice to enable true equality of opportunity. By reducing funding and thereby making the Colleges more elitist, we are reducing that choice and overall educational opportunity for children in the Bailiwick.

3615 There has been a lot of talk about cost but little about value for money. Getting rid of funding or cutting it to such an amount as proposed by the Committee will not ... In fact, this is a classic example of how cost does not equal value for money. I am proud to be a Director of the Ladies' College and so impressed with what that College is doing for the children in its care. I do not want to be a governor of an elitist organisation. I want to see the principles and ethos of that College,

3620 and that of the other private Colleges, being part of the wider society, because by doing so we will make Guernsey not only a more attractive place to live, but one that is happier, more inclusive and, dare I say, healthier in the years to come.

Sir, I urge Deputy Brouard to grow his moustache back quickly, and I urge Members to support the St Pier amendment and then reject Proposition 1, support Propositions 2 and 3, but whatever Members do, please reject the policy letter. (**A Member:** Hear, hear.)

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The Bailiff: Deputy Parkinson.

Deputy Parkinson: Thank you, sir.

3630 I think if we were setting out with a clean sheet of paper to design a secondary school system, we would possibly not end up with the system we have got. It is very unusual, to say the least, that 30% of all the pupils in the sector go to private schools, but that is where we are.

3635 The Colleges have earned their place in the fabric of Guernsey society, and in the heritage of the Island, and I think most of us, probably, would be very saddened if they were destroyed by changes to the education system of funding models that we are going to be considering over the next couple of months, and specifically the decisions we make in this debate.

3640 We also have to understand that the background to this is the financial viability of the Colleges. The viability in financial terms of any school is very numbers dependent. A class of 16 pupils might be breaking even, a class of 18 pupils will be making a considerable contribution to the coffers of the school. Conversely, of course, a class of 14 is probably losing money, and the viability of the school gets called into question.

3645 So, when we consider changes to the funding model we have to be very aware of the sensitivities around the funding of private schools. So, I want to see continuing States' support for the Colleges, at least for a transitional period to enable them to adapt to a new financial model, and I think we have to proceed gradually in order to ensure that we do not break the system by changes which, individually might seem quite small, but which could have over time a cumulatively disastrous effect. I think that is common ground between most of the people who have spoken in this debate that they would like to see States' support continuing in some form or other, at least through a transitional period.

3650 The difference clearly between the proposals of the ESC and the proposals in this amendment is that for the part of the funding which is not related to the special placeholders, the sort of, what is now the block grant, ESC proposes that there should be a continuation of a block grant of sorts to the Colleges, and the amendment proposes that that part of the funding should be provided by the funding of bursaries to widen inclusion.

3655 I have to say I prefer the approach of the amendment. I think Deputy Fallaize made a number of false assumptions when, in his critique of the amendment, he assumes there will be only 52 assisted places, each getting 100% bursaries, but that does not necessarily follow at all. We have no detail because the Colleges are left in the amendment to design a bursary scheme, but it could cover very many more pupils than 52 for fractions of the fees charged by the College. He asked how bursaries would be awarded if there was oversubscription for places, and suggested it would be an objective of the scheme that the intake of the Colleges should be socially representative across the whole spectrum. But in the presentation that the three Colleges gave to States' Members, they said that they would prioritise applications from families of the lowest means. So their intention is not to try and replicate the demographic of society as a whole in the award of bursaries; what they told us was that the priority would go to those who could least afford the fees.

3665 Now, it is certainly not true to say that because 200 or so parents put their children down for one of the Colleges –

Sorry, I will give way.

3670 **The Bailiff:** Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, sir.

I thank Deputy Parkinson for giving way.

3675 To me, it seems quite clear that what is being presented in this amendment and what the Colleges were presenting are not the same thing. That is the point. Now, as Deputy Le Clerc pointed out, there are clear discrepancies between the two, so I do not think it is a correct assumption to assume that the proposals outlined in the documentation that the Colleges have sent to us dovetails with what is being presented in this amendment.

3680 **Deputy Parkinson:** Well, I thank Deputy de Sausmarez for that –
A further interruption, Deputy Trott.

The Bailiff: Deputy Trott.

3685 **Deputy Trott:** I am particularly grateful to you, Deputy Parkinson, but I wanted to catch you before you rose.

It is important for me to make clear, and I am sure Deputy Soulsby will confirm, that the three Colleges are 100% behind the St Pier amendment.

3690 **Deputy Parkinson:** Thank you, and I think it is also fair to say that the details of any new bursary scheme are not before us and have to be worked out, and what I am saying is I do not think it is a reasonable assumption, as Deputy Fallaize seemed to be making, that these bursaries would be distributed evenly across the Island's demographic, because I do not think that that would be the likely outcome.

3695 Certainly, I was in the process of saying you cannot assume that because 200 or more families applied for places at the Colleges that there would be a sort of subscription rate of four to one, or an acceptance rate of four to one for the places. Firstly, because many of those 200 would fail any means test applied to the bursaries, in the sense that their incomes would be too high, and would disqualify them from being able to get the bursaries, or that certainly could be the case, and I suspect would be the case. Secondly, as I have said already, there is no certainty there would be 52 places available; there could be 70 places or 80 places available, with fractions of the full fees paid.

3700 Now, these details have still to be worked out and so it is possible to imagine that we could get to a system which would iron out a lot of the unfairness – perceived unfairness – which many Members have focussed on.

3705 That is not to say that the system would not, at the end of the day, cause unfairness to some individual families, people who would apply for bursaries and in their view unfairly be rejected from that and then forced with a choice of, well, either they have to scrimp and scrape or get granny to pay the fees, or they go into the States' sector. There will be people who are aggrieved by any selection process and feel that they are hard done by. But my view is that a system like this, even though it may be deficient in ... or not serve perfectly the needs of every single family, would be far better than a system which basically depends entirely on the cheque book. I think providing support to families with lower incomes, widening inclusion in the College population is actually a social good – something that we should strive for.

3715 Clearly, if the alternatives are we just give the Colleges a block grant to keep them afloat and they get on and spend it the way they like, or we give them money and attach strings to it, and tell them what we want the money used for, I think the States is fully entitled to attach strings to the money. If the States says we are going to give you a cheque but we want you to use it to widen social inclusion in this sort of way, I think that is a very legitimate aim of public policy. (**A**

3720 **Member:** Hear, hear.)

