

# States of Guernsey

## Meeting the challenge: towards better governance

### The Committee *for* Education, Sport & Culture: Governance Review

## Report

### 1 Introduction

This Governance Review was commissioned by the States of Guernsey to support its programme of public service reform and transformation<sup>1</sup>. The Review of the Committee *for* Education, Sport & Culture (CfESC) is part of a series of Governance Reviews, designed to provide the underpinning knowledge and evidence for the creation of a governance development programme, with supporting guidance, for Deputies.

The review was undertaken in November and December 2019. The first draft report was completed and circulated for comment in January 2020. The production of this final report was delayed, by the Requête: Determining The Best Model For Secondary Education, laid in January 2020 the outcome of which, in March 2020, required the Committee to 'Pause and Review' its programme of work to transform secondary education. A further delay was caused by the pandemic emergency which began in March and resulted in the suspension of much of the normal work of the States until June. Comments on the draft report were made by participants between the end of January and early June. Because of the lapse of time between the first and final drafts, the final report contains references to events which have taken place between January and June 2020.

### Summary findings of previous Governance Reviews

The first Governance Review in the series was undertaken in 2018, with the Committee *for* Health & Social Care (CfHSC). This Committee was chosen because a previous Committee had experienced serious problems with governance and the States of Guernsey wished to understand how the new Committee had achieved significant improvements and the critical success factors which had helped support those changes.

Briefly, the findings of the Governance Review of CfHSC in 2018, were that the Committee had an excellent understanding of good governance and where there was room for improvement, as well as exemplary leadership on the part of the President.

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<sup>1</sup> A Framework for Public Service Reform 2015 – 2025 [www.gov.GG/change](http://www.gov.GG/change)

Most of the recommendations of that report related to ways in which cross-organisational systems could be strengthened to support all principal Committees, for example, improved approaches to external engagement.

The Committee *for* Home Affairs was chosen as the second Committee to be reviewed because of the serious concerns about its governance, particularly in relation to its strategic leadership and the way in which it managed the boundaries between Members' responsibilities and those of the Head of Law Enforcement (HoLE), that were raised by HMICFRS in its report of 2018<sup>2</sup>.

The third Committee, the Policy & Resources Committee (P&RC), was reviewed during the summer of 2019, at its request. Briefly, the findings of that Review were that the P&RC had a good understanding of, and sought to practice, good governance. Several issues were identified which made it harder for the P&RC to be as effective as it would wish to be. Those issues included a lack of power, and a reluctance on the part of some Deputies to respect the P&RC's mandated leadership role. A number of broader structural issues were also identified as militating against the P&RC's effectiveness. These include, the Committee system, which disperses power too widely and the problems caused by the legislature also acting as an executive. This makes it difficult for Committees to be held to account and for effective scrutiny to be provided.

## 2 About the Committee *for* Education, Sport & Culture

The Committee *for* Education, Sport & Culture (hereafter referred to as 'the Committee') is one of six principal committees within the States of Guernsey. It is responsible for the publically-funded primary, secondary and tertiary education delivered in Guernsey. It is also responsible for sport and recreation services and facilities as well as culture and heritage services.

Committee members:

<b>President</b>	Deputy Matt Fallaize
<b>Members</b>	Deputy Richard Graham (Vice-President) Deputy Mark Dorey Deputy Peter Roffey Deputy Rhian Tooley
<b>Non-voting member</b>	Richard Conder

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<sup>2</sup> HMICFRS Report 2018: Bailiwick of Guernsey Law Enforcement: an inspection of the capability and capacity of Guernsey Police and Guernsey Border Agency

### **3 Aims of the Governance Review**

The aims of this review are to:

Explore the extent to which the Committee *for* Education, Sport & Culture demonstrates good governance in the ways in which it develops and implements strategy and policy and oversees the delivery of key services in education, sport & recreation and culture & heritage.

Recommend and support the early implementation of changes in the way in which the Committee operates, to strengthen governance.

Identify evidence and insights to support the creation of a suite of development materials and activities on good governance for new and returning Deputies, following the election in 2020 and for civil servants.

### **4 Background and context**

This Committee took over the mandate for Education, Sport & Culture in February 2018, from the previous Committee, which was appointed in 2016.

This transfer of responsibility from the previous Committee to the current committee resulted from an Amendment proposed by Deputy Fallaize and seconded by Deputy Graham, via which the propositions of the (then) CfESC with regard to 'The Future Structure of Secondary and Post-16 Education in the Bailiwick' were replaced by those set out in the Amendment. Those propositions included a proposition to agree that the proposals in the (Fallaize, Graham, Dorey & Tooley) Report entitled 'The Alternative Model – A Proposal for Opportunity & Excellence' were preferable to those contained in the (then) CfESC's Policy Letter. Following the adoption by the States of Deliberation of The Alternative Model, the previous Committee resigned, and the authors of The Alternative Model, joined by Deputy Roffey, were elected.

