



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Tuesday, 8th March 2016

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Present:

Sir Richard J. Collas, Kt, Bailiff and Presiding Officer

Law Officers

Miss M. M. E. Pullum, Q.C. (H.M. Comptroller)

People's Deputies

St Peter Port South

Deputies P. A. Harwood, J. Kuttelwascher, B. L. Brehaut,
R. Domaille, A. H. Langlois, R. A. Jones

St Peter Port North

Deputies M. K. Le Clerc, J. A. B. Gollop, P. A. Sherbourne,
R. Conder, C. N. K. Parkinson, E. G. Bebb, L. C. Queripel

St Sampson

Deputies G. A. St Pier, K. A. Stewart, P. L. Gillson,
P. R. Le Pelley, S. J. Ogier, L. S. Trott

The Vale

Deputies M. J. Fallaize, D. B. Jones L. B. Queripel, M. M. Lowe,
A. Spruce, G. M. Collins

The Castel

Deputies D. J. Duquemin, C. J. Green, M. H. Dorey,
B. J. E. Paint, J. P. Le Tocq, S. A. James, M. B. E., A. H. Adam

The West

Deputies R. A. Perrot, A. H. Brouard, A. M. Wilkie,
D. de G. De Lisle, D. A. Inglis

The South-East

Deputies H. J. R. Soulsby, R. W. Sillars, P. A. Luxon,
M. G. O'Hara, F. W. Quin, M. P. J. Hadley

Representatives of the Island of Alderney

Alderney Representatives L. E. Jean and S. D. G. McKinley, O. B. E.

The Clerk to the States of Deliberation

J. Torode, Esq. (H.M. Greffier)

Absent at the Evocation

H. E. Roberts Esq., O. B. E. Q.C. (H.M. Procureur)
Deputy A. R. Le Lièvre (*relevé* 9h 59)

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States of Deliberation

The States met at 9.30 a.m.

[THE BAILIFF *in the Chair*]

PRAYERS

The Greffier

EVOCATION

CONVOCATION

The Greffier: To the Members of the States of Guernsey, I hereby give notice that a meeting of the States of Deliberation will be held at the Royal Court House on Tuesday, 8th March, 2016, at 9.30 a.m. to consider the items contained in Billets d'État VII, IX and X, which have been submitted for debate.

Welcome back to Deputy David Jones and photograph of the final States meeting

5 **The Bailiff:** Members of the States of Deliberation, welcome to you all and a special welcome to Deputy Dave Jones, who has returned after a period. (*Applause*)

May I just remind you that you have agreed that at 2.30pm this afternoon, we can have a photograph taken to record the States of Deliberation sitting for the last time with 45 deputies and a Policy Council, so can I please ask you all to return promptly after lunch at 2.30 p.m.?

STATEMENTS

Overall financial position – Statement by the Treasury & Resources Minister

10 **The Bailiff:** We begin this morning with two Statements under Rule 8, the first to be delivered by the Minister for the Treasury & Resources Department, Deputy St Pier.

15 **Deputy St Pier:** Sir, thank you for the opportunity to make a Statement this morning to update the Assembly on the financial position for 2015. In addition, I would like to comment on the steps being taken by my Department to ensure that a balanced financial position can be achieved in 2016 and beyond.

The annual Budget for the States for 2016 stated our expectation that the projected revenue surplus for 2015 would decrease from the original Budget by £21 million to £19 million. After accounting for capital allowances and appropriations, an overall deficit of £20 million was

20 predicted. The anticipated deterioration was entirely due to income being lower than expected, largely through Income Tax, but also because of lower Document Duty receipts and the removal of the £4 million relating to the Vehicle First Registration Duty, which had originally been budgeted.

25 Now that the preliminary year end results are available – which, to be clear, are still subject to final adjustment and audit – I am disappointed to have to advise that the overall deficit is now likely to be £23 million.

30 The shortfalls predicted at Budget time have proven to be reasonably accurate. However, the further £3 million deterioration is due to a combination of a worsening in receipts from excise duties, which had previously been forecast to exceed Budget, but which have in fact ended the year in line with the original Budget, and lower investment returns during the year than anticipated, due to the volatility in world markets during the second half of 2015.

This time last year, I was able to report an overall 3% real terms like for like increase in our revenue, which was of course welcome news given the muted growth in revenues over recent years.

35 Overall our general revenue income for 2015 totalled £382 million, which is a nominal decrease of £1 million or 0.3% on the 2014 position and a 1.3% real terms decrease, despite revenue raising Budget measures including, of course, a further extension of the 10% Company Income Tax rate.

40 This worsening position in our revenue receipts reinforces the gap between the performance in our economy and our tax receipts and the need to address this pressure on our revenue base as a matter of priority.

This Assembly made some important decisions this time last year, surrounding the Personal Tax, Pensions and Benefits Review. Twenty three actions or programmes of work are now being progressed by my Department and the Social Security Department as a result of Resolutions made following the debate on those proposals.

45 The completion of these important tasks will help deliver a robust and sustainable personal tax base for the next decade and beyond. These include matters such as secondary pensions, regarding which decisions have already been made; the withdrawal of Income Tax allowances for higher earners, which my Department is working on and on which we are expecting proposals in the 2017 Budget; and a policy regarding the future uplift in the Old Age Pension, which of course
50 was agreed last November.

Only one of the projects directed by the Assembly has yet to be initiated, which concerns the possible introduction of environmental taxes.

55 This had a direction to report back to the Assembly by March 2016 and I apologise to the Assembly, sir, for our failure to adhere to that direction. However, the progression of this work has been hampered by a lack of appropriate resources. But it is our intention that this should be progressed sufficiently that a report on the matter is able to be included in the 2017 Budget.

The joint boards of Social Security and Treasury & Resources recently met to review progress on all actions and it is our intention to circulate an update to all States' Members within the next week.

60 In addition to the work emanating from the Personal Tax, Pensions and Benefits Review, whilst ensuring our tax regime remains stable and competitive, my Department continues to progress other projects which seek to increase the tax contribution from the corporate sector as a means of producing a balanced and sustainable Budget for presentation in November this year.

65 A number of options and opportunities are being progressed in consultation with industry and other jurisdictions as appropriate.

Following a very clear decision from this Assembly to desist from further consideration of a Goods and Services Tax, my Department's aim is to continue to seek to adjust and exploit opportunities within our current tax framework that will be internationally acceptable, whilst ensuring that our economy remains competitive.

70 Finally, with regard to revenue, my Department continues to explore options for improving the efficiency of our trading assets, in order to ensure that taxpayers receive a fair return on their capital investment.

My Department's supervisory subcommittee has continued to work closely with the incorporated companies to explore return opportunities, both capital and revenue, and in that
75 context I believe that the receipts from them, budgeted to be £10 million in 2016, remain attainable.

I hope and believe that the States' Trade and Supervisory Board will be able to continue this work and to explore further the opportunities across the unincorporated assets.

Turning now to expenditure. The end of year out-turn was £365 million, against an authorised
80 budget of £366 million and also compared with forecasts of the year-end out-turn of £366 million, published as part of the Budget Report. In other words, £1 million better than Budget and forecast.

It is encouraging that the States' track record over a number of years in ensuring that expenditure overall remains within budget has continued in 2015.

85 The majority of departments and committees have spent in line with, or somewhat less, than their authorised budgets. However, the Health & Social Services Department, consistent with the predictions notified to this Assembly by both the Minister for Health & Social Services and myself since this time last year has overspent its authorised budget.

This overspend, which amounts to £2 million, is after the significant increase to budget
90 approved by the Assembly in July last year and has come about through a combination of factors that heavily impacted, in particular, as a result of significant increases in agency staff expenditure during the year.

This problem is, of course, not remotely unique to Guernsey.

It is clear to me that, unless we deliver the fundamental transformation promised through
95 public service reform, expenditure on health and social services in the Bailiwick will be unsustainable.

As I said, the challenges being faced locally are not unique and issues such as recruiting qualified staff are widely reported elsewhere. However, Guernsey does have a unique opportunity in the transformation of services, and not only health services, given our size and scale – an
100 opportunity which should be enhanced by the changes in political responsibility for public services following the election. It is vital that this opportunity is embraced and that the next Assembly continues to make difficult decisions regarding the delivery of sustainable public services.

That is why the recently approved and funded public service reform is so important. We are all
105 aware of the significant spending pressures which are mounting as a result of demographic changes and the consequential demand, as well as the numerous requests for additional funding which have been considered by this Assembly in the recent past, with more due to be considered in this sitting.

There will therefore be an ongoing need for continuous improvement and efficiency in the
110 future, to ensure that these unavoidable pressures can be mitigated and sustainably delivered.

It is also essential that the next States grapples with the challenges of prioritising public services, in order to ensure that they are delivered within the finite funding available.

115 Sir, managing public finances and delivering a balanced Budget requires an equilibrium between the revenues we collect from our community and the funding of the public services we deliver. In order to protect our ability to deliver those services in the long term, it is therefore vitally important to ensure that the tax base is as resilient as possible to economic pressures in the future.

120 Sir, I have made it a priority over this term to ensure that Members have been regularly updated about our financial position. I hope that the series of measures in relation to both income and expenditure which I have outlined today show our ongoing resolve to deliver balanced and sustainable public finances in the short, medium and long term.

The Bailiff: Members, the Rules permit questions to be asked within the context of that Statement, if anybody wishes to do so.

Yes, Deputy Domaille, then Deputy Trott.

125

Deputy Domaille: Thank you, sir, and I thank the Minister for his, as ever, clear statement.

I have to say as a first impression on that is that it was quite high on hope and I am really not sure it is very high on deliverability.

130

Given that house prices are down, unemployment is up, business visitors are down, pension age has already been raised, charges have been increased, we are running a deficit Budget, would he agree that the achievement of savings on our expenditure should be a much higher priority?

Thank you, sir.

The Bailiff: Deputy St Pier.

135

Deputy St Pier: Sir, as I said in the Statement, it is absolutely essential that we continue to keep pressure on the expenditure side of our revenue account and that will require prioritisation and difficult decisions. I referred to that in my Statement, so I do agree with Deputy Domaille.

140

The Bailiff: Deputy Trott.

Deputy Trott: Sir, I too thank the Minister for the update.

145

If I heard him correctly, sir, our deficit has deteriorated from £20 million to £23 million and that worsening deficit was excise duties and lower investment returns. I suppose we can take some salvation from that, because he has not suggested that the key indicator, ETI, is any worse than it was at Budget time.

Is that the case, sir? Thank you.

The Bailiff: Deputy St Pier.

150

Deputy St Pier: Deputy Trott is absolutely right and, of course, he may also remember that ETI was broadly on track at the time of the Budget and the shortfall of £20 million forecast then was in relation to Document Duty, which I referred to in this Statement, and of course lower Income Tax from other sources, principally being banking profits.

155

The Bailiff: Deputy Luxon.

Deputy Luxon: Thank you, sir.

160

I also thank the Minister for the update and would ask if the Minister agrees with me that the issues concerning the Health & Social Services Department that the Minister outlined continue and should continue to be of concern to both us and the future Assembly?

165

Last July, we forecast a £1 million overspend and in October, at the Budget debate, we thought that had improved to £650,000. To see in the final quarter, then, that escalate to a £1.93 million overspend demonstrates the demand on agency staff and the costs that come with that, plus the one-off placements of a vulnerable child, for instance, at £257,000 per annum, if that child has to be placed in the UK.

170

It means that unless that the Department really does drive through with the reform – both the one, five and 10-year reforms that we have shared with the Assembly – then these pressures will continue to come back and make future Ministers of T&R, or their equivalent, to have similar problems to that which we have given the Minister at this occasion.

The Bailiff: I think that was a question. Deputy St Pier.

Deputy St Pier: A question with which I would agree, sir.

175

The Bailiff: Deputy Inglis.

Deputy Inglis: Thank you, sir.

180

Would the Minister agree with me that unfortunately Document Duty is down and therefore there could be grounds to reintroduce the approach to the Land Registry, which would certainly generate further income for the Department and try and alleviate this unbalance in our accounts?

The Bailiff: Deputy St Pier.

185

Deputy St Pier: No, sir, I am not sure I would agree with Deputy Inglis on that, because the States did consider a recent report from my Department in relation to the Land Registry, which of course, although the business case appeared to have been made, it was broadly neutral in terms of revenue.

190

So certainly I do not see that as being a panacea at all. I think the state of the property market and whether there is anything that Government can do to assist is a completely different issue, sir.

The Bailiff: Deputy De Lisle.

Deputy De Lisle: Thank you, sir. Thank you for the update.

195

I notice that the Minister made the point of exploiting opportunities further on tax. Can I ask whether there have been meetings with Jersey and the Isle of Man, the other Crown Dependencies also in deficit, to discuss further initiatives with respect to extending the corporate tax side further?

Thank you, sir.

200

The Bailiff: Deputy St Pier.

Deputy St Pier: Sir, I can confirm that I regularly meet with my opposite numbers from Jersey and the Isle of Man and often with them together in order to discuss issues of common concern.

205

The Bailiff: Deputy Wilkie.

Deputy Wilkie: Thank you, sir.

210

Could I just ask the Minister what the total States' income was as a percentage of GDP?

The Bailiff: Deputy St Pier.

215

Deputy St Pier: I am afraid I do not have that information to hand and I feel if I was to make an estimation based on the most recent estimate, the recent numbers in my head, I could mislead the Assembly. But we can get that information to Deputy Wilkie.

The Bailiff: Deputy Gollop.

Deputy Gollop: Thanking Deputy St Pier.

220

Apologies, I missed the last PTPR meeting, but I noticed that the Minister mentioned in the Statement widening the tax base and moving forward with environmental tax measures. Does he anticipate he or his successors will do that by the Budget of this year and that might include a re-evaluation of how duties work the best as well, to combine, maybe, duties and environmental tax into a holistic whole?

225

The Bailiff: Deputy St Pier.

Deputy St Pier: Sir, just to remind Deputy Gollop and the Assembly, of course, the Resolution emerging from the Personal Tax, Pensions and Benefits Review in relation to environmental taxes was a direction to my Department to review that issue and report back to the Assembly by March 2016.

As I said in my Statement, sir, I apologise that we have been unable to do that but, as I indicated, it is our expectation that a report on that issue will be included in the 2017 Budget, presented later this year. Obviously I cannot anticipate what, if any, recommendations will be in that report as a result of that work.

The Bailiff: Deputy Dorey.

Deputy Dorey: Thank you, Mr Bailiff.

Deputy St Pier mentioned about lower investment returns. Could he update the Assembly on the bond issue and the investment returns on the bond issue of the money that has not been loaned? Does the investment income meet the loan repayments on those monies which have not been loaned out?

The Bailiff: Deputy St Pier.

Deputy St Pier: Sir, again, I am not in a position to give Deputy Dorey and the Assembly that information here today. I am certainly happy to respond to Deputy Dorey more fully outside the Assembly, but simply to remind Deputy Dorey and Members that the proceeds which have not currently been deployed on lending do form part of our reserves and are invested in what is now the medium-term and the long-term investment reserves, with investment objectives of RPI plus 3.5 and plus 4.5, which of course are reasonably ambitious targets.

That has certainly proved to be the case in 2015. Of course, the historic experience for the Department in the last few years has been returns of around about 6% a year. I believe the Public Accounts Committee is also due to publish a report fairly soon in relation to the whole matter of the management and oversight of our investment reserves, and I believe that will be instructive as well for Members of the Assembly and others.

The Bailiff: Deputy Le Clerc.

Deputy Le Clerc: Thank you, sir.

Is it possible for the Minister to let us know the figures for the lower tax take from the banking sector, and if it is just the banking sector or if that is the finance sector? Also, if he has got this information, in his discussions with other jurisdictions, is that a similar pattern in the other two offshore jurisdictions, Isle of Man and Jersey?

Thank you.

The Bailiff: Deputy St Pier.

Deputy St Pier: Again, I do not have an exact figure to hand but, from my recollection at the time of the Budget, out of the £20 million shortfall on revenue anticipated – which has subsequently proven to be the case in relation to Income Tax – I believe, from memory, £8 million of that related to a shortfall on anticipated banking receipts or taxation from banking profits. Yes, I can confirm that the experience in the other two Crown Dependencies has been similar.

The Bailiff: Deputy Langlois.

280 **Deputy Langlois:** Sir, at small risk of stating the obvious, would the Minister agree with me that today's news makes it even more important to ensure that the joint work between the new Social Security and Employment Department and whoever handles the Treasury function in the new system is even more important now, looking forward, than it was even in the first phase?

The Bailiff: Deputy St Pier.

285 **Deputy St Pier:** Sir, absolutely, yes, I would agree with Deputy Langlois that that joint working between the two successor committees to the two Departments that have been involved this term is as important as ever and, as Deputy Langlois will know and other members of the two boards who were involved in the joint meeting recently, considerable work has already been undertaken since the debate last year and much of that work is now moving ahead with a quite clear
290 programme of work and also anticipated deadlines as well to bring what does require to come back to the Assembly back to the Assembly.

And of course, again, to state perhaps the obvious, as Deputy Langlois said, it highlights, as was implicit in Deputy Domaille's question, the need to keep a constant and vigilant eye on all spending pressures wherever and whenever they arise.

295

The Bailiff: Deputy Sillars.

Deputy Sillars: Sir, the cost of the bond, which I think was around £11 million or £12 million – I cannot remember the exact figure for setting the bond up and getting it – I assume we have paid
300 it all up front but, in accounting terms, has that been spread over the period of the bond or has that all been taken out as an up-front into last year's Budget?

The Bailiff: Deputy St Pier.

305 **Deputy St Pier:** Sir, of course, the bond was actually issued at the end of the prior year, rather than last year, but nonetheless, to answer Deputy Sillars' question, the costs of the bond are, as in accordance with normal accounting practice, spread over the life of the bond; which of course is reflected in the deemed interest rate which we therefore need to recover from those entities that we lend onto.

310

The Bailiff: Next Deputy Brouard and then I will call Deputy Trott again. Then I think the 15 minutes will be up and that will probably be the last question.
Deputy Brouard.

315 **Deputy Brouard:** Thank you, sir.

Would Deputy St Pier agree with me that covering the interest payment on allocated bond funds was costing general revenue some £1 million per annum as at late last year when I asked Treasury the question?

Thank you, sir.

320

The Bailiff: Deputy St Pier.

Deputy St Pier: Sir, I am not in a position to agree with that.

325

The Bailiff: Deputy Trott.

Deputy Trott: Sir, I think the Minister will not mind me saying he has answered questions with his usual excellence, but I do have to ask him this question.

330 With the 15% overall deterioration in our actual deficit over forecast for 2015, does the Minister now regret his Department's recommendation to break our fiscal rule of no real terms growth and revenue expenditure to accommodate a real terms rise of 7.6% in the HSSD cash allocation for 2016?

Thank you, sir.

335 **The Bailiff:** Deputy St Pier.

Deputy St Pier: Sir, I am sure I could have anticipated that question from Deputy Trott, in particular.

340 I think that decision, of course, relates to the current year and the Statement relates to last year, but I think the decisions which the Assembly made in 2015 in relation to the budget that was necessary for HSSD in 2016 fairly reflected the reality of the pressures on that Department in 2016.

345 **The Bailiff:** Members, there is time for one more question, if anybody would like to ask one. Deputy Dorey.

Deputy Dorey: In relation to the overspend for HSSD in 2015, is the Minister going to update his prediction for the expenditure for HSSD in 2016?

350 **The Bailiff:** Deputy St Pier.

355 **Deputy St Pier:** Sir, in relation to the 2016 forecast out-turn, of course it is still quite early in the year to be able to predict that. However, in my first regular meeting with the Minister of Health & Social Services this year, which of course was in the knowledge of the pressures that existed at the end of last year, I think it is fair to say the expectation remains that HSSD will deliver within its authorised budget in 2016, which of course includes anticipated £1.9 million of efficiency savings which it is committed to achieving in 2016.

360 They have not sought, so far, in the first two and a half months of this year, to revise that expectation and to advise Treasury accordingly. They are still expecting to be able to deliver that in the knowledge of the experience that they had in 2015.

The Bailiff: Members, before we move on to the next Statement, Deputy Le Lièvre, do you wish to relevé?

365 **Deputy Le Lièvre:** Yes, please, sir.

Waste Strategy implementation – Statement by the Public Services Minister

The Bailiff: The next Statement is to be delivered by the Minister for the Public Services Department, Deputy Ogier.

370 **Deputy Ogier:** Thank you, sir.

Members will recall last April I updated the Assembly on the implementation of the Waste Strategy. This was after we had received initial cost estimates from the companies bidding to design and build the proposed new facilities at Longue Hougue, which were well in excess of the £29.5 million capital budget the States agreed in 2014.

375 To manage the situation, we revisited the infrastructure requirements to focus on the elements that are essential to delivering the strategy in the most cost-effective way. That was a challenge, but I am pleased to say it has proven to be the correct decision.

We have not revisited the Waste Strategy, just the way in which we deliver some elements of it and by adopting a slightly different approach we believe we can achieve the objectives that were agreed by the States within the costs agreed by the States.

380 Negotiations with our bidder group are ongoing and there is still work to be done, but we are in a position now to give Members some reassurance with regard to the costs.

In terms of construction, we have received the revised bid for the proposed facilities at Longue Hougue. This is now being evaluated by an independent quantity surveyor, to ensure we achieve the best value. We believe we are very close to achieving the infrastructure that we need within
385 the budget agreed in 2014.

We no longer propose building a dedicated facility for processing food waste, as originally planned. Instead we are looking to export this material for treatment. Not only will this be more cost-effective, it has other additional benefits, such as significantly increased energy recovery and reduced risks in terms of markets of the outputs.

390 Therefore, rather than pursue the more expensive option of a large, on-Island facility, we have adapted the design to the proposed main waste transfer station so that it is equipped to accommodate this different approach.

Whether we proceed with that element of the new facility will depend on a satisfactory business case being made to Treasury & Resources for the separate collection and treatment of food waste.
395

We are now in a position to begin finalising the costs of all the various elements so we will shortly have the information we need to make that assessment. Cost will be important in the decision and, if we do not believe it delivers best value for money, then we will still have the fall-back of being able to export this material, along with general waste.

400 The planned new facilities at Longue Hougue also include a new household waste recycling centre, as was proposed in 2014. That will incorporate a repair and re-use element, which was a key part of the Waste Strategy, and we are in discussion with local not-for-profit organisations who have expressed an interest in providing that repair and re-use facility.

405 We are not, however, proposing to build a materials recovery facility for household recyclables at Longue Hougue, which was included as an option in our tendering. The alternative was to procure this through the private sector using an existing site, and just such a facility has been commissioned for the introduction of the kerbside recycling collections and we are in negotiations to continue using that in the long term.

410 The other element which was included as an option in 2014, but which we no longer believe is required, is a fleet of kerbside collection vehicles.

The export contract has been a separate procurement and we received submissions from a number of bidders in mid-January. These are also now undergoing detailed evaluation and later this month we should be able to identify the preferred bidder and destination.

415 All of the revised proposals are still subject to a full business case in the same way that the original scheme would have been. That is where we will need to demonstrate the approach we are putting forward represents best value for money, as has always been our priority and has remained our focus throughout.

420 The business cases will also include all the operating costs for the various facilities and other service elements and export costs. We still aim to deliver the entire strategy within the overall costs that we indicated in 2014, which at the time equated to an average cost per household of somewhere in the region of £200 to £300 per year.

The fact that we had to revisit the original proposals in light of the initial cost estimates inevitably meant we have incurred delays to the original timescale and that is regrettable. But we are now reaching the end of this process.

425 We have a planning application in for the new facilities at Longue Hougue, in line with our revised proposals. Subject to all of this and the full business cases, we expect to begin construction early next year and have the strategy fully implemented in 2018.

It is important that we maintain timely delivery of the programme because, as States' Members will only be too aware, Mont Cuet is filling up.

430 We are still committed to delivering the services and facilities we need to deal with the waste the Island produces in a way that is affordable, sustainable, and reflects the specific requirements, values and aspirations of this community and we are still aiming to deliver the strategy and objectives within the overall costs already agreed.

Thank you.

435

The Bailiff: Are there any questions?

Deputy Gollop.

440 **Deputy Gollop:** Yes, why is the fleet of kerbside collection vehicles designed to separate the waste no longer required in the new scenario?

The Bailiff: Deputy Ogier.

445 **Deputy Ogier:** Thank you. It is not that they are no longer required; it is just that they may be delivered in a different way as part of the service contract.

The Bailiff: Yes, Deputy Lester Queripel.

450 **Deputy Lester Queripel:** Sir, could I ask the Minister: is it still the intention of the Department to export the waste from St Peter Port Harbour and, if that is the case, why was it changed? Why was the plan changed, because it was originally to be exported from St Sampson's Harbour?

The Bailiff: Deputy Ogier.

455 **Deputy Ogier:** I believe, strictly, as always, questions should come from the Statement itself, and the export of waste, the destination and the location is not covered. But Deputy Queripel has been well briefed on the location of the export of waste and, yes, it is still intended to export it via St Peter Port, depending on the destination.

460 What we have done as part of our traffic impact, the worst case scenario has been taken where waste needs to be exported once a month, but the options that we are looking at may well be weekly or fortnightly, which would not require such a large movement of waste over a very short period of time.

The Bailiff: Deputy Gillson.

465

Deputy Gillson: Sir, will the Minister explain how he can consider the capital project to be within budget when four of the six elements contained in the original budget specification are now not being built, but the full £29.5 million is being spent?

470 **The Bailiff:** Deputy Ogier.

Deputy Ogier: We believe that we are within the scope, aims and aspiration of the Waste Strategy, although we are delivering it in a different way. Some elements are no longer being delivered but overall the Waste Strategy is being delivered and we believe we are within scope.

475

The Bailiff: I think we should let everybody have chance to ask one question. Deputy Spruce was rising earlier.

Deputy Spruce: Thank you, sir.

480

Could the Minister please confirm why PAC never came back with a full review, a full report, which tells us where we are now? Because the Statement you have just made excludes a number of factors from the original Waste Strategy. The costs are higher. It was never between £200 and £300 a tonne and I think this Assembly requires a full, comprehensive report which compares what was agreed by this Assembly four years ago and what we have now, because what we have got now is a different animal completely.

485

Thank you.

The Bailiff: Deputy Ogier.

490

Deputy Ogier: Well, what is being delivered is still meeting the aspirations and the aims and the objectives of the Waste Strategy, albeit in a different way.

There are two elements which have been removed, which are the household recyclables material recovery facility and the kerbside collection vehicles. Overall the Waste Strategy remains on track, but we are delivering it in a slightly different way.

495

The last report that was given to the Assembly never envisaged another waste debate; it envisaged the business cases being put to T&R to ascertain value for money. That is still the intention. Those business cases are being formulated, they will go before T&R in order to gauge best value for money.

500

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Sir, yes, I wonder whether the Minister can advise how much recycling has increased since the introduction of kerbside and what the costs of kerbside have been to date?

505

The Bailiff: I am not sure that is within the context of the Statement.

Deputy Ogier: I am happy to provide that information, but I am afraid I do not have it to hand.

510

The Bailiff: Deputy De Lisle.

Deputy De Lisle: Could I ask the Minister, sir, with regard to the situation with the Douzaines, is the intention to continue kerbside funding after September?

515

The Bailiff: Deputy Ogier.

Deputy Ogier: Yes, it is, subject to negotiations with Treasury & Resources. There is no intention for Public Services Department to cease the kerbside collections of door recyclables at all. We envisage that funding continuing past September.

520

The Bailiff: Deputy Trott.

Deputy Trott: Sir, no one has more skin in the game when it comes to the Waste Strategy than my good friend Deputy Ogier.

525

Can I ask: is he personally happy with the position we find ourselves in today?

The Bailiff: Deputy Ogier.

Deputy Ogier: It has been a long journey and considerable work has gone into ensuring that the costs are kept to a minimum.

530 The board and I are content that the infrastructure requirements are within budget and we are content that overall the scheme remains within cost, as was given to this Assembly in 2014.

The Bailiff: Yes, Deputy Gillson.

535 **Deputy Gillson:** I think the Minister sidestepped my question. I was not talking about the total strategy, I was referring to the capital project, for which there was a resolution to spend £29 million on six specific elements, four of which are now not included.

The Bailiff: Deputy Ogier.

540

Deputy Ogier: The board have looked at this and we believe that we are still within scope and in conversations with Treasury & Resources. It will be for the business cases that are provided to ensure that what is being delivered still represents best value for money against what was originally agreed.