So, now, like everyone else, I want to see the best possible States' school system, and we are going to be working over the next couple of months to try and work out what that is going to

3725 look like, and I am going to give my wholehearted support to the endeavours of the collective will of this Assembly to develop the best possible state school system. I do not see the continuation of the Colleges, or States' support for the Colleges, as inimical to the development of a really top class state school system.

3730 Yes, of course, you could say, well, that is money gone to the private sector which could have been spent on the States' sector, but equally the counter argument from supporters of the Colleges, actually from a States' Budget point of view, the States gets a good deal out of the private sector provision, because the contribution that the States makes is only a fraction of the cost of the education which otherwise the States would have to meet.

3735 So, I do not think there is really a competition there, and the fact is, as others have said, the Colleges do provide choice. There are parents who want a single sex education for their children, and there are parents who want their child to go to a Catholic school or whatever, and these choices do not necessarily impact on the performance of the States' sector, as long as the pupils going in to the College that are supported by States' funding are not selected academically, there need be no watering down of the ability base, the academic base of the States' sector. Support in this way does not necessarily come at the detriment of the academic performance of the state schools.

3740 So, I am going to support the amendment, to allow the Colleges to adapt to their new financial environment over a period of time, and in a way that produces, what I see as, a social benefit, that is to say wider inclusion, rather than simply giving them a cheque and saying, 'Here you are, this will keep you afloat'.

3745 Presentationally, I think the Education, Sport & Culture Committee makes a mistake by calculating the block grant that they propose as a sum per pupil, because it looks like then there is actually a direct financial benefit in respect of every single pupil in the system regardless of what their families earn, or their economic circumstances, but whether it is calculated in that way or not, it is simply a block grant which arrives basically unconditionally and I do not think that it is making best productive use of public funds.

3750 So, that is the reason why I am going to support this amendment. I will listen in the debate on the Deputy Langlois amendment, if he lays it, because I was tempted by some of his proposals, but I do think that this amendment is better than those of the ESC.

Thank you, sir.

3755 **The Bailiff:** Deputy Lowe.

Deputy Lowe: Thank you, sir.

3760 I am not going to support the amendment, and I think there are valid reasons why we should not be supporting that amendment. I am sure it has been brought in all good faith, as I would expect from Deputy St Pier and Deputy Trott, but I can imagine if the boot was on the other foot and we brought forward an amendment like that without any detail of costings, or a limit of how much we would be looking to actually put into the Colleges, we would be slated. We would be told we were being unreasonable; we were being irresponsible; we had not actually carried out any background work to it; how would we decide on the numbers that we could actually put these bursaries out to people? How would you actually refuse people?

3765 This amendment is supposed to be making sure that we are being fair and treating people all the same. Well, we keep treating people all the same because there will be a cut-off point, there has to be. Why would the Colleges be allowed to have an open cheque book, annually, as to how many actually wanted to go to the Colleges, because we will pay it? Of course, we cannot do that. In the same way that we are all limited on budgets as to how much we can spend or not spend.

3770 If it is on assessment, I have concerns on assessment as well, financial assessment, because we know, over the years, how people will manipulate their financial situations to suit a particular situation. Whether that be in financial trusts, whether it be properties in a limited company, whether it be on earnings that will not be drawn down because now you are only taxed once your

3775 earnings are drawn down, so if you know your child is coming up to the period of Colleges, there
 is an easy way to make sure that you could tick that box, but you could still keep all your money in
 the business, you could keep it in a trust, you could still keep the boat, the fancy house, and have
 all the holidays, but hey-ho you will be allowed to get through the back door into the Colleges.
 That is wrong. It is fraught with all those sort of situations that could happen, and I am sure they
 3780 would happen. Anybody who thinks that would not happen, I am sure that will happen, because
 we have seen that happen in the past in other situations in the States.

I fully support the Colleges, I always have done. I supported to keep a form of selection, so I
 was on the losing side, and I have accepted that, but it is interesting because the ones that were
 actually looking to get rid of the 11-plus were the ones that were saying our new school system
 3785 will be absolutely brilliant, we will all be treated the same, there will be no more separation etc. yet
 they have got their fingers, or their names, on this amendment to say actually, do you know what,
 yes we meant that but we still want to make sure that we can allow some to go to Colleges. That
 is hypocritical in my opinion, absolutely hypocritical.

So, for those that actually voted to get rid of selection, I have huge question marks as to why
 3790 supporting an amendment to be asking for the Colleges to receive funding because their
 education system actually must be better because otherwise why would you be doing it. Because
 ours was sold to us, it is going to be the best thing since sliced cheese, you will all be treated
 equally, and it will be great, and yet now we want to do that.

I too will share Deputy Brouard ... I congratulate Deputy Roffey on his speech. Deputy Roffey
 3795 and I have been in the States for quite some time now, and I was working with Deputy Roffey
 previously, and I would have to say I think that was one of your best speeches that you made
 today, in all the time that I have worked with you. I thought it was an excellent speech, because it
 covered not only the differences – and I hope I do not put the nail in the coffin of your
 amendment with that one – (*Laughter*) one more vote.

No, I just think that because you covered the area as well – (**The Bailiff:** Through the Chair.)
 3800 Through the Chair, sir, I was doing that, I was just about to turn round, but ... (*interjections*) I know,
 I beg your pardon, sir, I stand corrected. But, we do not actually see anything about the primary
 schools. We are not actually saying in the States here, well, why are we not actually ensuring that
 those that would like to go to Beechwood and Melrose? Why aren't we doing something for
 3805 them? Well, why indeed? Why? I see some astonished looking faces, but why? It is exactly the
 same, if we want to actually make sure that we are being fair to all of the children in this Island,
 well, will an amendment come later on, today or tomorrow, to say actually while we are doing that
 we must not forget Melrose and Beechwood and Blanchelande? We must do that.

