



SCRUTINY COMMITTEE  
THE STATES OF GUERNSEY

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# Scrutiny Committee

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## Legacy Report

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2012 - 2016

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## Table of Contents

<b>1. Executive Summary</b> .....	2
<b>2. Chairman’s Commentary</b> .....	2
<b>3. Background</b> .....	3
<b>4. Lessons Learned</b> .....	4
<b>6. Member &amp; Staff Personal Development</b> .....	8
<b>8. Public Engagement</b> .....	10
<b>9. Conclusions</b> .....	11
<b>Appendix 1- Scrutiny Reviews in this Term</b> .....	12
<b>Review - AFR (Urgent Business Review)</b> .....	12
<b>Review - Guernsey's 'Security of Electricity Supply' Review</b> .....	13
<b>Review - The Security of Strategic Air Links</b> .....	14
<b>Review - The Implementation of the Children Law</b> .....	15
<b>Appendix 2 - Scrutiny Mandate</b> .....	17

## **1. Executive Summary**

- 1.1. This Legacy Report outlines the Scrutiny Committee's (the Committee) work undertaken in this political term and highlights the areas where we believe progress has been made.
- 1.2. It affords the Committee an opportunity to comment on the effectiveness of the scrutiny function during this Parliament. It sets out areas that may be of interest to our successor committee; the Scrutiny Management Committee (SMC) and has provided the Committee the opportunity to consider actions taken by government departments and committees in respect of the issues and recommendations outlined in the Committee's reports.
- 1.3. This Legacy Report allows an opportunity for the Committee to present the reports it has produced during this political term to the States Assembly.

## **2. Chairman's Commentary**

- 2.1. When I reflect on our achievements since May 2012 I have the following thoughts. The Committee and Panels have all been working diligently to review matters which hold Ministers, government departments and agencies to account. These reviews have looked at policies including *the security of strategic air links, a review of the implementation of the Children Law, a review of Guernsey's security of electricity supply* and an *urgent investigation into the "AFR" affair*. The Committee believe that these reviews have had a direct influence on shaping future policy. The recommendations have largely been accepted by government departments which demonstrate effective, credible scrutiny. In addition the application by the Committee of "soft" power has led to significant action within government. On many occasions this has included letters, questions and face to face meetings which have allowed issues to be progressed.
- 2.2. The role of the Committee is to ensure all government departments and committees are meeting the policy objectives that have been outlined by the States and are delivering their services effectively, in conjunction with the collective parliamentary scrutiny process that is undertaken by individual members of the States Assembly.
- 2.3. I would like to thank all the Members who have served on the Committee during this term for their commitment and support and recognising the importance of working as a team.

- 2.4. The current level of resources and the absence of powers available to the Committee have limited the volume and scope of the work undertaken. With the benefit of hindsight it is clear that the general public and the media have unrealistic expectations on the level of activity that can be undertaken with the current level of resources. According to some commentators all the problems within government should be resolved by the Committee.
- 2.5. We believe the recommendations of the States Review Committee (SRC) to significantly strengthen the resources and powers available to the new Scrutiny Management Committee (SMC) will start to address the imbalance between expectations of the public, the media and of some Members of the States Assembly. Once implemented they will enhance the ability of the new Committee to deliver meaningful scrutiny.
- 2.6. Finally, the Committee wish to acknowledge the major part played by the late Paul Arditti, the former Scrutiny Committee Chairman, who championed political scrutiny across the Bailiwick and whose unique drive and commitment was central to the progress made throughout this political term.

### **3. Background**

- 3.1. The Committee was formed in May 2004 and comprises nine States Members who are all elected to the Committee by the States of Deliberation. The function of the Committee is, through a process of political scrutiny, to subject government departments and committees to regular reviews to determine the effectiveness of government policies and services.
- 3.2. The Committee is mandated to scrutinise and challenge the policy development, policy implementation and service delivery of government departments or committees.
- 3.3. The mandate includes identifying areas of policy or service delivery that might be inadequately or inappropriately addressed; identifying new areas of policy or service delivery that may require implementation; determining how well a new policy or service or project has been implemented and promoting changes in policies and services where evidence persuades the Committee that they require amendment.
- 3.4. It also includes holding reviews into such issues and matters of public importance that the Committee may determine from time to time and, liaising with the Public Accounts Committee (PAC) to ensure there is appropriate co-ordination of the entire scrutiny process.