The current Committee then embarked on the development of a significant transformation programme in early 2018, which has proved to be controversial. This Governance Review was undertaken in the autumn of 2019. By the time of the report-writing stage of the Review, at the beginning of 2020, teachers' unions and some Deputies were raising concerns about the pace of the planned changes and it was proposed to pause the programme and conduct a review of options for the delivery of 11-18 education for further debate after the General Election in June 2020.

The question of which future model of secondary education is the best for Guernsey's children and young people is outside the scope of this Review, although some governance issues in relation to the development of policy within the States of Guernsey are covered. This Review is not a formal inspection or investigation and it does not include a detailed analysis of the Committee's performance over the last two years, since it took over from the previous Committee in February 2018. It focuses on

the extent to which good governance has been in evidence during the life of this Committee.

This Review focuses on the ways in which the CfESC operates within existing systems and structures as well as on the advantages and disadvantages of the systems and structures themselves.

## **5 Understanding governance**

Good governance is a crucial element of organisational success but it is not a simple concept. Establishing and maintaining good governance in government is not straightforward. It requires a shared understanding of both the principles and practice of good governance. Good governance is enabled and supported by three key organisation pillars. These are, agile systems, for example, the ways in which decisions are made and implemented, and strong structures, in which executive, legislative and scrutiny functions can operate effectively and good behaviour. Good behaviour in governance is not only about courtesy and mutual respect, though those are very helpful behaviours. Active listening and the ability to assimilate evidence to support decision-making are also essential. Good behaviour also includes selflessness and the moral courage to make the right decisions for the long-term benefit of the population, regardless of whether or not those decisions are initially popular. It is essential that governance is part of the everyday discourse of Deputies and civil servants. The whole organisation needs a common language, which it does not currently have, to support good practice and to challenge bad practice.

Good governance is developed, achieved and maintained by the continual application of effort, self-awareness, mutual trust and mutual challenge. Good governance cannot be imposed by the introduction of standards, rules or protocols. Rather, it is continually co-produced by members of the organisation, in all their diverse roles, by the way in which they learn how to blend rules, processes and controls with strong values and positive behaviours, to achieve a model of good governance that works for their particular purposes and context. For example, the boundaries between the Committee's strategic responsibilities and civil servants' operational responsibilities will always be contested, quite rightly. The way in which that interface is managed, indicates the extent to which governance is strong and effective.

The States of Guernsey operates as both a national and a local government, meeting a wide range of complex needs within significant constraints, including population and geography. A 'one-size-fits-all' governance model, imported from elsewhere, will not be a good fit for a government operating in such an unusual context. However, there are a number of underpinning principles of good governance that can be applied universally because, without them, it can be argued, no government can operate successfully.

## Principles of good governance

- Independence
- Openness and transparency
- Accountability
- Integrity
- Clarity of purpose
- Effectiveness

These principles of good governance are drawn from a number of models<sup>3</sup> and reflect the importance of both underpinning ethical values and organisational effectiveness. Problems arise when these principles are interpreted and applied differently by politicians and staff<sup>4</sup>.

## 6 Governance Review methodology

This methodology is designed to support participants, both Committee members and staff, to strengthen their shared understanding of good governance. It seeks to identify good practice, as well as areas of concern, in order to support improvement. To be successful, it does require participants to be open to criticism of current ways of working, as well as to adopt this Report's recommendations for future improvements.

The Review methodology starts by taking a positive, 'Appreciative Enquiry'<sup>5</sup> approach, asking interviewees, and seeking documentary evidence, about what currently works well and what could be improved. However, it is also important to take account of the issues and concerns raised by interviewees or evidenced by the documents reviewed. The Review drew on a selection of documents, including reports to the Committee, agendas and minutes of recent Committee meetings, background documentary evidence provided by interviewees, as well as evidence gathered through confidential structured interviews. It also references relevant academic and practical literature on the theories and good practice that underpin good governance.

### Document review

The purpose of the document review was to identify issues and themes in relation to the governance of the Committee for Education, Sport & Culture. The document review is not exhaustive, as it was not practicable, within the scope of the Review, to examine every document produced by, or on behalf of, the Committee, or presented to it, over the last two years. Documents were selected which provided background

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<sup>3</sup> UK Independent Commission on Good Governance in Public Services

<sup>4</sup> CIPFA/SOLACE best practice framework *Delivering Good Governance in Local Government (2016)*

<sup>5</sup> Cooperrider, D.L. & Srivasta, S. (1987) Appreciative Enquiry in organizational life. In R. Woodman & W. Passmore (eds.) *Research in Organizational Change and Development: Volume 1* (pp. 129-169). Greenwich, CT: JAI Press.

information or which interviewees highlighted as sources of evidence about matters raised in the interviews. For a full list of documents reviewed, see Appendix I.