Talking of Blanchelande – and I am not quite sure I heard Deputy Trott right, because
 3810 sometimes he can get a bit carried away with these things about going to this auntie for tea in the
 Bouet, and this auntie for tea da, da, da, and all the different relations, and I think he said he went
 to somebody and they passed to Blanchelande, and I thought he said it was when he was at the
 College? (*Interjection*) Yes, okay, well they did not actually get a grant from the States until the
 year 1999, 20 years ago, well Deputy Trott, you are in your ... through the Chair, sir, Deputy Trott is
 3815 in his 50's so he was in [*inaudible*] (*Laughter*) if you do your calculations. Maths was not his
 strongest point while he was at the Colleges. (*Interjection and laughter*) Yes, it made a good story,
 but actually it was a few years out on that one.

I move on as well to, and it has been covered –

Oh do you want to have a little try, Deputy Trott? I will give way to Deputy Trott.

3820 **Deputy Trott:** Sir, I had no idea whether the cousin I referred to, who was at Blanchelande at
 that time received any assistance from the States, but she was a special placeholder, and therefore
 I had always assumed she had. Everything I said about my family connections with the Bouet and
 the Genats Estate were accurate.

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Deputy Lowe: I am not doubting you about your family not being inaccurate, I would hope you would understand your family – through the Chair, sir – but I can remember the amendment that was placed at the time, and in fact you sat alongside the gentleman that actually placed the successful amendment to have six special placeholders for Blanchelande ... was by Deputy Prevel, and Deputy Ferbrache was here as well. We were sitting up here as Conseillers, and Deputy Trott and Deputy Prevel were sitting there, and the amendment was to help Blanchelande, because they did not have special placeholders, so they had six added to the list for Education and that only commenced in the late 1990's; I think it was 1998 or 1999 as Deputy Prevel was not in the States in 2000, so it was before then.

So, we are looking here for a divide, not me, but those that are looking for the amendment because they want to actually treat some of our children differently. Where I was pretty horrified this morning, and in fact I was really taken aback by it, and I think I heard right, because I have asked a couple of other Members since, when Deputy St Pier was proposing his amendment this morning he said that there would be an amount for those to be able to go to the Colleges through this bursary scheme, and because they were going into the Colleges there would be an allowance in there for the trips, i.e. holidays. Well I could not believe what I heard. What about the 70% of children that go to our States' schools, at no time are we actually saying to them, as States' Members, and in the coffers, 'Do you know what, if you want to go on a school trip come to us, we will help you,' (**Several Members:** Hear, hear.) and yet what I heard this morning, that was going to be included in part of this bursary scheme. That is so totally, totally wrong. Seventy per cent of the children at our States' schools would not have access to that. That is wrong. I found that quite sickening, to be honest.

These amendments – and again we would be criticised if it was some of us, and I accept that you bring amendments, we have all done it, the eleventh hour amendments ... well this is about education, this is so important and it is so important that the parents in our community are part of that, and there has not been any communication, or consultation, with the parents and our community over these amendments. Again, we are sort of going to probably look at one way or another of changing, or potentially changing, and yet they have not been involved. We hear the College spokesmen, but actually I am not that convinced that some of the parents would be that chuffed with what they are actually hearing. I think the 70% that go to the high schools would not be that chuffed about what is being proposed in here today.

So, I think I have covered most of the bits on here that I wanted to say, sir, so I have the concerns as well, which we have mentioned about the oversubscription of the numbers, and I am not comforted by anything I have heard today. I think it is a dangerous amendment, and I ask Members to consider the 70% of the children that currently go to our state schools and I for one want to place on record again, I have no intention of closing the Colleges down. It has been said that they will not receive funding, they will still get £1½ million funding, so please do not forget that, they will still have £1½ million.

The Bailiff: Deputy Dorey.

Deputy Dorey: Thank you, Mr Bailiff.

I know most points have been covered, but I just wish to make a couple of points.

A number of Members have referred to the need for the Colleges to have some money, and they have said they would support another amendment, if laid, and because they do not want the Colleges to fail they need to be viable, and I completely agree with them. But I cannot understand the logic of giving the Colleges some money and not spending that money on assisted places, which will benefit some children and we know from the figures Deputy Fallaize has given us, that there is a significant demand out there. Surely, if we are going to give the Colleges some money, to spend that on assisted places is a far better way to spend that money than any other criteria.

Deputy Trott has spoken about, he did not want to make the Colleges elite, but surely that is the key thing. It is beneficial to society that we have a range of backgrounds at a school rather

than a school with just children from a restricted background, with only parents or grandparents that can afford the fees. (**A Member:** Hear, hear.)

3880 School friends often last a lifetime, and I know from my own children – one went to Elizabeth College, one who went to Ladies' College, they both passed 11-plus. Those friends do last after school, after they have left the school, and it is a benefit to have that mixed society in school rather than just having what we would have with a restricted background if we do not have assisted places.

3885 A number of Members also referred to the details of the scheme, but we are at the early stage. Surely, what we need to agree are the principles which a scheme is going to be based on. We cannot agree at this stage with an amendment. Perhaps if it had come from the Committee (**A Member:** Yes.) they would have had time to have developed the full scheme, but as we are faced with an amendment you have got to just agree the principles, and in fact, as a parliament that is probably the level we should be at. We should not be going down into the nitty gritty detail; as long as we specify the principles which the scheme is based on, and you are happy with those principles, that is the right way forward.

3890 I genuinely was probably likely to support it, but I listened to the debate and I am more determined that the St Pier/Trott amendment is the right way forward and I urge Members to support it, because it is the best way to spend that money.

3895 Thank you.

Several Members: Hear, hear.

3900 **The Bailiff:** Can I just have an indication of how many people still wish to speak in this debate? Probably only three or four.

Thank you.

Deputy Lester Queripel: Can I invoke 26(1) please? (*Interjections*)

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The Bailiff: Right, 26(1). You are invoking 26(1). That is the guillotine motion. Well in that case, those who wish to speak must stand in their places, so, sorry, you were standing a moment ago, can you stand again if you still wish to speak in the debate? Deputy Le Pelley will have a chance anyway. So, Deputy Lester Queripel. I have got the right Queripel this time! Deputy Lester Queripel, having seen that, do you still wish to invoke Rule 26(1)?

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Deputy Lester Queripel: Yes, please, sir.

3915 **The Bailiff:** Right. In that case I put to you the motion that debate now be closed. Those in favour; those against.

Members voted Contre.

The Bailiff: Debate will continue.