- 3.5. The Committee has worked increasingly closely with the PAC during this term. The Chair of the Scrutiny Committee<sup>1</sup> is also a member of the PAC. The two Committees have a shared team of staff under the leadership of a joint Principal Officer.
- 3.6. Members of the Committees choose which subjects to investigate and inquiries may range from simple one-off evidence sessions or multiple evidence session inquiries running over several months. Oral and written evidence are gathered and a report produced often containing recommendations for the Government, and sometimes for other organisations, to consider. In many cases the work of the Committee that is visible to the public is literally the “tip of the iceberg”; many queries are addressed without the need for formal review.
- 3.7. One of the most important reflections on the work of the Committee during this term is that the limited resources allocated to the Committee, has undoubtedly limited the scope and impact of political scrutiny in Guernsey.
- 3.8. When the late Paul Arditti was elected as Scrutiny Chair in 2012 he and the then Committee began to raise its profile within the Government and move the method of operation towards the “Westminster” select committee model. This change in emphasis was based in part on the recommendations within the Crowe Report<sup>2</sup> which had examined the scrutiny functions within Guernsey Government.
- 3.9. The report's author, Belinda Crowe had said in her report: "The present system of scrutiny lacks a sense of pace and urgency" and she recommended the formation of an over-arching Scrutiny Management Committee. Ms Crowe, a former senior civil servant at the Ministry of Justice in the UK, said: "The barriers to effective scrutiny in Guernsey go wider than the functions and operation of the scrutiny committees themselves. The problems are endemic and require systemic change".
- 3.10. It is important to understand that this was the background against which the Committee was elected in 2012. From this initial position of perceived weakness significant progress has been made and with the additional resources and powers that will be provided to the new SMC resulting from the SRC proposals scrutiny will continue to flourish.

#### **4. Lessons Learned**

- 4.1. Although it is sometimes difficult to demonstrate definitively what direct impact the Committee has had, we believe that our work during this Parliament has had a

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<sup>1</sup> The current Scrutiny Committee Chair is also chair of the Legislation Select Committee

<sup>2</sup> The Scrutiny Committees of the States of Guernsey – An independent Review – Belinda Crowe March 2012

major effect in a number of areas. Proving a causal link to the Committee's work is often difficult because understandably, once the Committee undertakes a review, an effected government department will often aim to address any weaknesses on a chosen topic before they are pointed out in a public manner.

4.2. We can say with confidence that we are not convinced that progress would have been made, at the pace it has, in the areas reviewed without the Committee. The ability of the Committee to influence the actions of government departments and other organisations during this period includes:

- the work on the Memorandum of Understanding for air services to and from Alderney
- the increased Guernsey Financial Services Commission consultation with industry
- the Parry report into the Health & Social Services Departments children's social care
- the publication of Aurigny Air Services Limited's (Aurigny) financial accounts
- the Freedom of Information developments following the 'AFR' review/hearing
- the role of the Channel Islands Competition and Regulatory Authority being updated
- the SMC mandate changes within SRC report
- the review of the Treasury & Resources' sub-committee roles regarding Aurigny & Guernsey Electricity Limited
- the policy review for the future of Aurigny

4.3. Throughout this Parliament we have sought to improve the way in which the Committee operates. The Westminster select committees have been subject to two major evaluations in recent years. Both studies point to subtle forms of influence that can be gained by scrutiny activity as opposed to a tally of recommendations accepted by government. The evaluations reveal the tension between the options of long-term enquiries, to establish the Committee as an authoritative commentator, and the alternative of public hearings held at short notice on 'events' which have received media attention. The two options are hard to combine and, in its most extreme form, the media-focussed approach can undermine the credibility of the Committee as an opinion-former. Another difference is between committees that seek to have an impact on formal decisions which government itself is due to take, as opposed to committees which have a broader objective of influencing government policy through creating a climate for change.