545

The Bailiff: Deputy Kuttelwascher.

Deputy Kuttelwascher: Thank you, sir.

550 A number of things have changed in four years and I wonder if it is not prudent to revisit the original strategy and I give you two things that have changed dramatically. That is the cost of export of waste – it could actually be far more cost-effective to export it; and, indeed, plastic recycling plants are now being mothballed in the UK and plastic is no longer being accepted in many plants. Is the recycling of plastic now absolutely pointless, purely because of the drop in the price of oil?

555 I suspect that, since the environment has changed, should we not revisit our original strategy, because these factors would have come out with a completely different solution.

The Bailiff: Deputy Ogier.

560 **Deputy Ogier:** I think the idea of restarting a waste strategy procurement has absolutely no legs whatsoever.

In the past we have had sufficient time at Mont Cuet to enable a rethink. That time is no longer a luxury that we have. Mont Cuet will see us well to the implementation of this strategy, but there is very little leg room after that.

565 I just do not believe we have time to go back. Nor is there a necessity at all, because the cost of export will be known in a few weeks and all indications are that it is in line with what we have previously envisaged.

The Bailiff: Deputy Spruce.

570

Deputy Spruce: Could the Minister give us some indication of what the cost of collecting food waste and exporting it will be, bearing in mind that collecting plastic is costing in excess of £1 million a year?

575 Reference is made in this Statement to the benefits of exporting food waste for heat recovery. Well, we will not get the benefits of heat recovery, the person who receives it will.

Could the Minister please confirm, because you have excluded vehicles now from your costings, how food waste will be collected and disposed of?

The Bailiff: Deputy Ogier.

580 **Deputy Ogier:** I think there are a number of questions in there, which I am struggling to get my head around.

Deputy Spruce: It is to do with food waste.

585 **Deputy Ogier:** Food waste receiving facilities in the UK now offer a zero gate fee, because it shows that they are willing to take the food waste and to recover energy. As such, the costings for the export of food waste now become, in some cases, more preferable to treatment on-Island.

Those will be detailed in the export contracts which we should know in the next few weeks, so I do not have that information to hand.

590

The Bailiff: Deputy Lester Queripel.

Deputy Lester Queripel: Thank you, sir.

I rise to seek clarification. I think the Minister said in his Statement the Department will be revealing the bidder and destination for our waste later on this month. So did he actually say 'will be' or did he say 'hope to'?

595

The Bailiff: Deputy Ogier.

600 **Deputy Ogier:** The ongoing work in order to gauge value for money on the export contract is ongoing. That should be completed in the next few weeks and by that stage we should know who our preferred export destination recommendation will be.

The Bailiff: Deputy Gollop.

605

Deputy Gollop: Following on from Deputy Kuttelwascher's question, is there not now an argument that more efforts should be made to recycle things on isle, even if that is initially a greater cost, because there is little point of exporting some of these products, for reasons of viability?

610

The Bailiff: Deputy Ogier.

Deputy Ogier: I do not know where Deputy Gollop is getting his information from that exporting some of these recyclables is not viable, because it is very viable. Our quality on-Island is extremely high and we are always able to find markets for our recyclables.

615

If there were processing locally, if we could do more locally, like the processing of glass, then we would. There is also better cost to be achieved by working together, perhaps, with Jersey, for example, to pool our recyclables and send them to a processing plant elsewhere, which may well be more cost-effective and efficient.

620

The Bailiff: Deputy Adam.

Deputy Adam: Thank you, sir.

I would like some clarification from the Minister. Firstly, to Deputy De Lisle's question concerning kerbside recycling and the funding of it. The Douzaines have to decide what the charges are to their parishioners before September, so will they be informed of what the situation is in a factual manner? Because up until now they feel they have not had any concrete replies.

625

As far as kerbside recycling vehicles are not required, if you are going to have kerbside recycling, you need vehicles for that. Are you saying that the contractors who are going to apply for the contract must provide these vehicles and that the cost is going to be passed on, through that contract, to the parishioners?

630

Thank you, sir.

The Bailiff: Deputy Ogier.

635

Deputy Ogier: The Douzaines are always engaged with. We have informed the Douzaines that it is extremely likely that the kerbside collections will continue past September.

The communication with the Douzaines is ongoing and is always ongoing. As Deputy Hunter Adam will be aware, not all Douzaines are in agreement and that, on occasion, can cause a little bit of friction.

640

The vehicles will be part of the service contract. I have come armed with considerable amounts of information to try and give States' Members today. I cannot recall whether those costs will be passed on to parishioners or not at this time. I am happy to provide that information to Deputy Adam.

645

The Bailiff: I see no one else rising. I have had a request. Those who wish to so, may remove their jackets. But we have concluded the Statements and we move on to Question Time.

Questions for Oral Answer

HEALTH AND SOCIAL SERVICES DEPARTMENT

Contract renegotiation with the MSG – Progress, concerns and the complaints process

The Bailiff: The first Questions are to be asked by Deputy St Pier of the Minister of the Health & Social Services Department.

650

Deputy St Pier.

Deputy St Pier: Thank you, sir.

Following the decision of the States of Deliberation in November 2015, to endorse the intention of the Health & Social Services Department and Social Security Department on behalf of the States of Guernsey to enter into negotiations with the Medical Specialist Group, could the Minister briefly provide the Assembly with an update on how the contract renegotiation is progressing and any concerns he may have with regard to this process?

655

The Bailiff: The Minister, Deputy Luxon.

660

Deputy Luxon: Thank you, Mr Bailiff.

Sir, towards the end of last year, the States established a negotiating team which was led by the States' Treasurer and includes representatives from both HSSD and SSD.

Since the New Year, this team has had three sessions with the MSG negotiating team, which includes their Chairman, the Chief Executive and senior partners. Before the end of June, we have seven more joint negotiating team sessions booked in.

665

The main focus of our work is to reach a position by the end of June where we are sufficiently confident that we will be able to reach agreement with MSG on the new contract.

At one of the first joint meetings, work was undertaken on reviewing the schedule of the factors that the States' Programme Board had identified as being critical to attaining such confidence by the end of June 2016.

670

The only area of concern at this stage is around the significant amount of work to be completed before the end of June.

The Bailiff: Is there a supplementary?

675

Deputy St Pier: Yes, sir. Forgive me for pressing the Minister, but *is he confident* that the contract can be renegotiated within the requisite timeframe?

The Bailiff: Deputy Luxon.

680

Deputy Luxon: Sir, as Members will remember in the debate on this matter, at which we all raised many concerns and considerations, there is an immense amount of work to be done. It is regrettable that the timeline was delayed so long, which meant that we were at almost an eleventh hour position.

685

But the importance of this contract is such that I and the board do have every confidence, as I believe the MSG has, that with will, we will be able to achieve a position where we are able to confirm an arrangement with MSG.

Quite what that will mean in terms of that contract status, I cannot tell, but that is the absolute commitment and I believe it is possible.

690

The Bailiff: Deputy Trott.

Deputy Trott: Is the Minister able to remind the Assembly what, if any, contingency plans are in place in the unlikely event that an agreement cannot sensibly be reached with the MSG?

695

Deputy Luxon: Sir, I will remind Deputy Trott of the debate where the reserve option was very clearly undertaken. The binary choices were to renegotiate a new contract with the MSG or indeed to consider bringing secondary health care within the remit of HSSD. Many Members talked about other options of the PEH being part of that as well.

700

So yes all the way through the work that was undertaken when the project was formed back at the beginning of 2014 the issue of a contingency plan was in mind and remains in mind.

The Bailiff: Deputy Brehaut.

705

Deputy Brehaut: Thank you, sir.

I appreciate discussions are still underway, but could we have a scent or perhaps a flavour of the discussions? For example, one crucial element was that the cost of complaints was borne by the MSG. They are still receptive to that concept, presumably?

710

The Bailiff: Deputy Luxon.

Deputy Luxon: Sir, Deputy Brehaut will laugh at me, but I think Deputy St Pier's second Question probably captures that better.

715

In terms of the MSG, the dialogue between the two parties is very strong and is engaged. The MSG have come into these negotiations in a very willing way. I cannot give any detail as Deputy Brehaut asks for. This is a commercial negotiation, there are governance structures put in place; but I can give the Assembly the reassurance that the Resolutions that were passed here have been set as the guide for the process of negotiations over this period.

720

The Bailiff: Your second Question, then Deputy St Pier.

Deputy St Pier: Thank you.

725 Sir, following the successful amendment to HSSD's original Propositions requiring new
contracts should deliver the key benefits of the redesigned contracts set out in part 2 of that
policy letter, including a single governance model with an additional independent complaints
process beyond the existing internal complaints process, and for the MSG to report on all
complaints as part of that single governance model, with the direct and indirect costs of handling
and investigating complaints to be borne by the Medical Specialist Group, could the Minister
please advise how well these requirements have been received by the MSG?

730

The Bailiff: Deputy Luxon.

Deputy Luxon: Thank you, Mr Bailiff.

735 Sir, within the plan for the contract renewal, there is a work stream to create a single clinical
governance framework which will, in the short term, be focussing on agreeing the definition,
scope and outline of the framework.

As part of this work stream, we will also confirm the requirement relating to the complaints
system and agree the management of complaints.

740 My Department's Chief Nurse and Director of Clinical Governance is leading this work stream,
in partnership with the MSG. Oversight of this work and the reporting of its progress will be
through the Clinical Reference Group, which is chaired by the States of Guernsey Medical Director.

The Bailiff: Supplementary, Deputy St Pier.

745 **Deputy St Pier:** Yes, I have a couple of supplementaries, sir.

Again, forgive me for pushing the Minister but I wonder whether he can confirm whether,
following this amendment, in his view, the MSG unequivocally accepts that the current
fragmented governance model will be replaced by a single governance model?

750 **The Bailiff:** Deputy Luxon.

Deputy Luxon: Sir, there is no doubt that the whole area of clinical governance within
Guernsey's health care model, as we have seen over recent years, has needed to be overhauled,
reviewed and in fact developed significantly.

755 It is fair to say that over the period of the last 18 months, there have been times where HSSD
and MSG as two different organisations have not always been able to, I think, see with the same
degree of clarity the absolute need and criticality of a single clinical governance framework and
with the other aspects that were contained with Deputy St Pier's successful amendment.

760 I am not involved in the direct negotiating as a political Member of the board. That team has
been set up. I do know that, certainly, our team, and the Resolution of the amendment has been
made very clear to the MSG.

765 In terms of how successful will we be when we get into the detail of that arrangement, as I
have tried to explain in my first answer, of course time will tell. But it is absolutely critically
essentially so, as we saw with the original S.I. in 2014 and in more recent times with the Alderney
situation and the G.G.I. report that Members will be aware of ... clinical governance and the
framework which Deputy St Pier talks about is absolutely essential if we are going to have a safe
and sensible pragmatic system in place.

The Bailiff: Deputy St Pier.

770

Deputy St Pier: Sir, would the Minister agree with me and perhaps also with other Members
of this Assembly who have had the experience of assisting islanders with complaints about the
MSG that neither the MSG's current clinical governance, nor their current complaint process is
remotely fit for purpose?

775 **A Member:** Hear, hear.

Deputy Luxon: Thank you, sir.

What I would say to Deputy St Pier is that both HSSD as an organisation and the MSG absolutely have had a journey to go on in terms of its clinical governance and that journey
780 remains ahead. HSSD has much that it needs to do within its own systems.

The reason that the single clinical framework made absolute sense is that in a health care system where you have two different entities – HSSD and secondary health care through the MSG – it makes absolute sense that that is a single governance framework.

I would certainly say to the Minister that it is absolutely imperative that both HSSD and MSG in
785 this sense come to the table, absolutely engage with that process, with goodwill and a preparedness to understand that the issues around patient safety and accountability and transparency are so important that it would be reprehensible to not engage in the process that Deputy St Pier has described.

So I would certainly hope that that is the case and I believe it should be the case.

790

The Bailiff: Deputy Gollop.

Deputy Gollop: I am uncomfortable asking any questions about this negotiation, but as a
795 general principle, will it not be the case in the future that the Health Department, Health Committee would wish to set a standard system of clinical governance for all doctors and surgeons working on the Island and therefore it is irrelevant as to who is actually providing a particular specialism or service?

In other words, every possible party on the Island works within a broad framework that is acceptable both here and off-Island.

800

The Bailiff: Deputy Luxon.

Deputy Luxon: Sir, it would be difficult to refute Deputy Gollop's logic. I would agree with
805 him.

The Bailiff: Deputy St Pier.

Deputy St Pier: Sir, I have had it drawn to my attention that I have omitted to draw attention
810 to the fact that I do have an interest in the Questions, as I mentioned during the debate last November, sir, in having made a complaint against the MSG.

The Bailiff: Deputy Trott.

Deputy Trott: Would the Minister agree with me that these are clearly delicate and sensitive
815 negotiations that would certainly benefit from the Minister's ongoing attention and, under the circumstances, it would be in the best interests of both this Assembly and the community at large, if he was to seek re-election both to this Assembly and indeed as Minister of the HSSD Department? *(Laughter)*

820 **The Bailiff:** Deputy Luxon.

Deputy Luxon: Sir, I may consider that, assuming that Deputy Trott would be prepared not to
stand and consider taking over operating a local ferry company! *(Laughter and applause)*

825 **Deputy Bailiff:** I see no one else rising.

CHIEF MINISTER

**Legal action between the States and 3M UK plc –
Update on review, settlement offer and publication**

The Bailiff: The next Questions are to be asked by Deputy De Lisle of the Chief Minister.
Deputy De Lisle.

830 **Deputy De Lisle:** Thank you, sir.

Can the Chief Minister provide an update on the commissioned review into the legal action between the States of Guernsey and 3M UK plc, if possible to include the preliminary findings of the review?

835 **The Bailiff:** Chief Minister.

The Chief Minister (Deputy Le Tocq): Thank you, sir.

The review was co-commissioned by the Policy Council and the Chief Executive of the States of Guernsey on 11th February, with the objective of being completed within 20 working days.

840 The work is being undertaken independently by PWC and I understand that they are on target to meet that objective. So it would be premature at this stage to set out preliminary findings, particularly without the context of the full review.

The Bailiff: Any supplementaries? No. Your second Question, Deputy De Lisle.

845

Deputy De Lisle: Were the Chief Minister and Members of the Policy Council informed of the settlement offer in July 2014, from 3M, of £3.25 million, with costs, and if so, what role did they play in the decision to refuse the offer?

850 **The Bailiff:** Chief Minister.

The Chief Minister: No, the matter was dealt with and the decision made as part of an ongoing process by the board of the Public Services Department, under their mandate. It was not referred to the Policy Council.

855

The Bailiff: Deputy De Lisle.

Deputy De Lisle: Supplementary, sir. Could I ask whether it was referred to the Chief Minister?

860 **The Chief Minister:** It was not referred to me directly in any capacity at that time. I was not aware of the details of that.

The Bailiff: Deputy Dave Jones.

865 **Deputy David Jones:** Does the Chief Minister agree with me and the former Chief Minister that at every stage of this case the Policy Council was kept informed and we were advised on every occasion that it was in our best interest to pursue this case?

The Bailiff: Deputy Le Tocq.

870

The Chief Minister: We were certainly kept informed by the Minister at the time that it was under their auspices and they were making decisions and were getting appropriate advice both legally and by officers at that time.

The Bailiff: Your third Question, Deputy De Lisle.

875

Deputy De Lisle: Thank you for that clarification.

Deputy Gollop: Sir, could I ask –

880

The Bailiff: We have moved on to the third question, maybe you can ask it as a supplementary to the third question. I do not know.

Deputy De Lisle.

885

Deputy De Lisle: Will the Chief Minister clarify that the review team will be given access to all relevant information and that it is the intention to make the review public as soon as is practicable this term?

The Bailiff: Chief Minister.

890

The Chief Minister: I understand from PWC that they have had a full and timely access to all information relevant to this review and, following presentation to Policy Council, the outcomes of the report will be made available in the next few weeks.

The Bailiff: Deputy Gollop.

895

Deputy Gollop: My supplementary would be how will those outcomes be presented? Will there be, effectively, not a Meeting of the States but a public presentation for consideration of those outcomes or will it be just through a press statement through the media?

900

The Bailiff: Chief Minister.

The Chief Minister: It is certainly my intention, but obviously it will be a decision of Policy Council, to make the outcomes as fully available as possible.

905

The Bailiff: Deputy Sillars.

Deputy Sillars: Thank you, sir.

910

I am trying to see how to word this. Would the Chief Minister agree with me that the information relating to all of the 3Ms did not come to the full Policy Council and we were not, all of us, kept fully informed as Policy Council?

Several Members: Ooh!

The Bailiff: Deputy Le Tocq.

915

The Chief Minister: The reports were not coming to Policy Council in their fullness because it is not within Policy Council's mandate to deal with those things. Absolutely.

The Bailiff: That concludes Question Time and legislation, such as it is, we move onto next.

STATUTORY INSTRUMENTS

**The Airport Fees (Guernsey and Alderney) Regulations, 2016;
The Electoral Roll (Availability) Rules, 2016**

920 **The Greffier:** Statutory instruments laid before the States: The Airport Fees (Guernsey and Alderney) Regulations, 2016 and The Electoral Roll (Availability) Rules, 2016.

The Bailiff: I have not received any notice of any motion to annul either of those statutory instruments, so we can move on to elections and appointments.

925 Greffier.

Billet d'État IX

ELECTIONS AND APPOINTMENTS

**I. Prialx Library Council –
Appointment of new Member –
Deputy Domaille appointed**

The Greffier: Billet d'État IX, Article I, Prialx Library Council – new member.

The Bailiff: Yes, Deputy Adam.

930 **Deputy Adam:** Yes, sir, I would like to put forward the name of Deputy Roger Domaille to continue his position on the council.

Thank you.

935 **The Bailiff:** Is there a seconder? Yes, Deputy Langlois is seconding Deputy Domaille. Do we have any other nominations?

No, we go to the vote then to elect Deputy Domaille as a member of the Prialx Library Council to serve a term of office until the 31st December 2017. He does not have to be a Member of the States to fill this post, as I understand it. He is proposed by Deputy Adam, seconded by Deputy Langlois. Those in favour; those against.

Members voted Pour.

940 **The Bailiff:** I declare him elected.

HEALTH AND SOCIAL SERVICES DEPARTMENT

**II. Appointment of Responsible Officer under Regulation of Health Professions
(Medical Practitioners) (Guernsey and Alderney) Ordinance 2015 –
Proposition carried –
Dr George Rabey appointed**

The Greffier: Article II, Health & Social Services Department – appointment of a Responsible Officer under Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Ordinance 2015.

945

The Bailiff: Deputy Luxon.

Deputy Luxon: Sir, just very briefly, HSSD appointed an interim Responsible Officer, Dr Nick Lyons, in February 2014 while a policy was being prepared for the introduction of responsible officer legislation.

950

Dr Lyons is leaving the Island at the end of March this year to take up a full-time appointment in the UK and HSSD, in accordance with Part 3, Section 10.1 of the Ordinance, wishes to nominate Dr Peter Rabey, HSSD Medical Director, as the Responsible Officer with immediate effect.

I just draw Members' attention to page 1989, which has the *curriculum vitae* summary of Dr Peter George Rabey, who has had recent direct responsibility as a Responsible Officer and suitable person working in the UK.

955

Thank you, sir.

The Bailiff: Any further debate?

960

Yes, Deputy Adam.

Deputy Adam: Sir, I fully support the appointment of Dr Rabey to this position, but I just bring attention to the Assembly that there are potential risk factors in having Dr Rabey working both for HSSD and as a Responsible Officer, and one has to avoid the potential risk of conflict of interest or potential interference or suggestions from HSSD into the way forward concerning things.

965

We all know we have had the Dr Lyons situation in Alderney and that involved HSSD, but that also involved a Responsible Officer, who was Dr Nick Lyons, who is leaving.

How is HSSD going to cope with these situations? I note that if there is slight conflict, I assume the Law Officers will be involved in assisting in that Policy Council matter and a further Responsible Officer will have to be brought in to deal with these matters at extra costs.

970

In general terms, I feel it is better for regulation to be at arm's length from HSSD, but in this situation I fully understand why having someone on-site who has a lot of past experience in this area, one should use his expertise, rather than getting someone else in. But where does the HSSD go with its other regulations, such as of doctors' surgeries, dentists and these things, which maybe should come under an environmental health aspect regulator, which is a statutory office and therefore completely separate from HSSD?

975

Thank you, sir.

The Bailiff: Anyone else? No. Deputy Luxon will reply.

980

Deputy Luxon: Thank you to Deputy Adam for his question, which is a perfectly logical and sensible question.

Paragraph 9 does give Members clarity that, should there be a situation of conflict or indeed a difficulty, then HSSD would look – and we have researched the appropriateness of this – to bring in a second or alternative Responsible Officer.

985

It is hoped that that would not be the case, but I do accept Deputy Adam's point. The GGI report into the situation in Alderney – which as we know will be published this week – again, may well give some insight in terms of the important separation that Deputy Adam talked about between almost operational management issues and indeed the regulatory responsibilities.

990 Of course, within HSSD, we still have the review of the Medical Officer of Health, which Deputy St Pier brought over a year ago. That review also may well look into what are the different skill-sets and what are the different responsibilities that could be accommodated within existing cost base.

995 What we do not want to do is to keep building cost base simply through regulation, but we need to give assurance to the Island that we do have separation of these responsibilities.

So I thank you for that question and I hope that Members will accept the proposal.

The Bailiff: Members, the Proposition you are voting on is to be found on page 1990 in Billet IX. Those in favour; those against.

Members voted Pour.

1000 **The Bailiff:** I declare it carried.

We are making swift progress and we can now move on to departmental reports. *(Interjection and laughter)*

Billet d'État VII

EDUCATION DEPARTMENT

I. The Future Structure of Secondary and Post-16 Education – Debate commenced

The States are asked:

1. To agree:

(a) To end the current selective process at age 11, ceasing the current system of awarding special places at the grant-aided colleges, being Blanchelande College, Elizabeth College and The Ladies' College, for new Year 7 students from September 2019; and

(b) To have one secondary school across four sites (at least one site with 16-19 provision) from September 2019; admission to these sites at age 11 to be predominantly by feeder primary school; and

(c) That selection to individual pathways at Key Stage 4 will be based on guided discussion between school staff, students, parents/carers, overseen by the school senior management team, and informed by individual aptitude, ability, past performance, potential and student preference.

2. To agree that the Education Department (and its successor Committee) should continue discussions with the grant-aided colleges, being Blanchelande College, Elizabeth College and The Ladies' College, along the principles set in paragraph 7.45, and in accordance with the States' decision on proposition 1 and to return to the States, no later than June 2017, with detailed proposals for a new funding agreement with the grant-aided colleges.

3. To approve the immediate rebuild of the La Mare de Carteret Schools' site, as set out in Section 11 of this report, using Option B1 for opening from September 2018, or as soon as practical thereafter, to include a 600 pupil High School, a 420 pupil Primary School, pre-school nursery, enhanced sports facilities, the Communication and Autism Centre, and community facilities at a

total cost not exceeding £64,180,000 plus inflation.

4. To authorise the Treasury & Resources Department (and its successor Committee) to approve the full business case for the rebuild of the La Mare de Carteret Schools' site following receipts of tenders and to approve a capital vote for the project, charged to the Capital Reserve, to a maximum sum of £64,180,000 plus inflation.

5. To direct the Treasury and Resources Department (and its successor Committee) to take account of the revenue implications outlined in this Policy Letter when presenting future budgets to the States Assembly.

The Greffier: Billet d'État VII, Article I, Education Department – the future strategy of secondary and post-16 education.

1005

The Bailiff: Deputy Sillars.

Deputy Sillars: Thank you, sir. I guess it will all slow down a little now.

1010 I am pleased on behalf of the Education Board to bring this policy letter to the States of Deliberation.

1015 From past experience, I am aware of how a Minister's opening speech of a policy letter can often become separated from the main debate by hours, if not days, in the event of amendments or sursis laid by colleagues. I am conscious that this may happen today, so I therefore intend to be brief-ish in my opening speech and just focus on a few main points: this board's track record, and the trust you have placed in us, the benefits of our recommendations; and address some of the misconceptions regarding our consultation process.

1020 You endorsed our vision and we responded to the Mulkerrin education reviews and we have supported all our schools to improve educational outcomes in the broadest sense. Our Key Stage 1 and 2 results at primary stage have gone from strength to strength. In Key Stage 3, 4 and 5, our schools' performances have continued to improve.

Last week we saw the huge strides that have been made by the students and staff over the past few years in the exceptional school inspection report published by Education Scotland.

We have a track record of delivery and I have, I believe, earned your trust. We have not let you down and we are seeking your trust and confidence with our proposals today.

1025 If at the last minute you desert us, you are guaranteeing to unravel all the progress and success that our schools have achieved. Even worse, you will be sleepwalking into mistakes that were made with previous school closures in the secondary phase.

Today's debate is historic. Please support us as we are ready to go through to the next steps.

1030 So let me remind you of the benefits of our recommendations. This board has made it clear since being elected in 2012 that our prime objective was to raise standards in our schools and we have had some notable success across all phases of education.

1035 Indeed, I am pleased to recall that our vision Today's Learners, Tomorrow's World, was endorsed with one abstention in July 2013. This reality remains, however, that our current selective system restricts what we can achieve, limits pathways for many of our young people, closes doors to them at the age of 11 and too often affects their mental wellbeing. We know this because our teachers and head teachers experience it every single day and have told us so.

1040 The board has been at pains to explain that our core values have been key to developing our current proposals. Our core values clearly outline enjoyment of learning, collaborative working, inclusive and personalised learning, breadth and depth of opportunities, an enhanced participation within a culture of high expectation and achievement, as being fundamental to the provision of an excellent education service.

We have made a commitment to provide an inclusive system that puts learners of any age at the centre, establishes equality of opportunity for all to realise their potential and ensures that each learner develops the knowledge, understanding and skills they need to pursue a happy and

1045 fulfilling life. Everything we have put forward for consideration by this Assembly has our core values at its heart.

I am assuming that colleagues will have read the policy letter so I am not going to dwell too long on what is contained in the text. Instead, I want to touch briefly on some of the key points.

1050 The Bailiwick of Guernsey is unique and it is important to recognise that we are proposing a Guernsey solution and not simply lifting a structure from elsewhere and expecting it to work in our Island context.

We have looked at and visited a range of collaborative and federated schools to find out what works well, but equally what the challenges are, so that we are able to address these up front in our Guernsey solution.

1055 One school model has many advantages: equality of opportunity for all students; increased breadth of curriculum, with more opportunities for personalised approaches for students; pooling and targeting of resources, both financial and personnel, enables more effective and efficient deployment with improved impact and outcomes; enhanced collaboration on teaching and learning which, according to extensive research, has the biggest impact on student outcomes by
1060 recognising and scaling up excellent practice.

Collaboration across schools has proved to be more effective for sustained school improvement than educational competition between schools. Please remember that point. All staff are united in working for all students.

1065 The reality of our current system is that some subjects and pathways at Key Stage 4 are closed to our young people simply because of the school they attended which is, of course, based on their performance in 11-plus tests. For example, the Grammar School pupils have limited access to vocational options such as engineering, business administration, electricians, health and care; and the high school students have limited access to more academically stretching options, such as studying three sciences at GCSE or being able to access extended maths options.

1070 This can then impact on their ability to study certain subjects at Key Stage 5 – again, closing pathways to them.

Our current system of transition to secondary school at 11 is disruptive. Pupils do not know which school they will be attending until the Easter before they move. Friendship groups are divided, brothers and sisters may even be attending different schools. Any familiarisation or
1075 transition planning is then confined to the summer term, before primary children move into their secondary schools.

We also know that for many children, the anxiety of sitting the 11-plus test impacts on their education, not only in Year 6, but also afterwards.

1080 Under our proposals, all children will know exactly which secondary schools they will be attending from the moment they start at primary school as specific primary schools will feed into named secondary schools.

Transition activities can be better planned and scheduled. Friends will stay together and children will also meet new friends as two or three primary schools will feed into each secondary school.

1085 Staff in our secondary schools will know which children they will be expecting to join their school sites and so will also be able to work more closely with their primary colleagues, to ensure that any specific needs are recognised and planned for, leading to a smooth transition.

This is an advantage.

1090 Transition to our new system will take place gradually, so it will be managed and planned for. The first children to move to their catchment secondary schools without going through the 11-plus selection process will do so in September 2019, with the first students selecting their new pathways for Key Stage 4 in 2022.