Deputy Oliver I think was standing first. Deputy Oliver.

3920 **Deputy Oliver:** Sir, a point to clarify really, because I have to say I am quite like Deputy Le Clerc – a bit confused about a few things, especially when it comes to the bursary side of things, but do want to see the Colleges' success and how they fit in. But, one thing that I am confused about is that if we vote for amendment 2, Proposition 2, would this come back to the States with how the bursary is actually going to be, basically? I would just like to know if it is coming back to the States.

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The Bailiff: Deputy Kuttelwascher.

Deputy Kuttelwascher: Thank you, sir.

3930 I just want to rise to support the amendment, for a whole host of reasons, but I am only going to focus on one issue which I found somewhat contradictory.

3935 It was first brought up by Deputy Tooley when she was saying, basically, you cannot really be inclusive if you ration the inclusivity. I think that sums up what she was saying. That was supported, I think, by Deputies de Sausmarez and others, and it refers me back to this brilliant speech of Deputy Roffey, the content of which was completely wrong, (*Laughter*) but that does not matter. All I want to say is that he used some words, and the only words I really remember, he did say – I do not know exactly what he said, but he said – he could not see why anybody should want to go to the Colleges as opposed to this wonderful new vision we have got of the new schools, when they will be well able to provide an equivalent standard of education; and that is true, and that is the problem, we do not know what is coming. We really do not. We do not know
3940 if we are going to have two schools with a sixth form in each school; we do not know if we are going to have three schools with a sixth form centre. We do not have the details of, shall we say, the competition.

3945 At the moment in the States' sector, we have got the Grammar School, which is on a par with the Colleges, but that will be gone. So, that is our problem; what can we compare it with? Now if you have got no faith in what is going to come, then you will have the problems that Deputy Tooley, Deputy de Sausmarez and others had, that you think you are somehow detracting from this new system, but it is not there. We do not know what the Colleges will be competing against, and there may be no competition. We do not know if the new system will be a success or a failure. Everybody wants it to be a success; we all work towards it being a success, but I do not see the issue of inclusivity is going to be a problem if it is a success, because people will be very happy to go to the Colleges, and they would be very happy to go to the state secondary schools. What is there to choose between them? Well, we do not know, because we do not know what is coming, we really do not know what is coming.
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I am not going to give way because it is late in the day.

3955 I just want to make one other point about tactics. Now, there are three amendments here: one and three kind of give us a different set of Propositions, and my view is if you think either of them are better than what is in the report then vote for them. If necessary, vote for the first one even if you prefer the third one, because you can vote for that and then the first one will disappear. At the end of the day when it comes to the vote these may or may not be substantive Propositions;
3960 you can vote against them anyhow. So just voting for the amendment does not mean that is the end of the day.

So, I shall be supporting, nonetheless, the St Pier/Trott amendment.

Thank you, sir.

3965 **The Bailiff:** Deputy Graham.

Deputy Graham: Thank you, sir.

I will be brief, because I think most of it has been said. Just three or four comments from me.

3970 First of all, I am probably as independent as anybody here on this issue, I am neither a supporter of private education nor a detractor of it. I am trying to apply two basic principles to the analysis. On the one hand, I would like things to be pretty logical and I would like, forgive me for being old fashioned, a bit of fairness as well. That is the way I look at this.

3975 I start my logic, really, by going back to what I understand the States has which is a statutory obligation to see that every child is educated full time from the year in which it is five years old, up until 16. Now the States historically has never done that. It has never even tried to do it, and it is still not trying to do it. I mean even the latest, as we understand the policy letter when it comes in November or December, or whenever it is, will be predicated, really, on the fact that the States

in no way on its own without the aid of the Colleges is going to educate every single one of our children that it is statutorily obliged to see educated.

3980 I do not want to get a reputation for being a pedant, but I would like to tie us down to some precise figures. We talk about 30% being educated in the Colleges: precisely 31% or just over, are educated in the 11-16 sector, and just over 34% are educated privately for those who are not studying A-levels and IB at the Sixth Form Centre.

3985 Deputy Mary Lowe mentioned what about Beechwood and so on; it is true that another 500-odd children from the age of four to 11 are educated without the States making any input whatsoever of our scheme for any favours from them.

The contribution made by the Colleges includes employing something like 130 full-time highly trained, academic staff, and that is an equation that we should not dismiss lightly.

3990 So, really, the picture is this: the States desperately needs the Colleges to carry on, roughly along the lines that it is doing now. It is all very well for Deputy Lowe to say, 'I support the Colleges', well who would not? I mean they educate a third of our children at giveaway prices. (**A Member:** Hear, hear.) They really do. So that is a pretty easy system to support. The crunch comes when: how much are you prepared to pay for it? I think this is really where the fairness comes in. Of course, that is a very subjective judgement.

3995 But, of course, in trying to assist the value of the Colleges it does not just mean ticking the numbers boxes at all. There is the whole business of value added, which, for example, if we look at the academic outcomes at GCSE and A-level, the Colleges, those who do sixth forms as well, compare extremely favourably with the wholly selected Grammar School. So that suggests to me you are not only getting a good outturn, but because the Colleges start with a wider base of raw material the value added factor is a significant one that we should not lose sight of. So, yes, we all support the Colleges. They are doing a pretty good job for us at knocked down prices.

4000 I think the proposal from the Committee is that in future, come a few years' time, the deal would essentially be that we get a third of our kids educated for about one-twelfth of the cost it would cost us if we were doing it ourselves.

4005 When we are talking about fairness, let's not forget fairness of the parents of the 1,100 kids who are in that system. They are taxpayers too. If we listen to some of the slightly negative comments that are made about them they are in the super rich or upwardly mobile and they can jolly well afford to pay. Well they are certainly paying their fair whack of Income Tax, and we have to say to them, what is a fair return on their investment? Are we going to keep asking them to pay more and more and more, and the word 'subsidise' creeps in?

4010 Sometimes I think Franz Kafka is still writing his crazy worlds where nothing makes sense. Against this background we are getting one-third of our education system at a fraction of the cost it would cost us to do it ourselves and yet we talk about, or some of us talk about the States subsidising the private sector, subsidising the taxpaying parents of the 1,100 kids in the private sector. If there is a begging bowl being held out – I say this through you, sir, to Deputy Smithies – the begging bowl is being held out by the States to the Colleges themselves; that is where the subsidy is coming from. To me, the debate is about what is the fair level of subsidy that the Colleges should make to the overall educational system in the Island.