### **Confidential structured interviews**

Confidential structured interviews were completed during November 2019, with fifteen interviewees: four of the Committee members, plus the Committee's non-States member and nine civil servants. One Committee member submitted written answers to the interview questions. The reason for confidentiality is to enable interviewees to provide full and accurate answers. A list of interviewees is included in Appendix II and the questionnaire, together with explanatory information for interviewees, is attached at Appendix III.

Interviewees were asked to reflect on their own understanding of good governance (question 1), and to assess the Committee's current performance across six principles of good governance (question 2). They were also asked to comment on support from civil servants (question 3), how well the Committee engages with residents, other parts of the States and partners (questions 4, 5, 6 & 7), and how well Codes of Conduct for States members and staff contribute to good governance (questions 8 & 9). Finally, they were asked to identify those aspects of governance of which they were particularly proud and those which gave them the greatest concern (questions 10 & 11).

### **Workshops**

Initial feedback was provided informally to Committee members and staff interviewees during two workshops, one for the Committee and one for civil servants, held on 5<sup>th</sup> December 2019. A PowerPoint presentation set out a summary of the evidence about governance, based on views of both Committee members and staff as well as the document review. The third and final workshop was held on 20<sup>th</sup> January 2020, for Committee members and those staff who have continuing roles in Education, Sport & Culture services. That workshop focused on using the lessons of the Review to strengthen governance for the future.

## **7 Analysis of evidence gained through the document review and interview responses.**

A number of key issues were identified by both the document review and by interviewees' responses. An analysis of the evidence gathered in relation to these issues is set out below. Each item of evidence in this report is 'triangulated', that is, supported by at least three separate sources, for example, interview responses from three individuals, or two interview responses and a piece of documentary evidence.

### **Question 1: What does the term 'good governance' mean to you?**

Perceptions of the meaning of good governance varied but there were some strong common themes, which suggests that good governance is important to all

interviewees. Some interviewees tended to take a 'ruled based' approach, for example, citing the Nolan principles, the Deputies' Code of Conduct and the Civil Service Code. Others expressed their understanding of good governance in terms of values, for example, a focus on accountability<sup>6</sup>. Some shared values were evident, with several interviewees highlighting the need for mutual respect and collaborative working. This is significant because organisational culture, individual values and beliefs and trust are as important in good governance as formal rules.

### **Question 2a: To what extent do you think the Committee acts independently of external influences?**

Responses to this question were largely positive. Several interviewees thought that the Committee is made up of people with a diverse range of skills, backgrounds and experience and that this helps Committee members to be independent in their collective thinking.

Examples were given of Committee members challenging each other without that damaging their good working relationships. They were also thought to have avoided taking a populist approach towards the re-organisation of schools. Some interviewees expressed the view that the Committee tries not to rush to judgement and seeks to keep decisions open as long as is practicable. However, several interviewees also commented that the pressure of work and the speed of change required to deliver a programme of school re-organisation in two years, have resulted in the Committee finding it hard to find sufficient time for reflection.

Some interviewees thought that the Committee members are 'too independent of mind' and, as a result, did not always listen to others' views, when those views diverged from their own. Others expressed the view that, although the Committee is not responsible for civil service appointments, it does prefer to work with staff who supported the Committee's approach, in particular to transforming secondary education.

The Committee members argue that as The Alternative Model is the accepted policy of the States it is not unreasonable for them to expect advice that follows the agreed policy direction. However, no policy is ever entirely right and when the Committee took over, its members had not had time to think through much of the detailed planning of the implementation of the policy. Therefore, although it is natural for the Committee to prefer to work with civil servants who share its commitment to the new policy, it is very useful for a committee to make space for critical thinking.

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<sup>6</sup> Gill, A. (2008) Corporate Governance as Social Responsibility: A Research Agenda. *Berkley Journal of International Law* 26 (2) 5

## **Question 2b: To what extent do you think the Committee acts in an open and transparent way?**

Interviewees were significantly consistent in their views that the Committee does strive to be open and transparent. Examples cited were the number of meetings held with a range of stakeholders, about the change process in relation to schools and the regularity with which Committee members visit schools. Some interviewees observed that the Committee members are conscious of their lack of experience of complex change and are open to advice from the Transformation team, about how to manage the process.

