



Making the States
work for you

Democracy in Guernsey

Each one of us as a citizen of Guernsey has a different experience of the way our government, the States of Guernsey, impacts on our life. It is natural for us to want that to work for our personal benefit. The government, the States, has the difficult task of satisfying that wish for as many people as possible whilst also making big and complicated decisions that will be of benefit for the Island as a whole.

There are three features of our system that together make it somewhat different from other countries. Firstly, the government of the Island is formed by all members of the Parliament, the States of Guernsey Assembly. This differs from many other places where a grouping of Parliament members form the government and others act in opposition. Indeed, it is set in law that each member of the States Assembly should vote according to their own conscience.

Secondly, the system is a representative democracy. Elected members are put in place by us in a position of trust to act and vote wisely. We expect them to listen to us but should not be surprised when on occasions they make a decision with which we disagree. They should not always simply follow the views of the majority of the people.

Thirdly, we refer to “the States” in so many different ways. Sometimes we mean our parliament. Sometimes we mean our government. Sometimes we mean the people delivering valuable public services. Sometimes we mean a group of anonymous officials who make decisions that affect our lives.

This guide is meant to provide a better understanding of how our system works and how you relate to your elected representatives and public servants. The guide therefore explains

- who does what in the States
- how a States Assembly meeting works
- what States committees are
- how to keep in touch
- why a lot of States’ business seems to be done in private
- how to make your views known
- States Members’ code of conduct.

Obviously many of you will know much of this already but the guide is designed to fill some gaps. Good reading! – If it does not answer all your questions just find the right person to ask.



Who does what in the States?

In Guernsey, many people talk about “the States” as a whole without recognising the different jobs that Deputies, Crown Officers, Civil Servants and other public employees do. If you want to understand how things work, it will help to understand who does what. Perhaps it is even more important to understand what particular players do not or should not do! So here goes – all these people play a vital part in making our government, parliament and public services work.

The Crown Officers

The Crown Officers are appointed by the Monarch. They are independent of politics and are servants of the States Assembly. The principal crown appointments and their duties in relation to the States Assembly are

- ◎ The Bailiff and Deputy Bailiff who act as Presiding Officers when the Assembly meets.
- ◎ The Procureur and Comptroller who sit in the Assembly to provide legal advice when requested by the Presiding Officer.

Each one has a very distinct job to do. If you want to know more detail about those roles you can read about them at www.guernseylawofficers.gg

The States Greffier

The States Greffier and his colleagues act as clerks to the States Assembly, organise Assembly meetings and all the documents associated with them, attend Assembly meetings to supervise the running of the agenda, count votes and keep official records of all decisions.

Deputies

Deputies are elected by voters as their political representatives to work on and agree policy and broader direction for the Island. They should also keep in as close touch as possible with voters and other members of the public.

Deputies are often asked for help by individual citizens and this is part of their job. However they definitely should leave day-to-day operational matters to Civil Servants. Of course, Deputies are right to scrutinise and monitor operations but they must stay within the boundaries of not doing Civil Servants' jobs for them.

Civil Servants

Civil Servants are paid employees of the States. They carry out all the operational jobs of States work following policies decided by the States Assembly and its various Committees. They also support Deputies and States Committees in the research and drafting activities needed to bring policies before the Assembly for debate and approval.

While Civil Servants work closely with Deputies as policies are formed and changed, Civil Servants must apply the rules as they are and cannot change those rules on their own. Civil Servants are also a valuable source of informed and expert advice for Deputies when policy is being formed.

States Employees other than Civil Servants

States employees other than Civil Servants are paid to provide public services. Examples include Teachers, Nurses, Police Officers, Fire Officers and many more. Their jobs involve the delivery of services. They may give advice to Civil Servants and Deputies on policy matters but generally they have only a limited part to play in the development of policy.

The Citizens of Guernsey

The citizens of Guernsey (you!) play one of the most important roles for our democratic government. Your vote at each election decides who will be States Members. Day by day between elections, your People's Deputies need to judge public opinion if they are to play their part effectively. They need to know what you think about proposals. You can read more about how you can help them to know your views at gov.gg/influencing States Members. You can also help to make our democracy work by dealing first with Civil Servants on operational matters.



How a States Assembly meeting works

Generally once a month, all Deputies and two Alderney representatives meet in the Royal Court to

- deal with elections and appointments
- pass previous decisions into legislation
- amend legislation by ordinance
- receive statements from Committee Presidents
- respond to members' questions
- debate policy letters
- debate requêtes.

You can listen to the proceedings live on radio and online but that can be a bewildering experience if you do not understand in broad terms the rules of procedure and purpose of each section of the agenda. This is an outline of the steps in the process. If you want to study the rules of procedure in detail, they can be found in what is called the Blue Book at www.gov.gg/StatesMeetings (the States Meeting Information Page) Further information about how to follow States meetings live is given in gov.gg/keeping in touch

Preparing for a States meeting

Notice of a meeting is given when the Bailiff as Presiding Officer issues a Billet d'Etat, normally two weeks in advance. The Billet d'Etat is a document containing the meeting agenda and all the formal paperwork relating to the items for discussion. Anybody is free to read the Billet as soon as it is published. Current and past Billets can be found on the States Meeting Information Page.

Elections and appointments

From time-to-time statutory officials, non-States Committee members and members of various panels and tribunals have to be elected by the States. Also, a variety of public positions that are appointed by the Bailiff or other officials have to be announced formally to the States. Any such elections or appointments take place early in the States meeting. A detailed list of these elected and appointed positions can be found at on the States Meeting Information Page.