4020 Now, there are two things really that have disappointed me in leading up to the vote, and during the debate. One is that – in fact Deputy Ferbrache alluded to it, and others also alluded to it – the Colleges should not be regarded as the enemy. There is amongst certain elements out in the community this view that only the toffs go there, and I think one of our regular correspondents by email referred to the posh boys' school. Well I think that is extremely unfair on those pupils who go there. But, it is rather disappointing that this hostility – sometimes it is just resentment, it is envy, I do not know what it is ... I think it is very, very disappointing for me personally. But that would not matter so much if it did not translate as it does translate into the lack of a holistic approach to how we do education from 11 right through to 92. The lifetime element too. What they do at the College of Further Education, the interrelationship between what the Colleges can do –

4030 I will give way.

The Bailiff: Deputy Roffey.

4035 **Deputy Roffey:** Something to put to Deputy Graham is that given his history of lecturing us on ageism why does he think education stops at 92? (*Laughter*)

Deputy Graham: Well, I will answer that, because in my conversations with the principal of the College of Further Education 92 was as far as she has gone so far.

4040 I think all of us, surely, would sign up to the fact that we really want a holistic and not a fragmented approach to how we do education. I believe that the Colleges in the future will have the potential really to help us out there. This is really what attracts me about the amendment. I rather regret that I have got to jump the hurdle of Proposition 2 in order to get to Proposition 3, because if I have got any unease it is about the Proposition 2 element and the problems of it have been teased out. I look to Deputy Gavin St Pier, when he sums up to really sort of pin that down as much as he can, and convince the waverers like me that actually some of the ambiguities can actually be resolved in a sensible way.

4045 I would like to pick up on one or two things that Deputy Roffey made, and also Deputy Fallaize. Yes, the emphasis should be on the quality of the education system that we are going to produce. That is why some of us, myself and some colleagues, are spending hour after hour trying to do just that. Deputy Fallaize makes the point, that is probably the most important thing we are ever going to do in the four years that we are in the States this time, but in a way that system can be as good as it likes, it is not going to get away from the fact that we need a private sector that is going to educate the 30% that we do not educate in the public sector. We are going to need it. Again, I come back to what is a fair level of funding. So I am looking in amongst all the amendments, I think the level of funding that is suggested by the amendment currently that we are debating comes nearest to it. If I have got reservations it is about Proposition 2, but I am really attracted by the Proposition 3 element, which would enable the States to buy in certain services and facilities and so from the Colleges. If we can get there in a satisfactory way via Proposition 2, then I shall be very happy.

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The Bailiff: Deputy Inder.

Deputy Inder: Thank you, sir.

4065 Both my children – well, one of them is at St Sampson’s High at the moment and, I think I have said it before, our daughter too will not be taking the 11-plus this year, so I just wanted to check with the Comptroller if I am conflicted in any way by representing the majority of the parents in the Island. (*Laughter*)

4070 Sir, I think the mistake the Colleges have made is trying to convince anyone with an IQ marginally above room temperature, that they are inclusive in the purist sense of what is the current ideology. I am not going to try and disprove their argument, but Deputy Le Clerc touched on the entrance exam, but just looking at the three Colleges, the role of the Colleges ... States’ funding for assisted places, there is an entrance exam, there is also an exclusion and expulsion policy. That does not sound particularly inclusive to me.

4075 It is fairly clear that a percentage of this Assembly through this debate, quite possibly a majority, think that we as the ESC have undershot the total that the Colleges might require, but I will point out, sir, that at no point did the Colleges ever disprove our figures – never did they do it. I was expecting the big presentation ... the £816 figure is the one that we started off with, and it is the £816 figure that we ended with. I was expecting the Colleges to come in and do the big presentation, I was expecting them to say, ‘You do the sums on a Monday that is Blanchelande gone on a Tuesday, College gone on a Wednesday, Ladies’ on a Thursday.’ It never ever happened. I was flabbergasted, to be perfectly honest with you.

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4085 With some hindsight it might have been better to argue their value based on economy, difference of educational type, celebrate the fact they are different. There is nothing wrong with being different, and possibly argue the fact more convincingly that they take 30% of our kids into their care. There is no issue there at all. I think the mistake is the inclusivity bit. They are trying to wrap themselves around that far too much. Obviously the cultural links and the benefits to the economy have been said before.

4090 I cannot vote for any of the Propositions here, and one is obviously a non-starter, but two squares with the non-selective principles and makes a bit of a mockery of that decision that the States made, so ably described in Deputy Peter Roffey's speech and – for the fear of offending Deputy Lowe as well by putting them both in the same sentence – Deputy Lowe as well, so thank you for that.

4095 It does seem this is more about the quantum of grant. If the compromise, through you, sir, is the Langlois/Tooley amendment, then so be it. I could approve that, and I could support that. I would have no problem with that, but I just do not dig option 2 because I do not think it is going to work, and I do not think too many people honestly think it is going to work either. It is back door selection.

The Bailiff: Deputy Brehaut.

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Deputy Brehaut: Thank you, very much, sir

I need to start by declaring an interest, sir, that I have two children at College. One is at the College of Further Education and the other is at Blanchelande College, thanks to a considerable assist from her grandparents, which we are extremely appreciative of.

4105 The Colleges, I just want to say something regarding the perception that ... For example, my child did not sit the 11-plus. What has happened for some time is people who are able to pay the fees, as we all know, have tutored and tutored and tutored, and got their child to a place when they could actually have afforded to do that anyway, but we resolved not to put our daughter in that position to begin with. What the Colleges give is difference, and I understand why parents like that difference and want that difference. I understand now, which I did not do before, how some girls thrive in the all-girls school or predominantly all-girl school environment than under a co-education model. They are not all the same product. The Ladies' College is very different to Blanchelande. Blanchelande at times feels a little bit home-made, a bit home-spun; it is very nurturing, it is very cosy, it is very close, it is very different to some of the other Colleges that are out there, respectfully to the other Colleges.