So we have plenty of time to direct our resources, to carefully manage the transition to ensure there is a minimal impact on our children.

1095 One of the myths is that excellence is all about selection, and I quote from the OECD's research:

'For centuries, educators have wondered how they should design educational school systems so that they best serve students' needs. Some countries have adopted non-selective and comprehensive school systems that seek to provide all students with similar opportunities, while other countries track and stream students with the aim of serving students according to their academic potential and/or interests. Conventional wisdom, has it that the former serves equity while the latter fosters quality and excellence. Yet none of the countries with a high degree of stratification or grade repetition is among the top performing education systems, rather the OECD PISA results show that the highest performing education systems combine both.'

What we are proposing would do exactly that. It would combine excellence with equity in a system that would provide greater social mobility, equality of opportunity and a wider breadth of options for all of our young people.

1100 Our focus has always been to put the needs of the child at the centre of our thinking, with the aim of providing a learning experience that will stretch and challenge where appropriate and offer extra help and support when needed.

So let's now deal with what I shall call the misconceptions.

1105 Elements of the media, and indeed some Deputies, have been critical of our consultation and allege we have ignored the respondents' views (**A Member:** Hear, hear.) and as a result devalued the consultation process. This is disingenuous on many levels. In the first instance, the public consultation – and there were many channels of engagement with the community – was only a part of our consideration. Some appear to think that our consultation was a binding referendum when it clearly was never intended or explained on that basis.

1110 We were always transparent and open about how we would reach a decision and, as we highlighted in our consultation documents – and I refer you to page 1557 in the Billet – the Education Department would assess each option against a number of criteria before presenting a preferred option or options to the States of Deliberation for debate.

1115 The criteria included: (1) outcome for learners; (2) equality of access to opportunities; (3) inclusion; (4) efficient and effective use of resources; (5) social, economic and community impact; (6) ease of implementation; (7) public and professional views; (8) environmental impact; and (9) flexibility for the future.

1120 The public consultation was one aspect of many criteria to inform the decision. It was not a referendum and we have had to judge these options against these criteria. I do hope Members are not confused on this point when they come to make their speeches.

In respect of the public consultation response itself, 70% of respondents preferred smaller schools and wanted to keep all four mainstream secondary school sites open. Well, that is what we are recommending.

1125 Retaining a sixth-form centre at Les Varendes site and a separate college of further education was in the public's preferred option, regardless of whether 11-plus was retained or not. This is what we are recommending.

The majority of respondents were in favour of maintaining or reducing funding to the colleges and one is asked to look at means testing special places or introduce a bursary scheme. This is what we are seeking to do.

1130 When it comes to the 11-plus – and this is the controversial bit – we did consider the public consultation very carefully. Sixty per cent of those who responded were against an all-ability system but, of those who said they were in favour of selection, the majority – 70% – did not want it based solely on the 11-plus. They wanted a different way of selecting by attainment or ability.

1135 As acknowledged by the profession and the community, our current selective system fails a significant proportion of pupils. The National Union of Teachers – the largest teachers' union in Europe, with members in all Island secondary schools – have welcomed the proposal to educate secondary school students on an all-ability basis.

The NUT regional secretary responsible for the Channel Islands, Andy Woolley, said:

'Experience in the UK and elsewhere has shown that educating all abilities of children together improves the general standard of achievement, without any detriment to the more academically able. All Guernsey primary schools are all-ability already and nobody seeks to question this. The extension of this to secondary schools will be a very positive step.'

1140 He goes on:

'If Guernsey politicians take this bold but positive step to enhance the education of future generations of young people, whilst protecting the existing routes through school for existing pupils, we believe we can work with the Education Department to resolve issues around the transition and the establishment of a new all-Island institution with local bases.'

I sincerely hope that Members do not attempt to defend the current system by recalling their own educational experiences along the lines of saying, (**Several Members:** Hear, hear.) 'I am a product of our selective system and I attended School X, or School Y, and it did not harm me. Look at me!'

1145 With the greatest respect, your experiences are of absolutely no relevance in the current day and age (**Several Members:** Hear, hear.) unless any of us went to school as a student – even Deputy Fallaize did not! – in the last five years. (*Interjection and laughter*) ... the youngest! Sorry, sir, through you.

1150 Our current system was designed for an industrial age in the first half of the 20th Century. We have moved on in 70 years – some of us have moved on! – and our society, economy and community is in a very difficult and different global environment today.

I do hope Members actually visited our schools during the school day to prepare for this debate, instead of relying on outdated preconceptions and personal experiences.

1155 I have touched on this earlier, but the facts are simple. The 11-plus looks at the performance of a child on one or two days, dominates Year 6, takes no account of the fact that children develop at different rates, does not promote a growth mind-set or encourage children to reach their full potential, labels children, does not necessarily mean the right children will be selected and closes up pathways to too many children too early.

1160 The decision to recommend removal of the 11-plus is not one that we have taken lightly and the consultation response was discussed by the board at length.

We feel the consultation response showed an understanding from the public that the current 11-plus is not working. The community were not able to come up with an alternative system to the one we currently have, so we are recommending that we continue with all age ability schooling through to Key Stage 3 and then, critically, introduce a choice of student self-selection at Key Stage 4.

1165 Our proposals are designed to produce an excellent education system by providing individual pathways for all students to progress and to achieve.

This is not a one-size-fits-all solution. All our secondary schools provide alternative pathways, options and support to ensure that students are engaged and motivated to succeed.

1170 Programmes such as John Muir, ASDAN, Duke of Edinburgh and the Prince's Trust Excel schemes, to name just a few options, are offered alongside a range of GCSEs and other Level 2 vocational qualifications.

1175 Our schools work in partnership with other providers, such as the Youth Commission, the College of Further Education, to deliver this broad range of options and we believe that our single school, four-site option, will enable this provision to expand further.

One final misconception – and I appreciate that the wording of Proposition 5 may have contributed to this: we are not seeking additional general revenue expenditure at this stage. The financial modelling that supports the policy letter was provided for a single explicit purpose, namely the comparison of the different options outlined in the paper over a 25-year time horizon.

1180 This means making assumptions. This means dealing with uncertainty. It would be foolish and rash to make a bold prediction when forecasting the future.

All we have attempted to do is to provide indicative estimates and made some prudent assumptions. It is preferable, I believe, to take this prudent approach, so that we are looking at a worst case scenario.

1185 We have not made a bid for more funding. (**A Member:** Hear, hear.) We are confident that, as plans are developed, there will be reductions in operating costs, as the executive head teacher will

develop detailed plans. It will be those detailed plans that will help inform the Committee for Education, Sport and Culture's future budgets at a future date.

1190 One final point: I advised Members in November 2014 and May 2015 that this Assembly needed to support the local construction industry, which was suffering from lay-offs and shortage of work. I warned of the implications of delay. Only last week we heard of how the downturn in the construction sector has impacted local businesses and how the States has failed to do anything to support the industry.

1195 We had an opportunity two years ago to intervene and we did not. Perhaps it will be third time lucky, in that our advice and support to local businesses will be heeded.

We believe we have the right solution, backed up by research and evidence, and with the support of our educational leaders, now is the time for this Assembly to show leadership and set a clear direction for the future and to allow the new Committee for Education, Sport and Culture to unleash the potential of our staff, children and young people.

1200 I would encourage Members to vote for our recommendations and to act with commitment and vision.

Thank you, sir. *(Applause)*

1205 **The Bailiff:** Members, we move now to a sursis to be laid by Deputy Lowe and seconded by Deputy Brouard.
Deputy Lowe.

The States are asked:

To sursis Propositions 1 and 2, and direct the Education Department and its successor Committee to undertake public consultation, and thereafter to submit to the States by no later than March 2017 proposals, regarding those aspects as detailed in existing propositions:

'1 a. to end the current selective process at age 11, ceasing the current system of awarding special places at the grant-aided colleges, being Blanchelande College, Elizabeth College and The Ladies' College, for new Year 7 students from September 2019; and

b. to have one secondary school across four sites (at least one site with 16-19 provision) from September 2019; admission to these sites at age 11 to be predominantly by feeder primary school; and

c. that selection to individual pathways at Key Stage 4 will be based on guided discussion between school staff, students, parents/carers, overseen by the school senior management team, and informed by individual aptitude, ability, past performance, potential and student preference.

2. To agree that the Education Department (and its successor Committee) should continue discussions with the grant-aided colleges, being Blanchelande College, Elizabeth College and The Ladies' College, along the principles set in paragraph 7.45, and in accordance with the States' decision on proposition 1, and to return to the States, no later than June 2017, with detailed proposals for a new funding agreement with the grant-aided colleges.'

1210 **Deputy Lowe:** Thank you, sir. Would H.M. Greffier please read out the sursis, sir?
Thank you.

The Bailiff: Yes.

The Greffier read the sursis.

The Bailiff: Deputy Lowe.

1215 **Deputy Lowe:** Thank you, sir, and I thank H.M. Greffier. I would also like to thank Deputy Brouard, who has kindly agreed to second my sursis.

1220 Before I continue, I just want to explain that the sursis has been placed solely about
consultation and that the amendment will not be placed if we go ahead with the debate on the
sursis. We do not intend to place both, sir; it is only the sursis, but should a Member try to stop
the sursis, we would then continue with the amendment later.

I also want to say the sursis is about consultation only. I am not prepared in the sursis to start
discussing the Report itself – the contents of the Report. That is not what the sursis is all about.

1225 Should a sursis be before us today? Some would and do say 'no' and many others say 'yes'. If
Education are so convinced their plans are the right way forward, they should have confidence in
supporting this sursis. Why are Education nervous or apprehensive of asking the parents, pupils
and the wider community what they think of the plans? (**A Member:** Hear, hear.)

1230 I have heard cries of, 'Any delay will cause uncertainty and teachers will leave in their droves!'
Really? Why? Weren't all the teachers appointed under the current system, or have they been
misled to believe changes would definitely take place 2017 or in the near future?

Professional staff do have a right to advise and assist in the decision-making process, but so
do the parents who far outweigh the numbers of staff; yet the parents, pupils and the wider
community have had far less time to be part of the outcome proposed in Education's Report.

1235 Education has been working on these plans for months; the community had one month. The
key one for me: I believe this States and the Education Department have a duty to consult with the
public on Education's Report proposing such changes to the educational system in the Bailiwick.
So why have a rushed Report before us today?

1240 We know, and I accept, Education are following a States' Resolution that they must return by
March and, by doing so, we are now left in a position of not taking the public with us owing to the
lack of time and lack of consultation to the wider community.

I believe it would have been more appropriate for a statement from Education, before this
Assembly, informing us all, including the public, time has not been on their side as there are
certainly elements in the Report that have not been completed.

1245 Having a letter from the five heads of the high schools and primary school heads, I welcomed
in the same way I welcomed many letters from teaching staff who were opposed to Education
Department's plans. Those who have contacted me asking I support Education are in the minority
and there are far more in a majority seeking time for a delay.

1250 I suggest Members stop and think of other situations during this term of consultations and
timings, especially on major proposals for change. A very clear equal to Education's radical plans
for changing the educational system and all that goes with it in this Report, must be the
Environment Department's Island Development Plan. The timing and sequence of events are a
prime example of good communication and taking the public with you.

1255 Environment Department invited those with land to submit letters for consideration. They then
identified areas for potential development and carried out numerous roadshows inviting the
public to come along and understand the plans and ask questions.

We have had States' reports and statements as they have gone along and there has been a
comprehensive planning inquiry enabling those opposing or supporting the Island Development
Plan and we wait for the outcome of the inspector's report before coming back to the States.

1260 How long has that taken to do the job thoroughly, carefully and taking the public with them?
Two years to completion, maybe?

Environment took stick from some States' Members for not bringing back to the States in this
term and I would like to congratulate the Environment Department because they decided,
correctly, to do the job thoroughly and properly.

1265 Education, on the other hand: one month and two public presentations from Education on
incomplete work.

This sursis allows time for public consideration. States' Members came into this States
criticising previous States on how poor we were with communication. Yet this Education Report
will not be going out to the public for consultation, so I would hope those that have criticised the
States in the past for poor communication will support this sursis to enable the public to have that

1270 opportunity to feed back to the elected representatives in this Assembly on how they believe this Report should be supported or otherwise.

As for Education's questionnaire, this was followed by Education's own interpretations of the responses. Different in places to the majority of answers, as not the right amount of responses came from across all schools, so the outcome was dismissed. The question that I have been asked many times is why pay our taxpayers' money on a paper exercise?

1275 I hope Members will recognise the importance of putting this Report as a discussion document, allowing time and less disruption and, I suggest, improving Education's Report today. It will become an election issue, I have no doubt about that at all; and for some States' Members to believe that, by making a decision today, this will not be an election issue, is really naive.

1280 Back in 2000, when it was being mooted that there was going to be a review of the 11-plus, it coincided with the election. During that time, I asked, as I was going around speaking to people on the doorstep, could I ask them a question: did they support the 11-plus or not as this was going to be coming up in the following States? I made it very clear that, in my opinion, I would like to see the 11-plus gone. However, having that opportunity to ask on the doorstep and get feedback, I would be taking their answers into consideration. *(Laughter)* It was overwhelming that we kept the 11-plus at that time, so therefore I voted that way.

1285 Education and what is on offer in our education system has been key for most, if not all, that have come here to live – most on housing licences. I have heard from some who will leave if their child's education changes so radically. We have gone out of our way to encourage people to work here. What evidence does the Education Department have on how many will leave this Island, taking their expertise with them, leaving businesses trying to flourish in a difficult enough position, finding staff in the competitive job market?

1290 Why are we receiving so many letters? Why are so many letters being printed in the *Press*? Why are people phoning the phone-in? All asking questions around the Education plans: how they will work, college funding not complete, bursaries not costed or agreed if capped, if so, what amount?

Deputy Bebb: Point of order.

1300 I am sorry to ask but I am concerned as to whether this is anything to do with the sursis or whether it is general debate?

The Bailiff: Deputy Lowe.

Deputy Lowe: It is reasons for there to be a sursis, sir.

1305 So some of the letters that have come in: 'Despite being engaged I have yet to read or hear enough to believe that the matter has been sufficiently considered.' 'The risk to students present and future, are by extension the Island, of making a critical decision in this matter are too great.' Another one: 'It is very easy to consult on principles as Education did, but much more difficult to turn principles into effective practice.' 'Consulting only on principles without the opportunity to receive feedback on the proposed changes in the way schools are organised in the future is far too dangerous and cavalier a basis on which to proceed to a States' vote.' Another quote from a letter: 'We believe that this is a huge gamble with the education of Guernsey's school children and the only way to know for sure what a child will receive as a decent education in this Island will be for the wealthy enough to pay for them to attend one of the colleges or leave the Island altogether for choice of schooling.'

1315 Could we not make improvements to the system that we already have to better opportunities? These details have not been given in great detail and we again say it is not conducive to fact-based decision-making.

1320 Sir, the list goes on. There are many letters. Many other States' Members will have had the same letters as I have.

So show the community you welcome working with them. You want to hear their views. You want the students to be involved and heard. You want the population at large to be involved.

1325 Two public meetings does not do that for me or many others. Some who attended the public meetings said they were not prepared to stand up and speak because they felt intimidated and felt their opinions would not go down so well with so many teaching staff at the public presentation. One lady told me she was concerned how her child's school would feel if they saw and heard what she had to say.

1330 Sir, I can imagine the outcry if things did go wrong with children and young people's education on the basis the States made a decision today without all the details. We would be slammed – rightly so.

I am not prepared to put myself in that position, sir, and I ask the States' Members to support this sursis and allow the public to give us feedback on how they feel on these Propositions, which they have been denied so far.

1335 **The Bailiff:** Deputy Brouard, do you formally second?

Deputy Brouard: Thank you, sir. I formally second and may I reserve my right, sir? (**The Bailiff:** Yes.) Thank you, sir.

1340 **The Bailiff:** Deputy Sillars, do you wish to speak at this point in the debate?

Deputy Sillars: Later, thank you.

1345 **The Bailiff:** You will speak later.
Deputy Conder.

Deputy Conder: Thank you, sir, Mr Bailiff, fellow States' Members.

1350 This sursis, coming as it does in our last States' Meeting, perhaps almost uniquely captures the personality of this States, of these four years we have spent together working on behalf of our community.

1355 What is that characteristic, that personality? For me, it is one of earnestly trying to do the right thing, of instructing or challenging departments to come up with solutions to problems our community faces, only at the last minute to lose the courage of our convictions and to seek to abrogate our responsibilities to make a decision and hide behind yet another consultants' report or another public consultation.

1360 It seems to me that, even over the brief four years I have been in this Assembly, that our acceptance of our role as representatives of the people, individuals sent here by the people to gather all of the facts at our disposal, to carefully consider those facts and make informed decisions on behalf of those who sent us here, has gradually but perceptively been abrogated by ourselves such that we are gradually changing our role from representative to delegate; always seeking a reason not to make a tough decision; always seeking a consultants' report or public consultation to hide behind or rationalise delay.

1365 We saw it in November 2014 when we commissioned, at the very last moment, a rushed and, in my opinion, pointless consultants' report on whether we should proceed with the rebuild of La Mare de Carteret. Do you remember the reassurances that there would be no delay if we approved the Chief Minister's late amendment? Look where that has got us.

It looks as if we are going to do precisely the same with Island-wide voting, but that is another story altogether.

1370 Sir, as I leave this Assembly, it seems to me – and perhaps it is presumptuous on my part as a short-term Member of Guernsey's Government to make such a comment – that the impact of external influence such as the social media, the much more challenging nature of our press and broadcast journalism, allied to our special form of consensus government will, if we are not very

careful, make it almost impossible for Government to work effectively. (**Several Members:** Hear, hear.)

1375 Sir, in the case of this secondary education Report, we surely have to recognise that we were sent here as representatives of the people, to use our best abilities to assess, examine and, yes, criticise this proposed policy from an informed perspective that, uniquely, amongst our community, we are privileged to be able to do so.

1380 We should recognise it is our duty to make a decision and not once again shy away, for whatever reason, from fulfilling that duty. Should we seek instead further delay after which our successors will once again be faced with the same difficult decisions, the same mixed messages from those we consult, the same or very similar divisions within the next Assembly, but lacking the years of debate and collective consideration and knowledge that this Education Committee and this Assembly, as the body politic, have already devoted to this matter?

1385 Is that the legacy we will leave our successors in respect of this secondary education Report?

Sir, in May 2015, following the second major debate about the issue of the La Mare rebuild, consequent upon the delaying amendment of November 2014, this Assembly resolved, and I quote in detail:

'To agree that there is a strong case for rationalising the education estate and for reviewing the structure of secondary education, including selection at 11, and to direct the Education Committee (a) to consult with all stakeholders; (b) to submit a report to the States in sufficient time to enable a debate by the States at or before March 2016 States' Meeting containing (i) recommendations regarding the merit or otherwise of selection at 11 and the optimal size, number and location of secondary schools to deliver a broad and balanced curriculum; and (ii) at least one option for moving from four to three secondary age schools and to agree that commencing the construction of the facilities referred to Proposition 1, La Mare de Carteret School, shall be conditional upon the Education Department presenting this report to this States in sufficient time to enable a debate by the States at or before the March States' Meeting in 2016.'

1390 Sir, it is perhaps interesting that some of the authors of parts of those Resolutions, by way of amendment, are the same individuals who are now demanding that we once again bring parts of the process they demanded to a premature halt, for yet another consultation behind which we, the Government, can hide and thus once again put off a decision.

1395 I think any fair-minded listener would acknowledge that, for such a comprehensive set of requirements to be laid upon the Education Committee in the time available was extremely challenging. It was, however, a challenge that has been met by *your* Education Committee on *your* behalf and as instructed by all of you.

1400 It is undoubtedly now time for the States of Deliberation to make a decision on the important issues which it required my Department to bring before it. We should now make a virtue out of necessity and recognise that just a few weeks after any decision that we might make in this Assembly, this month, the electorate, who in this case can have the ultimate veto under the ultimate consultation body on such a major decision, will have the unique opportunity to pass judgement on them. Albeit that this opportunity for direct engagement with the electorate is a fortuitous matter of timing, it also is perhaps unique in the annals of Guernsey's consensus form of government and an opportunity that we should grasp.

1405 Sir, this sursis is bad government, (**A Member:** Hear, hear.) perpetuating as it does uncertainty and procrastination. It prevents this Assembly having the debate and the opportunity to make decisions which, last May, it clearly determined it wanted to have and do – *it clearly determined it wanted to have and do!*

1410 We say often, inside and outside this Assembly, that no government can bind its successor and that is, of course, true. But let us at least fulfil our mandate to govern and make the decisions that we sought the opportunity to make when we so recently passed the Resolutions that have brought us here today.

1415 What our successors do with them is up to them, but we have responsibility to give them and the electorate who will send them here a set of proposals which will provide the foundations upon which they can build and take forward, in whatever form they wish, the legacy we leave them.

Colleagues, I shall vote against this misguided sursis. Please have the courage and resolution to do likewise and allow us to fulfil our mandate to govern.

Thank you, sir.

(Applause)

1420

The Bailiff: Deputy Fallaize.

Deputy Fallaize: Thank you, sir.

1425

I suppose we cannot say that the production of this sursis is unpredictable, because every time the States come to debate a major issue, there is a sursis.

1430

Education have faced this before on exactly this issue. On both of the last two occasions, when they brought a debate on the future structure of secondary education to the States, the Public Services Department have had it on waste disposal, we have had it in this term on population and this month we are spoiled for choice because we have *two* attempts to sursis major reports, including this one.

1435

This sursis will clearly be supported by some Members who are opposed to the Education Department's proposals. It is quite normal for Deputies who are opposed to proposals laid before them, that if they are unsure that they can defeat those proposals in general debate, to try and shift the argument away from the substance of the thing and onto the decision-making process and the rights and wrongs of that.

1440

It is seductive – it will be seductive for many on the eve of an election – to push this issue into the next term. In fact, I wondered whether Deputy Lowe might lay another amendment to the SACC Report later in this meeting and attempt to put this question out to a referendum at the point of the next election.

But it does feel a little bit like we are in a difficult position, it is not easy to make a contentious decision this close to an election, and a way out is to kick it into the next States.

So it is predictable that there is a sursis, although perhaps slightly less predictable that it ought to be proposed by Deputy Lowe who, in another debate on education, back in 2004, said that in 2012:

'We heard so much ...'

– this is a direct quote –

'... about this States will be a can-do and a will-do States and we will not have a delaying States, as they perceived had happened previously. Well, here is an amendment that actually throws all of those nice soundbites out of the window, because they are looking for a delaying States rather than a can-do States.'

1445

That rather sums up the argument against her sursis today.

The Education Department did consult. Deputy Lowe's sursis proposes further consultation. They did consult. They consulted extensively during the policy development process. They organised public meetings after the publication of their proposals.

1450

Do any Members believe that further consultation is likely to shift anyone's opinion on these very fundamental issues of education policy? I doubt very much that, if the sursis is unsuccessful, the debate, which may take days, will have very much effect in shifting the opinion of anybody in the States.

1455

I find it inconceivable that any Member does not know what their position is on the issue of selection at 11. Selection at 11 is a binary choice. There are all sorts of ways of arranging a non-selective system and there are all sorts of ways of arranging a selective system. But you cannot have selection and non-selection. It is a binary choice.

It is inconceivable to me that further consultation is going to shift anyone's opinion on that binary choice. **(A Member:** Hear, hear.)

1460

The suggestion which Deputy Lowe said is made by some people, that the Education Department ignored the results of the consultation exercise, is confined to this issue of selection

at 11. Nobody says that about the number of school sites or any other element of the consultation.

1465 It is said by some of those people who favour the *status quo*. But it is important to remember that the only reason the *status quo* exists and the 11-plus still exists is because a previous States ignored a previous consultation, in the 1990's, which revealed that, I think it was 55% of respondents at the time favoured removal of selection at 11.

1470 Now, at that time, the advocates of the 11-plus were urging the States not to be swayed too much by the results of public consultation and the supporters of reform were saying, 'That is disingenuous. You have gone out to consultation, you must follow the results of consultation!' Now of course we have exactly the arguments being put in reverse.

I do have some sympathy with the argument that the States would be unwise today to make decisions in respect of too many of the details of the future structure of secondary education. I think there is a sound argument that the States should not go too low into a level of detail based on the Report that is before the States.

1475 But, on the two fundamental policy issues, there clearly is enough information before the States to reach a conclusion. On the issue of selection at 11 and on the issue of the number of schools necessary or the number of sites necessary to provide secondary education, there is enough information available before Deputies in this policy letter and from other sources to make that decision.

1480 The issue of selection is hardly new. This is a debate that has gone on for decades. The States were debating it 15 years ago. Deputy Lowe has said that at every election it is an issue. Very often it is the issue raised most frequently on the doorstep. So to suggest that Deputies do not have enough information before them to reach an objective view on selection at 11, I think is wrong.

1485 On the issue of the number of sites and the number of schools which Deputy Lowe is also seeking to defer, this States has twisted itself inside and out on this issue. It was being debated back in 2014, there was then a debate in 2015, now there is another debate now. We may not know exactly where each of the schools should be, we may not know exactly how many students ought to be in each school, but we do have enough information before us to know how many secondary school sites are necessary to provide secondary education.

1490 Deferral of those two issues, which are the two key policy issues which Deputy Lowe is seeking to defer, is completely unnecessary.

1495 Also, the reality of this sursis is that it seeks to separate the issue of the redevelopment of La Mare de Carteret School from the policy issues about selection and the number of sites. Deputy Brouard is the seconder of the sursis and is nodding furiously. Well, at least he is honest.

1500 But the problem is the States have been here before. This is where the States were in 2014. There was an appeal to say, 'Let's not debate the future structure of education. Let's have that debate sometime in the future but let's now make a decision on the rebuild of La Mare de Carteret School.' And the decision of the States was to say, 'No, you cannot do that. If you are going to have a debate on the future structure of secondary education, you are going to have to do it before the States consider whether to redevelop another school site.'

1505 The States said exactly the same thing in May 2015 when there was another attempt to say, 'Let's consider the redevelopment of La Mare de Carteret School in advance of making decisions about the future structure of secondary education.' That, too, was turned back and the Education Department was told, 'No, no, it is set out in proposals, which the proposer and seconder of this amendment voted for. No you cannot do it that way around. We have to determine the future structure of secondary education first and then we will make a decision about the rebuild of La Mare de Carteret.'

1510 If this sursis is successful, the States will be performing a U-turn on the decision of May 2015 and, in effect, a U-turn on the decision of November 2014. We will have put ourselves in exactly the position that we were in two years ago. Yet, this sursis is effectively presented on the basis of it being good government!

1515 I also think the timeline in the sursis is completely unrealistic. The idea of the Committee for Education, Sport and Culture returning to the States in March 2017 ... these people are not even going to be elected until 18th May 2016. They are going to have to have their report written, I suppose, by the end of 2016 or very close to then.

1520 They are going to be given six months, effectively, to do the job which this States asked the Education Department to do in 10 months and yet the sursis is really saying, 'The Education Department has done this too quickly. It has all been done too quickly, it needs to go out to further consultation.' Yet the effect of the sursis, as drafted, is that the next committee will have even less time to carry out the task than the present one has had.

1525 Unless the intention in the sursis is that all the next committee will do is have another round of consultation and then is tied – this is not very clear actually in the sursis – to laying exactly the same proposals before the next States which are before the present States.

1530 Of course that can be done, that is perfectly do-able in the timeline, but what is the point of that? What is the point of saying to the next committee, 'We are electing you. We are telling you to go out to consultation and we are telling you exactly the proposals that you have to bring back to the States in March 2017?'

1535 Now, which is it? What is the effect of this sursis? Is it that the committee will be sent out for further consultation and will have discretion about the proposals it comes back with? Because if it is that, how on earth are they going to do that by March 2017, when the proposers of the sursis are saying that the Education Department has tried to do it too quickly this time around?

1540 Or is it that the sursis requires the next committee to come back with exactly the same proposals as are before us today, in which case what on earth is the point of that, other than the decision can be made the other side of an election?

1545 The point is, sir, that this States was elected to govern until 30th April 2016. (**Several Members:** Hear, hear.) This is not an easy decision. It is probably the most contentious decision that has been placed before the States. It is probably the most contentious decision the States have considered in the past decade. But that does not change the fact that this States was elected to govern until 30th April and we should just get on and govern and throw out this sursis!

Several Members: Hear, hear! (*Applause*)

1545 **The Bailiff:** Deputy Brouard.