Legislative business

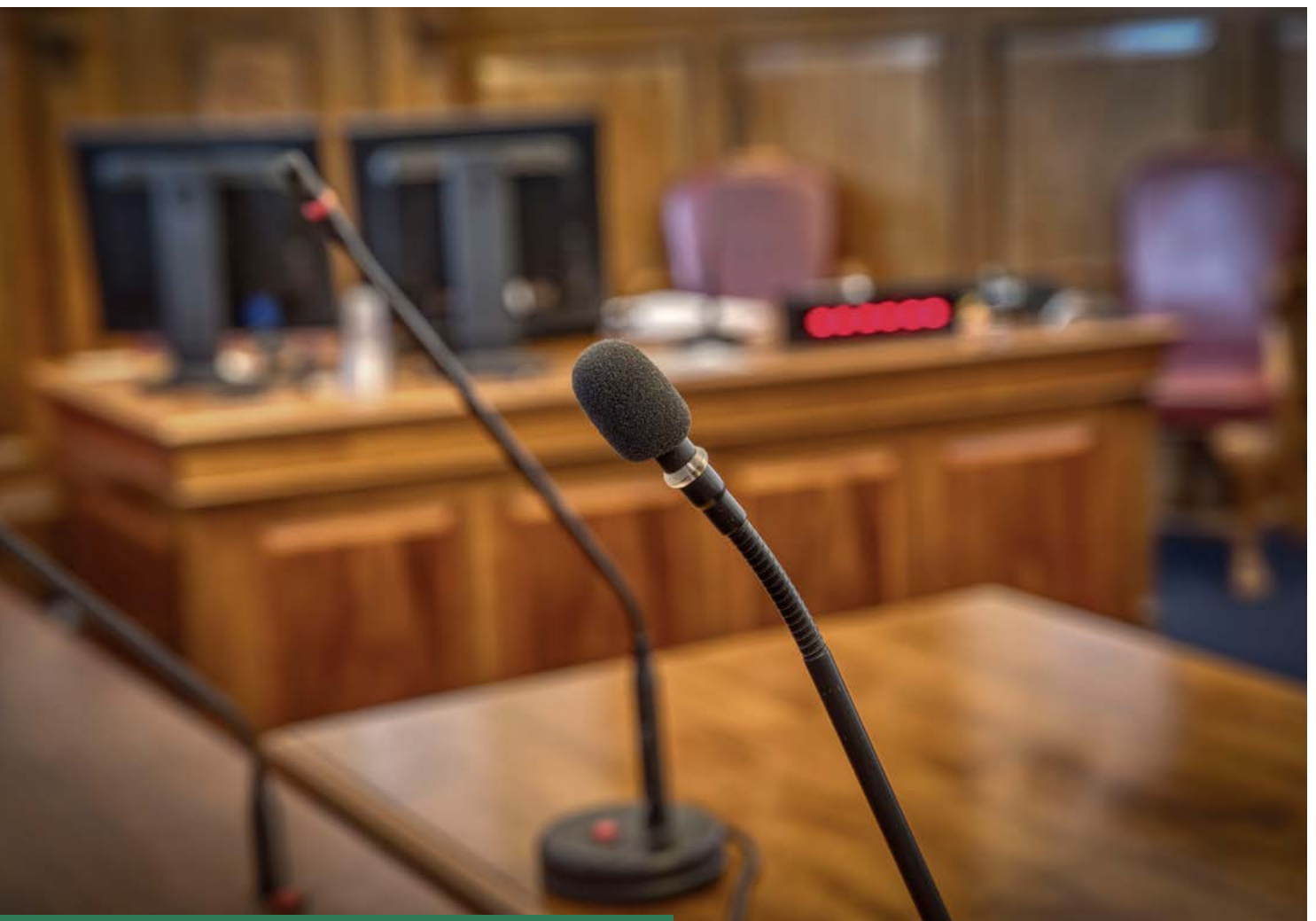
Decisions and resolutions of the States which are made after debate frequently involve making changes in the law. Laws or amendments to existing laws are drafted to reflect the intention of the decisions and resolutions. The draft legislation is reviewed by the Legislation Review Panel before being presented to the States for approval.

In some cases laws can be amended by ordinance and simply presented or “laid before” the States for information. Most often the detailed wording of legislation is not debated or challenged and these items are approved “on the nod”.

Sometimes, most particularly in the case of controversial or emotive subjects, the proposed law will be debated and possibly subject to amendment. This is the last chance the States has to influence the content of the new law before it is submitted to the Privy Council for approval.

Statements from Committee Presidents

From time to time a Committee President will make a prepared statement to the States. Sometimes this is prompted by an event that clearly affects the public interest. Sometimes it is simply an update that is delivered on a



rota basis to keep the States in touch with the work of each major Committee. When the statement has been delivered, States Members have the opportunity to question the President about the matters covered by the statement. More details of the rules of procedure about statements and questions can be found atin the Blue Book on the States Meeting Information Page.

Questions in the States

An important feature of any Parliament in a representative democracy is the ability of a Member to question those with specific responsibilities. A States Member can ask any Committee President detailed questions. The question must be put in writing five clear working days before the date of the meeting. The President prepares an answer and responds when the question is put formally in the States meeting.

Following that first exchange the questioner is entitled to request supplementary questions. This is the most important part of the process because the Committee President has no warning of the supplementary questions. These questions are often used to reveal facts that the questioner believes are in the public interest to know and are not currently accessible.