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4115 Now, I had a similar upbringing to Deputy Trott, occasionally I would walk down the Bouet and look through the windows and see Deputy Trott eating, (*Laughter*) and I would hope that he would open the window and throw us something! (*Laughter*) Then I would walk up the Charroterie and my father would say, 'Do you know that is one of the oldest outside toilets still in use?' (*Laughter*) and my father used to say ... and I remember a little lad there in cap and shorts cutting copies of the Fabian Society into little squares and hanging them on a hook. (*Interjection*) But my point is we bring a whole lot of our family of origin, even at the age of 53, into debates such as this.

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4125 What bothers me is I grew up in an environment whereby, not to labour the point, my family situation was we had clothes and school vouchers and it felt very different even being in a secondary school setting. If you have the bursary, and it has all been said before, but if we look how parents will exploit a system, and aim to get to a bursary, that will get a child to the front of the queue ... If you really try and do this inclusivity thing, which I do not have to say, I do not believe in inclusivity as it is presented, because what will happen is that a child from a background who has managed under some criteria to get into a College may not be able to participate as fully as the other children at that school, simply because if the funds go in getting the child to that school then do children find themselves recipients of some school comfort fund, do they have to, while other children's parents just pay for them to go on every school trip, do they have to then

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4135 submit paper work and again be seen to be different within the school environment – and that is something that would concern me.

So, I do not buy completely into this inclusivity model, because participation is what it is all about, and I am not convinced that a bursary does give you the complete participation, the wraparound that people think it gives you.

4140 There is one element to this which I think is presented in this debate in a funny way; we hear it quite a lot, which is, 'Look, I voted to keep the selection at 11-plus and I lost that vote and I will move on,' but then attempt to rubbish any proposals that come thereafter. These amendments have not been thought out, they have not been costed, throw them out. Because you feel that some people want to be drawn into a position where some months from now they can say, 'I told you it was going to all fall apart. What was so wrong with selection in the first place?' and I think
4145 there is a little pinch of that in the mix sometimes as well.

Thank you.

The Bailiff: Deputy Hansmann Rouxel.

4150 **Deputy Hansmann Rouxel:** Thank you, sir.

I have a few extra things to add. One thing that does concern me, when you are introducing means testing. Just from my very limited experience as a politician, means testing means bureaucracy, and I think if you are going to introduce what is a very complex concept – and Deputy Tooley, and others, have alluded to how complex the sort of make-up, or how you would
4155 get to that point – you are going to input a very complex system of bureaucracy, and how much is that bureaucracy going to cost us? That money that could be going directly to the education of our children, instead it is getting spent on spending money deciding who gets the money. Therefore –

Oh, I give way to Deputy Soulsby.

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The Bailiff: Deputy Soulsby.

Deputy Soulsby: Thank you, Deputy Hansmann Rouxel.

4165 Of course, there is means testing already within the education sector in terms of getting a university funding. (*Interjections*)

Deputy Hansmann Rouxel: I do accept that. However, there are complexities in how the bursaries are potentially being ... Before I start going into interpretive dance, I will carry on with ...

4170 My second issue with introducing bursaries is currently we have special placeholders and we are going through a system where, quite clearly, we are weaning ourselves off the special placeholders. This is a transition period. If we introduce those bursaries now, even for the 10 years, I believe Deputy Fallaize did ... we will have a period where we are weaning ourselves off the bursaries at the end of that.

4175 So we are committing ourselves to bursaries as a concept, because you cannot just say to a child, 'Well, you can go in Year 7, but Year 8 we have changed our mind and therefore ...' It is a commitment, and I do not feel that there is enough evidence for us to make the decision to commit to bursaries. There is not enough clear evidence which way to go. Like Deputy Le Clerc and Deputy Oliver, I too am confused by the bits of evidence.

4180 One thing that has not been spoken about is the reason why people choose to put their children into the Colleges at the moment. Yes, they are scrimping and saving. We have a duty of care to those parents that the system that they bought out of, because of the unfair system of the 11-plus ... we have a duty of care to those parents and children in the system at the moment, who would potentially suffer because of a decision that we make now, if we were to go with the proposals that Education, Sport & Culture are suggesting. Potentially the fees would rise and
4185 those children within the system already, not those choosing to go into the system post-2019, but

those in the system already, we have a duty of care to look after them and make sure that the fees do not raise above a certain amount. The Colleges are saying that having a bursary system would do that, and there is a temptation, I am tempted by it, because I do understand that each of the Colleges offers something different, and there are people that choose to go out of that system. For instance, looking at the offering that Blanchelande has, the word 'nurturing' comes into play a lot, and if you do look at their percentage of special education needs they have got 31% of their cohort, approximately, and that is quite a large percentage of the cohort, because that is the offering that they have provided. However, putting a bursary system in and making it – I do not feel comfortable making that decision, and therefore I cannot go with the St Pier/Trott amendment. Nor do I feel comfortable going with the States' proposals.

I believe that was all I had to add.

Thank you.

The Bailiff: I see no one else wanting to speak.

So, Deputy Le Pelley, do you wish to exercise your right to speak in the debate before Deputy St Pier sums up?

Deputy Le Pelley: Yes, sir.

I will pass a few comments, if I may.

First of all, I would like to congratulate everybody who has taken part in this debate. It has been quite a long debate, a long day, and I think the stand out speech for me, as several others have actually said, is probably Deputy Roffey. It actually has ticked quite a lot of the things that I actually had down in my box.

I am a little bit sort of put out in fact, I wonder actually if somebody has been getting at me because I have got the Willy Wonka's golden ticket lottery in here! A whole lot of things about lotteries.

What I really want to sort of delve down into is there has been a fair bit of misinformation that has been pushed around. We as a society have to look at 100% of our children. The actual responsibility for ensuring that those children receive an education is actually with the parents. That is the Law, it is not with the States, it is not with any particular Committee of the States. We have to provide the schools according to the children's abilities. But it is actually the parents who are required to actually make sure that they attend.

We are looking here at an amendment which, in my mind, is pretty wishy washy. We have, as I think I explained when I stood up on a point of correction, tried to explain why there were only three of us in the room. We started off with five and two people considered themselves to have a conflict. That conflict was checked with the Procureur, and that special interest conflict was confirmed, and they stood out of the Committee meeting. We then had quite a number of meetings both amongst ourselves, and also with the negotiators from the Colleges. I think Deputy Inder sort of sums up exactly what happened.