Deputy Brouard: Thank you, sir. I am going to try and urge Members to support the sursis (*Laughter*) and I will try and make a few points for it.

1550 Deputy Fallaize made quite a few comments as to the reasons why we should not support the sursis, but I would rather see the *status quo* than take a bold step that is the wrong bold step.

1555 He was claiming that we had the opportunity to make the decision about La Mare in 2014. I would go further back. I have got the Billet here from 2001 and that is basically where the decision was made to rebuild La Mare and it was to:

'Instruct the States' Education Council to report back to the States as soon as may be with proposals to develop the three new high schools, with such proposals to include outline costs of the complete development.'

1560 So I think it is erroneous to start saying it happened in 2014. This has been a long-time agenda item for the States to complete a promise that was made to Islanders.

1565 I take the view that Education has done a lot of work on this but they have been rushed to try and get in before the eleventh hour. We are adding, with the sursis, a further six months to that, in effect, so you can add the two together which gives, then, Education more time to actually come forward and actually have a proper, reasoned argument in their proposals, as to what they actually are proposing.

1570 When I started to think about how I was going to approach this debate ... I have this note on my computer – it was from an early course that Deputies could go on as to how to do speeches –

and it gives you about seven headings and you fill out each of the headings and, by the time you get to the end, in theory, you have got a fantastic speech. It has not happened yet, but I am working on it! (*Laughter*)

1565 But one of the top lines is, for the introduction, you have, 'Settle down everybody', lovely, 'Welcome' (*Laughter*) and a route map. Just looking at the route map I thought actually that gives me a good way in. I was thinking how we got here. Education were happy driving along with the 2001 States' approval to rebuild La Mare and they were going through all the hoops that Treasury feel necessary to gain access to the vault. That is fine.

1570 But then, as it is a route map, Education's minibus was not only being advised by Treasury, we suddenly find that the steering wheel was grabbed by T&R and suddenly they say, 'Well actually, oh, the size of school,' and the price is now an issue. So Education wrestled back control of the minivan and, to Treasury's surprise, there was nothing to see there; actually, it costed out alright.

1575 Poor old Treasury was like, 'What shall we do now?' So we grabbed the wheel again of the minibus and tried the, 'Well, actually if we throw in the 11-plus debate and the size of the estate that should hopefully grind them to a halt', making it doubly hard for poor old Education at this point. They had this nightmare of Treasury hanging onto the steering wheel and, of course, that just steered them straight into a cul-de-sac. That is how we have got here.

1580 So we end up now, time running out, board members with strong ideological positions and virtually no time to produce an articulate report (**A Member:** Shame!) with proposals that should not only stand up but take and reflect the teachers and the public with them. Or showing clearly the evidence of improved outcomes and facing T&R at every direction as they try and back out of the cul-de-sac.

1585 Education have come up with a hybrid which probably suits no one. The public have not rallied round in support and are split. Treasury remain where they have been for a while – firmly against the rebuild of La Mare – although I do not think they are as consistent as they would like to portray, as Education was allowed, or has been given sufficient rope to progress the rebuild, a promise to Islanders back in 2001, following the Torode/Berry amendment.

1590 Now we can debate this all day – and we probably are going to – (*Laughter*) but I am going to pick up on just one element to emphasise the rush on this and the appeasement to Treasury, and this is the four-campus model – brand new, out of the showroom, not seen anywhere else to date.

1595 I was very disappointed listening to Education for one particular aspect. We were at the St Sampson's High – and Education know this because I picked this up in email traffic – and in reply to a direct question asked several times by a member of the audience at the St Sampson's High meeting, a member of the public was asking Education to give an example of where this sort of model works.

1600 Eventually, after a lot of pressure, the person speaking said King John's Trust is a working example. I thought great, we have got something in the bag. I just thought I will go and look at the King John's Trust looks like and it is like comparing apples and pears, and my heart sank. I was really disappointed with that. What should have happened there is Education should have been strong enough to say that, 'Actually there is no direct comparison for you, sir. I am sorry I cannot give you that information. King John's Trust is one that possibly looks like it but it is comparing a secondary school and there is a primary built into it'. But they did not. They just tried to say 'well, actually there is one there'. That let me down, I am sorry. They should have said, 'No, no direct examples'. We can all have our own opinions but we cannot have our own facts and that is how I felt at that time.

1605 So this model – brand new ... and I think, to put all the schools together is a nod to Treasury to say, 'Well it is no longer four schools now, this is going to be much more efficient because we have got just one school.' But that almost sounds a bit of a tinge of *Yes, Minister*, really. I mean that really is that sort of feeling. 'Actually it is alright; it is not four schools, it is just one.'

1610 So one of the modal shifts for Education was the skills Guernsey researched several years ago, I think it was carried out by Frontier, who carried out and evidenced the poor school results, which

although present for many years had not reached the board of the day. That, for me, was a real shock and I think for everybody in the States here.

1615 Fifty per cent of primary school children at that time going to secondary having a reading age below that of an 11-year-old and it was appalling, and so we had the Mulkerrin years. Now, Education have come on leaps and bounds since December 2011 – no denying that and all credit to them. They have actually really pulled their socks up and started to look at what are the issues and giving their support to all the schools.

1620 But, going back to this four-school model – four schools into one school – I am just going to touch on Mr Mulkerrin's executive summary, which lit the touch paper on the reforms in education. I just want to see what he said about the idea of four schools into one.

He did not. *He did not!* What it says is:

'The result is that Education Department, instead of empowering schools, does the opposite. The easiest way would be to create governing bodies, initially at the four larger schools. At a later stage this could be extended to primary schools. The key role of the governing body would be to provide strategic direction, maximise use of resources, monitor school progress and support the head teacher and staff.'

1625 So there, in the executive summary, Mr Mulkerrin is saying about empowering the schools as individual schools. That is where he thinks the key to education's future is.

So what did Education think about? Well, they actually agreed with it, because I have got the Education Matters 2012-13 report and the foreword is written by the Minister, Deputy Sillars. I am just going to read what it says here. This is only a few years ago, this is glacial speed in education over the years.

'We are also continuing to develop our plans for greater empowerment of schools through a Bailiwick form of local management of schools and new governance arrangements.'

1630 What we have today of four-school models completely flies in the face of what they said there.

The Bailiff: Deputy Conder.

Deputy Conder: Point of correction, sir.

1635 As I am sure Deputy Brouard is aware, we are proposing exactly what he said: a local management of school and an independent governing body for the school. We already have it in the College of Further Education, so we have met the conditions and expectations of the Mulkerrin Report.

1640 **The Bailiff:** Deputy Brouard, I think you are straying into general debate, rather than just confining yourself to the sursis and whether or not there should be a delay.

Deputy Ogier: Point of order, sir.

The Bailiff: Deputy Ogier.

1645 **Deputy Ogier:** I believe Deputy Brouard may be in danger of misleading the Assembly. The review conducted by Mr Mulkerrin was never designed to go into the merits or de-merits of four schools or a single school or anything like that.

1650 To state that there is support or otherwise within that report is a complete falsehood, I am afraid.

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you, sir.

1655 The point I am trying to make is that Education's previous, until we have had the Billet today ... was the idea that the secondary schools would perform better by having independent governance over each of the schools. The proposals in the Billet are that we have one school with one over-arching governance and the schools do not exist any more. So, how could you have independent governance of different sites?

1660

The Bailiff: Does that not go to the merits of the proposals, rather than the merits of the sursis?

1665 **Deputy Brouard:** The point I am trying to make, sir, is that they have not shown how that is going to work. When just a few years ago they were saying four schools with independent governance is the right way and then suddenly they are coming at the last minute and saying, 'Actually four sites with one school head is now the right way'.

1670 What I am saying that is a complete change of policy and it has just come through at the last moment and hence that is why we need more time to actually consider what this proposal looks like.

Deputy Sillars: Sir, if I may, it is just an evolvment of where we were. But, actually, I fully agree: this about a sursis to delay, it is not about how we got to where we got to. That will be coming out in general debate, I would suggest.

1675

The Bailiff: And it is a sursis to delay to undertake public consultation.

1680 **Deputy Brouard:** Which is exactly my point, sir: we have not had public consultation on four campuses into one site. Education, until recently, had been promoting the idea of four independent schools with really strong governance and within 12 weeks they have suddenly come up with this idea of four schools into one. That is the point I was trying to make.

I am very near the end of my speech.

The main document often quoted to me is Today's Learners, Tomorrow's Word, and there is nothing in that about four schools into one.

1685 I am not going to argue whether it is a good thing or a bad thing. (*Laughter*) It is just, in 12 weeks, your vision, your ... well, in fact it is not only yours, it is ours because the States endorsed it, I think. This is one I got off the website a couple of days ago so it is fresh and ready, 'The Education board will retain overall strategy, but the individual decision-making will be made within the individual school.' That obviously goes out of the window now, sir, because we are going to have just one school, so the individual sites will not have independence.

1690

The Bailiff: I think H.M. Comptroller is suggesting that you are straying back into general debate, not confining yourself strictly to the sursis. (**The Comptroller:** Yes, sir.) 'Strictly' is the adverb –

1695

The Comptroller: Yes, it is the use of the word 'strictly', sir. Yes.

The Bailiff: – that appears in Rule 13(5) so it is that word 'strictly' that I should be emphasising.

1700 **Deputy Brouard:** Fine. The vision that we endorsed said that the best way for schools to run – this is out of our Education's brochure – 'international research shows a clear relationship between learning outcomes and the relative autonomy of the schools in managing teaching policies and practices'. (**Several Members:** Hear, hear.)

1705 Suddenly we find that the autonomy of the schools is not going to happen. We are going to have one school! (*Interjection and laughter*)

Excuse me, sir, through the Chair. I do not mind people interrupting for legitimate reasons, but if Deputy Conder wants to do another speech, can it wait until later? If that is alright, sir? (**Several Members:** Oohh!) (*Interjection*)

1710 In Today's Learners, Tomorrow's World, sir, 'the Department will introduce a Bailiwick form of management structure of schools to allow head teachers with the structure to allow better use of resources in the school'.

All of this is pointing to the fact that Education had no intention, up until last week – because this is off their website a few days ago – of having one school instead of four. That is the point I am making, that is why I am trying to say it has all been rushed.

1715 When Education come with their figures, which they say here:

'We are committed to evidence-based decision-making and will use researched evidence to develop our proposals in each of the work streams identified in the vision. Any changes introduced must be done with our children at the centre and must be carefully planned to ensure its successful implementation.'

I am saying four weeks for us to debate a major shift in how we do our education is not that way. Their own *modus operandi* are not being used in this particular instance.

1720 No one here wants anything other than what is best for the kids of Guernsey, but you as Education need to articulate what that looks like. You find yourselves where you did not want to be, compromising to fit your board and Treasury's direction.

Your report looks high-risk. Rather than throw it out, I would rather you go and finish it off and come back with a set of proposals. Give me the evidence, the rationale. Give the public the evidence and the rationale. Show how much further results can be improved in three, five or 20 years. Follow your own vision.

1725 How will it all work? What is a college bursary? How many will there be? What is the point of them if one school, Guernsey High, or Education Four, whatever it is going to be called, is delivering on all fronts? (**A Member:** Hear, hear.)

But with your minibus stuck in the cul-de-sac and Treasury firmly grasping the wheel so you cannot turn around, an election looming and a hurried report, I say take the time and accept the sursis.

1730 This issue is too important to get wrong.
Thank you, sir.

The Bailiff: Deputy Bebb.

1735 **Deputy Bebb:** Thank you, Monsieur le Bailli.

I am a little confused with regard to Deputy Brouard's speech. There are quite a few points that I am confused about.

1740 To state that this is rushed on one breath and then state that this is an issue that has been around since 2001 with the other breath, I am a little unsure as to the question in relation to the glacial pace that we have been talking about, against apparently a rushed proposal.

I give way to Deputy Brouard –

Deputy Brouard: Thank you, sir.

1745 The rebuilding of La Mare has been on the books since 2001 – that is the point I am making. These new proposals about the 11-plus are just yesterday.

1750 **Deputy Bebb:** I thank Deputy Brouard for that. However, I am unsure as to what a decision that was made in 2001 ... when, quite rightly, Deputy Sillars said in his opening speech that any consideration of decision in our education system that has not been in the last five years is not really anything other than anecdotal and not relevant to this debate.

Most people agreed with that comment. I am unsure why a decision made in 2001 bears relevance to this debate. As I said in the last time that we debated the education issues, a decision

1755 made before the September 11th Twin Towers came down, being somehow held as being sacrosanct is nonsense and it is only right that we do revisit it after a certain amount of time.

However, on this sursis, in particular, I suppose I should not be surprised but I believe this is an exceptionally cynical move. It is about being unable to determine and argue these points in general debate, but seeking to just delay and to delay for six months in order to have a consultation.

1760 I ask Members to turn to page 1500 of the Billet: 2.7 talks about the consultation and, out of 3,971 respondents to that consultation, 2,128 had connections with either the Grammar or the colleges.

Out of 35% of people who turn up to either the Grammar or the colleges here in Guernsey, we have over 50% responding to this particular issue.

1765 At the same time, I would ask Members to look at page 1499, point 2.4 that is made, and I do not think anybody would disagree with this.

'The Department's proposals also reflect the States of Guernsey's objectives articulated in the Social Policy Plan, to provide "a social environment and culture where there is active and engaged citizenship ... equality of opportunity, social inclusion and social justice".'

1770 I hear nobody disagreeing with that statement. Therefore, my point on this assertion is that we will always have a greater degree of respondents from those people who are well-educated, of middle classes and will always look after the education and the educational needs of their children, and we will have fewer respondents from those in social needs housing. We always do have on all forms of consultation; we have fewer respondents from those very people that we should be concentrating this debate about.

1775 I hear this fatuous line, 'It is what the people want,' but actually it is not what the people want that is the right decision; the question is how do we take care of those people who *will not* voice their opinion. How do we ensure that we have the right educational system?

1780 I have no evidence whatsoever being presented as part of this sursis that a further six months in order to debate, once again, a matter that we know will be heavily debated amongst those people, either who have attended or have associations with the Grammar or the colleges and will always, by the very nature of the way that these things happen, we will have less response from those people that we really ought to be talking about what I have heard in terms in social movement.

Yet here we have a delaying tactic, simply because it is too difficult to make a decision this side of the election.

1785 Members, I am struggling to find any virtue in this amendment and all I actually take from it is cynicism as to the move in order to delay and in order to try and avoid the issue under some pretence of what the people want.

Quite frankly, it is not what the people want that is important, it is what is right is what is important and what is right is to throw this sursis out and to get on and debate the proposals.

1790 I urge you to reject the sursis.

The Bailiff: Deputy Perrot then Deputy Trott. (*Laughter*) Deputy Perrot was rising before you rose! (*Laughter*)

1795 **Deputy Perrot:** I will not be supporting this sursis, but I do think that there has been a most unfortunate characterisation of Deputies Lowe and Brouard as somehow being cynical, and it really has not been helped by snide comments coming from this side and at that end of the Chamber.

1800 I think that in a civilised debating parliament, we all ought to be given the time to debate matters properly and heard with respect. It is a great shame that some people have not been doing that during the course of this debate.

On behalf of the States, by my part, I apologise particularly to Deputy Brouard.

Sursis are generally nonsense, (*Laughter*) but the idea of a sursis here is a beguiling one and I say that because of the language used by the Education Department and the way in which that language would have been received by those people – that is everybody – who were being asked to respond to the consultative process.

1805

I will be very much more critical about this later on in this debate, but the whole of the language used screamed inclusiveness. ‘Your choice! Your school! We really want to hear from you. What you are going to say is going to mean something.’

1810

People, I think, took that at face value. But the trouble is that question did not relate to one school, four sites, so I can see that there is some merit in what the proposer and seconder of this sursis want in that there is a means, were it to be successful – which it will not be, but were it to be successful – there would be a means then on having a proper consultation on really what the Education Department wants to do. That possibility is now going to be ... well, we will not have that choice.

1815

One of the reasons, I think, as well why we should not be supporting this sursis is that the States already have an extraordinarily tattered reputation about making any punchy decisions. The worst attack on our character – not just this States but the last few States – has been the way in which – or the attacks on our character have been the ways in which – the States have constantly changed their minds; for example, in relation to waste disposal. We do one thing then do another.

1820

I do not think that we as a States ought to be saying, ‘Okay. We are going to throw this burden on somebody else.’ I just do not think it is fair. As inadequate as this policy letter is in so very many ways – and I look forward to speaking about that later on – I think we have actually got to reach decisions in this session, take responsibility ourselves and we will have to do away, alas, to the proposer and seconder, with this amendment.

1825

Whilst I am on my feet, though, because it was raised earlier on, Deputy Conder was eager to refer to what he called ‘a pointless report’ from November 2014. I could be wrong here – I do not have the sort of political memory which Deputy Fallaize has, for example – but as I remember, the amendment which subsequently resulted in the report being bespoke was actually laid by the Education Department itself. Admittedly, pressure had been brought to bear at one stage by Treasury & Resources, but it was the Education Department who put the proposal before the States. It was accepted by the States and that proposal was that there be an independent report.

1830

I do not think it behoves Deputy Conder now to say that was a pointless exercise because, as I remember, he voted for it!

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The Bailiff: Deputy Trott.

Deputy Trott: Sir, maybe you could help me. Is this the right time to mention what an outstanding education my elder daughter is having at the Grammar School? Is that the right time?

1840

The Bailiff: It is not relevant to the sursis, no. (**Deputy Trott:** Oh, okay, sir.) As I am sure you well knew. (*Laughter*)

Deputy Trott: That is fine, sir, I will mention it later in the general debate.

1845

Deputy Fallaize – I always enjoy his words of wisdom and maybe I could give him an opportunity to return to his seat, sir, just in case he wishes to – (*Interjection*) Oh, he is fine.

Like me, sir, Deputy Fallaize was fortunate enough to have an excellent education at Elizabeth College and Deputy Fallaize tells us that additional consultation is unlikely to change people’s views.

1850

I thought this was an odd thing to say, but he said it nonetheless. For me, that is that, then because nearly two-thirds of respondents were against an all-ability system with no Grammar School. So it is clear that this Assembly has no mandate for change if we are to accept the words of wisdom of my good friend Deputy Fallaize.

1855 I am in an invidious position, because I find myself having to vote down all of the proposals unless this sursis is supported, because it is a very good thing indeed that decision hurdles the election and let me explain why.

What it does is it avoids the prospect of a yo-yo decision. Based on what Deputy Fallaize tells us, people will not change their views and therefore, to be consistent with previous consultation, a majority of our community – and a fairly significant majority at that – will be opposed to change.

1860 That means that we will make a decision today and making the decision, sir, is the easy part. Easy peasy, lemon squeezy making decisions, it is the implementation that is difficult.

I will give you a perfect example. We made the decision to have a no real-term increase in expenditure, but the very first time that became an issue we ignored it and decided to get the cheque book out and stick a dollop of money to get us out of a predicament.

1865 The point is decisions are easy, implementation is difficult. Now, we have no way of knowing what the constitution of the next Committee *for* Education is likely to look like. We have no way of knowing what this Assembly is likely to look like. But let's just imagine a nightmare scenario. We make a decision today to go along with the Education Department's proposals, a new Assembly comes in and it is clear from the word go that it does not like those proposals but even clearer is the fact the new Education Committee has real reservations.

1870 We, as a consequence, structurally provide for a yo-yo scenario where this Government makes a decision one day and a matter of a few weeks later the new one, who has to carry out the implementation potentially changes its mind.

1875 That is not a good situation to be in. I would like to remind this Assembly of something. I know you all think you have done a wonderful job and, in some cases, many of you have. But I was walking down the road with Deputy Quin this morning. Deputy Quin and I entered this Assembly for the first time in 2000. I entered then with strong views in favour of selection, I have maintained those views ever since and have been fortunate enough to be re-elected.

1880 I said to Deputy Quin, who is not a man for rash and emotional moments, whether he agreed with the widely held view that the perception is that this is the worst States of the four that we have been in and he unequivocally endorsed that view. This is not a popular States. It is not a popular States because the perception is it does not listen.

This Assembly has been given a very strong guide. There is no mandate for change. Face your electors, get that mandate and then make a decision.

That is the wise thing to do.

1885 Thank you, sir.

The Bailiff: Deputy Le Tocq.

The Chief Minister (Deputy Le Tocq): Thank you, sir.

1890 I hate to disagree with my fellow O. E., former Chief Minister, Deputy Trott, but I do not agree with him on those principles. If that was the case, we would leave all our difficult decisions to the beginning of each term because that, apparently, is the only time that you can do so. I do not think that is the case.

1895 Sir, whilst I recognise the right of Deputies Lowe and Brouard to bring a sursis in this fashion, I do not agree with it and I do not support it, and I want to just spend a couple of moments explaining why that is.

1900 Deputy Perrot has actually gone into a lot of things that I would have said so I thank him for that and echo those things; particularly because I believe that we need to have courage. We need to have courage of convictions and recognise that whilst there are some that might be swayed, and I can see the attraction of it – for all the reasons that Deputy Trott alluded to – being swayed by fear, being swayed by the politics of populism on those things. I come back to that requirement for us to be objective, to be people that, yes, we listen to those who elected us, but we are their trustees given to look at all the evidence that is provided for us.

1905 Not just the evidence that is in front of us today, but the evidence elsewhere as well. This is, as Deputy Fallaize alluded to, something that has been going on since ... Indeed, I was in the sixth form in Elizabeth College when this first came up.

1910 For decades it has come before us and, if anything, there is more evidence around today. One way or the other, depending on how you are going to vote, depending how you are feeling about it – as Deputy Trott says he has not changed his mind ... I *have* changed my mind over the years and I have done that through both listening to people, examining the evidence and being on Education myself and seeing my own children go through the system.

1915 We have all got that. We need to have courage of convictions and to make those decisions. For the sake of Government in general, let alone this particular issue, I would encourage Members of this Assembly, sir, to have courage to take the decision today and therefore not to vote in favour of this sursis.

1920 But of course this is also a sursis *motivé*; it is not just sursising the whole thing, it is sursising some of the Propositions but not all. Therein lies the rub. Therein is the hidden part, because those who are proposing this want to spend money – *a considerable amount of money* – on rebuilding La Mare de Carteret School. (**A Member:** Hear, hear.) I have views on that – I *do* have views on it – but it is completely illogical to make a decision to rebuild a school when you have not made that decision that Deputy Trott alluded to and you are putting it off until after the election as to what system you are going to run, whether it is selective or not (**Several Members:** Hear, hear!) and, if it is a form of selection, what form of selection? It is completely bad governance to do that.

1925 And to make that decision in that order, which is the hidden part of this sursis *motivé*, that, on the face of it, if you look at it, it looks attractive, but you forget that we are going to then be encouraged by the very same people to vote in tens of millions of pounds to build a school that may well not need to be built.

1930 I am totally in favour of the primary school being built – let's put that to one side – and I hope the majority of this Assembly is as well, because that needs to happen, but there is a huge chunk here of money that will be potentially wasted that could otherwise be spent improving education or other parts of our very needy economy in a much more appropriate way.

1935 That is far better use of our time and resources. So I encourage Members to reject this sursis and to approach this in a logical way and make sure that we make the right decisions in the right order.

Thank you, sir.

Several Members: Hear, hear.

1940 **The Bailiff:** Deputy Hadley.

1945 **Deputy Hadley:** Mr Bailiff, the Department has spent a lot of time on researching these proposals. We were allocated £70,000 by the Treasury & Resources Department. We have had numerous board meetings and discussions with head teachers. We have had 29 focus groups. We have examined numerous reports on education and consulted widely.

Now Deputy Lowe wants us to consult more for this Assembly on the proposals we have come up with and to defer a decision for the next Assembly.

1950 The next Assembly, I think it has been mentioned, there may be no members of the current board that have immersed themselves in the issues for the past year. Half the Members of this new Assembly may well be new to politics with no experience of our system. So the new board and the new Assembly will have to start all over again, as Deputy Fallaize made very clear, because they will presumably consult on the proposals that we have got and they will come back with a whole set of new proposals.

It just makes no sense at all.

1955

I also want to emphasise the point that others have made that consultation is only part of it and making the decision is what this Assembly should be doing.

1960 I think Deputy Trott is quite wrong about the reputation of this Assembly. I do not think the reputation of this Assembly is in anyway damaged by the fact that we do not listen to people, I think it is damaged because we do not make mistakes – (*Laughter*) we do not make decisions! Sorry, because we do not make decisions.

1965 I do believe that, if this sursis were to be successful, there would be teachers that would leave this Island because of the uncertainty that would persist. I do believe many of the teachers on this Island believe that we do have an outdated system of education which no longer exists elsewhere in the British Isles. If we fail to make a decision today and send a clear message that we care for the education of our children, we will certainly deserve the title, in my view, The States of Prevarication.

1970 We need to reject this sursis and make decisions on what we should be doing and the way forward.

The Bailiff: Deputy Gollop.

1975 **Deputy Gollop:** I am in favour of the sursis. Indeed, in some respects the sursis does not go far enough, because I do take on board some of the arguments that of course it does, by implication, allow a vote to proceed with La Mare de Carteret School.

1980 However, it has to be said that I have in the past strongly voted for the school to go ahead for all kinds of reasons, not just education and morale-building, but also to do with the proper management of construction projects. The fact that has been frustrated over the last few years should not be an issue today.

1985 Indeed, some of the opponents of the sursis are making the arguments that we have just heard that letting the school go ahead with the sursis is wrong. Actually, we were about to go ahead and vote for a school under the current system, not the future system and there was doubt as to whether the Education board would even come back with a new system at one point.

1985 So the arguments to go ahead with a school to benefit that community are there regardless of the system that we choose.

1990 I think there has been a straying perhaps from the main reasons for the sursis. I see the sursis, in a parliamentary sense, as being a Second Reading. It is quite right that the issue has been under discussion for 20 years. It is also true that the Education Department did go through a form of consultation last year.

1990 There were some criticisms that the focus groups were somewhat curious in that they were more opinion based than factually based in terms of a traditional lecture form...

1995 But the consultation that came back was rather complicated. Clearly, you had a majority on one level for change and to revise the 11-plus, but also a majority to stick with the grammar school system.

1995 But then again I think if we went out to consult and said, 'Do you want to pay more tax and do you want tougher control on public expenditure?', you would get, 'Yes'. 'Do you want more spent on health?' 'Yes.' This is the problem with consultation: it does not move you forward.

2000 The point of this, though, is for a consultation not on vague abstractions and principles of education and what the vision actually means, because I actually agree with virtually everything in the vision and I agree with the ideals behind it. I also agree we do need some form of change in our system, albeit that does not necessarily mean weakening the best elements of it, or at least some of the stronger elements.

2005 The problem I have is this is not only rushed at a time when States' Members and other persons interested in public life have been extremely busy, but we have not had a consultation, apart from the three public meetings – I attended all of them, funnily enough – on the proposals as developed.

2010 We have had consultation on the principles but the proposals that have come out of the system, such as the anomaly of continuing with college funding when the principles by definition imply that you do not need the colleges in the framework any more. Such as the decision not to have four self-managed schools, or three self-managed schools, but one school on four campus sites. Such as the interesting, and I think possibly workable, 14-plus provisions. But of course there is no detail as to the scale or the scope of that or to the transportation arrangements.

2015 There are many unanswered questions and we really do need for the next Education Board to take what has been achieved so far and say to the public: 'Do you want this model or do you actually not want this model or do you want the model improved or refined?' Because I can think of a variety of useful changes and modifications that could be made that would in fact perhaps satisfy many queries and concerns that have not been done so far.

2020 That is not to say we should throw the whole lot out. Nor is it to say that we should accept it at this stage when there are legitimate concerns and there is division even amongst the teaching profession and amongst parents and society generally. And of course cost, as we hear today, is a factor as well. Therefore, the reason for the delay is not to start the whole process off again, but to go out to the community with a clear message of what the Education Department has put forward.

2025 Like Deputy Trott, my greatest concern is that we will end up with an *a la carte* debate if this loses, with bits and pieces winning. In fact I am surprised in a way the Education Department are not keen on the sursis, because there must be possibility, for example, that one of Deputy St Pier's amendments wins, which completely changes the game and modifies the way it is done, as well as perhaps restructuring the tertiary fields. We can prevent that today by voting for the sursis, so the sursis really is the least worst of the options facing us.

2030 **The Bailiff:** If no one else is rising I invite the Minister now ... Oh, we do have two people suddenly jump to their feet.

Deputy Brehaut.

2035 **Deputy Brehaut:** Sorry, sir. I thought there would be much more debate – maybe there is yet – so I was not on my feet.