- 4.4. A committee's choice of objective will therefore have an impact on its ways of working. In some cases, committees would be better advised to spend more time cultivating their 'softer' sources of influence, such as expertise and relationships, and be less quick to resort to their formal status and powers. For those which seek the media spotlight, the opposite may apply. Whichever approach is taken, however, there is value in predictable scrutiny, even in 'pester power'; and, additionally, the impact of the enquiry process itself can often be as important as the Committee's formal outputs.
- 4.5. In this context therefore we have to ask the question, have this Committee's reports had an impact in raising issues that may otherwise have been neglected? This is where the public hearings, if they work well, highlight issues that may otherwise have been ignored. For example, in the security of strategic air links enquiry: the disproportionate impact of Aurigny's timetable changes on Alderney (travellers could not complete a day-return to Jersey): the difficulty of making bookings at certain times under the codeshare arrangement between Guernsey and Jersey; and, Treasury & Resources' lack of relevant technical advice independent of Aurigny, are examples which were not apparent when the Committee commenced its enquiries.
- 4.6. The Committee believe that significant developments have taken place in the areas of Financial Services Regulation, the security of Guernsey's electricity supply, the implementation of the Children Law and the security of strategic air links. Clearly, on occasions it is difficult to know whether some of these developments would have taken place without the lens of scrutiny being applied. However, what we do know is that significant changes have occurred.

## **5. The Scrutiny Committee Mandate**

- 5.1. The Committee made the case, in its submission to the States in response to the SRC's recommendations, for an extension of its mandate to include those agencies providing services which formerly would have been provided by the Government.
- 5.2. The States resolved in November 2015 as a result of successful amendment by Deputies Heidi Soulsby and Robert Jones to the SRC's Third Policy Letter that the powers of the SMC would be strengthened further by affording it the right to scrutinise, and to call witnesses and gather evidence from, a greater range of agencies which are in receipt of public funds, or which have been established by legislation, subject to the appropriate legislation being put in place.
- 5.3. The Committee supported this change to allow the inclusion of scrutiny of the wider 'agents' of government. One of the key concerns for the Committee is the

potential for the scope of investigations to be limited by the existing Scrutiny Committee mandate. Since 2004 the methods of delivery of government programmes have diversified to encompass third sector organisations, private sector providers and a number of other agents of government, to supply services. In 2012, the Government provided grants and subsidies totalling over £30 million to such organisations in Guernsey.

- 5.4. However, while an extension of the Committee's mandate is welcome, it is not the only change that is required. Westminster select committees have the power to compel witnesses to attend hearings and to produce documents; armed with this power, arguments over a committee's mandate become less of an issue.
- 5.5. In Guernsey there has been a tendency by some to reach for the Committee mandate in the hope of finding a technicality through which scrutiny can be avoided. This is a problem which can only be answered by change in culture. Parliamentary scrutiny must be seen as a legitimate part of Guernsey's democracy and a process which benefits all: good scrutiny means good government.
- 5.6. In the view of the Committee one notable omission from the SRC proposals, is the ability in certain contexts, to be able to review the internal legal advice provided to government departments, committees and the holders of Public Office. The Committee believe that the content and rationale of the advice provided to politicians and staff by the officials within St James's Chambers, should be subject, when appropriate, to review by Parliament. The mechanisms for accomplishing this task need to be thought through carefully to ensure the suitability of the new arrangements.
- 5.7. Guernsey is not Westminster, the States Assembly does not have exclusive cognisance<sup>3</sup>, nor does it have legislative supremacy. Nevertheless, we should be able to go about our work on the understanding that not everything which involves court processes is "off-limits". To comment on the administration of justice is not to comment on Court decisions. Our mandate requires us to determine "how well a new policy or service or project had been implemented". That is our instruction from the States; if we choose to review the effectiveness of a law passed by the States and if Court processes are a factor in the implementation of that law then they must also be a legitimate area for our investigation and comment.

