

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 28th DAY OF JUNE, 2019**

Adjourned from 25th June 2019

**The States resolved as follows concerning Billet d'État No IX
dated 20th May, 2019**

POLICY & RESOURCES COMMITTEE

POLICY & RESOURCE PLAN

2018 REVIEW AND 2019 UPDATE

P.2019/40

I: After consideration of the Policy & Resource Plan (2018 Review and 2019 Update) Policy Letter dated 20th May 2019:

1. To direct -
 - a) the Policy & Resources Committee to redraft the Policy & Resource Plan to reflect the revised policy objectives as set out in appendix 1 to the Policy Letter:
 - a. 'Access to Secondary Pensions' in place of 'Social Welfare';
 - b. 'Housing Strategy' in place of 'Housing Supply Policy';
 - c. 'Meeting Guernsey's Energy Needs' in place of 'Energy Policy';
 - d. 'The Future Model of Care' to include 'Partnership of Purpose', 'Health and Wellbeing' and 'Regulation and Support Policy'; and
 - e. to introduce the priority policy area 'Mitigate climate change';
 - b) the Committee *for* Health & Social Care to undertake expeditiously all work associated with revisions and amendments to the Children (Guernsey & Alderney) Law, 2008;
 - c) the Policy & Resources Committee and the Committee *for* Home Affairs working in partnership to deliver the Justice Policy and, together with the Committee *for* Health & Social Care and the Committee *for* Education, Sport & Culture, to expedite work that removes delay from systems and processes relating to the delivery of services to children and young people in need, and to ensure that such systems and processes are centred on the best interests of the child or young person concerned;
 - d) the Committee *for the* Environment & Infrastructure to develop a climate change policy and a 'Climate Change Action Plan' in a policy letter no later than May 2020,

recognising that climate change has reached a critical point and that Guernsey must urgently address the climate and ecological crisis at both local and international levels, and recognising that, as well as addressing environmental issues, social and economic factors will be integral to this priority policy area, which may include:

- local action to mitigate climate change and environmental degradation,
- local policies to stimulate the 'green' and 'blue' economy and promote environmentally sustainable economic development,
- international action through overseas aid focused on climate resilience, and
- international action through our role as a Green and Sustainable Finance Centre;

- e) that all Committees of the States of Deliberation ensure that, when delivering or overseeing the delivery of their operational functions, they reasonably assess, and where practicable address, the consequential impact on climate change of their actions;
- f) that all Committees of the States of Deliberation when laying policy letters before the Assembly should assess therein any consequential impact on climate change of their proposals together with, where appropriate, their adaptation and mitigation actions;
- g) the Policy & Resources Committee to review and assess the impact of current initiatives contributing to States of Guernsey's response to in-work poverty, bringing an update in the Policy & Resources (Future Guernsey) policy letter in May 2020, in consultation with the Committee for Employment & Social Security, the Committee for Health & Social Care, and other stakeholders, and focusing especially on the work being done to address:
 - (i) benefit rates and tax levels;
 - (ii) affordability of housing; and
 - (iii) affordability of primary health care and emergency health care;
- h) the Policy & Resources Committee, guided by existing States Resolutions on in-work poverty and working with the Committee *for* Employment and Social Security, other States Committees and the third sector, to undertake preparatory investigations of policies successful in breaking poverty, with a specific focus on generational focus.

1A.

- a) to agree that, subject to negotiating suitable terms and conditions with Her Majesty's Government, residents of Guernsey should enjoy rights to medical treatment whilst in the United Kingdom on a reciprocal basis similar to those available to residents of the Isle of Man and Jersey under the respective

Reciprocal Health Agreements entered into by the governments of those Islands with Her Majesty's Government;

- b) to direct the Policy & Resources Committee –
 - (i) to investigate opportunities to enter into and, if possible, to negotiate a Reciprocal Health Agreement with Her Majesty's Government, similar to those in place with the Isle of Man and Jersey, consulting as necessary with appropriate States Committees, and to submit an update to the States in the Policy & Resource Plan (Future Guernsey Plan) update policy letter in 2020, or earlier if negotiations fail; and
 - (ii) to redraft the Policy & Resource Plan to reflect this direction of the States.
- 2a. To delete Rule 23 of the Rules of Procedure of the States of Deliberation and their Committees and to replace it with the following:

Policy & Resource Plan

- 23.(1) Committees of the States must contribute to the formulation and, once agreed by the States, the application of the States' Policy & Resource Plan.
- 23.(2) The Policy & Resource Plan should be reasonably straightforward, flexible and un-bureaucratic. It should focus on significant policy matters and lay down a framework of overall policy assumptions in order to assist Principal Committees in the setting of their policies and priorities. The Policy & Resource Plan should be seen as a means of strengthening leadership, co-ordination and accountability and not as an end in itself.
- 23.(3) The Policy & Resource Plan shall be formulated according to the following timetable from 2020 and in every States' term thereafter:
 - (a) When setting the schedule for future States Meetings, the States' Assembly and Constitution Committee shall include a Special Meeting not more than **3 months prior to the General Election**, the sole business at which shall be to consider an 'End of Term' policy letter as described in sub-paragraphs (b) and (c);
 - (b) In the final year of the States' term, all Committees (which includes Authorities, Boards and other States' bodies) shall produce a handover document to apprise their successors of what are considered to be the main policy and operational challenges facing

the Committee in the next term. This may include policy issues and extant Resolutions which the Committee either did not complete or could not prioritise during the term, but which they believe should be considered in the forthcoming term by their successor Committees. These reports must be transmitted to the Policy & Resources Committee in time to be published as appendices to its 'End of Term' policy letter;

- (c) At the Special Meeting convened in accordance with Rule 23(3)(a), the Policy & Resources Committee shall lay an 'End of Term' policy letter including:
 - i. Its commentary on progress against the Policy & Resource Plan during this States term;
 - ii. Identification of States Resolutions which remain outstanding;
 - iii. A proposed order of priority for the drafting of significant items of legislation for the year ahead; and
 - iv. The handover reports transmitted to it under the preceding sub-paragraph.

23.(4) Policy & Resource Plan Phase 1 (Overall Objectives):

- (a) **In the first 4 months following the General Election** – the Policy & Resources Committee develops a statement of overall policy objectives for the long term (say, 20 years) and medium term (say, three to five years) in connection with issues of strategic importance to the Island, e.g. fiscal and economic affairs, social affairs, the environment, population and external relations, for recommendation to the States;
- (b) **No later than 6 months after the General Election** – the States debate the recommendations of the Policy & Resources Committee and make resolutions on their overall policy objectives.

23.(5) Policy & Resource Plan Phase 2 (Committee Objectives):

- (a) **6-12 months after the General Election** – each Committee (including Authorities, Boards and other States' bodies) develops a policy plan setting out its policies and priorities for the current States' term to contribute to the agreed States' objectives in Phase 1 of the Policy & Resource Plan, to fulfil its purpose and policy responsibilities which

are set out in its mandate, and to address outstanding States Resolutions;

- (b) The Policy & Resources Committee develops a Medium Term Financial Plan for the States which sets out a fiscal plan covering the medium term, designed to ensure the finances of the States can support the delivery of the outcomes set out in the Policy & Resource Plan and provide a framework for budget-setting over the period;
- (c) The Policy & Resources Committee also works with Committees to ensure that, so far as possible, their policy plans are co-ordinated and consistent with the States' objectives and with each other; any conflicts and areas where prioritisation is necessary are identified; and the Policy & Resources Committee facilitates cross-committee working where policy areas span more than one Principal Committee;
- (d) The Committee policy plans are submitted to the States by the Policy & Resources Committee, if necessary with Committees' differences of opinion highlighted in order for the States to resolve the points at issue, together with the Medium Term Financial Plan and appendices including the Prioritisation of Legislative Drafting and the Annual Report of the Chief Executive of the States, as Phase 2 of the Policy & Resource Plan;
- (e) **No later than 12 months after the General Election** – the States debate and make resolutions on Phase 2 of the Policy & Resource Plan.

23.(6) **Policy & Resource Plan – Annual Reporting:**

- (a) **Every 12 months thereafter (i.e. at the end of the second and third years of the States' term)** – the Policy & Resources Committee submits an update on the Policy & Resource Plan to the States, which shall include:
 - i. commentary on overall progress (including progress against outstanding States' resolutions) from the Policy & Resources Committee;
 - ii. annual performance reports from States' Committees (which must be submitted by all Principal Committees, and may be

submitted by any other Committee of the States on their own initiative or at the request of the Policy & Resources Committee);

- iii. any proposals to amend the objectives in Phase 1 or Phase 2 of the Policy & Resource Plan , including the Medium Term Financial Plan, which are considered necessary;
- iv. an update on progress and prioritization of Legislative Drafting for the year ahead; and
- v. the Annual Report of the Chief Executive of the States.