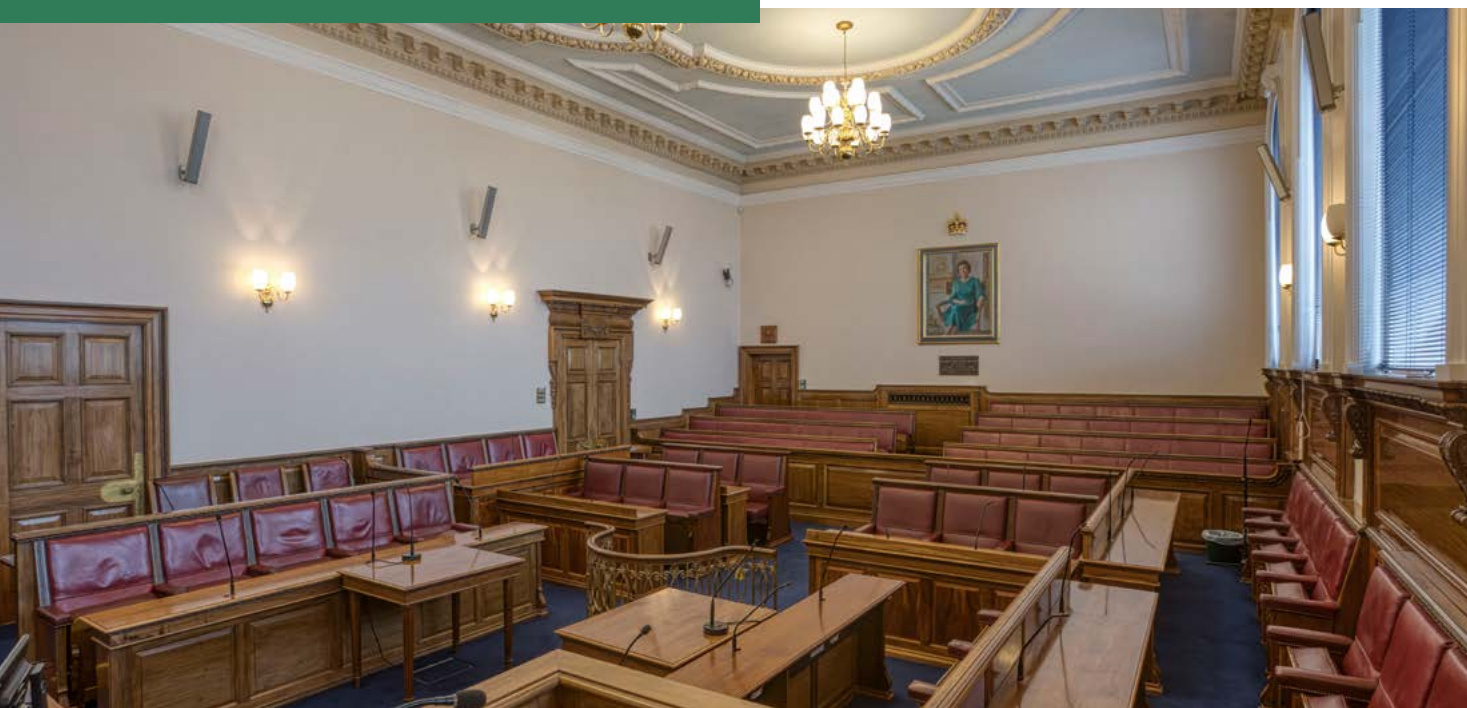
Debating policy letters

Formal debates most often take place when a policy letter is presented to the States by a Committee. The letter is a report on a particular topic including the background research and seeking approvals for a set of propositions leading to approved actions. When a proposition is passed it becomes a States' resolution and gives authority to the Committee to take the actions.

Because debate needs to be controlled and balanced it is governed by a set of rules. The Presiding Officer is responsible as Chair of the meeting to ensure that the rules are observed. The most important rules are

- the debate is opened by the President of the Committee presenting the policy letter
- each Member is entitled to speak once only when invited to do so by the Presiding Officer
- another Member may interrupt a speech by standing to request the speaker to "give way" but the speaker can refuse to do so
- when there are no further speakers the Committee President is invited to sum up the debate
- the States then vote on the propositions.

There are many other rules of debate and details of those can be found in the Blue Book on the States Meeting Information Page.



Any Member may propose an amendment to the policy letter. In some circumstances the amendment can be placed at any time from the publication of the letter right through to just before the summing up of the debate. Amendments signalled before the meeting are normally debated immediately after the Committee President has opened the debate. The rules for debating an amendment are similar to those for the main debate and once again can be found in the Blue Book on the States Meeting Information Page

Debating a requête

A requête is a document which has been signed by at least seven Members setting out a subject for debate. Any requêtes are generally the last items for debate in a States meeting. Requetes are most often presented when seven or more members feel strongly that urgent action is required on a topic that is not being dealt with by the responsible

Committee. The pattern of debate is similar to that for other debates except that it is opened and summed up by the Member leading the requête rather than by a Committee President. Once again full details about the rules applying to requêtes can be found on the States meeting Information Page.

Just one aspect of States work

The States Assembly meetings are often seen as the main feature of States work. States Members are often judged by their performance in those meetings. In reality States meetings are just the tip of the iceberg when it comes to the work that States Members have to do. To find out more about what the job of the States Member involves go to gov.gg

What are States Committees?

States Assembly meetings are the most high-profile part of a Deputy's work but in terms of time and arguably importance they are just the tip of the iceberg. For most Deputies the largest proportion of their time is spent contributing to Committee work. Committees create the policy foundation on which States debates, resolutions and laws are built.

What do Committees do?

Committees create policy proposals to bring to the States and oversee the operational work which is carried out by Civil Servants and other public sector employees. The oversight role is similar to that of a Board of Directors in a company. It should be limited to policy matters defined in the Committee's mandate and should not interfere directly in day-to-day matters.

When bringing policy proposals to the States with much help from Civil Service staff every proposal is different but these are the steps that are usually involved

- an idea or proposal emerges from events, public opinion or a States member and is discussed informally in the Committee

- technical questions about the proposal and thoughts about the pros and cons are researched mainly by Civil Servants
- a discussion paper or report is prepared and discussed by the Committee who decide whether or not to take proposals to the States
- a formal policy letter is drafted by Civil Servants and edited by the Committee before being put forward for inclusion in a Billet d'Etat
- the Billet d'Etat is published and the procedure moves on as part of the States Assembly meeting.

What Committees are there?

The senior Committee of the States is the Policy and Resources Committee. The principal Committees are

- Committee for Economic Development
- Committee for Education, Sport and Culture
- Committee for Employment and Social Security
- Committee for the Environment and Infrastructure
- Committee for Health and Social Care
- Committee for Home Affairs

There are also seven Authorities, Boards and Commissions dealing with a variety of specific matters. A full list of Committees can be found at gov.gg

