

STATES OF DELIBERATION

24th November 2015

Billet d' État No XXI Article No 1

AMENDMENT

Proposed by: Deputy P L Gillson
Seconded by: Deputy R Sillars

States Review Committee The Organisation of States Affairs – Third Policy Letter

To insert at the end of the words in Proposition 1:

“; except that the constitution of the Ladies College Board of Governors (p. 3212 of the Billet) shall be

A Chairman who shall be nominated by the Board of Governors and appointed by the States.

Two governors who shall be appointed by the States.

Two governors who need not be members of the States who shall be nominated by the Committee *for* Education, Sport & Culture.

Two governors who need not be members of the States who shall be nominated by the Chairman and the four aforementioned governors for election by the States:

Provided that at least one of the seven aforementioned governors shall be a member of the States.”,

Explanatory Note and rule 15(2) information

Currently the Chairman has to be a sitting Deputy, this amendment will remove that restriction and introduce a new condition that at least one of the Governors is a sitting Deputy. This will retain States oversight while allowing greater flexibility regarding the selection of the Chairman.

For the purposes of Rule 15(2) there are no financial implications for the States of this amendment.

STATES OF DELIBERATION

24th November 2015

Billet d'État No. XXI

AMENDMENT

Proposed by: Deputy M P Hadley

Seconded by: Deputy Green

States Review Committee

The Organisation of States' Affairs – Third Policy Letter

To insert at the end of proposition 1, item k) after 'Scrutiny Management Committee' the following wording:

"except to add between the third and fourth paragraphs under the heading 'Duties & Powers' (page 3204 of the Billet) the following paragraph:

"To appoint an Appointments Panel to develop, publish, implement and oversee fair and effective processes and procedures for the appointment of senior States' employees: provided that the Committee shall at all times be responsible, and accountable to the States, for everything done by the Appointments Panel; and to constitute the Appointments Panel as follows: a President who shall be a member of the Scrutiny Management Committee, a minimum of four other States' members, a minimum of two non-voting members who shall not be members of the States, and any number of additional and occasional non-voting members as the Scrutiny Management Committee sees fit for the purposes any particular appointment or class of appointments: provided that such additional and occasional non-voting members may or may not be members of the States and also provided that neither the President nor the members of the Policy & Resources Committee shall serve on the Appointments Panel.""

Explanatory note

The States of Guernsey does not have a policy for the appointment of senior civil servants. The makeup of appointment boards seems to be a matter for individual departments and senior staff appointments are on occasions being made by senior civil servants without any formal process being followed. This amendment will ensure political oversight to ensure good governance.

STATES OF DELIBERATION

24th November, 2015

Billet d'État No. XXI

AMENDMENT

Proposed by: Deputy J P Le Tocq

Seconded by: Deputy M J Fallaize

States' Review Committee

The Organisation of States' Affairs – Third Policy Letter

To add at the end of Proposition 1, item d), "except that the words 'equality and' shall be added to the start of point 8 of the policy, advisory and general responsibilities of the Committee *for* Employment & Social Security, in order that point 8 reads in full: 8. equality and social inclusion, including in relation to disability;".

STATES OF DELIBERATION

24th November 2015

Billet d' État No XXI Article No 1

AMENDMENT

Proposed by: Deputy L B Queripel
Seconded by: Deputy C J Green

States Review Committee The Organisation of States Affairs – Third Policy Letter

To insert at the end of the words in Proposition 1:

“; except that, in the constitution of the Scrutiny Management Committee (p. 3204 of the Billet), and notwithstanding their Resolution 27 on Billet d'État XII of 2015 (p. 3234 of the Billet), none of the States members of that Committee shall be the President or a member of any of the six Principal Committees”.

Explanatory Note and rule 15(2) information

The effect of this amendment would be that all three States members of the Scrutiny Management Committee would not be able to preside over or be members of either the Policy & Resources Committee or any of the six Principal Committees.

For the purposes of Rule 15(2) there are no financial implications for the States of this amendment.