The Colleges came in, they were really quite, 'This is what we want and we expect to get it,' and their figures were quite high. We actually asked them to justify what they were asking for, and no justification came at all, just, 'We are the Colleges, we need this, you give it.' That was the approach. Now, we looked at exactly where we came from and how we got there. Circa 2005 or thereabouts, the Government of the day had worked out there would be an amount of money that was given as a grant, an amount of money given to the Colleges. That amount of money was to cover all the fees of all the youngsters aged 11 to 18 who were at the three Colleges. There were 52 students, I believe, at the Elizabeth College. Make sure I get my numbers right. There were 23 places each year at each of Elizabeth and Ladies' College and six per year up to the age of 16 at Blanchelande. It comes to 161 students throughout the year then. All those fees were taken away from the amount of money that was granted, and what was left was then spread out amongst all the fee payers and that, over the years, has moved as the fees have gone up and as FTP savings have come in, and various things have adjusted.

4240 So where we are at the present time is there is something like £4.4 million that is given in grants, the College fees are all taken out of that and what is left is an £816 *per capita* left over, which is given to the Colleges. Now, for want of a better terminology, that could be regarded as a block payment. That is what they survive on today, how they operate today. They have made no complaints about what they are actually receiving. They have said they are coping. They are coping very well, thank you very much, and they have, two of them have, considerable resources in hand. That is a fact.

4245 Now, what we have been proposing here is that as we stop the ... the States have made this decision that there will be no more special placeholders, because there will be no more 11-plus selection. So selection at 11 has gone. There will be, over the next seven years, 52 students per year – 23 at Ladies' College, 23 at Elizabeth College and six at Blanchelande – who year on year will drop off at the end of their school time and will no longer require funding, because they will not be there. So, over the next seven years, that amount of money per annum will no longer be paid as a grant to the colleges. In seven years' time that means that the amount of money that is being paid at the present time will be down to zero, except for the £816 which is being paid, which is the difference between the amount of money as it is reduced and the amount of money that was available.

4255 So, as a cushion, because the Colleges have said that they can cope with this current day arrangement, we decided to leave the £816 in, and the £816 was there because that was the figure when we were in negotiations. We have gone through the negotiations, we have now gone into a new term from September; that figure will come down, it will come down because the Colleges have put their fees up. The Colleges have been putting their fees up for the last couple of years by 7% per annum. That is their choice. They are independent Colleges. We do not control what they put their fees up to. So that is what they have done. That is their choice.

I will give way.

The Bailiff: Deputy Soulsby.

4265 **Deputy Soulsby:** Thank you, Deputy Le Pelley.

As I said in my speech, there is a direct connection between what the fees have gone up by 7% and FTP reductions. That was made clear that that would happen at the time that those so-called savings were made, and KPMG said what would happen has actually happened.

4270 **Deputy Le Pelley:** However, none of the Colleges have actually pointed out that they are in any difficulty whatsoever, as a result of those figures. They have said quite firmly to us that they can cope with those figures, and they have been coping with them.

4275 They have also said in further discussions, that they anticipate, or they have estimated that 50%, half, of all those youngsters that are there at the present time on special place holding positions could have been paid for by their parents because their parents fit into that socio-economic group that could afford to pay the fees. Now, that has been stated to us by the three delegates and their various representatives. So we can only discuss things with their representatives. That is what has been told to us.

4280 Given that, plus the fact that there is going to be quite a pool of young talent that was at the Grammar School, circa 79 or so people, actually in place, year on year, that is another pool of talent, or of youngsters that could be approached with a view for the Colleges getting them as extra fee payers.

4285 It is also possible, not beyond the wit of man, or woman, to actually have the Colleges go out and actually go to their alumni, their old successful students, and actually see if it is possible for them to actually support a bursary for a youngster of their own choice. It could be attached to a law firm; it could be attached to a banking outlet; it could be attached to an insurance broker; it could be attached to any benevolent person. In fact, I have been told that there are two such bursaries that actually happen at the present time. I will not go into who they are, but I believe

4290 that these things – there are three, Deputy Trott is saying – I am pleased he is not telling me there are only two. (*Laughter and interjections*) So there are other ways of actually getting this funding in place.

Now, what we have actually suggested is that, as the Colleges go down the road of the next seven years, they are well positioned to carry on providing what they provide with the funding that is there at the present time. They have to find, yes, something in the region of the two
4295 Colleges – the two, Ladies' Colleges and Elizabeth College – 23 students per annum; Blanchelande would have to find six, to actually replace those missing people that are no longer there as special placeholders. That is not an impossible task. However, should it be difficult, at the end of each year there is a review mechanism in place, where they can come back and say to us, 'The figures are not quite right, £816 is not enough. We have not got enough fee payers to actually balance
4300 the books, and to keep what we are offering at the same level. Can you please review it, together with P&R, and can we actually have the figures adjusted to make sure that we are still viable?' That we are happy to do.

Now, it has been said by one or two people that perhaps I have given the impression that I was
4305 aggressive towards the Colleges, and that I was an enemy of the Colleges. Absolute balderdash! I value the Colleges very highly. In fact, I do not think I have to declare an interest because my children are no longer at school, but my interest would be that I actually had two children that were educated at Cordier Hill, one of whom then transferred to Blanchelande, and who then transferred again to Ladies' College, and another one who then moved into Notre Dame; he did
4310 not have to pay for that, and he then won a scholarship to the Grammar School. That is my background.

I have no problems with any of the education that either of my children received, in all of those various schools that they have been to. I have nothing but praise for the education system in Guernsey. Every teacher that I have come across has been, certainly that I have been teaching
4315 with, has been a very hard-working person, most of the teachers that I have been talking to, as a union representative in a previous life, and now as the President of Education, Sport & Culture, and I deal with them on the basis of talking to them through their official groups, or when I visit their schools. I have come across nobody who is not doing his absolute best for the children in his or her care. I have no quarrel with the Colleges. None whatsoever. I think it is a bit of a cheap,
4320 mean trick, really, to actually try and win votes by suggesting that perhaps ESC have got some kind of argument with the Colleges. That is not true. Not true at all.