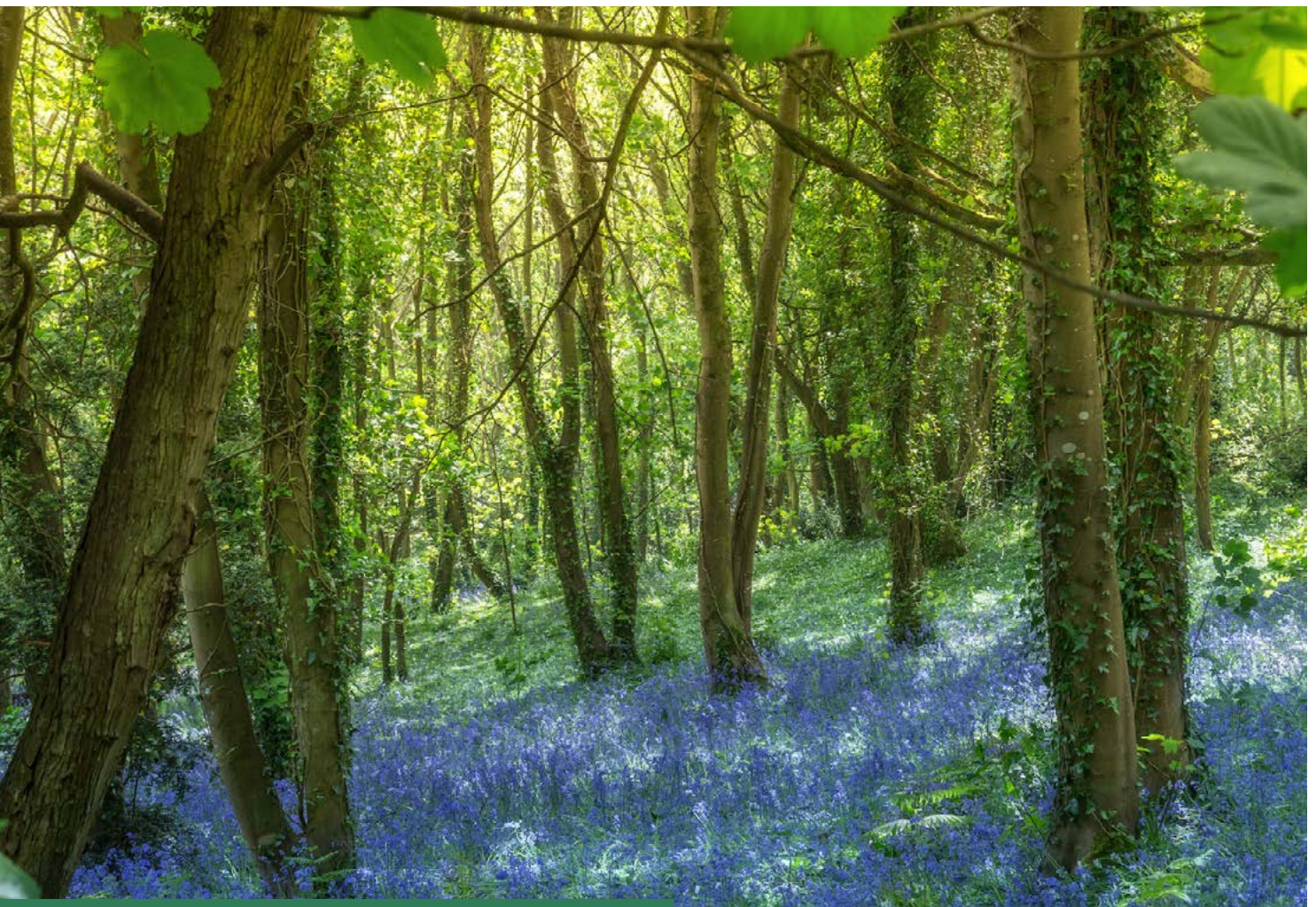
Each Committee must work within its mandate which defines its responsibilities and boundaries. The mandates of all States Committees can be found gov.gg.

Who is on each Committee?

At the beginning of each term very soon after an election, the States themselves elect the Presidents of each Committee. Normally the selection will be determined by a combination of the personal interests, skills and experience of the person and who

the States believe will be most effective in the role. The other Members of each Committee are then also elected by the States. In these elections it is normal for the newly elected President of each Committee to propose their preferred candidates. Full details of the procedure for Committee elections can be found at in the Blue Book on the States meeting Information Page

Each Committee may choose to recruit up to two non-States Members. These are usually people with a particular interest in the Committee mandate and skills and experience in the areas of government covered by the Committee. Their appointment must be approved by the States



Keeping in touch

Most people in Guernsey chat about the States from time to time. The Guernsey grapevine is famous for its ability to amplify or misinterpret news of all sorts and news about States matters is no exception. Social media exchanges often have the same effect. So where should you go if you want to get some reliable information? The recommended sources of information about States matters are

- official States documents
- the States of Guernsey website
- one-to-one conversations with people who are “in the know”
- following live States debates.