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<sup>3</sup> The corollary of Parliament's immunity from outside interference is that those matters subject to parliamentary privilege fall to be regulated by Parliament alone. Parliament enjoys sole jurisdiction—normally described by the archaic term "exclusive cognisance"—over all matters subject to parliamentary privilege. (<http://www.publications.parliament.uk/pa/jt201314/jtselect/jtprivi/30/3004.htm>)

## **6. Member & Staff Personal Development**

- 6.1. Since the current Committee was formed a number of personal development activities have been undertaken by both elected members and staff. This took the form of in-house training, visits to study alternative parliamentary scrutiny arrangements and formal qualifications being undertaken as appropriate. Undoubtedly the effectiveness of Members undertaking scrutiny has been enhanced by the experience of participating in Committee activities.
- 6.2. Of particular significance during this political term, delegates from this Committee and the PAC visited Westminster to evaluate its parliamentary scrutiny arrangements. The purpose of the visit was to assess the applicability of those processes within the States of Guernsey model. The visit was also intended to allow Members to compare their existing practice in terms of political and financial scrutiny with Westminster custom and practice.
- 6.3. The visit helped the Committees to identify a number of potential improvements that could be implemented within the context of political and financial scrutiny in Guernsey. The key learning points of the visit are identified in the sections below.
- 6.4. The Head of Media and Communication Services (Select Committees) House of Commons spoke to the Committee about the potential for using 'twitter' as an additional communication channel. This was then discussed and the Committee agreed to use this technology channel in Guernsey. It has generally been seen to be a positive development.
- 6.5. The Chair of the Public Administration Select Committee spoke to the Committee at length about his work on modernising the work of the Civil Service in the UK, much of which is relevant in Guernsey. He also spoke on the potential applicability of Committee pre-appointment hearings for ministerial appointments to public office.
- 6.6. A National Audit Office (NAO) Director spoke to the delegation about NAO's approach to speeding up the production of reports and the techniques they employ.
- 6.7. The Chair of the Justice Select Committee (and the Liaison Committee) discussed the UK's relationship with the Crown Dependencies in the context of effective scrutiny of the law officers and the judiciary within a Guernsey context. This dialogue informed the two Committees' submissions to the States Review Committee (SRC) on the future powers that are appropriate to support future political and financial scrutiny.

- 6.8. A Member of the Westminster Public Accounts Committee discussed the way that the PAC can respond rapidly to events because they have access to resources including MPs, facilities and staff in short-notice situations. This intelligence was included in the two Committees' submissions to the States Review Committee (SRC) on the future powers that are considered appropriate to support future political and financial scrutiny.
- 6.9. Attending a number of Committees, the Members observed a number of different styles of questioning and different approaches to managing interaction with witnesses. Specifically, this experience informed Members in the questioning of future witnesses within the public hearing context.
- 6.10. Attending the meeting of the Communities and Local Government Select Committee on the Jay Report into Child Sexual Abuse in Rotherham the Committee was able to observe the way select committees handle evidence from independently-appointed commissioners on a given topic. This experience was particularly valuable when the Committee questioned their independent reviewer, Kathleen Marshall, regarding her Report on the implementation of the Children Law.
- 6.11. The Chair of the Standards and Privileges Committee spoke to the Committee about the importance of Members "leaving their politics at the door" when they work on the Standards and Privileges Committee and how disputes of this nature are dealt with in Committee. This was particularly important for the Committee in terms of formulating future operating procedures that are appropriate to support political scrutiny.
- 6.12. Members spoke to numerous House of Commons staff & MPs, many of whom praised the quality of the research and statistical support available to MPs at Westminster and which allowed them to act effectively in scrutinising government.

### ***Additional Training***

- 6.13. PRINCE2 (an acronym for PProjects IN Controlled Environments) is a de facto process-based method for effective project management. Used extensively by the UK Government, PRINCE2 is also widely recognised and used in the private sector, both in the UK and internationally.
- 6.14. All Officers are now accredited to at least foundation level.
- 6.15. Managing Successful Programmes (MSP®) was developed as a best practice guide on Programme Management. MSP represents proven programme management

best practice in the successful delivery of transformational change through the application of programme management.

