

## Media Release

**Date: 9 August 2020**

### **ESC and P&R Committees say Scrutiny Management Committee had all the powers necessary to review the appointment of the Head of Curriculum and Standards**

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The Policy & Resources Committee and the Committee *for* Education, Sport & Culture remain frustrated by the decision of the Scrutiny Management Committee not to carry out a review into the appointment of the Head of Curriculum and Standards in April 2019.

Both Committees repeatedly confirmed their willingness to cooperate fully with the SMC in any formal review. P&RC and the CfESC separately provided large submissions running to over 1,000 pages of relevant documents and emails, as requested by the SMC when it published terms of reference for its review which it later ended. While some of the content was redacted in line with requests of individuals who did not wish for their data to be published, none of the deputies whose data is contained in the submissions requested any redactions.

Both Committees also welcomed changes to data protection legislation which were made by the Committee *for* Home Affairs when the SMC review was still active and which provided a straightforward route for the SMC to obtain all documents with no redactions, but the SMC did not take up that option.

The Committees' submissions, coupled with interviews or public hearings with the deputies and officials who were involved, would have provided more than enough evidence for the SMC – or an independent reviewer on their behalf – to provide the public with a complete picture of the circumstances of the appointment and to make any recommendations they considered necessary.

It is surprising that the SMC did not carry out their review when the States voted against a Tribunal of Inquiry. The deputies who would have been most closely involved in any review – the President and members of the CfESC – abstained in those votes in order not to influence the outcome, but a majority of the States considered a Tribunal of Inquiry to be an expensive and disproportionate response to a single appointment. The P&RC and the CfESC consider that doing its own review would have been fully consistent with the SMC's mandate and objectives to review States' committees – and it should have done so.

The P&RC and the CfESC share the frustration of those who feel the matter has been left unresolved and regret there remains much misunderstanding about the circumstances which led to the appointment. But there is no legal basis for the documents to be provided to the media when the permissions provided by the 'data subjects', including candidates who were interviewed, related only to the SMC's review. It is also unreasonable to expect employees of the States of Guernsey – or of any organisation for that matter, noting that not all of the applicants were States' employees – to share with the media confidential documents and emails not intended for publication.

There might be justification in reviewing the resources and powers available to the SMC and the P&RC and CfESC know this is something SMC members themselves have pushed for, but this does not explain why the SMC did not use its existing resources and powers to carry out a review of a matter which they clearly felt was of considerable public interest.

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### Notes to Media

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