Official States documents

The main States documents in the public domain are

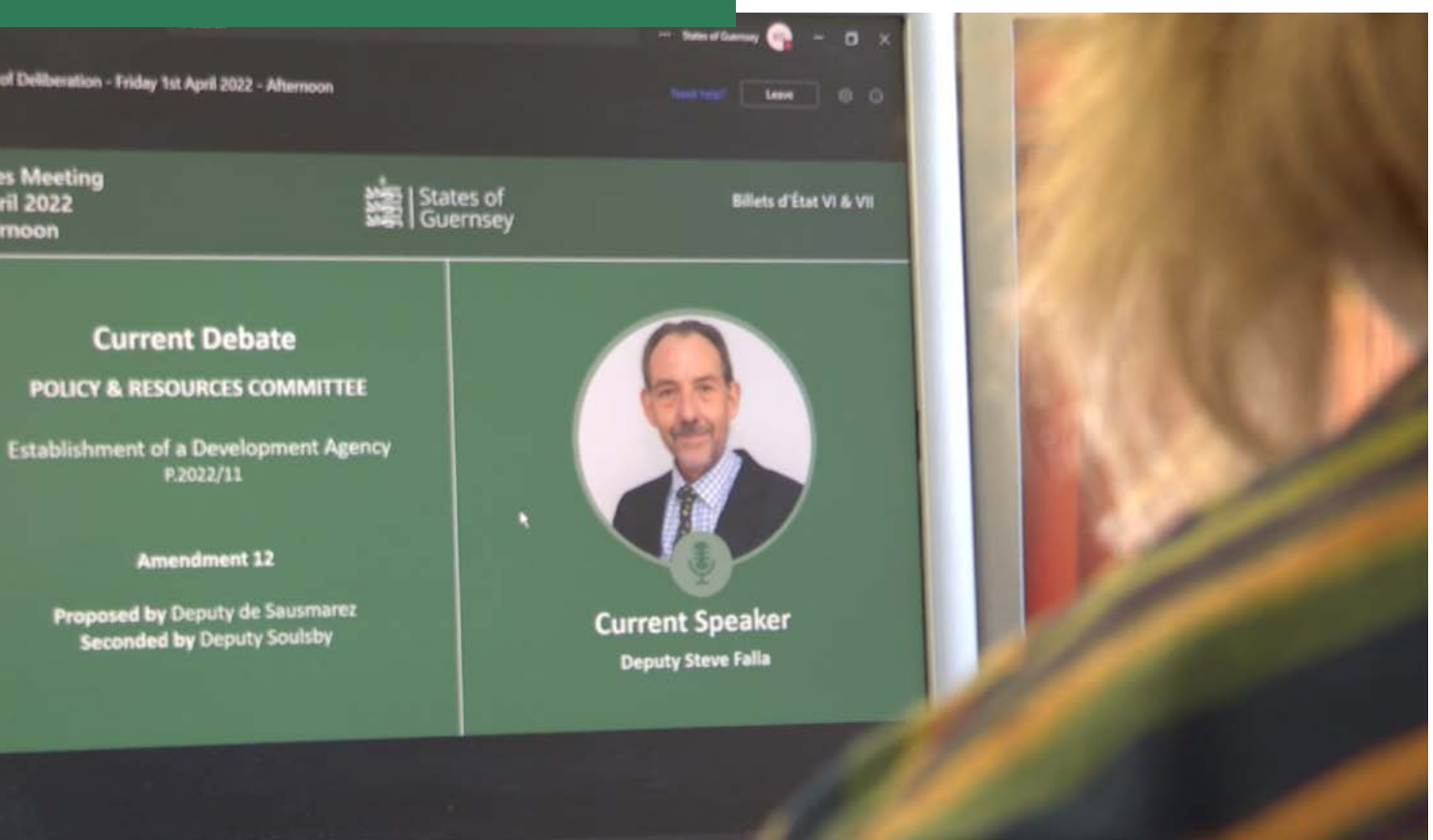
- the Billet d’Etat published before the States meeting that sets the agenda and contains reports and other supporting documents to inform and give context to debate
- Hansard reports that provide verbatim accounts of States meetings
- occasional consultation and briefing papers that are published from time to time by States Committees.

These are generally available through the website but in some cases can be obtained free or purchased from the Charles Frossard House or the Greffier in the Royal Court building.

Guernsey States website – gov.gg

This extensive website gives access to a wealth of information about the States. It also acts as the portal for exchanging personal information with States committees and completing transactions such as tax returns, payment of bills or seeking answers to individual questions. Mygov.gg provides the means to complete a whole range of personal business with the States online.





One-to-one conversations with people “in the know”

Democracy in a small community has many advantages. One of those is that deputies, your democratic representatives in parliament, are much more accessible than their counterparts in large communities. Most deputies are very keen to stay in close contact with public opinion and want to hear your views. There are also many people in business and community leadership roles who are well informed and deal with States matters regularly.

You must be the person to judge whose information and opinions are informed and reliable. However, in our close community

we all get used to making that judgement. So long as you recognise who is reliable and accept that some information will remain confidential, you should find much information about the States and what is going on by having everyday conversations with the right people.

Following live States debates

States Assembly meetings are broadcast live by the BBC. You can listen to them on Medium Wave 1116. You can also follow them online via MS Teams on the States Meeting Information Page.

Why is so much States business kept secret?

We often hear politicians talk about the need for openness and transparency. Yet we also often hear that aspects of States business must be kept secret. Why this apparent contradiction? Government actions are taken on behalf of the people. Therefore in most areas it is felt that people have a right to know. That right cannot be absolute - why? - because in some situations things have to remain confidential.

There are three most common situations when confidentiality is right

- ⦿ when an individual's or an organisation's rights to privacy would be overridden
- ⦿ when the States (and therefore all of us!) could suffer financial or legal penalties if broken confidentiality prevents them from doing the best deal for taxpayers
- ⦿ when the reputation of Guernsey worldwide could be damaged if certain information is not managed in a controlled way.

We should respect these exceptions and understand that they help to make government effective and efficient.

Personal and organisational rights to privacy

The States as an organisation has many individual relationships with people and other organisations. Every one of them can reasonably expect details about themselves and their dealings with the States to remain hidden from the public gaze. Indeed, GDPR (general data protection regulations) makes it illegal for the States like any other organisation to deliberately or carelessly reveal personal data to others.

Sometimes, of course, that right is trumped by the need for inappropriate dealings or behaviour to be made public. Generally these situations are covered by law. However, if there is any doubt about whether facts about an individual or organisation should be revealed, it is normally better to assume that they should not unless you can positively show that it is truly in the public interest to do so.

Commercial and legal confidentiality

The States use public money – our money – to do commercial deals with other organisations and people. We all want them

to get the best possible deal. Also, once the deal has been done both the States and the other party have legal obligations. If confidentiality is broken, it may cost the States (and therefore all of us!) a lot of money. So, however much curiosity there is among the public, some information and especially financial details must remain confidential. Generally, a good test if you are curious about why information is secret is to ask yourself – how would I feel if my neighbours expected me to reveal all my private business?

Island reputational risk

For our government this probably involves the most difficult judgements about when and how much information to reveal. Our economy relies heavily on our good standing, stability and reliability as others all over the world see us. Like any government the States can be accused of “cover-ups” and that is a

risk in itself. So the timing and level of detail in the release of information especially about politically driven changes can have significant effects on the reputation that Guernsey enjoys in the outside world. That, in turn, can affect all our prosperity and well-being.

What is in the public interest? - A difficult balancing act

There will always be pressure on governments to be open and transparent. Modern social media exchanges increase those pressures. Equally the storage of enormous volumes of personal data leads to more calls for privacy. It has been said about government confidentiality that “it may not be in the public interest to release information just because the public find it interesting.” We all need to accept that confidentiality is right in many situations. Also, just because some information remains hidden, we must not assume that this suggests some wrongdoing.



Making your views known

Deputies and people – what is representative democracy?

Deputies are elected by voters and are required by law to vote according to their conscience in States debates. Obviously they cannot please all of the people all of the time. However that does not mean that they should simply ignore public opinion and go their own way.

Frequent conversations between Deputies and members of the public are essential oil to the wheels of democracy. Implementing States decisions without broad public consent can be damaging and costly. Just as Deputies have a duty to govern according to their conscience, citizens in our active democracy have a duty to make their views known to Deputies.