We have been here before and had amendments or sursis *motivés* before and I am afraid the collective amnesia of this Assembly does hold us back. We do procrastinate, because we forget what impacts that these amendments and sursis have on policy making.

2040 There is no doubt this sursis *motivé*, which implies action, is nothing other really than a wrecking ball. It is clearly meant to delay.

Much probably to the annoyance of Deputy Perrot, to use another metaphor, it is something of an iron fist in a silk glove because the impact is greater than you believe it will be because it is being sold in a very, very soft way.

2045 I remember being in this Assembly with the optimism over throwing out Lurgi and Suez, when we supported both of those. I remember, if we could capture and distil the mood of the Assembly on both occasions, it was upbeat, it was optimistic. We were going to get a solution. PSD were going to report back in a short timeframe – whatever timeframe agreed – and deliver.

2050 We know that we have had a Statement from the Minister of PSD today that events happened, things occurred, and regardless of the wording of any amendment or a sursis, we know there will be further restraints and things take longer.

2055 I know Deputy Bebb earlier did speak, and we should refer to the political choreography outside this Assembly because we are in this bind all the time, because I believe that actions like this actually make this Assembly and make our politics dysfunctional. People say this Assembly does not work and actually some of those people responsible for making this Assembly dysfunctional then go on to claim that Island-wide voting is the remedy when actually it is the actions of individuals at any one time that can change the outcomes from this Assembly.

2060 Just in closing, sir, we have heard all these arguments before, particularly calling to mind the Road Transport Strategy when we faced, remember, the legislation that would see the charging regime. Once again the Brouard/Lowe seductive amendment was placed. That delivered something the strategy could not. It came back to this Assembly and the States dismissed it and the States approved a different funding method.

2065 Just on consultation, where does it begin and end? Because if the Education Department have gone out to consultation, the argument is you then go out again and come back in 2017 and then what? With a new Assembly, go out to consultation again.

I have never supported the 11-plus. I sat in that public gallery in 2001. I was optimistic then that the States may have sorted the issue around selection. An exam when you are aged 10, selection at 11. We are here again. So I have always been against the 11-plus.

2070 This is a difficult decision; it is a tricky decision. Please do not procrastinate again because, as other Members have said, that will be the legacy of this States. It will be the States of Procrastination, rather than the States ... because it is simple isn't it, it is easy to go with the *status quo* rather than forge change and adopt new policy.

Please, just be bolder today.

Thank you.

2075

The Bailiff: Alderney Representative Jean.

Alderney Representative Jean: Thank you, sir.

2080 Ahh! The allure of a sursis. Why would I feel attracted to the sursis? Well, I need to tell you because Alderney could be described as the Tail-end Charlie at the moment, in all of this. It has not even been mentioned this morning, so I thought I would.

Much change has taken place in Alderney. We have a new head teacher, Martin Winward, who is like a breath of fresh air; we are delighted with him.

2085 I believe any consultation was not taken notice of enough here and from Alderney. We had a meeting at the school to take on board views from parents a week ago, only – the time frame was so short only a handful of parents turned up.

2090 I believe that was a mistake and I believe that we should have had a public meeting. In Alderney public meetings are well attended. Because of that, there are quite a few people on Alderney basically disenfranchised, that have not been giving their views, like young mothers who are about to have babies. My own daughter has spoken to me about it. In connection with the sursis, the way I am looking at it is it is for more time, but I am not happy about it.

Our broadband connections at the Alderney School are not adequate. We need to get that right as Alderney cannot federate without the electronic side of the technology. If we cannot get that we cannot possibly even think about federating.

2095 More change. Our school – recently many of you will have seen the interview – will pioneer the new People's Jury to set up a new board of governors. At the moment, as we try to give our views, our own management committee in the structure that it is now is not as strong as it should be in its present form.

2100 With so many changes we could, in Alderney, argue for more time. The 11-plus: many people in Alderney have contacted me and they believe that it should be kept. They believe that there are difficulties there for Alderney.

2105 Yes, the allure of the sursis. I feel the allure of the sursis, but I know it is wrong. I am not going to be able to support the sursis, but do you see the problems for Alderney? More time bought for Alderney to establish its People's Jury and to set up the new board of governors, which will give the Alderney School a stronger voice than it has at present and perhaps the benefit of a full public meeting in Alderney, so that everybody can contribute; not just those who wish to fill in forms and a handful of parents who turned up, which was unusually disappointing for Alderney. From that, the views were so split that if I had to make my mind up on that meeting, I simply could not.

2110 I am not going to vote for the sursis. We are going to go ahead with this thing. I am going to try and push out some more stuff and talk to you some more.
Thank you.

The Bailiff: Deputy Sherbourne.

2115 **Deputy Sherbourne:** Thank you, sir, Members.

I do not really like taking issue with fellow Deputies but I really must say that that last speech is a gross misrepresentation of the meeting that I attended on behalf of the Education Board in Alderney and I will follow that up later.

Sir, Guernsey has not got the best history with regard to change –

2120

Alderney Representative Jean: Point of correction. I was not intending to have any argument with you, Deputy Sherbourne, I was just stating facts that very few parents turned up and, to my view, we should have had a public meeting, not a parents' meeting.

2125 **The Bailiff:** Deputy Sherbourne.

Deputy Sherbourne: It is very easy to get in an argument now and I will leave that until later.
(Laughter)

2130 Sir, Guernsey's history for change is a pretty diabolical one in education and those of you that have actually had a copy of Rose-Marie Crossan's booklet, if you have read the section on post-war development in education in Guernsey, you will understand exactly what I am saying.

It took 16 years for Guernsey to raise the school leaving age to 15 after the UK. It took us until 1970 to introduce the 1944 Education Act of the UK. It took a further 36 years to raise the school leaving age to 16.

2135 I really do not know how many years it has taken to introduce pre-school. This year, maybe, we will do it. Early years provision. We have a most appalling record and, luckily, this Assembly has agreed to a joint initiative from HSSD and Education and that will be addressed. So things are looking good.

2140 I would just like to return to a few of the comments that my Minister made in his opening speech, not specifically about our proposals but more to do with what we, as a board, have achieved and why I believe you should throw this sursis out and allow us to get on with the next phase of the development of education in Guernsey. You have an opportunity to do that.

2145 It has been claimed that our proposals are radical. Nonsense! Most of the things that we are actually proposing are already in train, already in place. They are a natural extension of what we have already started doing.

There is, however, one contentious issue –

Deputy Brouard: Sir, point of correction or point of order. Is this strictly on the sursis, sir?

2150 **The Bailiff:** Well, I was beginning to wonder that myself. Are you straying into general debate, Deputy Sherbourne?

Deputy Sherbourne: I am sorry sir if I am straying. I will try to get back to the point.

2155 The only contentious issue, which cannot be called radical but it is contentious, is the debate around 11-plus and the removal of that from our system.

It will never go away. The issue will never go away; it has been with us since its introduction. It will never go away until we remove it from our vocabulary.

Our Education Board over the last four years have raised standards; that was our priority.

2160 **The Bailiff:** Deputy Perrot.

Deputy Perrot: Point of order, sir. Does this bear upon the sursis?

The Bailiff: I think Deputy Sherbourne is straying off the sursis again. The Rules say debate at this stage – and I need to quote from Rule 13(5):

2165

‘Must be limited strictly to the sursis and no other issues relating to that matter, including proposed amendments, shall be debated until the sursis has been voted upon.’

That is what the Rules say.

Deputy Sherbourne: Thank you, sir. I found it a bit rich, coming from Deputy Brouard, but there we go! (*Laughter*)

2170

Deputy Perrot: The point of correction came from me. (*Laughter and interjections*)

Deputy Sherbourne: To continue, I am very conscious of the time, the bottom line is that after four years our system is in a better place, our whole system is in a better place, and yet we have still some way to go.

2175

I believe that this amendment is purely an attempt to delay in the hope that a future Education Board and Assembly would like to undo all the work that we have actually done.

Deputy Lowe is not a supporter of change with regard to education and is defending the *status quo*. I respect that; that is fine.

2180

Deputy Lowe: Excuse me, sir, point of correction. It is good that Deputy Sherbourne feels he is a mind-reader. I am asking for a sursis for debate. I have not decided whether I support change or not and I ask him to bear that in mind in future please.

2185

Deputy Sherbourne: I believe that the delay would not be in the long-term interest of our children.

I believe also that this Assembly is well equipped to deal with that issue and I would ask you to consider very seriously the damage that will be done to the education in this Island if yet again we put off a major decision like that.

2190

It will impact on staffing. We have already heard the problems that are associated with change. There will be more about that if we get to debating the three and four-school issue. But I do believe it is right that this Assembly should see this issue through and make a decision on the important elements of our proposals.

Thank you, sir.

2195

The Bailiff: Members, it is now 12.30 p.m. I think there are still one or two speeches to come and of course Deputy Lowe has yet to reply, so we will rise for lunch and resume promptly at 2.30 p.m. for the photograph.

*The Assembly adjourned at 12.30 p.m.
and resumed its sitting at 2.30 p.m.*

**Procedural –
Photograph of States’ Members**

2200

The Bailiff: Members, we agreed we would start with the photograph this afternoon. I see that there are two Members not present, but it has gone 2.30 p.m. Are they within the building, does anyone know? No. (*Interjection and laughter*)

We have debates to get on with. I think, Mr George, if you want to take the photograph?
Thank you.

Two Members entered the Assembly.

The Bailiff: Ah! (**Members:** Agh!) We thought you were media shy! (*Applause and laughter*)

The States' photograph was taken.

2205 **The Bailiff:** Thank you, Mr George.
Sorry, I think Policy Council would like a photograph just of the Members of Policy Council.
(**Several Members:** Aaghh!)

A photograph of Policy Council was taken.

A Member: Can we have one without? (*Laughter*)

Procedural – Addressing the Chair

2210 **The Bailiff:** Members, that is the end of term photos done. Before we resume debate this afternoon, can I just remind Members that they must speak through the Chair at all times. We had lots of speakers this morning who were using words like, 'You should do this' or 'You should do that' when they were addressing either other Members directly or the Education Department directly or, in some cases, the movers of the sursis.

2215 There is no point telling me that I should be doing something because I am in no position to do so. Just remember when you are speaking, you are addressing me, you are not addressing others. You should use the words, 'Members should do something' or 'the Department should do something,' not the word 'you'.

EDUCATION DEPARTMENT

The Future Structure of Secondary and Post-16 Education – Debate continued

The Bailiff: Deputy Perrot, you wish to raise a point of correction.

2220 **Deputy Perrot:** May I make a point of correction, please, sir?

My memory played me false; it is a sign of my increasing frailty. I, wrongly, this morning had remembered that the amendment going back to November 2014, relating to the independent review, had been one of the Education Department. It was not.

2225 I am sorry if I misled the Assembly, there. I take that back. What I was thinking of was the subsequent amendment which arose later on, which has resulted in – Don't shake your head! Through you, sir, please would the Minister not shake his head at me. I find it most disconcerting. I was thinking of another amendment, so I apologise to the Assembly.

The Bailiff: Thank you, Deputy Perrot.

2230 We resume debate now on the sursis on the Education Department's policy letter on the future structure of secondary and post-16 education.

Deputy Gillson.

2235 **Deputy Gillson:** Sir, I shall be very brief on this. It is just that some people have mentioned, in order to help justify the sursis, the small amount of contact that the Education Department has had with the three colleges. That is not a problem. The three colleges are working very closely together and agree that the most appropriate time to enter into discussions about the future with Education Department is after the States have finally made a decision regarding structure of secondary education.

2240 So I hope that people will not support the sursis.

The Bailiff: Deputy Laurie Queripel.

Deputy Laurie Queripel: Thank you, sir.

2245 Like some of the Members have said, the sursis is an attractive motion and I am to some extent attracted to it, but I think I will resist it.

I just wanted to comment on something that Deputy Lowe said at the start of her speech. She was talking about the feedback we received from members of the public via emails and letters and, in her opinion, the majority of people were saying that we should resist the education proposals and stay with the *status quo*. But I am not absolutely sure that is quite true. I think it is probably much more evenly split than that.

2250 There have certainly been a lot of emails and letters saying that, but there have been quite a few as well saying that we should go with Education's proposals and, quite tellingly, there have been many educationalists saying that, teachers, head teachers etc.

2255 Also, I think there has been some opinion in the middle ground. People have almost taken a pick 'n' mix approach in some of the emails and letters we have received. They quite like some of the proposals but not all of them. So I think it is much more of a mixed bag than just saying that the majority of views were in one direction.

2260 I think Deputy Sillars was right this morning when he said ... I do not know if this is what is intended by the proposer and a seconder, but in a way this sursis is a referendum in disguise. What they would quite like is, whatever results come back, they would like that to almost be binding on the States.

2265 I am not saying that is a good or bad thing. I quite like the idea of referenda, especially when it comes down to matters of electoral reform or matters to do with constitutional affairs. But my concern is if we are going to, in effect, go out to referendum on all the big issues, I think we need to be conscious of that if we make this decision to support this sursis. I think we are in danger of moving away from the model of what you might call representative democracy towards a form of more direct democracy.

2270 Once again, I am not saying I really have a problem with that, but I think we have to bear in mind, we have to be conscious of the fact that, if we vote for this sursis we are starting to take the States in that direction.

2275 It is quite interesting because I have spoken to people in the past who have been very keen on the idea of direct democracy. I have seen people post on sites like *This Is Guernsey* saying, 'We should have direct democracy,' etc. but some of those same people, sir, when it was announced there was going to be a referendum on Island-wide voting, they were saying, 'Oh, it is too expensive to have a referendum on Island-wide voting.' So really, we as States' Members, and members of the public more generally need to make up their minds. Do they want representatives of democracy, or do they want direct democracy? I have got no problem with either, personally, but we have to understand direct democracy comes with a cost.

2280 Also, sir – Deputy Perrot mentioned this, this morning – I do have some sympathy with the point that he made. I think Education did not do themselves any favours by going out with a

2285 consultation paper entitled Your Schools, Your Choice. They are saying that even their model they are putting forward is a bit of a compromise, but it is quite clear that they had a quite particular model or form in mind and I think we could have avoided a lot of this friction that has been caused if they had been a little bit more straight forward in regard to the title of their consultation.

So, sir, that is all I wanted to say. It is a very attractive sursis, but I think I will resist it and I just want Members to bear in mind that the feedback in regard to the emails and letters was, I think, a bit more even than Deputy Lowe said.

2290 Please bear in mind if you vote for this I think you are slowly taking Guernsey towards a form of direct democracy, rather than the form that we have in place at the moment.

Thank you, sir.

2295 **The Bailiff:** I see no one else rising. The last time I said that, two people jumped up. But, no, the Minister wishes to speak and then it will be for Deputy Lowe to reply.

Deputy Sillars.

Deputy Sillars: Thank you, sir.

2300 I would just like a point of clarification actually for Alderney Representative Louis Jean. In Education we did advertise and we did hold a public meeting in Alderney. Unfortunately, not many turned up and I fully accept that.

2305 The other issue that he mentioned was about bandwidth and I absolutely agree with him. He knows this as we have talked about it many times in the last few years. So I plead, Alderney States, please improve the bandwidth into Alderney as we have already the infrastructure in place to allow better links between the Islands with our schools –

Alderney Representative Jean: I would make a technical point, if I may, sir.

Deputy Sillars: I will give way.

2310

The Bailiff: The Minister will give way.

Alderney Representative Jean: Thank you.

2315 I should apologise, because I now realise it was a public meeting. I was unaware of that and I misled the Assembly and I would like to apologise for that. It was incorrect of me and I realise I was wrong and I am very sorry.

The Bailiff: Deputy Sillars.

2320 **Deputy Sillars:** Thank you for the fulsome apology. No problem.

Members, please do not support this sursis for a whole host of reasons. I have a sense of *déjà vu*. This takes us back to May 2015, when this Assembly rejected our proposals to do just this. Instead, we were directed to submit a report to the States in sufficient time to enable a debate, by the Assembly, at or before March 2016 States' Meeting.

2325 As also directed by the States, we consulted with all stakeholders and submitted our report at the start of January 2016, so that we could debate our proposals now.

In May 2015 the States also directed the Education Department to agree that commencing the construction of the facilities at La Mare in May 2015, Proposition 1, was conditional upon the Department presenting this policy letter now.

2330 We have been doing exactly what this Assembly directed us to do. If this Assembly is now going to support this sursis and in effect say, 'Sorry, Education. Remember that decision we made back in May last year. Well, we did not really mean it. But do not worry, let us get on now and redevelop the school site even if the cost has substantially gone up'.

2335 And there is more. This sursis is not just an expensive mistake, it gets worse. We are being told to go away and do everything again in the same time period and come back with a report by March 2017. T&R have already given us £70,000 to do this consultation, so do we go and ask them for the same amount again, perhaps to get the same answers?

2340 We are about to have a General Election. The new Committee *for* Education, Sport and Culture will be appointed in May. They will be on a steep learning curve and would probably be going out to consultation in the autumn term. Despite Deputy Lowe's view on the phone-in, they will not be able to go out to consultation in June, July and cannot consult over the summer holidays.

2345 So it is exactly the same sort of timetable – I would argue it is less – that we have just been through. Again, during the phone-in on Sunday, Deputy Lowe said we could come back to the States earlier than March 17, because it was in the hands of the new committee to do that. As I have just said in my reply, that is totally misleading and wishful thinking.

With the General Election coming and a new committee in the summer holidays, any consultation with the public could only start in September if the new committee was able to hit the ground running. Then, with preparation of the policy letter, we are 12 months away. Make no mistake; this is a delay and more uncertainty.

2350 And there is more. The impact of, firstly, the uncertainty of the profession, the learners, the parents and the carers and the community. They have consistently and repeatedly sought a decision and leadership from this Assembly.

2355 This sursis ducks that and, secondly, because the timing is critical, we would be setting up the future Committee *for* Education, Sport and Culture, and the new States to fail, which I think is irresponsible and verging on wilful negligence if we ignore the reality.

Let me deal with each of these in turn. Let me deal with the uncertainty. The profession is calling out for leadership and decisiveness from this Assembly. Our secondary head teachers have said:

'The plan for secondary education outlined in the proposals clearly initiates significant change. We remain committed to further improving secondary education for young people across the Bailiwick and we will continue to ensure the students in our respective schools are appropriately supported to achieve their potential through times of change. We are encouraged that the Board of Education's recommended proposal means that no school site will face closure. However, we remain acutely aware that there is still some way to go before the decisions are made and it remains possible that, even following the States' debate, agreement may not be achieved. We urge our Deputies to reach a solution without undue delay and to be mindful that the uncertainty surrounding secondary education is unsettling for our school communities, staff, parents and, most importantly, the children themselves.'

And what do our primary head teachers say?

'An undertaking was made by the States in 2001 that all children should be able to enjoy the same levels of facilities, resources and high quality teaching. As primary head teachers, we can see no reason to delay the rebuild of La Mare de Carteret and the fulfilling of this undertaking. We would encourage the States to consider these proposals carefully, as a complete package, but for the sake of our children not to drag this process out. The children of this Island have already faced delay and uncertainty and this cannot be allowed to continue.'

2360 They went further when a number of them were interviewed by the *BBC* when one of our primary head teachers said:

'This decision was made in 2001 to stick with the system that we have got, so I feel that we have been waiting since 2001 to reverse that decision and to do the right thing. I think a further delay would have a negative impact on everybody. The Education Department is doing what it was mandated to do, which is to bring these proposals to the States at the time that they were told to do it. So I think further delay would not be the right thing to do. We need to implement the proposals without further delay.'

Another primary head teacher has said specifically about this amendment that:

'Life will continue, but the uncertainty, if it does not go through, will linger and hang over us and if it does go through then it is full steam ahead and we can focus on that and we redouble our effort in making this happen.'

The staff associations have said:

'Although there are obviously many questions still to be answered and the devil will be in the detail, the NAS/UWT would be in broad support of a number of aspects contained in the proposal.'

2365 Most pertinently, I quote again:

'It is of critical importance that the States arrives at a firm decision at the March Meeting to end this uncertainty.'

Far from strong leadership that is required, this amendment gives this Assembly the opportunity to kick these issues into the long grass and avoids Members seeking re-election and those seeking election from having to nail their colours to the mast in order to get elected and then mull over this in the safety of an early to mid-term decision.

2370 Which is, in fact, all the more reason for this States to make a decision now. (**A Member:** Hear, hear.) If the electorate are unhappy with this decision, then they are free to make their choice at the ballot box accordingly and return an Assembly at the General Election with a mandate to either implement this decision or overturn it.

2375 There is no such opportunity in March 2017. By the time a general election comes around in 2020, the electorate will not have an opportunity to comment or stop any proposals. The changes will have already been implemented.

So what about the timing and why this is so critical. As highlighted by the profession and the staff associations, these proposals are designed to be seamless, to minimise the disruption to our children and young people's experiences.

2380 As noted by a primary head:

'Well, I think that the proposals on the table at the moment are the least disruptive option. I think that the transition that we have for the new system could almost be seamless in the way that it has been put together, so I welcome that opportunity.'

One of our primary teachers stated in a letter to the *Press*.

'I have been to hospital, but it does not make me a surgeon. I have also been to a court room, but it does not make me an advocate. People who feel they have the right to contribute should research, read and discuss with the profession and then form their opinion.' (*Laughter*)

Our educational experts, our head teachers, have been saying since 2001 that the 11-plus should go. They have maintained this view for the last 15 years, so I do not think another 12 months of delay and procrastination is going to make them change their minds.

2385 Of course, seeking the public's view is important, although I wonder just how many of them will change their minds if you go to yet another consultation.

2390 Members, I urge you to listen to the voice of our education experts and make these decisions today. We have an opportunity to have a new system for administration to secondary education in place with the completion of the rebuild of La Mare de Carteret and a new funding arrangement for the colleges.

From our perspective, in contrast to the perfect storm that departments often have to respond to, we are in the fortunate position to have the perfect window of opportunity to implement the changes that are needed.

2395 As I mentioned earlier, the detailed planning to support these changes has to start now. This is recognised by the NAS/UWT, who look forward to engaging with the Department on the next steps, particularly a discussion of all the detailed issues which will now need to be considered.

2400 Another 14 months' delay, as proposed by this sursis, would be catastrophic and, in my view, be converting the perfect window of opportunity to the perfect storm to sink the new Committee for Education, Sport and Culture. Unfortunately, too often the outcome of Guernsey, compromise or fudge.

In summary, I would urge Members to reject this sursis in its entirety. It is well intentioned but, for the reasons I have explained, I believe that should it be approved then it would make the

States a laughing stock, as it would make the decision made by this Assembly in May 2015 completely pointless. What were we doing?

2405 We would be demonstrating a complete lack of leadership. We would be setting the future Committee for Education Sport and Culture to fail and it would be leading to more costs because of where we are in the process.

Please consign this sursis to the dustbin for the history of bad ideas, where it belongs.

Thank you.

2410

Several Members: Hear, hear.

The Bailiff: Deputy Lowe.

2415 **Deputy Lowe:** Thank you, sir.

Sorry for the delay. It is just I had my attention brought to me ... that there is a letter from youngsters asking us to support the sursis. That is quite interesting. I have not got time to look at it. Anyway, I thank those children for writing in and I will have a read of it later.

2420 I will start with some of the speeches that Members have made this morning and, indeed, earlier this afternoon. First of all, I wish to congratulate Deputy Trott. Indeed, a lady said to me at lunch time, 'What a splendid speech from Deputy Trott – a voice of experience.' I pass that on to you, Deputy Trott. She asked me to do so.

The Bailiff: Through the chair.

2425

Deputy Lowe: Through the Chair, sir. No, it was not Mrs Trott! (*Laughter and interjection*)

But it was a very good speech because, as has been said by Deputy Trott and, indeed, I said it as well, I believe that this will be an election issue and if anybody does not think it will be, well I think they will be surprised.

2430 If we are talking about you do not want disruption, you want a smooth transition, then in that case you should be supporting the sursis.

The Bailiff: Through the Chair.

2435 **Deputy Lowe:** Deputy Le Tocq said let's look at the evidence. Well, I would like to see the evidence because I see here about one school and four campuses, but I have not actually seen the evidence to that. There is no evidence to back that up. So I do not know. He is saying the evidence is there. He might have a different Billet to me. I have not seen it. These are the questions that people are actually asking about.

2440 The issue has been addressed now with Alderney, which I am rather pleased to hear that.

Regarding Deputy Conder and Deputy Bebb, and it was said by a couple of others as well, that they have been in consult with all stakeholders – in fact, the Minister just said that as well – no, you have not! This is the point of the sursis. You have not been out and consulted with all stakeholders. You went out with a questionnaire, with a menu of ideas. It came back; the States, sir, came back with a menu of ideas. We have not had a consultation going out to the public on that menu now that you have come up, Education, with the Report.

2445 That is what the sursis is all about. For Members to say that they have been out to the stakeholders, no they have not. That is what the sursis is all about.

Go out to the stakeholders –

2450

Deputy Bebb: Point of correction.

Deputy Lowe: – and let them actually consider the Report that has now been produced by Education.

2455 **The Bailiff:** Deputy Bebb has a point of order.

Deputy Bebb: At no point did I say that the Education Department had been out to all stakeholders. I am not sure where Deputy Lowe gets that, but it definitely was not from anything that I said.

2460 **Deputy Lowe:** You said about consultation, Deputy Bebb, so I am just picking that. Through the Chair, sir! (*Laughter and interjection*)

2465 Deputy Hadley said they had to care for the teaching staff. Well, obviously, I would also like to ensure that they care for the parents and the community, because the teaching staff have been involved with this as well for some time and yet, as I have said many times already today, the parents and the community have only had a month.

It is fine when you are working with these things that you think everybody else knows what you are actually doing when, in actual fact, you do not because it is not published until much later in the time.

2470 It was also said about the focus groups – I think Deputy Gollop said about the focus groups; he mentioned that this morning – I can tell you that some of the school management committees asked to be on the focus groups, because there is an awful lot of experience on those school management committees. They put their names down as independent members but saying they were members of the school management committee and not one of those was selected.

2475 The school management committees, once the questionnaire had actually finished, said, 'Look, you still have not discussed it with us. We have asked to go on the forums, on the focus groups and you still have not discussed it with us.'

There was a quick, last minute opportunity for the school management group to be able to be involved to give their feedback. So they were not involved with that at the time.

2480 **Deputy Sillars:** Sir, can I interrupt with a point accuracy please? If there is such a thing.

The Bailiff: A point of correction.

2485 **Deputy Sillars:** A point of correction, thank you.

Yes, the Education Department did actually farm out – wrong word probably – for the consultation for the various focus groups and so we deliberately did not have anything to do with that. I do not remember the exact numbers but there were something like 350-360 applicants who wanted to do it and there were about 250 places.

2490 But what I personally was very disappointed about was that a lot of those who had said 'yes, please' and they were accepted, then did not attend and, of course, we had an awful lot who could have done. But that was nothing to do with the Education Department in that organisation.

2495 **Deputy Lowe:** I thank you for that, Deputy Sillars. I think the point that was made at the time by the school management committees was that they had a lot of experience and a lot of knowledge of how the schools work and, indeed, working with the head teachers, it would have been appropriate to be involved with that.

2500 It was also said this morning about, 'We are in here to make a decision' or 'The States' Departments are here to make a decision'. That is absolutely right, but when it is major I do believe that we should be asking the public of their opinion.

2505 Deputy Brehaut said something of a similar view: that we are in here not to not make a decision, we should make a decision. I just remind him about making rash decisions without asking the public. Perhaps he would like to remember about the seafront, two lanes into one. That was costly and this could be very, very costly to the States as well if we end up with a requête in a few months' time.

It is so disruptive, not only to Education but to parents and everybody – the uncertainty. Deputy Sillars said, through you, sir, 'It will be a year before they come back.' No. I was actually looking for June and we are in discussion with Deputy Sillars to allow enough time, so we decided between us – I think it was amicable – that actually leave it for a year and then you have got that buffer.

2510

This might be the last States' Meeting, but you are employed to carry on your work until the end of April. There are still committee meetings. The consultation could go out now. The consultation could go out tomorrow. If this sursis was successful, you could put that document out as Education and start the consultation process. It is not a case that it has to be waiting until the next States. There is plenty of time to do it.

2515

In fact – here is one for you – you have got longer now to get this out to consultation, to the end of term, than the parents and the community have had from the publication of the Report to this debate. So there is no reason why it could not go out to consultation.