6.16. The Principal Officer and a Scrutiny Officer have gained Practitioner level accreditation.

6.17. Covey Seven Habits of an Effective Manager is provided within the States of Guernsey as a standard package of management training. Scrutiny officers have engaged with this in-house training programme.

## 7. Membership

7.1. The original Committee that was elected in May 2012 has changed significantly over the current term.

Membership	Membership Changes	Date Appointed	End Date
<b>Alderney Representative E. P. Arditti (Chair)*</b>		May 2012	Jan 2014
<b>Deputy R. A. Jones</b>	Chair from March 2014	May 2012	
<b>Deputy P. R. Le Pelley</b>	Vice-Chair from Dec 2014	May 2012	
<b>Deputy M. J. Fallaize</b>		May 2012	Nov 2012
<b>Deputy A. R. Le Lièvre</b>		May 2012	May 2013
<b>Deputy P. L. Gilson</b>		May 2012	April 2013
<b>Deputy P. A. Sherbourne</b>		May 2012	
<b>Deputy H. J. R. Soulsby</b>	Vice-Chair from March 2014	May 2012	Nov 2014
<b>Deputy S. J. Ogier</b>		May 2012	Nov 2014
<b>Deputy L. C. Queripel</b>	Deputy M. J. Fallaize	Dec 2012	
<b>Deputy L. B. Queripel</b>	Deputy P.L. Gilson	May 2013	
<b>Deputy B. J. E. Paint</b>	Deputy A. R. Le Lievre	June 2013	
<b>Deputy A. M. Wilkie</b>	Alderney Representative E. P. Arditti	May 2014	
<b>Deputy C. J. Green</b>	Deputy H. J. R. Soulsby	Dec 2014	
<b>Deputy G. M. Collins</b>	Deputy S. J. Ogier	Feb 2015	

\* Alderney Representative E. P. Arditti passed away on the Monday 20<sup>th</sup> January 2014

## 8. Public Engagement

8.1. A Committee Twitter account was set up in 2015 with the aim of communicating additional information regarding scrutiny events, in particular the dates and times of public hearings and the release of reports to the public. This additional

communication channel has been enthusiastically embraced by members of the Committee, members of the public and the media.

- 8.2. The current Committee would support formal public hearings being televised/sound broadcast on the same basis as the States Assembly.

## **9. Conclusions**

- 9.1. The Committee believes that over the last four years it has played a major role in scrutinising a number of key areas of policy. It has done so, not just through increasingly public hearings and reviews but also when possible through influencing government policy.
- 9.2. It is clear that many areas of policy would benefit from additional scrutiny. However, the current level of resources and the absence of powers available to the Committee have limited the volume and scope of the work undertaken. With the benefit of hindsight it is clear that the general public and the media have unrealistic expectations on the level of activity that can be undertaken with the current level of resources.
- 9.3. We believe the recommendations of the States Review Committee to significantly strengthen the resources and powers available to the Scrutiny Management Committee (SMC) will start to address the imbalance between the expectations of the public, the media and of some Members of the States Assembly. Once implemented they will significantly enhance the ability of the new Committee to deliver meaningful scrutiny.

## Appendix 1- Scrutiny Reviews in this Term

Review/Report	Status	Year
AFR (Urgent Business Review)	Completed	2013
Guernsey's 'Security of Electricity Supply' Review	Completed	2014
The Security of Strategic Air Links	Completed	2015
The Children Law	Ongoing	2016
"Who 'regulates' the Financial Services Regulator?" Review	Suspended	2013

### **Review - AFR (Urgent Business Review)**

The Committee considered the decisions made by the Home Department to not disclose information relating to a settlement with AFR Advocates. An urgent business review was undertaken and the report was published in March 2013.

The enquiry was an example of the Committee reacting to an event of major public interest which simultaneously held implications for the States' approach to transparency. The review was in a sense a test case for the principle of good governance, where the contentious issue was – could the decision to go against the principle of transparency be justified on the grounds of public interest?