One-to-one conversations with States Members

We are fortunate and privileged in Guernsey to be able to talk so easily with our politicians. Whether in a casual conversation in the High Street or supermarket or by arranging a telephone conversation or informal meeting, Deputies are very willing to listen to what you have to say. Those private, one-to-one conversations have the advantage of you being able to speak frankly and without sharing your views with other members of the public.

You need to remember that yours is just one voice and that a Deputy will be hearing many different points of view. When you have an opportunity to talk with a Deputy try to organise your thoughts and express



them coolly and logically. Above all try to be constructive saying what you think should happen rather than simply moaning about something you think is wrong. However strongly you feel about something show respect for the Deputy as one of your democratic representatives. Criticism without practical, constructive alternatives is not helpful. Finally, one big advantage of a conversation is that it is “off the record” so a Deputy may feel more free to express an opinion than when it is in writing.

Public meetings and drop-ins

These are held from time to time so keep your eyes open for advance publicity in the media or on the website gov.gg. Generally they are set up to cover particular topics so you will have to judge whether that matches closely enough with things you want to say.

One big advantage of events like this is the Deputies have normally prepared. This means that you should find out new information about the topic.

If you attend and want to have your say be confident enough to ask a question in public. If you prefer to talk privately then make sure you stick around long enough to speak to individual Deputies.

Approaching a Deputy in writing or through email

If an exchange with a Deputy is in writing it is by definition “on the record” and may be referred back to later. On the one hand that

can provoke greater caution but on the other hand statements in writing are much more difficult to retract.

Since the coming of email as a common form of communication different custom and practice has developed with email correspondence compared with hardcopy post. Emails tend to be more informal but always remember that they are as permanent as a letter. Consequently, an email written in the sort of language you might use in a casual conversation may appear flippant or disrespectful especially when read later and out of context.

Each Deputy makes their own choice about how they deal with emails. Some may not respond because of pressure of work or because they are unwilling to enter into a conversation on a particular topic. It has become common practice for members of the public to send a “round robin” email to all States Members.

Custom and practice regarding hardcopy letters especially if addressed to a Deputy through their Committee nearly always produces a response. You may not like the response you receive but at least you know you have been heard. When you are considering putting an issue in writing always remember that a Deputy may delegate the matter to a member of staff if it concerns an operational matter rather than policy. Indeed it is right that they should do so. Don’t think that they are showing a lack of interest in your views if this is the case.

Having your say through a lobbying group

Many groups engage in representing their members' views and interests to States Members. You may feel that you believe your voice has been heard more effectively if you take an active part in presenting a case this way. A group with many interests in common is normally more influential when acting together rather than individually. Contact between a group and one or more Deputies also makes more efficient use of Deputies' time. However, if the group comes to be seen as a pressure group presenting a single point of view, it is natural for a Deputy to push back against that pressure. Always remember that by law a Deputy must vote according to their conscience.

Social media and the Guernsey grapevine

Of course, many political conversations take place in Guernsey without the involvement of States Members. In the street, at work, at home and in pubs and restaurants the subject of the latest States gossip often comes up. These exchanges influence public opinion about States matters. They can also contribute to a significant level of misinformation that in turn damages States efficiency. Effort and resources are used up to counteract factually incorrect statements.

If you want to have responsible influence in this kind of conversation

- ⦿ check your facts
- ⦿ show respect to those who disagree with your opinions
- ⦿ express your views calmly.

If you want to make sound judgements about what you are hearing in this kind of conversation

- ⦿ check the facts you are hearing
- ⦿ ask yourself why a speaker may have particular opinions on this topic
- ⦿ be prepared to express honest and respectful disagreement when appropriate.



States Members' Code of Conduct

States Members and good behaviour

The very nature of politics means that debate and informal discussion can become passionate and heated. This in turn may lead to behaviour and choice of words that are offensive and outside acceptable limits.

That is why elected Deputies are required to affirm or swear an oath that includes an undertaking to adhere to the "Code of Conduct for Members of the States of Deliberation". The Code, in common with similar Codes applying to other parliaments, is based on general principles of Conduct for holders of public office requiring Members to show

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

The full wording of the Code can be found at <https://gov.gg/membersCodeofConduct>

Who decides whether the Code has been broken?

The Pan Island Commissioner for Standards (shared in the role with Jersey) investigates complaints and forms a judgement as to whether and how the Code has been broken.

If the Commissioner decides that the Code has been broken, they can recommend a range of penalties from a caution, through reprimand, through temporary suspension to expulsion from the States. That recommendation is made to the States Assembly to have the final say about what penalty is imposed.

Who can make a complaint and how do they do that?

Anybody can make a complaint against any Member of the States of Deliberation. This includes members of the public, States employees and States Members.