(b) **In the final year of the States' term**, Rule 23(3) applies.

23.(7) Policy & Resource Plan – Submissions:

- (a) The policy letters constituting Phase 1 and Phase 2 of the Policy & Resource Plan, and the 'End of Term' report, shall not exceed 24 sides of A4 apiece in length;
- (b) The Committee submissions to Phase 2 of the Policy & Resource Plan shall not exceed 12 sides of A4 apiece in length;
- (c) The policy letters constituting the Policy & Resources Committee's summary of the annual update to the States in Years 2 and 3 of the term shall not exceed 12 sides of A4 apiece in length; and
- (d) The Committees' annual updates to the States in Years 2 and 3 of the term, and in the 'End of Term' report, shall not exceed 8 sides of A4 apiece in length.

2b. To agree that a Special Meeting of the States of Deliberation shall be convened on Tuesday 21 April 2020 at which the sole business shall be to consider the handover report / 'End of Term' policy letter on the Policy & Resource Plan.

3. To rescind or transfer accountability for the resolutions of the States of Deliberation as set out in Appendix 5 of the 'Policy & Resource Plan (2018 Review and 2019 Update) Policy Letter dated 20th May 2019'.

4. To direct the Policy & Resources Committee to bring to the States, either in its Fiscal Rules policy letter or otherwise before or within the debate on the 2020 States Budget, a proposition that will allow the States to decide whether to maintain or amend the anticipated value and timing of the savings targets set out in the Medium Term Financial Plan and the contribution which reductions in expenditure should be expected to make to returning public finances to surplus, in accordance with the States Resolution cited in paragraph 3.93 of this policy letter.
5. To note that, since the publication of the Committee *for* Health & Social Care's "Committee Policy Plan Update" at Appendix 3(f) of the Policy & Resource Plan, the Committee has now identified certain gaps in services between primary and secondary mental health care, in both Guernsey and Alderney, by means of an evidence-based service-mapping, gap and issue analysis;
6. To note that the Committee *for* Health & Social Care will add an action to address these gaps in community-level mental health and wellbeing provision, in collaboration with States Committees, the Government of Jersey and the Third Sector, to its priorities for 2019-20, in fulfilment of the commitment in the Policy & Resource Plan to give parity between mental and physical health and wellbeing; and
7. To direct the Policy & Resources Committee to work together with the Committee *for* Health & Social Care to ensure that appropriate provision is made in the 2020 States Budget in respect of this priority area, subject to the submission of a suitable business case (or cases).
8. To direct the States Assembly & Constitution Committee to consult with the Policy & Resources Committee and other States Committees on how effective cross-Committee working can best be facilitated within the current structure of the States, with specific regard to the induction process and any ongoing support required.
9. To agree:
 - a) To amend the Rules of Procedure of the States of Deliberation and Their Committees by inserting, after Rule 45(1), the following Rule:

"(1A) The Policy & Resources Committee shall designate its President or one of its members as the States' lead member for Corporate Services, with responsibility for the services that are provided by the Office of the Policy & Resources Committee to or on behalf of the Principal Committees and other Committees of the States.";

- b) To direct the Policy & Resources Committee to set up a working group, involving one delegated representative of each of the six Principal Committees and the Policy & Resources Committee, to develop minimum service standards for each Corporate Service, which shall be agreed between the Committees and shared with all States Members by no later than the end of this States' term, and reported on routinely thereafter in the annual report of the Chief Executive; and
- c) To direct the Policy & Resources Committee to coordinate regular summits between itself and the Principal Committees, not less than twice a year, to be attended by two representatives of each of those seven Committees, and with other States' bodies invited where appropriate, which shall include formal consideration of:
 - i. Adequacy of resourcing, and any resourcing issues to be resolved, across the States;
 - ii. Current and emerging areas of policy development, and any cross-Committee issues to be resolved;
 - iii. Performance of Corporate Services provided to all Committees (including performance against service standards, where such exist), and any performance issues to be resolved; and
 - iv. Any other matters requiring cross-Committee discussion, coordination or resolution; and
- d) That, for the purposes of this amendment, "Corporate Services" are defined as HR, ICT, Finance, Data Protection, Health & Safety and Communications, as set out on page 4 of Appendix 7 (Public Service Update 2019) of the Policy & Resource Plan.