What we are looking at is what is best for our society and what is best for our financial position within the States of Guernsey. We have been charged, as an Education, Sport & Culture
4325 Committee, to provide, very shortly, a very top-of-the-range, all-ability, at the moment three schools, across the 11 to 16 age group. That is what we have been mandated to do by the States. We are working very hard to do just that. What we have not been asked to do is to look into a whole raft of other things. We will do, but we have not been asked to do that at the moment.

So what we have been charged to do is to come up with a three-school model that actually creates a standard of education which is going to be up there with the best in the UK; better than
4330 that, up there with the best in Europe, and if we possibly can get it up there with the best in the world. That is what we would like to do, and everybody – that is the two other members who have not been party to these negotiations over bursaries and the College funding – they are all tied in to that as well. I can assure you as an Education, Sport & Culture Committee we are absolutely welded to delivering that, and we do it with a passion.

We are not looking to undermine any other group or any other school. We understand, we accept, that 30% of the secondary school children in our society are educated through the
4335 Colleges, and we are grateful that that happens. But what we cannot do is to find that we are actually funding from the general taxpayer, something which is actually going to undermine our offering. We have got to offer the very best to all of the Guernsey children.

Now, Guernsey children you opt out of the state provision, if you wish to opt out, you are free
4340 to do so, but you do so at a cost to yourself. If we go down this line of we are going to provide

4345 choice and we are going to give all the money to allow it to happen, the next thing is that I am going to see somebody actually going up to HSC and saying, 'Do you know what, I would like to have a private health insurance. I cannot afford it, but I tell you what let's have a lottery and 30% of us can win a free place on your Victoria Wing,' or whatever it is called nowadays, which gives you the actual –

4350 **Deputy Soulsby:** Sir, of course, you can opt in and opt out of private care within the system at the moment. (*Interjections*)

Deputy Le Pelley: But, do the States pay for it, Deputy Soulsby? Do the States pay for it?

4355 The next thing, of course, is that people are going to come along and sort of say, 'Well, do you know what, we have now actually got some kind of States' subsidy, because we want our children to be in an all-boys school or an all-girls school, or an extra special sort of family orientated school.' I must admit that I found Blanchelande absolutely superb for my daughter, no problems there at all. But we go there because of our choice, and our needs for our families or whatever. What happens next when people say, 'Well, actually I want a single sex school for my child and he is only 11, or he is only nine, or he is only six, or I want a single sex school for my daughter and she is only five?' What is going to happen next? Are we going to then start having this provision coming down into the primary sector? Be very careful what you ask for, what you wish for, because this could start costing us an awful lot of money.

4360 As I said when I started, when I stood up here, I have no objection whatsoever to the Colleges existing, to the Colleges funding themselves in whichever way they wish to fund themselves, and if they can get out there and get extra sponsorship, and extra bursaries, good luck to them. What we cannot do is undermine our own offering by actually pricing ourselves out of the market.

4370 Now, we have also mentioned what will happen if you get wage inflation? That is something else that might happen. If you start giving extra amounts of money to the Colleges, bursaries and making them more profitable, what will happen is – or what happens in most of the companies and things which are sort of successful – is that the workers get a sniff of the profits, and then the College staff are likely to say, 'We would like to have our wages put up.' The next thing of course, is that the States' sector then has to match them. So because this money is being handed over you end up with a spiral where you have wage inflation, and you will not only be paying more to the Colleges to fund them, but you will also be paying more to staff your state sector schools. Be very careful what you wish for.

4375 Now, I am a great fan of Eric Blair. Eric Blair is the real name of George Orwell – George Orwell wrote two or three books – well, he wrote lots of books, but he wrote two or three that I am particularly well aware of. The first one is Animal Farm, not pig farm as somebody said about three months ago. But Animal Farm actually says, one of the main things is that:

All animals are equal, but some animals are more equal than others.

4380 What I would say to you is that all our children should be equal, and none of them should be more equal than others. He also wrote another book called 1984. In it he talks about double-speak, and there has been a fair bit of double-speak in here today, I am afraid, because, another thing of course, 1984 was a play on the ... the title was a play on 1948, just reverse the two figures around; he was writing about what was going on in Britain in 1948. He did not like it, the Ministry of Truth was actually propaganda, the Ministry of Peace was actually the Ministry of War, it was all sort of twisted around; a very clever book, and it is one of those things that you need to be very careful of. Double-speak – mean what you say, and say what you mean, not try and bring things in through the back door. Not trying to bring things around by some kind of sort of hidden cover.

4390 If you go through this amendment, item 2 has got a whole raft of things which need better definition. You are talking about people being entitled to various things; they will not be selected by ability. That is what it says, perhaps you mean not by ability alone, but it does not say that. Not by ability, so if someone has got any ability at all you could argue they cannot get in because it is

not by ability. *(Laughter)* You need to get your language extremely tight. We are talking about the actual definitions that you have got in there, and those definitions are nowhere near tight enough. Who is going to do the assessments? How are these quartiles actually going to be broken down? I think Deputy Soulsby mentioned something about the college that she went to – Chelmsford, was it, was that the name? She mentioned a college and said that there was no academic ability to get in. In fact, there are five bands of ability and you actually have to fit into those five bands to actually get your place there.

4400 **Deputy Soulsby:** That is not what I said at all, sir.

Deputy le Pelley: Beg your pardon. Be very careful that what you actually ask for here is what is deliverable, what is absolutely fair across the board to everybody.

4405 Now, we think that what we have suggested in our policy letter, which gives you the actual cover of these youngsters going through for the next seven years, all their fees are paid until the end of their Year 13, plus the £816 as a cushion with a review, is more than adequate, and I ask you please to reject this amendment.

4410 What I will also add is that should part 1 of the amendment get through, the Education, Sport & Culture Committee would like to lay another amendment, so that there is a second option rather than just nothing £3,000, we would like to put the £816 back in.

Thank you, sir.

4415 **The Bailiff:** I might have been tempted to propose that we continue to sit this evening, but Deputy St Pier has notified me that he would wish to exercise his right to request a 15-minute adjournment before replying. In those circumstances it seems to me it is preferable that we rise now and will resume tomorrow morning.

The Assembly adjourned at 5.45 p.m.