

Freedom of Information Request

Date of receipt: 27th August 2022

Date of response: 16th September 2022

Freedom of Information request regarding Deputies assistants

Request:

I'd like to make an access to information request on section 21C of the states members code of conduct.

How many of our elected deputies this term have been approved the use of assistants "to deal with correspondence and information relating to the affairs and business of the states"?

I'd also like to ask, when assistants deal with correspondence like letters, emails, social media pages etc, do they have to make it clear it's not the deputy responding?

Does each different assistant need approval or just an approval for assistants?

Why is this not a requirement for the declaration of interest to declare who has approved deputy assistants that are dealing with correspondence and information and also, who the assistants are, given that it's a peoples deputy role reading and responding to private, sensitive constituent issues?

Response provided by the Policy & Resources Committee:

Thank you for your questions submitted under the States' Freedom of Information Code regarding the use of assistants by elected Deputies, specifically in respect of paragraph 21C of the Code of Conduct for Deputies, which, in summary, allows the Chief Executive to approve arrangements for the operation and management of any private office or administrative scheme proposed by any Member to enable that Member to deal with correspondence and information relating to the affairs or business of the States of Deliberation or any committee of the States.

The way that politics is conducted in Guernsey means that it is rare for Deputies to run what are effectively private offices. Such arrangements are more common in other jurisdictions where there is a more fully developed party political system and elected representatives have many more constituents to cover.

The main source of support for Guernsey Deputies is provided by the core civil service, which comprises a relatively small number of individuals with, collectively, a large amount of experience, knowledge and expertise. They are available to assist individual Deputies with ad hoc requests, such as carrying out background research for Requêtees or parliamentary speeches; or assisting with the resolution of queries from constituents. If a Deputy wants to pass on information about an individual's circumstances, this is only possible with the constituent's consent. When civil servants deal with third parties on a Deputy's behalf, it is usual for them to acknowledge the fact that they are responding in that capacity. They certainly would not purport to be an elected member.

Given the support already available, requests under paragraph 21C of the Deputies' Code of Conduct are rare and the current Head of the Public Service has not received any specific requests for "any private office or administrative scheme", although this does not necessarily prevent Deputies from making their own arrangements for some informal support from family or friends, provided that they comply with Data Protection requirements where applicable.

There is no requirement for Deputies to declare any assistants as part of their declarations of interest because they do not stand to gain from any such arrangements. It could potentially be relevant if a Deputy employed a family member to provide support and this would be a matter for the Deputy in question to declare on his/her return.