### **The Scope**

- The reasoning behind the decisions taken by the Home Department regarding non-disclosure relating to the settlement with AFR Advocates.
- The extent to which the Home Department gave consideration to the principles of good governance, particularly in relation to transparency, in its decisions not to disclose information relating to the settlement with AFR Advocates.
- The extent to which the Home Department's decisions to not disclose information relating to the settlement with AFR Advocates was in the public interest.

### **The Panel**

Alderney Representative E. P. Arditti (Panel Chair),  
Deputy P. L. Gillson  
Deputy R. A. Jones  
Deputy P. R. Le Pelley

## **Conclusions**

The Panel concluded that there were insufficient grounds for the Home Department to justify its decision not to disclose information relating to the cost of the settlement with AFR Advocates.

The Panel also concluded that, at the point where the negotiation of the settlement ceased to be a matter to be resolved amongst individual parties and became a matter of spending public money on behalf of the individuals concerned, the Home Department abrogated political oversight of the process. It did this by failing to support the Chief of Police in his negotiations, which was itself the result of its failure to provide the political safeguards necessary to ensure that it was the Department and not the Chief of Police that was responsible for exercising political judgement on this matter.

## **Review - Guernsey's 'Security of Electricity Supply'**

The Committee completed its review of the security of Guernsey's electricity supply and published its report on 18th June 2014.

### **The Scope**

1. Clarify how the States of Guernsey seeks to ensure security of electricity supply for Guernsey;
2. Determine how effectively the security of electricity supply policy (the 'n-2' policy) is implemented and adhered to;
3. Assess whether Guernsey's current security of electricity supply policy is fit for purpose. This will include determining:
  - a. How the policy is planned for;
  - b. What considerations are taken into account;
  - c. How the policy is monitored and reviewed;
  - d. Who is accountable for the policy's development and adherence.
4. Evaluate the outcomes and impact of the current security of electricity supply policy;
5. Make evidence-based recommendations to ensure Guernsey has a security of electricity supply policy that is efficient and effective at meeting the needs and requirements of Guernsey;
6. Evaluate the progress of the Energy Resource Plan's Objective 1: "to maintain the safety and security of affordable and sustainable energy supplies";
7. Any other or ancillary issues that may arise during the course of the review that the Committee may identify as being worthy of further consideration.

## **The Panel**

Alderney Representative E. P. Arditti (Panel Chair)  
Deputy P. R. Le Pelley  
Deputy S. J. Ogier  
Deputy B. J. E. Paint  
Deputy L. C. Queripel

## **Conclusions**

This was a major piece of work undertaken by the Committee and, in addition to the analysis of a large number of written submissions; it involved two public hearings with: Guernsey Electricity Limited, stakeholders, and departmental officials together with their Ministers. At the core of the issue was the ‘trilemma’ of reaching an appropriate balance between the security of electricity supply, the price paid by consumers, and environmental considerations.

The Committee concluded that significant investment is required to ensure the security of electricity supply in the future. The view of the Committee was that this investment can be supported; however, additional clarity was required on the projected costs of electricity to the consumer and the rationale of the proposed approach. The Committee believed that it is essential that the investment proposals are supported by a robust business case demonstrating the logic of the recommended options.

The Committee concluded that clear energy policies must show how environmental, financial and security of supply considerations interact and are prioritised. The Committee also believed that the States should clarify and agree its environmental aspirations and targets.

## **Review - The Security of Strategic Air Links**

The Committee carried out a review investigating the security of the Bailiwick’s strategic air links to examine whether the current policy framework intended to deliver vital air links to and from the Islands of Guernsey and Alderney is fit for purpose.

## **Scope**

1. How the States of Guernsey seeks to ensure the security of its air links, and the effectiveness of current policy.
2. Whether clearly defined functions, roles and accountabilities in relation to the security of air links are allocated to the various states departments involved in aviation matters and how a joined-up approach is ensured by the current policy framework.