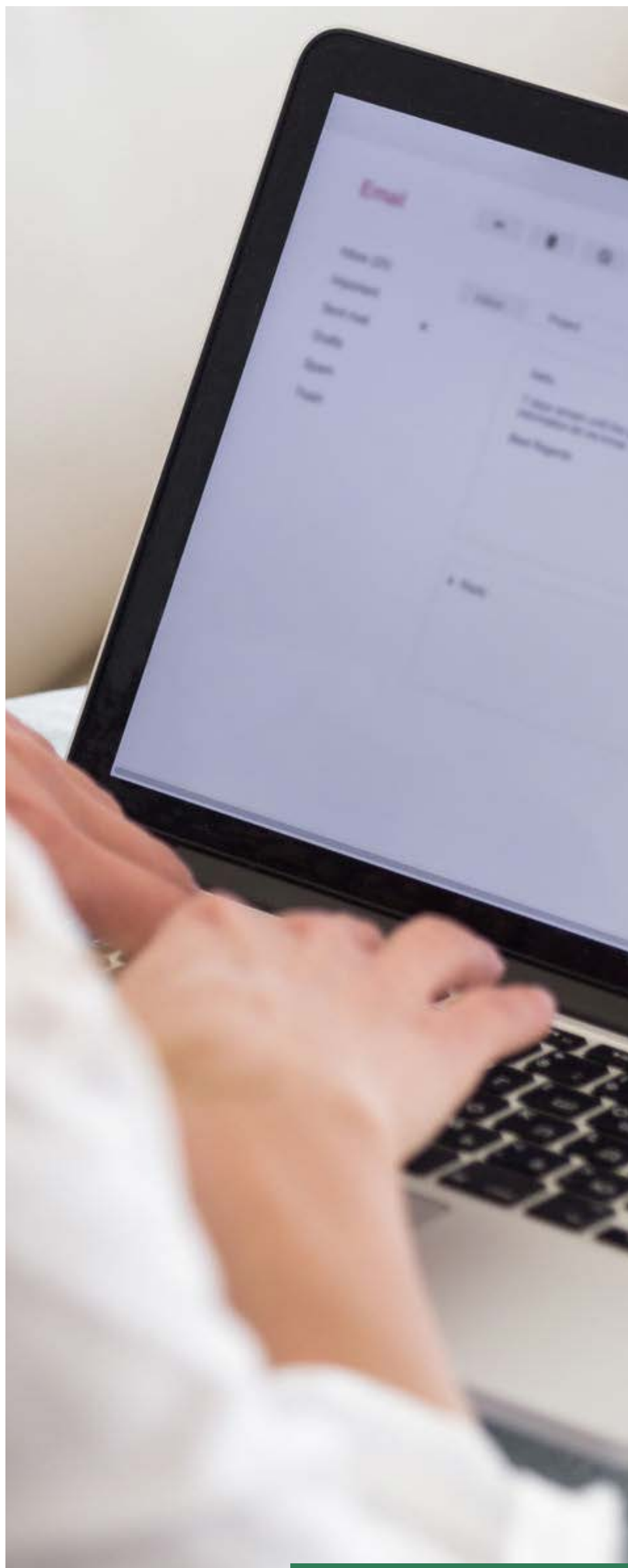
Any complaint must be made in writing and addressed to the Commissioner for Standards. The complaint should be made in private and should not be publicised until it has been determined and the decision communicated to everybody involved. A complaint will be considered and fully investigated only if it is backed by solid

evidence. Hearsay and media reports alone are not considered to be substantial evidence.

If you consider making a complaint you should:

- be absolutely clear about the sections of the Code that have been broken
- present evidence
- make sure you are not simply motivated by a personal grudge against the complainees and that you genuinely believe they have acted contrary to the public interest.

More information about this procedure can be found using the website link above or by contacting the States' Greffier who can advise you on how to proceed on statesmemberscodeofconduct@gov.gg



Frequently Asked Questions

Deputies get used to being asked difficult questions. Many questions from members of the public are the result of not understanding the job of a Deputy or other aspects of how the States works.

Here are some typical questions followed by key points that could provide an answer. Remember that very few, if any, political questions have one “right” answer.

FAQ 1

I spoke to our Deputy about my noisy neighbours and she said she would look into it – why can't she just get to the police to shut them up?

- It is a Deputy's job to help make or change policy on noise nuisance but not to deal with individual cases
- Even if a Deputy is a member of the home affairs committee, she is not a manager of the police and cannot tell them what to do
- This Deputy could advise you to contact the police and help you decide how you make the complaint.

FAQ 2

We had a meeting of all the residents in our Clos, one of whom is a Deputy. The meeting was all about proposals to widen the main road in front of the Clos. We all agreed that the change should be opposed. When it came up in the States as part of plans to build a new school, our Deputy still voted for it. How can he do that?

- A Deputy must always vote with their own conscience
- Deputies represent you but cannot simply act as delegates for the views of a group of people
- In this case, the Deputy clearly feels that, although he disagrees with the road widening, the new school is in the best interests of the public.

FAQ 3

I read in the paper that a couple of Deputies have spent a whole week in the UK going to a party conference and meeting politicians. Why are they doing that when there is so much to be done here on the Island?

- Guernsey can flourish only as part of the wider world
- One role of all Deputies, when the opportunity arises, is to be an ambassador for the Island and promote its interest elsewhere
- This type of activity is carefully planned and managed by the staff who have special responsibility for Guernsey's external relations.

FAQ 4

States meetings are just about three days long and only happen every few weeks. Why do they get paid like it's a full-time job?

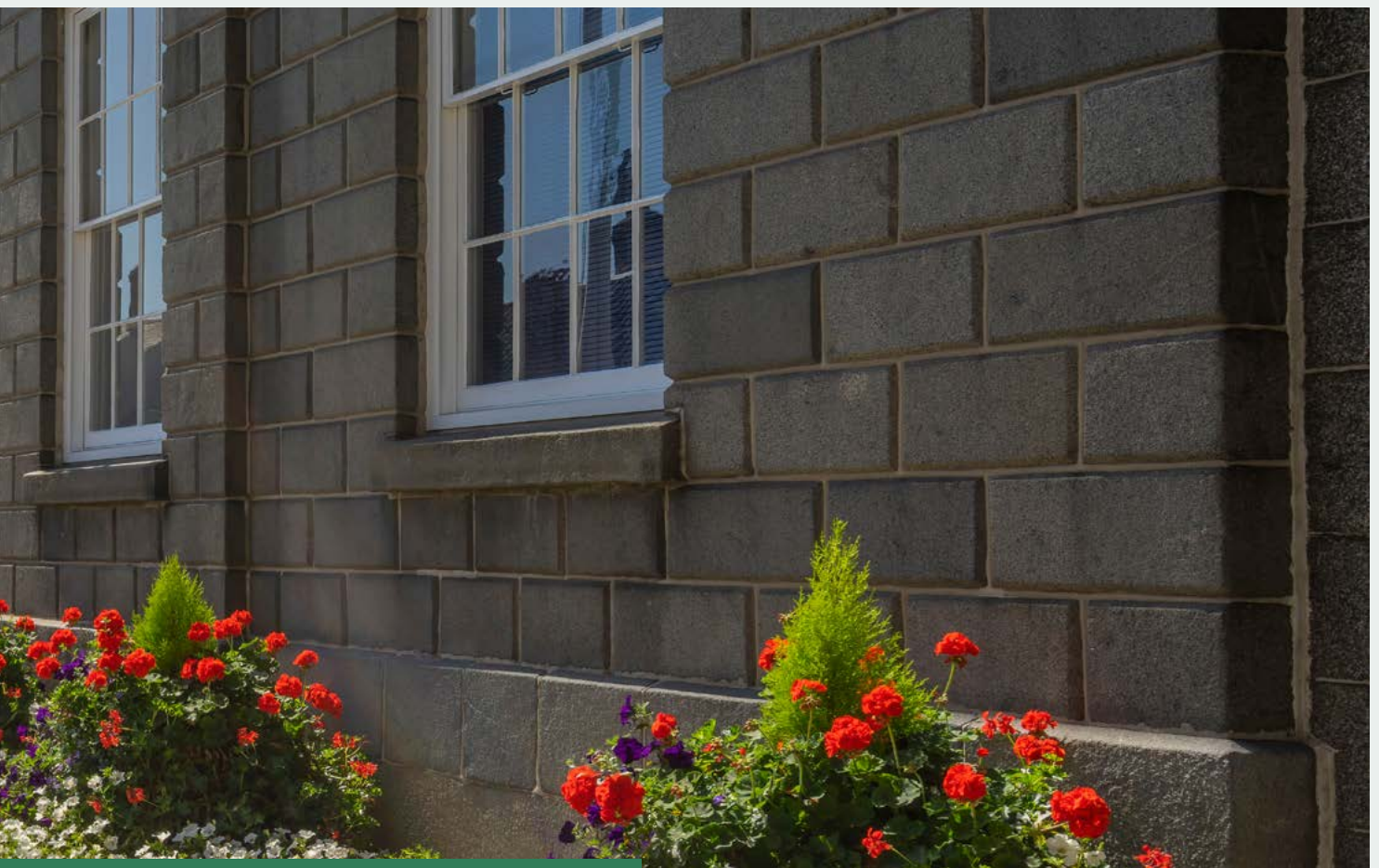
- The States Assembly meetings are just a tiny part of a Deputy's work alongside Committee meetings, information briefings, public meetings, visits to States operational areas and much more
- Many Deputies when first elected are surprised by the demands of the job
- With careful management of their diaries, some Deputies are able to keep work or business interests going and still perform all their duties as Members of the government.