Clearly, many Members are not wishing to support the sursis. My colleague here on my right, most times we actually agree – that is Deputy Laurie Queripel – he was saying that the balance of those that have contacted him were about split. That does not surprise me at all, to a certain extent. But if you go public on something, the odds are you will get a deluge where people will come forward and send to you. That has always happened. There is certainly a huge amount that have actually been in contact, both from the business community ... You all had letters from the business community as well, asking for the delay.

2525

That is the way it goes. Certainly, if you are up in the public domain supporting something, they will contact you or are more likely to contact you than everybody. In fact, many of those I have written back and said, 'Would you consider sending to all States' Members? It is important they hear from as many people as possible.'

2530

Sir, I just thank Members. I appreciate they are not going to go with this today. I do not appreciate it, because I probably wish they would go with it, (*Laughter*) but that is their decision to do so. All I hope is that I can be proved wrong and it is not going to be an election issue and that it will run smoothly. But my feeling being, from experience of how the States' works and we have had it with traffic strategy, we have had it with the incinerator, if you think this is going to go ahead, I hope it will do, but I do not think it will do.

2535

I ask for a recorded vote please, sir.

The Bailiff: Members, it is a recorded vote on the sursis proposed by Deputy Lowe, seconded by Deputy Brouard.

There was a recorded vote.

2540

Not carried – Pour 6, Contre 40, Ne vote pas 0, Absent 1

POUR

Deputy Gollop
Deputy Le Pelley
Deputy Trott
Deputy Lowe
Deputy Brouard
Deputy De Lisle

CONTRE

Deputy Harwood
Deputy Kuttelwascher
Deputy Brehaut
Deputy Domaille
Deputy Langlois
Deputy Robert Jones
Deputy Le Clerc
Deputy Sherbourne
Deputy Conder
Deputy Parkinson
Deputy Bebb
Deputy Lester Queripel
Deputy St Pier
Deputy Stewart
Deputy Gillson
Deputy Fallaize

NE VOTE PAS

None

ABSENT

Deputy Ogier

Deputy David Jones
Deputy Laurie Queripel
Deputy Le Lièvre
Deputy Spruce
Deputy Collins
Deputy Duquemin
Deputy Green
Deputy Dorey
Deputy Paint
Deputy Le Tocq
Deputy James
Deputy Adam
Deputy Perrot
Deputy Wilkie
Deputy Burford
Deputy Inglis
Deputy Soulsby
Deputy Sillars
Deputy Luxon
Deputy O'Hara
Deputy Quin
Deputy Hadley
Alderney Rep. Jean
Alderney Rep. McKinley

The Bailiff: I was wondering whether you were going to lay your amendment if the result of the vote is that the sursis was lost.

2545 **Deputy Lowe:** No, sir, I thought I made it clear this morning, the amendment was only there if somebody stood up and tried to play around with the Rules and things.

The Bailiff: Oh, I thought you said if the sursis was thrown out, I think is what you said this morning, (**Deputy Lowe:** No, sir.) which I took to mean if it was rejected.

2550

Deputy Lowe: Sorry for that. I definitely said we would not place an amendment.

The Bailiff: In that case ... Let me just formally declare the result of the voting on the sursis. There were 6 votes in favour and 40 against. I declare the sursis lost.

2555

Then the next amendment is the amendment to be laid by Deputy De Lisle, seconded by Deputy Gollop. Two amendments have been circulated by Deputy De Lisle/Deputy Gollop. But as I understand it, you are only laying one of them. Is that right?

Deputy De Lisle: That is not the case, sir. I think both will be laid.

2560

The Bailiff: You wish to lay both? Right. Shall we take them both together then, Deputy De Lisle?

Two Members: Pour!

2565

A Member: Contre.

Deputy De Lisle: I think we should take them separately, sir, and take the briefer amendment first, perhaps.

2570

Deputy Bebb: I am sorry to say, I have only got one Deputy De Lisle amendment and I am wondering whether other Members ...

2575 **The Bailiff:** Maybe the one that you have got is the briefer one that we are going to take now? The other one was circulated last week and I had thought that was not going to be pursued, so it is possible that that one has not been circulated this morning.

The Greffier says he has not got it. That is the other copy of the amendment. The Deputy Sheriff will take some copies of the second amendment.

2580 I think for the benefit of anyone listening, so that they know what is happening, can I suggest that the Greffier reads the amendment that we are about to deal with, which is the one that starts by suspending Rules 13(2) and 15(2). That is the one you wish to lay, isn't it, Deputy De Lisle? Yes.

Let us read the whole thing so that anybody listening knows what we are doing and then we will vote on whether to suspend the rules or not.

The Greffier read the amendment:

Motion under Section 7(1) of the Reform Guernsey Law 1948.

'To suspend Rules 13(2) and 15(2) and any other provisions of the Rules of Procedure to the extent necessary to permit the amendment set out below to be debated and take effect.

Amendment:

'In Proposition 3, to delete "to include a 600-pupil high school, a 420-pupil primary school, pre-school nursery, enhanced sports facilities, the communication and autism centre, and community facilities at a total cost not exceeding £64,180,000 plus inflation" and substitute "but comprising only a 600-pupil High School".'

2585 **The Bailiff:** So that is the amendment. So the first thing is the procedural motion to suspend Rules 13(2) and 15(2) to enable this to be laid and there will be no speeches on that. You are formally proposing that procedural motion, are you, Deputy De Lisle?

Deputy De Lisle: Yes, sir.

2590 **The Bailiff:** Deputy Gollop, you are formally seconding that? (**Deputy Gollop:** Yes, sir.)

So I put to you now the procedural motion to suspend Rules 13(2) and 15(2) and any other provisions of the Rules of Procedure to the extent necessary to permit the amendments set out below to be debated and take effect. Those in favour; those against.

Some Members voted Pour, some Members voted Contre.

2595 **The Bailiff:** I believe that was lost.

Deputy De Lisle: I think requires a recorded vote.

2600 **The Bailiff:** It requires a recorded vote? Last time we had one of these, I think some people changed their minds, so we will see what happens this time! (*Laughter*)

Greffier, we will have a recorded vote on the procedural motion.

There was a recorded vote.

Not carried – Pour 14, Contre 32, Ne vote pas 0, Absent 1

POUR

Deputy Domaille
Deputy Gollop
Deputy Fallaize
Deputy Laurie Queripel

CONTRE

Deputy Harwood
Deputy Kuttelwascher
Deputy Brehaut
Deputy Langlois

NE VOTE PAS

None

ABSENT

Deputy Ogier

Deputy Lowe	Deputy Robert Jones
Deputy Le Lièvre	Deputy Le Clerc
Deputy Perrot	Deputy Sherbourne
Deputy Brouard	Deputy Conder
Deputy Wilkie	Deputy Parkinson
Deputy De Lisle	Deputy Bebb
Deputy Burford	Deputy Lester Queripel
Deputy Inglis	Deputy St Pier
Deputy O'Hara	Deputy Stewart
Alderney Rep. McKinley	Deputy Gillson
	Deputy Le Pelley
	Deputy Trott
	Deputy David Jones
	Deputy Spruce
	Deputy Collins
	Deputy Duquemin
	Deputy Green
	Deputy Dorey
	Deputy Paint
	Deputy Le Tocq
	Deputy James
	Deputy Adam
	Deputy Soulsby
	Deputy Sillars
	Deputy Luxon
	Deputy Quin
	Deputy Hadley
	Alderney Rep. Jean

2605 **The Bailiff:** Members, the result of the procedural motion to suspend Rules 13(2) and 15(2) was 14 votes in favour and 32 against. I declare that motion lost and therefore that amendment will not be laid, but instead copies of another amendment are being handed out in the Assembly. It was circulated in time, so that amendment will be laid next and I will just pause while copies are handed to everybody.

Amendment

2610 '1. In Proposition 3, to delete "to include a 600 pupil High School, a 420 pupil Primary School, pre-school nursery, enhanced sports facilities, the Communication and Autism Centre, and community facilities" and substitute "but subject to Proposition 3A,".

1. To insert a Proposition 3A as follows:

"3A. That the rebuild of the La Mare de Carteret Schools' site shall include:

- 2615 a) a 600 pupil High School,
b) a 420 pupil Primary School,
c) a pre-school nursery,
d) enhanced sports facilities,
e) a Communication and Autism Centre, and
f) community facilities."'

2620 **The Bailiff:** Does everyone now have a copy of that amendment? Yes. Deputy De Lisle, would you like it to be read, or would you just like to explain what the effect of it is, because I suspect for anyone listening on the radio, it may be easier if you explain the effect rather than try to listen to what it –

2625 **Deputy De Lisle:** I can explain the effect very quickly, sir.

The Bailiff: Please do that then and then speak in favour of the amendment.

Deputy De Lisle: This amendment is to delete Proposition 3 in order that we can vote on each of the proposed facilities for the La Mare site, so it is specifically dealing with the La Mare site in the Castel.

2630

In the explanatory note to this, it states:

'The effect of the amendment is merely to split the facilities of the Education Department's proposals for the re-development of the La Mare de Carteret School site, so that Members can vote separately on each of those projects.'

Sir, if I can further elaborate. By that, I mean a separate vote on the high school, the primary school, the pre-school, the autism centre, the sportsplex and the community facilities, which makes up the total proposal that has been put forward by the Education Department for La Mare.

2635

Sir, there will be those in the Assembly that will wish to see the high school redeveloped, perhaps the primary school as well, but will feel that some of the remaining projects proposed for the site are unaffordable at the current time, or may in fact duplicate other facilities that are already available in the Island or can be made to share, in order to be more economic with the budget.

2640

Also, some may feel that other projects go beyond the original terms of reference and that is going back somewhat to the early 2000 States' decision directing Education to deliver a sixth form centre and to provide the same standard of facilities at the other secondary high schools as those enjoyed by the pupils at the Grammar School. The secondary school at La Mare remains the only part of that decision to complete.

2645

Of course, I and many others have been trying to move towards completion of those proposals. They have gone quite a long way along the way in terms of two new secondary schools built and this is the remaining one at La Mare.

The Education Committee have decided that in fact a far broader, larger development is in keeping with their policy framework, which would add to the secondary school a primary school, a pre-school, sports facilities, a communication and autism centre and community facilities.

2650

I believe that it would be wrong not to give Members the opportunity to vote on each project – the high school, primary school – separately. It gives Members the opportunity to consider the cost of the projects, added to the high school one by one, sir.

In fact, we have the detailed costings actually that are provided below. Just to give some snippet of an idea, it makes the point that a 600-pupil high school, £19.2 million; the sports hall, £8.4 million; the communication and autism services, £856,000; the primary school and pre-school £9.1 million. The total construction cost of £37.6 million, but there are additional works on the site. There is the external works and drainage for £11.8 million, there are professional fees and a post-contract change management allowance and central costs, making a total project cost of £64.1 million.

2655

2660

Added there are the total present day cost comparisons, plus inflation, to completion at £69.2 million. The amendment would have no financial implications for the States because, essentially, what we are looking at is what was provided by the Department but broken down in this amendment to its constituent parts.

2665

Now, it could well be that Members feel that spending the extra millions on nice-to-have projects here, means that the money is not available for other projects in the States' capital priority list and I think the *raison d'être* of providing this amendment is to ensure that Members are happy with spending, really, the total of £64.1 million, or £69.2 million with inflation, on this site, rather than perhaps being selective and saying what was agreed years ago was that we would rebuild the secondary high schools to the standard and provide the pupils that opportunity of having facilities of the same standard as the Grammar School.

2670

There is one facility left to develop – something that we want to get onto obviously as quickly as possible, which is the secondary school at La Mare. So I would ask, sir, through your chair, that we are able to facilitate going through each of these projects and determining whether in fact each one obtains the support of this Assembly.

2675

Did I make myself reasonably clear? (*Laughter*)

The Bailiff: It is clear to me. Whether it is clear to others is a matter for them! Thank you, Deputy De Lisle.

2680 **Deputy De Lisle:** Thank you.

The Bailiff: Deputy Gollop, do you formally second the amendment?

Deputy Gollop: Yes, sir.

2685

The Bailiff: Minister, do you wish to speak at this stage or later? Later. So who wishes to speak on the amendment?

Deputy Trott.

2690 **Deputy Trott:** I genuinely was not intending to speak, but the amendment draws our attention to page 1738 of the Billet, which is Appendix VI and something just struck me as rather odd, on reflection, looking at the cost plan. It is this: in the second block of numbers under sub-total, professional fees of nearly £6 million are shown; FFE and ICT come out as nearly £3 million; there is a design risk apparently at 3% of the contract price at £1.4m and something called a pricing risk at 2%, nearly £1 million.

2695

My question is: what is this pricing risk at nearly £1 million when, a little lower down below the main line, there is this extraordinary sum of over £5 million for inflation.

The Bailiff: Is this a matter for general debate, or is it for this?

2700

Deputy Trott: Well, no.

The Bailiff: Well, will Deputy De Lisle be able to answer this?

2705 **Deputy Trott:** No. That is why I am speaking early, sir. *(Laughter)* It is a question for the Minister. *(Interjection)* Yes. But the amendment specifically refers to this page, sir, so I am afraid I will have to continue on this occasion rather than ...

2710

The question is this: with £5 million worth of inflation shown, when we know that wage inflation is non-existent – our ETI figures have shown that – we know that commodity prices are pretty much on the floor, oil in particular, we know that our construction industry's pencils are sharp – they tell us almost every week – how on earth can £5 million worth of inflation be priced into this contract? But more importantly, sir, in comparison to that £5 million, what on earth is the pricing risk at 2% in addition, and that is the question that as part of this amendment debate I would like the Minister for Education to answer.

2715

Thank you, sir.

The Bailiff: Deputy Fallaize.

Deputy Fallaize: Thank you, sir.

2720

Just quickly, is somebody – perhaps the proposer of the amendment or the Minister – able to advise whether, by taking out or voting against any of the items in, well (c) to (f), let's say, because I think (a) and (b) is accepted by the proposer of the amendment would go through in any event ...? Is someone able to confirm whether we can avoid any of the cost of a £12 million drain by voting against any of items (c) to (f), or whether the groundworks and drainage costs that are quoted as around £12 million in a £64 million project would continue to be around £12 million, even if we proceeded only with the high school and the primary school?

2725

Thank you, sir.

The Bailiff: Deputy Gollop.

2730

Deputy Gollop: Well, I can say with confidence that I am not able to answer Deputy Trott's or Deputy Fallaize's complicated questions as I do not have a clue about the quantity surveying of this or the pricing costs of anything else.

2735

But I think we have to bear in mind that they say a week is a long time in politics, certainly two years appears to be, because the mood of the States has mysteriously changed, despite the news we heard today from Deputy St Pier.

2740

When the Education Department, who actually had a lot of support for, came to the States before with La Mare de Carteret integrated project, they had rather a rough ride. There seemed to be a lot of questioning, almost angry voices, especially from Treasury & Resources. They were questioning every aspect of the scheme. Not just the size, but the so-called luxury specification, the quantity, the extras, the add-ons.

2745

Now we seem to have a States that is broadly happy with the combined package. I would argue that at any stage in the last four years, if a Department that was not Education – let's say Culture & Leisure for the sake of argument, who have not produced many policy letters, much to my regret but possibly not to Deputy Fallaize's – if they had come here, even with the Island Games being a good prospect ... let us work out the figure here, a sports hall for netball and other sports at £8.3 million – a kind of adjunct to Beau Séjour in that sense – I cannot see that would have won any prioritisation programme, SCIP, Treasury, States or anything else.

2750

But here it is. We can identify the cost in broad terms at £8.4 million. We can identify the communication and autism service at £856,000, now I am entirely supportive of this, although I think there may have been an argument to relocate it to another site. But there it is. We have a community centre, which is not that far from another new community centre that has just been opened recently. Of course, the primary school, which although very important, one recalls the primary school was possibly looked at for reorganisation a few years ago when they were rationalising and, more to the point, we have not yet had a primary school strategy. But there it is, the primary school is part of it.

2755

The whole package comes to, what, £61 million, £64 million. I agree with Deputy Trott, in theory it should be cheaper given various factors in the construction and other sectors, but that is the cost we are given, the cost of delay.

2760

Many members of the community, including a significant number of voices at the public meetings, raised their concerns that Guernsey could not afford such a large-scale project. I take the view that it can, but not necessarily all at the same time.

2765

The priority has to be the high school and, perhaps, in descending order, I would put the primary school and the autism centre, with the sports hall as a nice-to-have, especially by 2021, but not necessarily essential at the first stage.

2770

For that reason, I decided, not because I particularly personally support this amendment, but I decided to support Deputy De Lisle to give Members the choice, on behalf of their constituents, and themselves and their concerns of our overall financial situation, to not vote it all *en bloc* as the initial Proposition suggested, but identify whether they wish to abstain or vote against any of those six parts of the scheme.

2775

I think Education has not been very well served by early PR, which did give the impression that we were spending over £60 million on a secondary school. We never were. It is an holistic package of many things, including some quite complicated roadworks and drainage and coastal works, even, and as Deputy Trott has identified, some complicated pricing structures during the procurement process.

2780

But, until we have a final situation of the real cost of the secondary school, which actually appears to be a bargain within itself, and we allow Members the opportunity to vote all of it, in its different component parts, we will not be able to satisfy calls that we have not been prudent in ensuring that we are doing the correct vote for the priorities.

The Bailiff: Deputy Conder.

Deputy Conder: Sir, can I just read out the Proposition we passed in late 2015 before I start the main part of my response. That was to agree:

‘The commencing of the construction of the facilities referred to in Proposition 1 shall be conditional upon the Education Department presenting this report to the States with sufficient time to enable a debate by the States at or before March States’ Meeting in 2016.’

2785 – which both Deputy De Lisle and Deputy Gollop, I believe, voted for.

So, having voted for the Proposition to build this project, or parts of it, they now bring this amendment. It is difficult to know just where to begin with this amendment.

2790 At face value it simply lists the component parts of the La Mare de Carteret schools project but, of course, behind it is the insidious prospect that the project might be disaggregated and only the secondary school and/or the primary school or other bits might be proceeded with.

It is that prospect that I will address and it is that prospect or that outcome which should cause us to roundly reject this amendment.

2795 Sir, I am an accountant and it is members of my dismal profession who are so often criticised for knowing the cost of everything and the value of nothing, but, sir, on this occasion I absolve myself from that calumny. It is surely the authors of this amendment to whom that epithet might be attached.

2800 Here we are, hopefully, at the end of this long process, having brought this design before the Assembly on at least three separate occasions, having made the case for all parts of this project, having expended considerable amounts of taxpayers’ funds on working up these projects and at the 59th minute of the 11th hour, two of our esteemed colleagues propose we start again in terms of configuring this project.

Make no mistake, if this amendment were to be passed and we were to start to disaggregate the project, that is precisely what will happen, at significant additional cost – *additional cost* – to the taxpayer, even as the authors of this amendment acknowledge.

2805 Putting aside for the moment the sum costs which have already been expended on this project, as envisaged, we are now invited to discard everything, or parts of it, possibly apart from the secondary school.

2810 Sir, we know that both the secondary and primary schools are nearly 20 years beyond their design life, are not fit for purpose, if they ever were. We know, and this Assembly has recognised and approved, the enormous benefits to be derived from pre-school education, so are we now suggesting that we reverse that recently approved decision and potentially scrap that much-needed facility?

2815 Are we suggesting that a school does not need a sports hall of any kind? Because that is what this amendment appears to suggest, unless the authors have some brilliant plan for retaining existing sports facilities in the school they plan to knock down. Is this the time to reduce those sports facilities when the whole community is recognising the need for improved physical health?

Yes, the facility could be scaled back just to be sufficient for the school, but for what saving and at what cost to the future benefit of the whole Island community for generations to come?

2820 These facilities are crucial in making this school complex what a modern day community school should be: opening up the facilities to the whole Island; making it an outward-facing, rather than inward-facing, institution. What a way to spoil a ship for a ha’porth of tar.

2825 Sir, given that in the absence of a rational explanation or rubric for this amendment, we have to assume what the underlying purpose of this amendment. On the assumption that it is intended to disaggregate the project, it makes no sense in cost terms and it certainly makes no sense, whatsoever, in educational and societal terms.

It should be rejected and I urge colleagues to do just that.

The Bailiff: Deputy Burford.

2830 **Deputy Burford:** Thank you, sir. I was not planning to speak, as the saying goes, but something that Deputy Fallaize said has caused me to do so.

However, to start with, when we look at the figures in this amendment, for example the £19 million for the high school, looking at the various professional drainage, other fees which are not included in these headline figures, if it was assumed that those figures were pro-rata then I just think it is interesting to note that actually the high school is £33 million, the primary and pre-school comes to £16 million, the sports facilities come to £15 million and the autism centre comes to £1.5 million.

Now, I appreciate that those amounts probably are not proportionate to each of those places, but I think we are playing around with these figures, we are looking at splitting it out, I think it is worth knowing where they stand.

2840 But also the whole issue of the groundworks was one that I was interested in and one guy emailed the Department and I asked: if only part of the project was built, would the groundworks costs be reduced proportionately? The answer came back:

'Yes, had this been requested during the initial stages of the project in early 2013. However, to deliver only part of the project at this late stage in the project would now increase the overall cost due to extending the design period in order to design the buildings as independent buildings, redesign for externals, plant and building design as a result of needing to make changes to the campus solution for all the plant and this would also increase the gross internal area for each part of the project as they would have to be designed as stand-alone buildings and again increase the project cost.'

I also asked what proportion of the total groundwork costs relate to the low-lying marshy nature of the area. In other words: how did they compare with groundwork costs to extend other schools without these issues?

2845 I have quite a long response to that, which I will not read out, but essentially there is not a great deal of difference because each site comes with its own issues.

I just thought that might be of interest to Members.

Thank you, sir.

2850

The Bailiff: Deputy Domaille.

Deputy Domaille: Thank you, sir. Actually Deputy Burford has touched on the topic I was going to raise, but I will be very brief.

2855 I just think, for clarification for Members, if through you, sir, I could ask the Minister, building on what has just been said, to explain whether or not the professional fees that are shown there include the fees that have been incurred to date, in order that if some of the project was taken out, whilst looking at this you might think there would be a proportionate drop, that may not be the case. So I think that would be useful.

2860 I would also make the comment, and I do not know how this has been built up, I would have thought much of the risk was associated work such as groundworks, rather than in the new build, and I would just ask whether, actually, building on that, it would be proportional.

I think Members do need to have a feel. This is £64 million worth of work. Each of these elements, despite what Deputy Conder has said, merit close thought and would in their own right demand some sort of business case and cost plan. I think we need to be fairly clear as to what the figures would or would not, or may or may not be, if you like, if some parts are reduced.

2865 Thank you, sir.

The Bailiff: Deputy Sherbourne.

2870

Deputy Sherbourne: Thank you, sir.

Before I make any comment, I would like to apologise to the Assembly for a rather warm response to my good friend the Alderney Rep. Louis Jean earlier today. I do thank him, also, for recognising perhaps the reason why I felt as I did. But I do apologise to the Assembly for that.

2875 With regard to this amendment, I am not a suspicious person by nature, but what I would like our Minister to do in his summing up, is to give an indication of the problems that Education would find themselves in if, indeed, there was a cherry picking of these proposals.

2880 Although, as Deputy Burford has alluded to, there could be financial costs in the redesign of any project, there could also be quite a substantial time delay and that is where my suspicion lies in that any further delay to this project will be to the disadvantage of the Island. So I would ask my Minister if he could address that when he sums up.

Thank you.

The Bailiff: Deputy Langlois.

2885

Deputy Langlois: Thank you, sir.

I think there have been some very sensible questions asked, mainly of the Minister, who will speak before the amendment is summed up.

2890 I find it a terrible shame to hear my good friend Deputy Conder's rhetoric turned to unfortunate use here today. He used a lot of hyperbole, exaggeration, in his language, in my view. He is mainly saying that Education are presenting you with a form of take it or leave it, no compromises project.

2895 I fully accept, before there is any request to give way or a point of correction coming up, that is in line with previous decisions of this Assembly. But of course, previous decisions of the Assembly do not bind us. The times, they are a changing and we started off the session with a Statement from our Treasury Minister pointing out that, yet again, the out-turn has been somewhat worse than expected; we do not know where we are going in the next stages of this, and I suppose my disappointed with Deputy Conder's rhetoric was compounded with his use of the term 'spoiling the ship for a ha'porth of tar'.

2900 Well, how long a ha'porth of tar has cost millions of pounds I do not know and therefore I will be supporting this amendment so that the Assembly does have the opportunity, subject to some very clear and hopefully balanced and un-emotive answers from the Minister about the real effect of deleting any one of these and I think there are one or two which are much more prime targets than others.

2905

The Bailiff: Deputy St Pier.

Deputy St Pier: Thank you, sir.

2910 Deputy Gollop said that he felt that everything had changed in the last couple of years because in previous debates this design had been questioned and now everything seemed to be accepted. I do wonder where he has been because, of course, (*Laughter*) there have been two reviews as a result of the scrutiny of this Assembly, which has led to the design that we have before us.

2915 In fact, this is the appropriate point in which to draw attention to Treasury's comment on page 1766 about this and precisely Deputy Gollop's point. We say it is interesting to read in the review undertaken in December that the architects conclude:

'... that the "600 school option is considerably more generous than would be anticipated for an equivalent state school on the mainland". In fact, the report shows that the 600-place school is 19% more spatially generous than a five-form entry school in the UK context would be, which would accommodate 750 pupils.

The author goes on to say:

'Compared to equivalent independent schools on both the mainland and on-Island, the class numbers of 24 or less into which the Guernsey model appears to be more closely aligned, it is in my experience comparable in terms of area.'

Then we go on to point out:

'However, the report notes that given the desire to open the school in September 2018, it would be unrealistic to re-visit the original brief in order to address this inefficiency and that it would result in a significant abortive cost, therefore the report concludes that the option of 600 pupils is "generous but not inappropriately large given the context".'

2920 Then, of course, there has subsequently been, as part of the work that was undertaken in that review, a redesign:

'The Department is pleased to note that the redesign of the school, which occurred as a result of the amendment directing that a 960 school be investigated and the commissioning of the value management exercise, has resulted in "a rational solution for either a 600 or 960-pupil high school based on the revised brief. It also addresses a number of issues which gave rise to the original concern and in my opinion represents a considerable improvement on the original proposals".'

So that, sir, is the response to Deputy Gollop. All of that work has been undertaken, all of that evidence is available in terms of this is the design that is being presented by the Education Department for a decision this week.

2925 I think if I did not know that Deputy De Lisle supported the rebuild of La Mare, I would regard this as being a wrecking amendment. Sir, I think there are many in the last couple of years who have perhaps accused T&R of being desirous of seeking to wreck this particular project and so you might think that it would be sensible for us to swing behind it. Quite the reverse is true, sir. This would produce a completely incoherent result. It would produce, at the end of this week, or day, perhaps late after long debate, a pick 'n' mix approach to this particular project which, of course, would lead, as Deputy Conder has said, to a redesign.

2930 I cannot possibly stand here and give the States any advice as to the cost implications of that redesign. Deputy Fallaize has already drawn attention to the £12.5 million of external works and Deputy Burford has addressed some of that.

2935 The list of external works includes: demolition and asbestos removal, £1.3 million; relocation of the tennis courts, roads and parking, retaining structures, the bund, bridges, hard landscape areas, soft landscape areas, street furniture, fencing, utility services, which includes the drainage, £2.1 million; main contractor preliminaries, which was a point that Deputy Domaille raised, £1.3 million.

2940 I have no idea how much of that would still be required if we were just to build the high school or if we were to build the high school and the autism centre, or to build the pre-school and the communication centre, but nothing else. Goodness knows what could result as a result of accepting this amendment.

2945 All I can tell you – I cannot tell you what the cost implications are, but I think I can tell you with some confidence that it would produce very poor value for money for the States if we were to take a project and take a pick 'n' mix approach to it.

Sir, I think Education accept that this project, this design, stands or falls as it has been put before you. That is the decision which the States should be making this week, so I would advise that this amendment is rejected.

2950 **The Bailiff:** Deputy Green.

Deputy Green: Sir, yes, very briefly. Deputy Trott asked some questions a moment ago and I may be able to assist him. Or maybe not, I do not know, but I will try.