10. To resolve that:

- (a) The States of Deliberation is democratically accountable to the people of Guernsey for carrying out the functions of government and parliament. The public sector exists to serve the people of Guernsey by carrying out the responsibilities given to it by the States, to deliver public services and develop public policy. The public sector is accountable to the States of Deliberation through the Chief Executive, whose contract of employment is managed by the Policy & Resources Committee.
- (b) The States of Deliberation operates a Committee-based form of government. The mandates of Committees of the States are set out in Appendix A to the

Rules of Procedure of the States of Deliberation and Their Committees. The Chief Executive is accountable, via the Policy & Resources Committee, for ensuring that the structure of the public sector (in particular the civil service) and its performance supports all States Committees in the delivery of their mandates.

- (c) As resolved in Billet d'Etat XII of 2015, Senior Officers serving a Committee are accountable to that Committee in respect of the policy areas and services within the mandate of that Committee. Where the direction given to a Senior Officer by a Committee conflicts with another direction of the States or a States Committee, the Senior Officer is responsible for bringing that to the attention of the Committee(s) and assisting the Committee(s) to identify the appropriate forum in which to resolve it (which should include inter-Committee dialogue but may, from time to time, require a States Resolution in order to give clear and consistent direction). No part of this should be interpreted as requiring Senior Officers to do anything in service of a Committee which would violate the Civil Service Code of Conduct.
- (d) The Policy & Resources Committee, acting in the role of the States as an employer, shall ensure that appropriate, performance-related feedback is sought from all States Committees as part of the annual performance review of, and prior to any decision to recruit, renew or (except where immediate action is required for disciplinary or security reasons) terminate the contract of, the Chief Executive.
- (e) The Policy & Resources Committee, acting in the role of the States as an employer, shall ensure that appropriate, performance-related feedback is sought from each Committee served by the following Senior Officers of the States, as part of their annual performance review, and prior to any decision to recruit, renew or (except where immediate action is required for disciplinary or security reasons) terminate their contracts:
- The Strategic Lead for People Policy
 - The Strategic Lead for Place Policy
 - The States Treasurer / Strategic Lead for Finance & Investments
 - The Strategic Lead for Supporting Government
 - The Strategic Lead for Future Digital Technology & Communications
 - The Strategic Lead for Operational Delivery & Support
 - Committee Heads of Operations
 - Committee Secretaries or Principal Officers

and the Policy & Resources Committee shall ensure appropriate political representation from the Committees served by each of these roles in the recruitment process.

- (f) The Policy & Resources Committee, acting in the role of the States as an employer, shall consult with all affected States Committees prior to approving any restructure of the civil service or the wider public sector that would result in the removal or substantive change of any of the senior officer roles set out in sub-paragraph (e) above.
 - (g) Any States Committee shall have the right to inform the Chief Executive or, if appropriate, the Policy & Resources Committee acting in the role of the States as an employer, that it has no confidence in a proposed appointment to a Senior Officer role directly serving that Committee. If, after the exhaustion of reasonable procedures, the Committee still has no confidence in the proposed appointment, there will be an expectation that the appointment will not be made.
 - (h) Any States Committee shall have the right to inform the Chief Executive or, if appropriate, the Policy & Resources Committee acting in the role of the States as an employer, that it is losing confidence in a Senior Officer who serves it, or in the level of support that it receives. If, after the exhaustion of reasonable procedures, the Committee still has no confidence in the Senior Officer, there will be an expectation that the officer will be transferred out of the service of that Committee.
11. To direct the Policy & Resources Committee, in consultation with all States Committees, to develop a framework governing the relationship between the elected States of Guernsey and the civil service, taking into account the requirements of Proposition 10(a-h), by no later than the end of 2019.
12. To direct the Policy & Resources Committee to ensure that an account of the progress of Future Digital Services Programme as at the end of each year is included as an appendix to the annual report on the States of Guernsey Policy & Resource Plan (known as the 'Future Guernsey Plan') which shall include, as a minimum:
- (a) Actual costs of delivery (vs. budgeted);
 - (b) Actual financial and non-financial benefits of delivery, including cash savings realised (vs. forecast);

- (c) Progress on the projects within the Programme, including any projects which have been completed, added to or removed from the programme since the last annual update; and
- (d) A statement of the performance of the strategic partnership, including the performance of Agilisys Guernsey Limited, the new corporate entity established by Resolution 2 on Article 6 of Billet d'État X, 2019, and the retained IT function within the States of Guernsey.

S M D ROSS

HER MAJESTY'S DEPUTY GREFFIER