3. How the States of Guernsey ensures that air link policy continues to meet the needs of Guernsey and Alderney and to clarify how the effectiveness of this policy is measured moving forward.
4. Any other or ancillary issues relating to this policy area that may arise during the course of the review that the Committee may identify as being worthy of further consideration

## **The Panel**

Deputy P. R. Le Pelley (Panel Chair)

Deputy B. J. E. Paint

Deputy L. C. Queripel

Deputy P. A. Sherbourne

Deputy A. M. Wilkie

## **Conclusions**

The Committee published its report on 23<sup>rd</sup> November 2015. The Committee is pleased that the review has subsequently led to establishing the long-term strategic objectives for Aurigny Air Services Limited including, but not limited to, the establishment of criteria for maintaining and selecting routes, capacity and frequency.

It also included the adoption by the States and the Airline of a revised approach which acknowledges that its success should be measured not just on its balance sheet but also on its social and economic contribution.

## **Review - The Implementation of the Children Law**

The Committee launched a review of the implementation of the Children Law and appointed an independent expert as its lead. Kathleen Marshall commenced her review in January 2015 and issued a Call for Evidence shortly after. She delivered the final report in November 2015 and attended a public hearing on 2<sup>nd</sup> December 2015 when the Committee questioned her on her findings and recommendations. A further public hearing will be held with the relevant government departments in early 2016.

## **Scope**

### Accountability and Governance

- Are there appropriate arrangements in place for governance and quality assurance?
- Is there appropriate independent oversight of arrangements for child protection?
- Are there performance measures in place to assess the impact of changes introduced as a result of the Children Law?

### Coordination

- Are States employees working together effectively to prevent children becoming children at risk?

### Practice

- Are services delivered in a timely and efficient manner?
- Are existing services appropriate to meet the requirements of children and families?
- How has the experience of service users changed since the implementation of the Children Law?
- Have outcomes for children and families improved as a result of the implementation of the Children Law?

### The Panel

Deputy R. A. Jones (Panel Chair)

Deputy G. M. Collins

Deputy C.J. Green

Deputy P. R. Le Pelley

Deputy B. J. E. Paint

Deputy L. B. Queripel

Deputy L. C. Queripel

Deputy P. A. Sherbourne

Deputy A. M. Wilkie

### Conclusion

This review was undertaken by Kathleen Marshall who was commissioned to produce an independent report on behalf of the Committee examining the implementation of the Children Law. The Marshall Report was released on 26<sup>th</sup> November 2015 and the Panel questioned Kathleen Marshall regarding her conclusions and recommendations at a public hearing held on 2<sup>nd</sup> December 2015. The Panel will question the relevant government departments at a future public hearing to be held in early 2016. The Committee hope the Marshall Report will lead to significant progress being made in this area.

## **Appendix 2**

## **SCRUTINY COMMITTEE**

Constituted with effect from 1st May, 2004 by Resolution of the States of 31st October 2003.

### **Constitution**

A Chairman, who shall be a sitting member of the States.

Eight members, who shall be sitting members of the States.

### **Mandate**

- (a) Through a process of political scrutiny, to subject Departments and Committees to regular reviews with particular emphasis on:
- (i) Determining the effectiveness of the policies of, and services provided by, Departments and Committees;
  - (ii) Assessing the performance of Departments and Committees in implementing policies and services;
  - (iii) Identifying areas of policy or service delivery that might be inadequately or inappropriately addressed;
  - (iv) Identifying new areas of policy or service delivery that may require implementation;
  - (v) Determining how well a new policy or service or project has been implemented including the development processes and whether the desired outcomes were achieved;
  - (vi) Promoting changes in policies and services where evidence persuades the Committee that these require amendment;
  - (vii) Holding reviews into such issues and matters of public importance that the Committee may determine from time to time.
- (b) To liaise with the Public Accounts Committee to ensure there is appropriate co-ordination of the entire scrutiny process.
- (c) To develop, present to the States for approval as appropriate, and implement policies on the above matters which contribute to the achievement of strategic and corporate objectives.
- (d) To exercise the powers and duties conferred on it by extant legislation and States resolutions.
- (e) To be accountable to the States for the management and safeguarding of public funds and other resources entrusted to the Committee.