2955 In terms of the inflation figure, sir, obviously the build is over a number of years and is based on independent professional estimates from the Royal Institute of Chartered Surveyors and I can direct him also to – I do not know whether he has the Billet from 26th November 2014. It is quite useful sitting next to Deputy Dorey, Mr Bailiff, in these circumstances. *(Laughter)* Because I did not bring my Billet from November 2014, but I am grateful to Deputy Dorey for his! *(Laughter)*

2960 In that document there is a particular document from Gardiner and Theobald, which is in one of the appendices. The information in relation to inflation is quite useful. I will just read that out, if I may:

'Inflation calculations have been prepared based upon BCIS public sector tender price index of public sector building (non-housing) and included, based on the current programme for delivery of the complete scheme by July 2018.'

Of course, bear in mind this is November 2014 at the time of publication. Gardiner and Theobald were saying:

'We have reviewed other issued tender prices indices for comparison as part of this review. Inflation on the majority of construction works between now and July 2018, based on a mid-point of construction, is approximately 9.35%. Overall inflation from now to completion is estimated at a total cost of £5,140,000.'

That is what it said then and I think that does help to answer the point that Deputy Trott made.

2965

Deputy Trott: I was too, slow, sir. On a point of, now what can I dream up here, sir? On a point of correction, sir. Would the ...? (*Interjection*) No, I cannot do that, so I am not going to test your patience, sir.

2970

The Bailiff: No, right.
Deputy Duquemin. (*Laughter*)

Deputy Duquemin: Thank you, sir.

2975

I am also grateful to be sitting close to Deputy Dorey, because I have now got the Billet from Wednesday, 27th May 2015, in front of me!

The point why I did ask Deputy Dorey if he did have the Billet was because I think the T&R Minister, his comments about the pick 'n' mix, certainly strike a chord with me, because I think the danger here is, if we do accept this amendment, whilst it would be a sort of a *à la carte* proposal, it will get us in a complete muddle.

2980

I think Deputy Fallaize was quite correct to talk about the external works and the drainage and the value of the bund. You cannot build half a coastal defence; I am sure that will be the majority of the cost.

2985

I stand mainly to talk about what is down as item (d) – enhanced sports facilities – because in many ways, if you read and take the explanatory note at face value you would imagine that, not including the enhanced sports facilities, you could in fact 'save' £8.4 million.

But when you do refer back to the previous Billet, of May 2015, it does make very clear that the basic sports building – to use that phrase – the price in front of that was £5.3 million and the enhanced, it is referred to as giving it 'match play facilities', would be an additional £1.9 million.

2990

Yes, Guernsey sport does require these match play facilities at that small premium over and above what could be the standard facility if the school is built, but plainly – I cannot remember which speaker it was, I think it was Deputy Langlois that mentioned it before – we cannot expect to build a school without any sports facilities whatsoever, which is, if you take it at face value and you voted against (d) then the potential is that you might think you are saving £8.4 million, but you would be depriving a school of any sports facilities whatsoever.

2995

So, pick 'n' mix, getting ourselves in a muddle, any which way you want to describe it. I think this amendment should not be supported, sir.

The Bailiff: Anyone else? The Minister will speak now, before Deputy De Lisle replies.

3000

Deputy Sillars: Thank you, sir.

Fortunately for me, I think a lot of the questions have been answered.

3005

Deputy Trott's question – I did actually want to add to that. He obviously is aware, but some may not be, that the building industry in the UK is certainly overheating and we have had proof of that and that is actually running at 6.5% per annum, but it has been adequately explained that the figures over here, yes, may not be so, but everything we have to import from the UK, the materials, the windows and everything else has to come from the UK, so that is running at 6.5%. The building industry over there is certainly overheating.

Deputy Fallaize –

3010 **Deputy Trott:** Thank you for giving way.

The Bailiff: Deputy Trott.

3015 **Deputy Trott:** I thought the answer from your colleague was interesting, but it did not address the question I asked. We all know that commodity prices have plummeted since November 2014 and we all know that the industry here is crying out for work. It is a very different picture to then.

3020 The question I asked was what is the pricing risk at 2% – £1 million – when there is this extraordinary amount for inflation which seems to be completely unjustified, in addition, at £5 million ... it was what does the pricing risk represent, when it is clearly covered with this enormous contingency for inflation.

The Bailiff: Deputy Sillars.

3025 **Deputy Sillars:** I am happy to step away for Deputy Green.

Deputy Green: I am grateful for – (Interjection)

Deputy Sillars: No, it is a point of clarification.

3030 **Deputy Green:** I am asking him to give way, sir.

The Bailiff: He is giving way. (*Laughter*)

3035 **Deputy Green:** Sir, what I have should have said and I neglected to do that before – Deputy Trott is quite right to remind me of it – is the pricing risk is contingency. My understanding is the contingency would be 5% and it is split into 2% for pricing and 3% for design. So it is a general contingency.

Deputy Sillars: Thank you.

3040 So, going on. Deputy Fallaize – the £12 million drainage, yes that does come at a price but again that has been answered. But what I wanted to add to that is that that figure also includes the asbestos removal, the demolition and then all the externals that will be required, so it does include an awful lot.

3045 It is just impossible to say at this stage how much of that £12 million will still be relevant if we just built one of the schools.

For Deputy Gollop, I think – thank you, Deputy St Pier, for answering so much more eloquently than I would – but we are still in the middle of a competitive tender process. So, whilst the figures we have here, we are still negotiating with two companies in a competitive tender process.

3050 As far as Deputy Domaille is concerned, yes, the fees are included. We spent about £2.3 million so far, but of course we would need to spend them again if we redesigned it. So there would be even further cost, we would argue, for no benefit on that.

3055 To the main speaker, I guess, to answer ... Deputy De Lisle's amendment seeks to allow Members to vote for the construction of the high school. On the face of it I have no problem with colleagues having that opportunity, indeed one would hope that they will all vote the same way that they did in November 2014, May 2015, when we brought our proposals for the much-needed rebuild of these schools to this Assembly previously.

I would also remind Members that the individual elements of the rebuild of La Mare de Carteret site were included as part of the capital prioritisation debate back in September 2013, which was approved.

3060 So, there we have had three opportunities for Members to influence the shape of the design plans and the scope for the redevelopment. T&R, we know, as Deputy Gavin St Pier has just told us, and they have done.

Let us stop and think what would happen if, at this late stage, when we have gone out to tender to the market place, when we have submitted our detailed planning application to the Environment Department, when we have spent several millions of pounds designing the buildings and improvements to the infrastructure, when we have consulted with staff, students, parents and neighbours, when we had a team poised and ready to get on with this much-needed project, we now vote against building some of the facilities, as being proposed by Deputy De Lisle.

3070 We suddenly decide well, on fourth thoughts, we do not want a pre-school, we do not think we need to provide facilities for our children and young people with communication difficulties and autism and we do not need the community facilities, we do not need a primary school and we do not need any sports facilities on the site at all.

I will tell you what will happen. We will have to go back to the drawing board, yet again. Design the buildings, yet again. Go out to tender, yet again. Delay expenditure in the local construction market, yet again. Let down our children and young people at La Mare de Carteret high school and primary school, yet again. Let down our hard-working staff at both schools, yet again. Tell them they are not worth investing in, renege on all our promises that they will get the facilities that *they* deserve; facilities that will help provide the equality of opportunity that this Education Board is committed to delivering.

3080 Of course there are financial implications; what a nonsense to say there are not any! Deputy De Lisle has had ample opportunity to amend the redevelopment of La Mare de Carteret. He could have placed an amendment back in November 2014. He chose not to.

Point of interest – and I think I am correct – in his manifesto in 2008, he stated the need for the rebuild of the primary school.

3085 He could have placed this amendment –

Deputy De Lisle: On a point of order, sir, he certainly did not!

3090 **Deputy Sillars:** Okay, I withdraw that, but I will check it when I get back. Thank you, sir. *(Laughter)*

He could have placed an amendment in 2015 when this Assembly next debated the proposals. He did not. He could have raised his objections back when the redevelopment was approved by this Assembly as part of the capital prioritisation debate in September 2013. He did not.

3095 Deputy De Lisle now proposes that we build a high school. This means further additional design costs, further uncertainty and letting down the La Mare de Carteret community.

Let us look at the impact of not building each of the distinct elements he wants us to vote separately on.

3100 What about getting rid of the sports building? What does this mean? It means the high school will not have any indoor sports facilities. Surely that is not an option? How is that equality of opportunity? How can we deliver a full curriculum without any sports facilities? The answer is we cannot.

We have not got a different design or costings for a smaller facility, so we are talking about even more delays.

3105 He is against the provision of a sports facility, to allow for community use. The sports facilities being proposed are first and foremost for the use of the children and young people who will be attending La Mare de Carteret schools, even though Deputy De Lisle seems to be suggesting that they should not have any sports facilities at all.

3110 All of our new secondary schools have been designed in accordance with Sport England guidelines for school sports facilities and so Deputy De Lisle thinks La Mare students should not even have them when all 11-16 schools have swimming pools?

Deputy Lowe: Thank you, Deputy Sillars, for giving way.

3115 There is something else which may help you in your case for the sports hall. It is only the sports hall that would be able to be used for full assemblies. That is what the school actually needed it for.

For the school to be able to have their assemblies and indeed use it a lunchtime, it will be the sports hall facility, because that is the only facility they have got.

The Bailiff: Deputy Sillars.

3120

Deputy Sillars: Thank you, Deputy Lowe.

3125 The use of the school sports facilities provides extra community sports facilities which do not exist at Beau Séjour or elsewhere. It originates from Culture & Leisure Department, the Guernsey Sports Commission, who both see the added value which a dual use facility can bring, not only to the Island community, but in terms of income-generation from the marketing of the Island as a sports venue, as for example through the Island Games.

3130 As we debated just a few days ago, there is a growing problem with obesity on the Island and the need to manage and improve the health and wellbeing of all sections of the community, including the elderly. The Education Department sees much value in contributing to the objectives of the obesity and health and wellbeing strategies, by encouraging the use by the community of these facilities.

3135 Our previous States' reports on the redevelopment of La Mare de Carteret included supporting information for community sports users, the benefits they see from being able to use the sports facilities out of school hours and also the income that the school will be able to attract from hiring out the facilities to sports groups and other users.

It is also important to recognise that the additional cost for providing over and above the standard school sports facilities is around 3% of the total billed cost. We believe it is an investment the States of Guernsey needs to make for the overall good of the community.

3140 So Deputy De Lisle does not want us to build the primary school. I would remind him that we are replacing the existing two-form entry primary school with another two-form entry primary school in a centre of a pretty densely populated area, next to one of the largest social housing developments on the Island.

If there is no La Mare de Carteret primary school, where will these children go?

Also, Deputy De Lisle appears to have forgotten ... Oh forget that one. Or I have forgotten!

3145 He does not like the pre-school and, by pre-school, we are talking again about a classroom with some designated outdoor play space. Again, we are addressing an identified need for such a facility in this area.

3150 It will probably run via a private provider and will certainly help ensure our young people are ready to start school, are familiar with their surroundings and are able to build on the foundations provided by pre-school to become successful, happy and confident young people.

There are no pre-schools in this area to cater for these children, so is he proposing to disadvantage all the children in this catchment area?

3155 What happens if Members decide to vote against providing a communication and autism base as part of the redevelopment at this late stage? I will tell you what happens. The growing group of children and young people with these difficulties will have to continue to be supported in a completely inadequate portakabin at Amherst and squashed into a tiny space at St Sampson's High.

Our excellent and dedicated support staff will have to battle on, knowing that the facilities they have had to work in are doing nothing to help with the difficulties that these children experience.

3160 Removing the communication and autism base from the redevelopment is not an option, as we need the primary and secondary base co-located to provide the continuity and stability for these children. It is the only site on the Island we have where the primary and secondary school are together.

3165 So we move on to the community facilities, which Deputy De Lisle does not appear to want. I welcome the opportunity to confirm exactly what we mean by the community facilities that are being built as part of the overall redevelopment. What we are talking about is a small group of rooms that will be able to be used by the community both during and after the school day. It is important to us to successfully bring the community into the school environment and also help facilitate greater inter-departmental and third sector joint working.

3170 There are many potential uses for this facility, which will deliver real benefits. This is an ideal location for a parent-infant partnership as part of the co-ordinated intervention by the States and third sector as part of our 1001 critical days initiative. We can hold parent workshops, forums for feedback on school and its communication. The facility would be attractive as it could be more welcoming than a classroom and would help to develop relationships between the schools, the staff and parents. We can host Incredible Years parenting classes. The facility could provide the base for the hugely successful and important multi-agency Safeguarding team – MASH. We could hold coffee mornings for young families to engage school attendance and open communications supporting transition into the school.

3180 The community facility could support lifelong learning through working with the WEA and other providers. We could have access to online courses for the local community. These rooms will be a resource for use by HSSD and volunteer agencies, such as The Hub for drop-ins. I could go on.

All of these are about helping to improve parental involvement by developing good habits as early as possible and drive to further improve attendance levels in the future.

3185 We believe the added value of providing this facility far outweighs the initial construction cost of just over £½ million.

3190 Sir, Members, I ask you to throw out this amendment. It achieves nothing. The States and Deputy De Lisle have had ample opportunity to amend plans for La Mare de Carteret redevelopment, as far back as 2013. They have not. To vote against any of the elements of this project now would add further delay, require further redesign and further fees and I believe would reflect very poorly on this Assembly.

We would be letting down our children and young people, our staff and parents and the wider community. I urge you to waste no more time on this and move on to the more important issues that we are here to debate. (**A Member:** Hear, hear.)

3195 Thank you.

The Bailiff: Deputy De Lisle.

3200 **Deputy De Lisle:** Well, sir, I make no apology for my amendment, which is seeking to rebuild La Mare for much less; £64 million is a huge amount of money, upped to £69 million now with inflation.

What sort of nonsense is that at a time like this when the global economy is in recession? (**Several Members:** Ooh!)

3205 I believe that we can build La Mare secondary school, which was always what we were supposed to be doing. That was the plan originally: three new high schools all of the same facility worth and matching the Grammar School. Let us be quite clear, we have noted at the current La Mare, and I congratulate the staff and the students of La Mare de Carteret for the efforts that they have put in over the last few years. The efforts have been those of the staff, the pupils and the parents that have put efforts in to upgrade the levels of education and the success of La Mare de Carteret secondary school.

3210 I am a big fan of the secondary high schools in Guernsey, because I feel that they give students a chance; a chance that they never would have in a comprehensive system. I have taught in the comprehensives, in south east London, a very large one – 2,200 – I have taught in the high schools in Canada, in London and also in Guernsey here for seven years, and I have seen how students can really build themselves up through those early years and actually achieve a lot and move into the

sixth form centre and on to university as a result of the attention that they get from the teachers in the high schools. So I commend the efforts in that school and of course in the other high schools in their attainments.

3220 Thank you to Deputy Trott, who asked about the enormous inflation costs; Deputy Fallaize who asked about the external works – the £12 million drainage works and so on and so forth. Those are real big costs, £12 million, another £5 million; £17 million on that site. That really needs to be looked at in detail and is of concern. I would hope that it would be of concern to people here.

3225 Members in this Assembly will soon be going out to the public and you will be hearing how the public actually feel about the enormous costs that are being weighted down on the Guernsey economy through issues of this nature, where perhaps savings could be made.

I appreciate Deputy Gollop's support. He speaks of an holistic package. He says that there are areas that are nice to have, but are not essential and he feels that this particular amendment would give Members the opportunity to vote against any part or parts that cannot satisfy the objective of us, as an Assembly, being prudent with our funds.

3230 Deputy Conder has concerns of disaggregation and he talks of the fact that, yes, it could be scaled back, but at what cost? He is talking about spoiling the ship with a ha'penny of tar. A ha'penny of tar? £40-odd million above what I would spend; (*Laughter*) £20 million to £25 million.

3235 Deputy Domaille, I appreciate your comments. Each element needs to be considered on its own right and, to Deputy Burford, for providing additional information, which is useful, particularly the fact that if we did go for only the secondary school, then there would be added cost to the £19 million, which would have to be scaled accordingly with the development of the site.

Deputy Sherbourne, I think you got your clarification, I hope, from the Minister. Deputy Langlois, thank you for your support in terms of looking at parts of the project quite seriously at this time of economic restraint.

3240 Deputy St Pier, it seems to me that your comments actually question the value for money side of this particular project and you are looking for a lower cost.

The Bailiff: Through the chair, Deputy De Lisle.

3245 **Deputy De Lisle:** I am sorry?

The Bailiff: Through the Chair. You are addressing him directly.

Deputy De Lisle: Was I? I thought I was looking at the floor there, for a moment! (*Laughter*)

3250 Sir, anybody is excused for going off-piste with numbers of £69 million for a project build, so you must excuse me. It boggles the mind, sir.

3255 Deputy Duquemin who needs enhanced sports facilities, I think they have already been built, of course, next door, at Beaucamps. Surely there should be some ability to share those facilities? You have got two big schools in one parish and everybody in Town is being asked to move to the west coast – quite phenomenal actually, when you think of the planning behind that little one.

The difference between myself and Deputy Sillars and Deputy St Pier is £40 million.

Getting onto Deputy Sillars, I thought that the design of the secondary school had already been planned, or it was in the planning process. I would have hoped that that would have been done. In terms of the sportsplex, I have already said there was opportunity for sharing.

3260 I agree with you that there should be sports facilities associated, but there was a lot of criticism quite early on with respect to the sportsplex that was intended, almost as a community facility.

The community facilities themselves, surely, have just been built by the private sector with private money at Rue de la Lande, Castel, next to the second church at the Castel? That is a new community facility, as I say, financed by private money and surely that would facilitate.

3265 In short, I find that the total cost of this project is unaffordable. I would like people to look very carefully at the constituent parts and consider carefully each part, as to whether, in fact, we can

afford the luxury of a £69 million build, which could be a lot more by the time this comes through and finishes.

3270 I think we have to look after our funds very carefully and I do not see much economy here, with what I am hearing from some Members in this place.

3275 As I say, the school redevelopment, for about £20 million to £25 million, is a possibility. That would save the taxpayer £40 million in this Island, and I think at this time, when we do not really know what the global economy is going to do in the next few years and also we do not know really what this Island's economy is going to be doing, because it does not look very good at the moment. I think that is why I would stimulate the construction industry by building the one school, (*Laughter*) but not go overboard and build all of those facilities.

So I would like all Members to approve the amendment, so that Members have the opportunity of showing restraint to their constituents in their own parishes.

Thank you, sir.

3280 **The Bailiff:** Members, we vote then on the amendment proposed by Deputy De Lisle, seconded by Deputy Gollop.

Deputy De Lisle: Can I have a recorded vote on that?

3285 **The Bailiff:** A recorded vote.
Deputy Inglis?

3290 **Deputy Inglis:** Sir, could I just record an interest. My daughter-in-law works with Gardiner and Theobald.

There was a recorded vote.

Not carried – Pour 2, Contre 45, Ne vote pas 0, Absent 0

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Gollop	Deputy Harwood	None	None
Deputy De Lisle	Deputy Kuttelwascher		
	Deputy Brehaut		
	Deputy Domaille		
	Deputy Langlois		
	Deputy Robert Jones		
	Deputy Le Clerc		
	Deputy Sherbourne		
	Deputy Conder		
	Deputy Parkinson		
	Deputy Bebb		
	Deputy Lester Queripel		
	Deputy St Pier		
	Deputy Stewart		
	Deputy Gillson		
	Deputy Le Pelley		
	Deputy Ogier		
	Deputy Trott		
	Deputy Fallaize		
	Deputy David Jones		
	Deputy Laurie Queripel		
	Deputy Lowe		
	Deputy Le Lièvre		
	Deputy Spruce		
	Deputy Collins		
	Deputy Duquemin		
	Deputy Green		
	Deputy Dorey		

Deputy Paint
Deputy Le Tocq
Deputy James
Deputy Adam
Deputy Perrot
Deputy Brouard
Deputy Wilkie
Deputy Burford
Deputy Inglis
Deputy Soulsby
Deputy Sillars
Deputy Luxon
Deputy O'Hara
Deputy Quin
Deputy Hadley
Alderney Rep. Jean
Alderney Rep. McKinley

The Bailiff: While those votes are counted, I suggest that we move on to the next amendments that are to be proposed by Deputy St Pier.

3295 Deputy St Pier, is it your wish to lay the ones marked Amendment A1 and Amendment 2 together?

Deputy St Pier: To lay A1 and A2 together.

The Bailiff: Lay A1 and A2 together. In that case that is what we will do.

3300 Perhaps, for the benefit of anyone listening, I suggest that maybe the Greffier reads out Amendments A1 and A2.

The Greffier read the amendments.

Amendment A1:

To delete Propositions 1a and 1b and substitute:

'1. To agree that the current selective admission of students to States' secondary schools and the grant-aided colleges based predominantly on the 11-plus examination shall be replaced with effect from September 2019 (for new Year 7 students) by non-selective admission to States' secondary schools based predominantly on a feeder system from primary schools.'

Amendment A2:

To delete Propositions 1a and 1b and substitute:

'1. To agree that the current selective admission of students to States' secondary schools and the grant-aided colleges based predominantly on the 11-plus examination shall be retained.'

The Bailiff: Deputy St Pier.

Deputy St Pier: Sir, I apologise. As the Greffier was reading, I realise there was a typo in both of those. 'Granted' should of course read 'grant-aided'. I apologise, sir.

3305 When I was at school, there was a lawn on which the pupils were not allowed to walk. Only the teachers were allowed on it and I feel that same reluctance to step on the teachers' turf today. Treasury are, of course, often accused of parking their tanks on other Departments' lawns. (Several Members: Hear, hear.) It is such a pleasure to have Deputy David Jones back! (*Laughter and interjection*) But in reality, of course, we are actually very reluctant to do so. We really would
3310 have preferred not to have to bring this amendments, but the sums at stake of making the wrong decisions are so large that, in reality, we had no choice. In fact, we would have been failing in our duty to the States and the community had we chosen to sit on our hands.

It should really be for Policy Council to take that leadership role, but we all know that was never going to happen, given its dysfunctional and role in our current system of government.

3315 So it falls to Treasury to attempt to do so and I should like to add my thanks to many colleagues who have helped us in recent weeks but, in particular, Deputies Dorey, Fallaize and Le Lièvre.

3320 Deputy Sillars and I have become good political friends. We get on very well and agree on most matters, except when it comes to some educational issues. I like all members of the Education Board and greatly respect their commitment and ambition, so they will know, I hope, that I do not mean them any malice or offence when I quote the words of one former senior member of the Department who wrote to me to say:

'I believe that the policy letter is weak, unconvincing, frequently repetitious and fails to sustain a coherent argument.'

3325 I agree with that analysis. We know that the Department was time-constrained by the requirement to report back by this month, but we should not forget that the amendment requiring this was laid and agreed to by the Department itself.

So, sir, I was incredulous when I read in paragraph 1.2 that:

'The Department makes no apology for presenting this report at the very end of a States' term.'

Because it should apologise. This is not what we were promised when we approved Education's vision, Today's Learners Tomorrow's World, in 2013. Appendix 2 said:

'We will bring a States' report to the Assembly in 2014 on a new structure for secondary education. We will bring a States' report to the Assembly recommending the creation of a new structure of post-16 education during 2013 ... A new form of school governance will be in place by September 2014. A Bailiwick form of local management of schools will be in place from January 2015 ... We aim to have a new Education Law in place by the end of 2015.'

3330 It would have been really nice to have had an apology from the Education Department in this policy letter for all those missed deadlines.

Deputy Sillars said in his opening speech that he has not let us down, but his Department have failed to meet their own commitments to us.

3335 Treasury's concerns about this policy letter are set out in full in our letter of comment, beginning on page 1763 of the Billet and Members will, no doubt, have plenty of time during this debate to re-read them, but in summary: the long-term operational efficiencies which Education referred to are not described or quantified. In my experience, if efficiencies are not clearly identified and targeted, they are very rarely achieved.

3340 Education have indicated a vague direction of travel in how financial support should be given to the colleges, albeit with many questions unanswered, but they have made no attempt to explain why the financial support should be given. Until we understand that, it is difficult to form a view on whether the level of support should be more than currently granted, or less, as the Department proposes.

The policy letter contains no measures of improved educational outcomes. What are they to be and how will we know if they have improved?

3345 I completely agree with the Minister for Education that value for money does not mean simply the lowest cost, but how can we possibly advise you on whether these more expensive proposals are, or are not, good value for money without knowing what improvements in educational outcomes are going to be delivered as a result.

3350 As a Department, we have argued consistently, from the very first time we met Education in 2013, to discuss a possible rebuild at La Mare, that the first decision that needed to be taken was surely whether or not selection should be retained and that is all that this first amendment seeks to do, to ensure that this decision is taken first, before we proceed any further.

3355 Treasury do not have a Department view. The board fall on both sides of this argument. Deputy Perrot, as seconder of these two amendments, supports the *status quo* and, no doubt, he will argue in support of that position.

He is, however, happy to second the amendment to scrap selection because, as a board, we are unanimous in agreeing that it is the first decision which must be made before we go any further.

3360 Some have argued that we should have presented an option to end the 11-plus, but continue with selection at 11. If others wish to present that option, that is a matter for them, but the two options on the table right now from Education are either to accept their proposals to end the 11-plus or reject them and continue with the *status quo*. That is the first decision to be made.

3365 Sir, I will speak now, briefly, on my personal views. We were advised not to do this by the Minister when he opened his speech – talk about their own experiences. I sat the 11-plus; I had no reason to question or doubt its efficacy. However, I have listened to the arguments in recent years and, whilst I strongly support the need to set and stream by academic ability, I can no longer support selection.

3370 Why teach in all-ability primary schools until the age of 11, separate for five years to teach the same curriculum, which of course used not to be the case, and then bring them back together for the final two years? It makes little sense to me. Some of the very best state schools in the UK, now, are all-ability, non-selective schools.

3375 I have listened to those with experience who I respect. When former head teachers, such as Dennis Mulkerrin, Chris Nicholls and Deputy Sherbourne, who appear to me to be on different parts of the political spectrum on other issues, are all of the same view on this one, I think it is incumbent on us to sit up and take notice, so I will be voting to end the 11-plus.

3380 Dennis Mulkerrin has spoken of the challenges in transitioning from one system to another. I share those concerns and have expressed them before, and to the Education Department. I worry about our capacity and capability to manage that change, which Education acknowledge themselves in the policy letter in the context of managing school closures, which of course is more of a logistical exercise than this policy change-around selection.

3385 We must not forget that in the Education Scotland's report, their evaluation of the Department last year, rated its leadership of change and improvement as 'satisfactory', which they told us applies to provision characterised by strengths which just – *which just* – outweigh weaknesses. That does not feel like a robust starting point for managing this change.

This is not intended as a criticism of the Department, but just an acknowledgement of what others have said. We must be realistic, not gung-ho, about what we can achieve and I would, therefore, like to pick up the matter of ensuring adequate resourcing as one of the consequential amendments which may be necessary, depending on the outcome of our amendments.

Thank you, sir.

3390

The Bailiff: And, Deputy Perrot, you formally second both amendments do you?

Before I invite any speakers, I can formally declare the result of the voting on the amendment proposed by Deputy De Lisle, seconded by Deputy Gollop. There were 2 votes in favour and 45 against. I declare it lost.

3395

Deputy Sillars, do you wish to speak at this stage in this debate? No.

Deputy Stewart.

3400 **Deputy Stewart:** Through the Chair, sir, can I just say to Deputy St Pier, thank you, oh thank you, oh thank you! Because this is really what we should have been discussing right at the beginning of this term, because this is what everything hangs around: whether we have some form of selection or whether we do not.

3405 To me, it is the logical thing. It has been like that really famous sketch in *Morecambe and Wise*, there he is with André Previn, sir – I am sure you will remember it – and he calls him Mr Preview, (*Laughter*) and he is at the piano, like the Chief Minister – actually the Chief Minister was better – but playing the piano and he says: 'I am playing all the right notes, they are just in the wrong order.'

3410 This is where we have been with this Report and this is why, in my view, it has had such a difficult passage, because whether we have the 11-plus or not, sir, is key to everything. That then decides which road we are going down and, if there has been a failure, and I know everyone has acted with the best of intent and a huge amount of passion from those that want to rebuild La Mare, this needs and needed to be decided first.

That is why, sir, I thank the Treasury Minister, because now we are back to good, proper decision-making and once, I believe, we have decided on these amendments, we can actually see which way we are going.

3415 For me, I am not going to talk about when I was at school because some of that in the public domain is not going to do me any good at all, I can tell you, (*Laughter*) particularly when I put red vegetable dye in the swimming pool at Hallowe'en and that did not go down well at all!