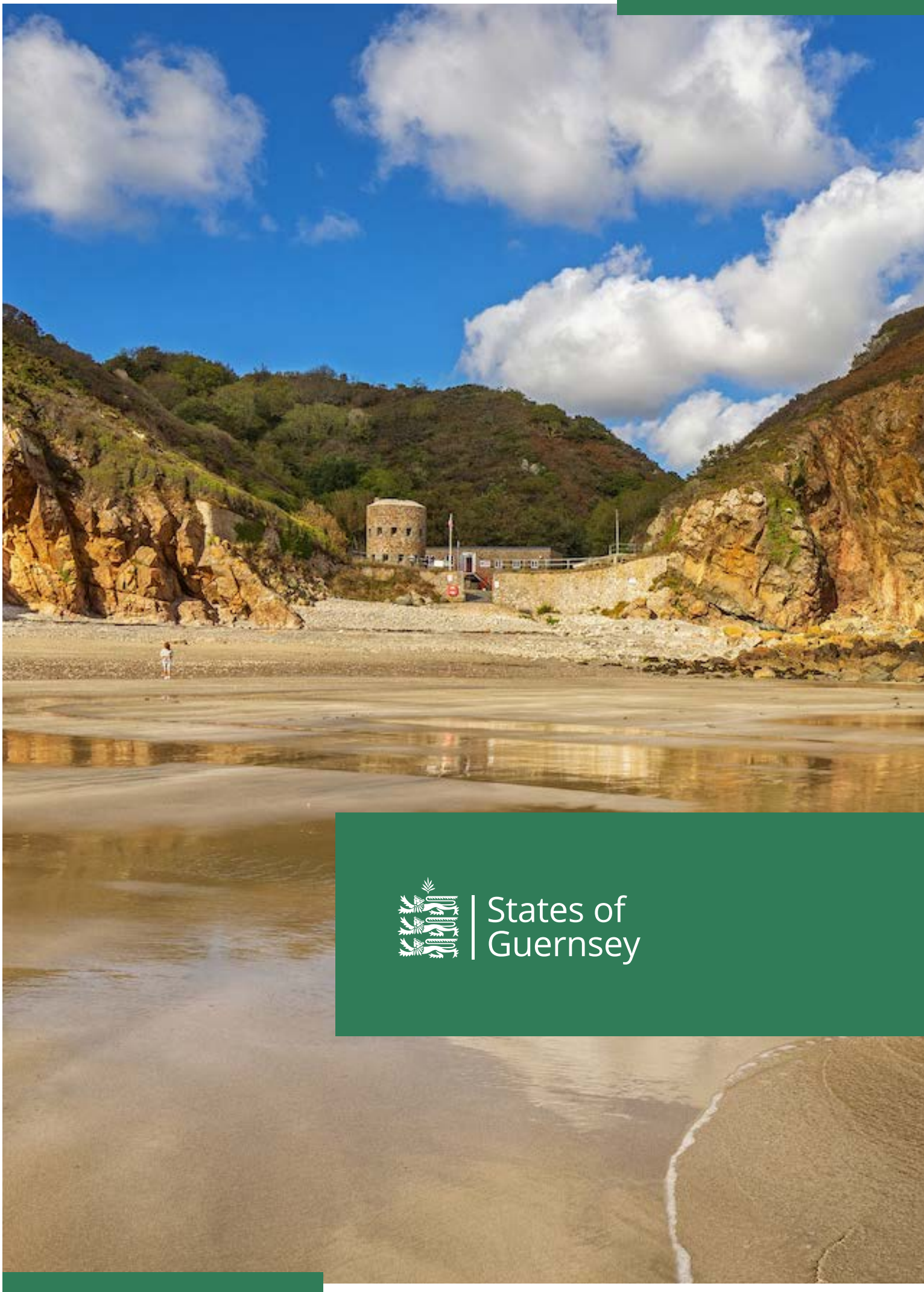


FAQ 5

Why does everything take so long to happen in the States when the private sector get things done quickly?

- ① States organisations must be aware that they are responsible for spending our money
- ① Private organisations are able to take more risks on behalf of their shareholders in search of greater returns
- ① The States cannot be run exactly like a business because it is not a business and has public service obligations and responsibilities for taking care of our money.





States of
Guernsey