STATES OF DELIBERATION

25th November 2015

Billet d'État No. XXI

AMENDMENT

Proposed by: Deputy H J R Soulsby

Seconded by: Deputy R A Jones

States Review Committee

The Organisation of States' Affairs – Third Policy Letter

To insert in proposition 1:

- a) In item a) after 'Policy & Resources Committee' the following:

"except, under 'Duties & Powers' to delete under item (b) (page 3191 of the Billet): '10. annually recommending the appointment of external auditors to the States.' "; and

- b) In item k) after 'Scrutiny Management Committee' the following:

"except, under 'Duties & Powers' (page 3205 of the Billet) to add between the antepenultimate and penultimate paragraphs the following, 'To recommend to the States the appointment of the States External Auditors and their remuneration.' "

AND

To insert in proposition 3:

- a) in item a) after "Policy & Resources Committee" the following:

"except, under Policy & Resources Committee – Operational Functions (page 3215 of the Billet) to delete paragraph (d)"; and

- b) in item k) after 'Scrutiny Management Committee' the following:

"except, under Scrutiny Management Committee – Operational Functions (page 3226 of the Billet) to delete all of the words in paragraph (a) after 'the Public Accounts Committee,' "

Explanatory note

The Public Accounts Committee believes that, to ensure proper oversight of the appointment of the External Auditors, the current mandated power should continue to sit in the Scrutiny function, and that its recommendation for appointment should continue to be laid before the Assembly.

STATES OF DELIBERATION

25th November 2015

Billet d'État No. XXI

AMENDMENT

Proposed by: Deputy H J R Soulsby

Seconded by: Deputy R A Jones

States Review Committee

The Organisation of States' Affairs – Third Policy Letter

To insert at the end of proposition 1, item k) after 'Scrutiny Management Committee' the following wording:

'except to replace the first sentence under the heading 'Duties & Powers' (page 3204 of the Billet) with the following;

"To lead and co-ordinate the scrutiny of committees of the States and those organisations which are in receipt of public funds, or which have been established by legislation, by reviewing and examining legislation, policies, services and the use of monies and other resources."

Explanatory note

In the proposed Scrutiny Management Committee mandate the original proposition (1,k) does not include the ability to review those in receipt of public funds, or which have been established by legislation. Section 9.4.4 of the States Review Committee's Second Policy Letter (p3333 of the current Billet) states that, *'the powers of the Scrutiny Management Committee would be strengthened further by affording it the right to scrutinise, and to call in witnesses and evidence from, a greater range of organisations which are in receipt of public funds or which have been established by legislation...'*. Members of the Public Accounts and Scrutiny Committees believe it is essential to widen the current scope given the changing nature of public sector provision where functions previously undertaken by government are now provided by a variety of different organisations.

STATES OF DELIBERATION

24th November 2015

Billet d'État No XXI Article No 1

AMENDMENT

Proposed by: Deputy K A Stewart
Seconded by: Deputy A H Brouard

States Review Committee

The Organisation of States Affairs – Third Policy Letter

To insert at the end of the words in Proposition 1:

“.

except that the operational functions concerning the Guernsey Training Agency (pages 3216 and 3217 of the Billet) shall be the responsibility of the Committee *for* Economic Development and not of the Committee *for* Education Sport and Culture”.

Explanatory Note and rule 15(2) information

The effect of this amendment would be

For the purposes of Rule 15(2) the financial implications for the States of carrying it into effect would be nil.

STATES OF DELIBERATION

25th November 2015

Billet d'État No. XXI

AMENDMENT

Proposed by: Deputy E. G. Bebb
Seconded by: Deputy R. A. Perrot

States Review Committee

The Organisation of States Affairs – Third Policy Letter

To insert in proposition 1 after the wording “a) Policy & Resources Committee”:

“, but adding the following text in the mandate of the Policy & Resources Committee, Duties & Powers (c):

‘9. Studying and reporting on Schemes for the application of certain General Synod measures.’” (page 3191 of the Billet)

Further, to insert in proposition 3 after the wording “a) Policy & Resources committee”:

“, but adding the following text in the Operational Functions after “Advice and support in relation to legislative functions” (page 3215 of the Billet)

- ‘Studying and reporting on Schemes for the application of certain General Synod measures.’”

Further, to insert in proposition 3 after the wording “k) Scrutiny Management Committee”

“, but adding the following text in paragraph (c) of the Operational Functions after “advice and support in relation to legislative functions” (page 3226 of the Billet)

- ‘Studying and reporting on Schemes for the application of certain General Synod measures.’”

For the purposes of rule 15(2), there are no costs associated with this amendment.