3420 I am not an educationalist, so all I can do, in terms of my judgement of should there be some form of selection – and I will say now most of my postbags have said that they think that the current 11-plus system is flawed, but I think in common with what came out in the survey – was that a majority of people seemed to want some form of selection, albeit not the current form. Maybe there is more coursework taken into account, maybe more input from the primary school teachers.

3425 I am not an educationalist, so my opinion does not mean anything, but the opinions of those people I do respect in this Island, who I have worked with, who do know a lot more about education, do matter. So, going through my postbag, I was pleased to receive the other night, and I think all Members received it, from someone that I respect highly in this Island, which is Alan Bisson.

3430 **The Bailiff:** We do not name individuals in States' debates.

Deputy Stewart: Sorry, sir. Apologies. It was a letter from former head teachers and it was signed by three head teachers and one thing that struck me was a paragraph and I will read what they sent to all the Members:

'In summary, the Education Board's proposals presently under discussion raise some serious reservations. The continued support for the grant-maintained independent colleges means that there will still be a selective system of education in Guernsey, but that selection by ability will be replaced by the selection by ability to pay for about 30% of the children.'

3435 They go on to say:

'There is no evidence to demonstrate that the proposed structure of secondary education will raise overall academic standards and achievements.'

And finally:

'Young people with a higher range of ability will suffer the disruption of having to travel between school sites or move schools in order to access the specialist teaching which their ability demands and their educational experience will be damaged as a result.'

I give way.

3440 **Deputy Fallaize:** Sir, on a point of order. I am grateful for Deputy Stewart. He praised Deputy St Pier for laying amendments in order that we could have debates of items in the right order, but he is not now speaking to these amendments, which deal with the issue of selection at 11. Nothing to do with whether children are transferring from one site to another site. That is dealt with in later amendments.

3445 **Deputy Stewart:** Through the Chair, I think I am on point here. This is about what happens if there is selection or not selection.

Can I say that they go on and the other paragraph that struck me was that:

'Most of the perceived injustices and disadvantages of the current system of selection are not the result of the principle of selection, but of the existing process and the method of selection, which urgently needs to be reviewed and improved.'

3450 With a similar letter we have received from industry and other industry bodies are very concerned about that. I am pleased that we are now debating these amendments, whatever this Assembly decides, sir, it decides.

I personally am in favour of some sort of selection, which the majority it appears from the large consultation that was done seems to want, but I am pleased that Deputy St Pier has brought these amendments because at least we can make a decision and, from this decision, we can at least move on.

3455 Thank you, sir.

The Bailiff: Deputy Laurie Queripel.

Deputy Laurie Queripel: Thank you, sir.

3460 Like Deputy St Pier, I am going to apologise to Deputy Sillars because he expressly asked us not to do this, but I am just going to touch on my own experience, but I hope he bears with me because he might like what I have got to say after I have said it. I hope that makes sense. It probably does not.

3465 I have never really been that bothered about the 11-plus. I have never really taken a view on it, whether it is good or bad or still appropriate or past its sell-by date. I did not pass it, sir, and it really did not concern me. I just got on with my life and as long as the school I went to could play sport, that was all I was really bothered about.

3470 And it did not seem to really bother my compatriots. Many have gone on to be very successful in life and in business and, indeed, Deputy Le Clerc and myself were both at the same school; we were both at St Peter Port today. I do not know what that tells anybody. I do not think it has hindered us in our life's progress.

Unfortunately, that was a long time ago – probably only 20 years ago. I wonder if I will get away with that! (*Laughter*) Things have changed markedly since then, sir. The attitude of many parents is very different now.

3475 Whether that is a good or bad thing, I am not going to comment on that, but it puts a lot of pressure on children at a young age and coaching is such a significant and decisive factor now. I have to apologise, but I was not really aware of those things until quite recently.

3480 Most of us would have read an article in the *Press* yesterday, entitled 'Young people never under more pressure' and the sub-heading was 'Mental health and wellbeing co-ordinator post tackling it'.

The first paragraph said:

'Pressures facing young people today are possibly at their greatest ever.'

Now clearly, sir, bearing that in mind, something quite fundamental has gone wrong with our society if that is the case. We may like to think that we live in an advanced, progressing society, but it does seem as if we have taken a couple of wrong turns somewhere.

3485 I think sometimes we mistake the advance of technology for overall progression, but social progression, social advancement is a completely different thing. For that you need human development, higher thinking, a greater understanding of the human condition, its virtues and frailties.

3490 The way that the 11-plus is zoned in on in modern society is only adding to the pressure put on children, and that leaves its mark on many children and there are consequences to that, ongoing consequences to that.

3495 Deputy Sherbourne, I am not going to try and quote him word for word, but he spoke about the 11-plus in his letter to the *Press* and some may see it as some form of Holy Grail, handed down from on-high by the divine educationalist, etched in tablets of stone. There may be some that almost think it would be blasphemous to put forward the idea that the 11-plus has had its day, but we need to get that into perspective, sir. As Deputy Sherbourne said, that was part of an Education Law from the 1940's, and we have moved on.

3500 I am also thinking, a bit like Deputy Stewart, if we are going to keep a form of selection at ages 11, or 12 or whatever it is, a snapshot is not the way to do it and I think, actually, if we are going to keep some form of selection, it needs to be based on past performance, on the merits of work done over a term or a number of terms. I think that is a far better way to assess academic prowess than a snapshot on one particular day.

3505 Ultimately, for me, sir, it is about finding a way to give children and students their best chance. It is not about elitism. It should not be about defending institutions or established practices and neither should it be about change for the sake of it, or to suit a particular agenda or persuasion.

I am the kind of person ... I have to be convinced that so-called progress is change for the better and I am now convinced that moving away from the 11-plus and finding a different way to do things is change for the better, and so I will be supporting the St Pier A1 amendment, sir.

3510 **The Bailiff:** Deputy Domaille.

Deputy Domaille: Thank you, sir.

Unlike the previous speaker – and I am sure this is going to continue through the debate – actually I will on balance be supporting the retention of the 11-plus.

3515 I have to say that I have given this lots of thought and I am torn. I am torn on two bases. I have to say first of all that I have been well-served by 11-plus. I would not have had the education I had in the 1960's, had the 11-plus not been there and had the then taxpayer not paid for what I regard as an excellent education and I am grateful for that. So that obviously preys on my mind.

3520 But it goes further than that. Whilst that was in the 1960's, members of my family ever since then have all benefited from the existing system, whichever secondary school they went to. As such, my natural inclination is to support the *status quo*.

That said, I do recognise that the 11-plus that I sat – and I did not even realise I was taking it actually, perhaps I should not have passed it – in the 1960's was totally different to the system we have now and I do have some concerns that some of the 11-plus system is not fit for purpose.

3525 The other problem I have here is that my natural fall-back position is to listen to the professional and I have to say that, on balance, certainly of the emails and the correspondence I have had, the professionals seem to support the abolition of the 11-plus – there being some notable exceptions. (*Interjection*) Yes, I agree and I am not ...

3530 But, for instance – and Deputy Stewart has already referred to that letter from the previous heads, all three of which I know and actually were involved in educating my children and I have a great deal of respect for them ...

3535 So I do find this very difficult. The very bottom line ... and I have to say I think Deputy Sillars and his team have dealt with a furore, I think is a fair way of putting it, that followed the publication of this Report very well and very honestly. In particular, I think the Minister has been very, very proactive in responding, from what I can make out, to every single email and I congratulate him for his typing skills, if nothing else.

3540 But, on balance, I really am not convinced, at all, that the replacement for the 11-plus as set out in the proposals is actually any better than what we have now. An over-riding concern I have is – I have called it a dilution of excellence – as a general guide – and there are exceptions all over the place, I accept that – our present system suits the majority of pupils very well.

Thank you, sir.

The Bailiff: Deputy Dave Jones.

Deputy David Jones: Thank you, Mr Bailiff.

3545 I too am afraid I cannot support the St Pier amendment on the abolition of the 11-plus because I, like Deputy Queripel and Deputy Stewart, probably think that a snapshot at 11 is not ideal but some sort of selection should take place.

The other thing is, of course, there is no alternative in this amendment other than you can have it or you cannot have it. It is either vote against it or abolition.

3550 The other thing I think I need to say is it will automatically, in my view, lead to the demise of the Grammar School. Whatever Education say – that that is not their intention and there will be equal schools – the Grammar School is a centre of excellence, whatever we think. I have heard all the arguments about creaming off the top 25% and therefore it is bound to be, but at the same time, if the high schools are, as we keep being told by Education, also going to become centres of excellence, I do not see what the problem is with having the Grammar School.

3555 It seems to come down to the arguments about the curriculum, that you can study some subjects in a school that will not be available to you if you go to another school. That is something Education needs to sort out and the other thing I would say is I would like to see a lot more vocational courses for children, and there are many, in my view, who get to the age of 13 or 14 who have no or little interest in continuing with any sort of academic education, they just want to get out there and use their hands; and when they cannot, they tend to become disruptive to other pupils in those classes. That is the biggest fear for this.

3560 I know the Minister, this morning, said that he hates the idea that it is a one size fits all, but for me it is. It is a single school on four separate campuses, which is in my view a one-size-fits-all education system for Guernsey and I simply cannot support that.

The bursary system and means-testing also for colleges will make it more elite. There is no doubt in my view it will become more elite perhaps than it is now.

3570 I am sorry, Deputy St Pier, because you have given no alternative to the abolition of the 11-plus, and I think there are many Deputies in this Chamber who do not like the snapshot at 11 but actually would rather like to keep some form of selection.

3575 Do not forget, selection goes on all the way through our lives. What is streaming or – (**A Member:** Setting.) setting – sorry, thank you – if it is not some form of selection? That is exactly what it does. The idea that children feel like failures, I do not think my children ... we did not coach our children; they went for their 11-plus, if they passed it they passed it on their own merits. Both of them actually went to Beaucamps where they had an absolutely excellent education and they have both done very well sense.

But when you ask them, 'Did you feel like failures?' they said, 'No.' One of the reasons my daughter wanted to go was because that was where all her mates went. It had nothing to do with academic or the kind of education she wanted in the future.

3580 But that is not a reason, because they go where their mates are, for treating children as if they are all the same academic ability, because they simply are not. Any education system that does not recognise that is one that is doomed to failure.

3585 I do not think the comparison always with English comprehensive is fair. Deputy De Lisle said he taught in a South-East London comprehensive. Clearly, you could not compare a comprehensive in a big inner-city as you would with some of the rural comprehensives whose results have been excellent. You cannot. You have only got to Google to see that that argument stands on its own.

3590 But that does not mean to say that that system makes it right for Guernsey. Guernsey is unique in my view and the idea that we should just scrap these centres of excellence – which is what would happen once the Grammar School goes, and have a one-size-fits-all education – is simply one I cannot vote for.

3595 My mailbag has been about a 2:1 against the abolition of the Grammar School. Strangely enough, many of those emails and letters I have had do not like selection either at 11. So you have got this dichotomy. Is that the word? (**A Member:** Yes.) I learned that a few weeks ago. I am always learning new words; I try them out on people in the Co-op. It does not work! (*Laughter*)

But you have got this strange anomaly where many of those who want to keep the Grammar School, strangely enough, take a different view on selection.

3600 So I want selection of some sort and I do not care if you have assessment from pre-school, which I hope we are going to get, right up until they go to either schools. But certainly, the snapshot is not ideal and I accept that, but I do not want to throw the whole baby out with the bath water, the plumbing, the taps and everything else just to have a one-size-fits-all education.

Thank you.

3605 **The Bailiff:** No one else is rising.
Deputy Perrot?

Deputy Perrot: I suppose it has got to happen at some time.

3610 It is clear that in seconding both of these amendments, I do not feel equally in favour of them. So you are not going to catch me out, sir, this afternoon, speaking in favour of the abolition of selection. I am in favour of selection, but I am persuaded that the single snapshot which Deputy Jones has spoken about may not possibly be the best method of dealing with it and perhaps we ought to find some other method.

3615 I am critical, unlike the colleagues who have spoken so far, about the way in which the Education Department has gone about its business. In coming up with this idea of doing away with selection, we see on paragraph 7.2 the Department says:

'The Department has returned to its core values in formulating its favoured option for secondary and post-16 education in the Bailiwick. These values clearly outline enjoyment of learning, collaborative working, inclusive and personalised learning, breadth and depth of opportunities and enhanced participation within the culture of high expectation and achievement as being fundamental to the provision of an excellent education service.'

Well, who on earth would not say that? That is all motherhood and apple pie. I am not sure that one can simply look at that and, as a consequence, conclude that one should therefore do away with selection, but the Department went on in paragraph 7.3 to say:

'With this in mind, when considering options, the Department has looked to provide a structure and framework in which there are no false ceilings placed on students' personal growth, development and aspirations. We must provide an education tailored to individual needs without pre-conceived limits placed on expectations at age 11.'

3620 And then, later on, and rather more extraordinarily, on paragraph 7.8, the opening part of that paragraph reads:

'The Department has considered the response from the public and professionals and concluded that there is a weight of opinion that selection at 11 should no longer be based on the 11-plus process.'

I do not understand how there was a leap from one thing to that. I do not see how they came to that conclusion.

I equally recognise that I am not going to be able to persuade people about selection. We will all have our views.

3625 The issue of selection is not going to be decided one way or the other by debate this afternoon. I strongly suspect that the voting is pre-determined. Whether we vote now or whether we vote at the end of the speeches, the result, whatever it may be, is going to be the same.

I will persuade nobody already against it, but to my view I know that. So why speak at all?

3630 Well, we are at a juncture where a system supported by much more than a simple majority of those who care sufficiently about education to respond to consultation and which has served this Island very well is on a knife-edge of being destroyed by here today, gone tomorrow politicians.
(**Several Members:** Hear, hear.)

3635 The system, whatever people say, has been good for this Island. Of course, there are anomalies. I know it is fashionable not to allow us to look at our personal histories. I will not look at my personal history but I will look at the history of Guernsey and I say that it has benefited

from the system, the curious, unique system which we have in Guernsey and I think that we disturb that radically at our peril.

3640 Yes, I think we must tweak it. Yes, we have got to find some other way, as Deputy Jones said, of assessment, possibly. Yes, it is probably wrong to take a snapshot over a day or two, but overall, and I am the product of my own history, but I personally believe in selection.

I want to have not the slightest part in supporting anything to do away with selection and that is why I am speaking. I want that to be placed on record.

3645 I also wish to say something about the Department's use of the consultative process, which I think was pretty abysmal. Although trite, let us agree on one thing – that we are born different. From our earliest days we differ as to physical ability, artistic inclinations, musicality etc. the list is not exhaustive, and of course, as to whether we have a leaning towards academic subjects.

3650 I think we would all agree, also, that life is competitive and that, in any such environment, that is to say a competitive one, which may involve the evaluation of ability and effort, whether in GCSEs, A-levels, BTech qualifications, university finals, or City and Guilds qualifications, early preparation is generally not a bad idea at all.

I think that an analysis, by way of testing at age 11, is a very good place to make a serious beginning.

3655 Unfortunately, that testing process is portrayed by comprehensive school ideologues as a process whereby children pass or fail. That may well have been a correct picture, years back, but it is clear – at least it is clear to me – that it underpins a specious argument now. We see time after time photographs and related copy in the *Guernsey Press* in which pupils from the high schools state in terms that they are proud of their schools and what they, the pupils, have achieved.

3660 The last such encomium appeared in the *Guernsey Press* last Friday. They do not speak of failure! It is plain that the pupils feel very good about themselves. I am not knocking the fact that they appear in the paper praising their schools, even though that has been orchestrated sometimes, either by the Education Department or by some sort of trickledown process by those who teach at those schools. I am not knocking it; it is good that they praise their schools, but they do not speak of failure. Certainly, I do not regard a failure to demonstrate academic ability as a failure.

3665 The people who keep using the word 'failure' are those who wish to torpedo the present system, who are thus guilty of promoting what they claim to abjure and who appear not to have moved on from the 1960's.

No, the 11-plus is a form of process of discovery of those showing signs of leaning towards academic subjects and of those who do not and who are better suited to vocational subjects.

3670 Of course, as I have already said, as with every political system, every bureaucratic system, every system, there are flaws. That we are all different, for example, manifests itself in the fact that we develop at different rates. Therefore, with some justification, the comprehensive school ideologues say that it is wrong to direct a child down one route, if that child subsequently shows a completely different educational inclination some time later. I agree. If selection continues, there must be built into the system an ease of passage from one school to the other and, if we can ease the psychological impact of a one-off test, that must be for the good, as I have said. At least, to some extent.

Because beguiling as continuous assessment might be, children have to be exposed to tests in some form or other, simply to reflect life.

3680 I do not believe that the board tried hard enough to cover with an appropriate variant to the present form of selection because, in my belief, they never wished to.

3685 They will protest like Billy-O to that, but that is my firm belief. I have spoken to them over the months and years. I know how individuals on that board, at least how some of the individuals on that board, feel. I am convinced that what they wanted at the outset, consultation process or nay, was to get rid of selection. That was their objective. (**Several Members:** Hear, hear.)

Deputy Sillars: Sorry, sir. I just cannot sit here quietly and have my name maligned. Deputy Perrot tells us all how he had courtesy to everyone else. I wish he would stand by his own standards. *(Applause)*

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Several Members: Hear, hear.

Deputy Conder: Sir, point of correction. May I endorse what Deputy Sillars has said? What Deputy Perrot has said certainly does not apply to me.

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The Bailiff: Deputy Perrot.

Deputy Perrot: If those two objectors listened to me carefully, I said that was my belief. I cannot change my belief and I am not going to change my belief by dint of bullying by other Members of this Assembly.

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That is my belief! If it is wrongly held, it is wrongly held, but that is my belief!

If we remove selection, we do two other things. One, we destroy the Grammar School. The question is not, as Deputy David Jones says, we are likely to destroy the Grammar School; it is an absolute certainty, that is what it is all about. We will destroy the Grammar School as an institution. Two, we bring in comprehensive education.

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As to the destruction of the Grammar School, why do that when it has performed so well in the 133 years since it was established? The comprehensive school ideologues point out that the educational outcomes are evenly balanced between selection and non-selection and, therefore, in the words of Deputy Sherbourne – this is from one of his emails which was circulated to all of us – it is:

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'To address the injustice that exists in our current education system. All of our children deserve the very best opportunities and that is not addressed by our current, divisive structure.'

I ask: do we, the States, really wish to bring down an institution that has graced the Island and contributed so much to it, because of the misconception of divisiveness in the 1960's minds of some of our Members who actively promote the idea of divisiveness by the constant reference to failure?

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What about the system with which they wish to replace selection? The comprehensive system which was experimental in just a few places in the UK after the last war was given its head by Anthony Crosland in 1965 and then used by Shirley Williams between 1976 and 1979 as a justification for advocating the abolition of grammar schools.

In looking back over her career, she said in 2012 –

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I give way.

The Bailiff: Deputy Fallaize.

Deputy Fallaize: I am grateful to Deputy Perrot. He is referring to former secretaries of state of education. I wonder if he would tell the Assembly which secretary of state closed more grammar schools than any other?

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Deputy Perrot: I am very grateful to Deputy Fallaize, but I will make my speech in my own way and if he wants to ask questions later on, I might answer them. *(Laughter)*

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The point about Shirley Williams was that she was the one who advocated the abolition of grammar schools and, in looking back over her career, she said in 2012 that comprehensive schools were her greatest achievement. She failed to draw attention to the fact that just before her daughter was due to enter secondary schooling she, Shirley Williams, moved into the catchment area of Godolphin and Latymer School, voluntary granted, selective, into which her daughter secured a place.

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3740 How well has that comprehensive system performed in the UK? Actually, not brilliantly. The 2012 tests under the OECD Programme for Student Assessment, the PISA programme, showed the UK to rank 26th out of 65 countries for maths, 23rd for reading and 20th for science. That appalling result reflected another finding of the OECD, that the current generation of UK young people are not so skilled in literacy and numeracy as their grandparents.

So, notwithstanding the billions thrown at education by successive administrations in the UK – 17.56% of the OECD average – the comprehensive system is not doing what it should. It has placed the UK behind, for example, Poland and Estonia.

3745 To be fair, the PISA tests reflect the jurisdiction as a whole and it must be said that some comprehensives do well in the UK. The point about my saying that is if we look at the statistics which – you say we are not allowed to mention the names of authors of emails to us, so let me say – a lady sent to all of us over the weekend, we see that under the current system we are a gnat's crotchet outside the top 10 local education authorities in England by way of educational performance.

3750 Are we to jump from a system which does well to a system which does not, just to satisfy a 1960's ideology? If radical change were required, the direction could well be for a one grammar school, two-site option, as brilliantly argued by Messrs Corbin and Piesing in their *Guernsey Press* letter on Saturday, signing, as I think, chairman and vice-chairman of the Old Pupils' Association of the Grammar School.

3755 One more thing about selection that has been raised today is its critics say that some children are coached and they should not be. This is a variant of the anti-public school argument. It is wrong, so they say, to use your own money, i.e. the money which you have left after paying tax, some of which will have gone into the education system in any event – it is wrong to use that to educate or help to educate your children.

3760 Naturally, these critics try to focus on what they like to portray as a rich middle class taking advantage. The fact is that some families have been prepared to forego some of the consumer goods, holidays and lifestyles enjoyed by others, just so as to ensure that a child who does not click with the teaching he has been receiving has the mystery uncovered.

3765 It happened to me, admittedly after the scholarship year, when, despite the best efforts of the maths department at Elizabeth College, I could not understand the fundamentals of algebra. A few tutoring sessions with two wonderful girls from the Grammar School (*Laughter*), my best friend's sister and her best friend, who were a few years ahead of me, ensured that the scales fell from my eyes and ever thereafter, algebra was a loved subject.

3770 Indeed, eventually, as we have said before, I went on to read a social physics degree – exactly the same degree which my colleague Deputy Kuttelwascher took at London University.

All it took was a slightly different approach by people who understood me on a one-to-one basis. Anyway, why should not a taxpayer do whatever he wishes with his tax income?

3775 Well, say the Citizen Smiths, those children will have an advantage over those who cannot afford extra tuition. That looks at the problem, in my view, through the wrong end of the telescope. If there are children who struggle but, with a bit of extra help might experience that eureka moment, one possibility would be for the primary schools to set up a voluntary extra tuition scheme, assisted by retired teachers, who still wish to give something to the community. Rather than be negative and to pull back on the shirt tails of those who do their damndest to help their children, the system should be positive and copy what concerned parents are doing.

3780 That theme, do not tear down what is good, featured in an email sent to all of us, excluding, I think, the Education board, by someone who had taught in the system. She writes a good letter and I will quote from it. I quote, I have to say, selectively, and she says this. It was dated 5th March:

'I worked for many years as a primary school teacher and have some experience of teaching Key Stage 3 children. The system in Guernsey offers excellent educational opportunities to many, many children. There are problems in areas of development, for example the format of the 11-plus, but this is no reason to tear down what is good. It is wiser to take an open approach to improving what is less than good. Time spent by the Education Department in pursuit of a

narrow and prescribed approach has wasted precious time and resources. The propounded philosophy sounds worthy and well-meaning but, sadly, has proved unworkable in many cases. It reminds me of teacher training lectures I attended in the 1960's. We only need to look at international league tables to see where those ideas took the standard of education in England. One of the central themes put forward to support the vision is the flawed nature of the 11-plus examination. However, this could easily be changed without tearing down the whole fabric of the education system in Guernsey. Based on years of teaching experience, I would suggest regular testing in English and mathematics, set throughout a child's time at primary school, and taking place in the normal unstressed atmosphere of a school day. This could be easily accomplished by re-introducing SATS tests, which gave excellent snapshots of the children's progress. This could run alongside teacher assessments and together should be much less stressful for the children and more accurate than teacher assessment alone, which in some cases can be subjective. This would be a much more valuable and fair way of selecting children who would benefit from taking an academic route.'

She also says:

'Parents have told me that one of their main concerns about the transition to a high school is the fact that the few disruptive pupils who have dogged their children throughout primary school will most likely continue to be a nuisance at high school, so the issue of how to prevent these few children from disrupting the education of the majority is another important area to be addressed. This is yet another issue that will not be solved by the present plan. In fact, the loss of a head teacher on site, with full authority, cannot help this problem. A much better approach might be more positive support for any school facing issues with discipline implementing systems that will address the problem. 'It would be better ...'

– she concludes –

'... to look for ways to reform the process of selection and, very importantly, improve opportunities in different schools for children with different skills. Let us not settle for a one size fits all approach and endanger the education of all children on the Island by embarking on this experiment.'

3785 **Deputy Sherbourne:** On a point of correction, sir?

The Bailiff: Deputy Sherbourne.

3790 **Deputy Sherbourne:** To do with the letter. The letter is actually misleading the States, because our proposals make it very clear there will be head teachers in each of the four sites.

The Bailiff: Deputy Perrot.

3795 **Deputy Perrot:** I now turn to the way in which the board has gone about its business. Let us spend a minute or two reviewing some of the statements made by the Department in the Billet. We read at paragraph 5.3 this:

'The Department, in responding to the Education Scotland findings, made it clear that the Department had made no decisions on any of the issues outlined in Your Schools, Your Choice and was seeking the views of the community and stakeholders in helping to co-design secondary and post-16 education in Guernsey and Alderney. This approach demonstrated the Department's desire to move away from the traditional "decide, announce and defend" consultation process to a more inclusive and listening approach of a "debate, discuss and decide" model.'

In the Minister's foreword to the consultation document – note again the name, Your Schools, Your Choice – he says at the bottom of the first page:

'However, please do not be put off by the large amount of reading. Your experience, your knowledge and your perspective are equally important to us.'

3800 Pausing here for a moment, it might have been a tad more felicitous if the Minister had added, 'Provided, of course, that you say what we want to hear and by the way we are not over-bothered with the views of those who have experience of Grammar School and who, as a result of that experience, care for what it does and its values.'

We see more in the same vein on the next page. Thus:

'We will be using your feedback and the responses from our teaching professionals to help us determine the preferred options, which we will bring to the States for debate.'

Further on that page:

'Your opinions matter to us and will help guide our thinking and decision-making.'

3805 Finally:

'Please, get involved and take part in this consultation. These are your schools and we want to know your choice for the future.'

The Minister might have added, 'Not if you wish to retain selection, obviously.'

3810 Well, one can imagine the wailing and gnashing of teeth as the responses came in: 61% were against an all-ability system with no Grammar School, more than twice that of the opposite view. As to pupils themselves, 68% were against doing away with the Grammar School, 300% more than those who wished to bin the Grammar School.

Even more remarkable was the response from teachers, who we know to have been under trickledown pressure to appear to wish to do away with selection, who returned a slight majority in favour of doing away with selection. Extraordinarily, the responses from teachers amounted to an embarrassing low 10% of their number.

3815 Deputy Conder was at pains to get his retaliation first two weeks ago, in the referendum debate. He knew that the Department would receive heavy duty flak because of the way in which it had ignored the substantial majority in favour of retention of selection and so, apropos nothing very much, he informed us what we already knew, to the effect that a consultative process was not a referendum; it did not bind.

3820 Quite so. But what possessed the Department to use the language to which I have referred in the consultation document? What possessed them? What on earth did the board members think would be in the minds of those who read the words?

3825 It is completely inconvenient to admit it now, but as I said earlier on, the language screamed inclusion. People were bound to think that it was a much more than cosmetic consultancy, so beloved of the States.

It is a mockery of the process and redounds to the complete discredit of the board that they seek to degrade the relevance of the responses by coming up with an objection that too many of the responses came from people associated with the Grammar School and Sixth Form Centre.

3830 The same applies in respect of the reference to the predomination of responses from owner-occupiers.

3835 Those who have experience of the current system have every right to expect their responses to be as validly held as anybody else's. (**Several Members:** Hear, hear!) Further than that, if having experienced the system a respondent wishes to argue the value of that system and that it ought to be retained, the argument thus expressed has some weight, arguably more so than, say, someone who has not experienced secondary education in the Island.

Of course, the responses to the consultation cannot be binding, but I submit that it would be a very unwise Department which would dismiss a majority quite so lightly.

3840 Selection is admittedly a part only of the Report. But, as with pretty well everything else in the Report, in my judgement and belief, it is a farrago. As I have already accepted, I will have persuaded absolutely nobody, but my conscience is clear and I second the amendment.

The Bailiff: It is now very nearly 5.30 p.m. Does anyone have a very short speech, or shall we come back in the morning?

No, we will rise now and resume tomorrow at 9.30 a.m.

The Assembly adjourned at 5.30 p.m.