However, there were two key areas of concern. The first was a sense that some civil servants are treated as 'insiders' and some as 'outsiders' and the 'outsiders' felt they were not included in discussions about the future shape of education. While it is not realistic to expect the Committee members to develop close working relationships with all the civil servants who serve them, it is very important to avoid behaviour which creates a sense that some staff are privileged and others are disadvantaged. That is not only bad for the individual civil servants, it is also damaging to team relationships as it reduces both trust and the ability of the civil service to serve the Committee as effectively as possible.

The second area of concern was the transparency of recruitment processes, with anxieties expressed about recruitment to the posts of the Executive Principal of the Guernsey Institute, the Director of Education and the Head of Curriculum & Standards.

Although Committee members are not usually involved in civil service appointments, the President was involved in the recruitment of the Head of Curriculum & Standards. That appointment became the subject of an investigation, 'Review of the Appointment of the Head of Curriculum and Standards' instigated by the Scrutiny Management Committee. This investigation was discontinued in March 2020, so it is not possible to draw any firm conclusions about the extent to which the recruitment and appointment processes followed best practice. It might be appropriate for presidents of committees to have some input to the recruitment of a very few, very senior roles, for example, the chief executive. However, it is not good practice for them to be involved in the recruitment to other roles. Such involvement might give rise to concerns of political patronage, which can undermine the independence of the civil service. It is important that the organisation applies clear and consistent policies to the way in which it recruits staff and that appointment panels have access to senior HR support to ensure those policies are followed.

## **Question 2c: To what extent do you think the Committee acts in an accountable way?**

There was a broad consensus among interviewees that the Committee members do have a good understanding of their complex accountabilities. The Committee sees its key accountability as being to the States, because the States have given it a mandate and approved the Committee's alternative proposals for the reconfiguration of



secondary education. Members also felt that they are accountable for ensuring that their plans for schools are delivered. Several expressed the view that the Committee members do feel themselves to be accountable to all their stakeholders, particularly pupils, students and their families.

### **Question 2d: To what extent do you think the Committee acts with integrity?**

Both Committee members and civil servants think that there are high levels of trust between Committee members and that Committee members are driven by strong moral principles.

Trust between the Committee and civil servants is much more variable than within the Committee itself. This variable perception of trust in the integrity of the Committee seems to have a number of causes, some of which may well relate to issues that predate the Committee's election. Some interviewees expressed the view that some civil servants are more trusted and favoured by the Committee than others. This is consistent with the answers given to question 2a, about the extent to which the Committee is open and transparent. Others referred to the high number of people who left the central Education Office on or around the time when the current Committee was elected in early 2018. Examples were given of some civil servants feeling that they did not have a future in the Education Office because they had previously been working to deliver the plans for change to secondary education that had been developed by the previous Committee. One extreme example of this pattern of behaviour that was referred to by some civil service interviewees related to a member of staff who returned from holiday to be told their services were not wanted and immediately sent on 'gardening leave'. The understanding of the interviewees who referred to this was that the person involved had been asked to leave at the request of the Committee. The Committee maintains that it was not involved in that decision.

It has not been possible to calculate the exact number of staff who have left the Education Office since February 2018, or the number whose reason for leaving related to issues with the new Committee. Estimates of the numbers given to the reviewer by interviewees vary from 17 to 22. Whatever the exact figure, it is clear that a large number of staff left in a short space of time and that was bound to undermine the ability of the remaining staff to provide the appropriate level of support to the Committee.

Some interviewees felt that the Committee took the view that those who had worked for the previous Committee had been too close to its members and therefore were likely to be inimical to the current Committee's aims and ambitions. However, others pointed out that some civil servants had had difficult relationships with the previous Committee, so any problems with relationships were not necessarily of the current Committee's making.

No evidence has been presented to the reviewer that the Committee sought any organisational development support or facilitation to enable civil servants and Committee members to work through their difficulties and test some of those assumptions. Such support could have enabled the Committee to have a better understanding about the extent to which existing staff were willing and able to adapt to the new States-approved policy agenda and the civil servants to have a better understanding of the vision underpinning the new Committee's approach.

Another theme which was highlighted by several interviewees was that the current Committee is so convinced of the rightness of its plans to restructure secondary education and so passionate about the need to improve educational outcomes, that members seem to them to have adopted an approach which was summed up by several interviewees as 'the end justifies the means'. While it is commendable for any Committee to have a clear vision and to drive its agenda forward, it is always useful to create space for reflection and constructive challenge.

### **Question 2e: To what extent do you think the Committee demonstrates clarity of purpose?**

Some interviewees felt that the Committee does demonstrate clarity of purpose but that its focus is too narrow, as most of its time and energy is devoted to the re-organisation of secondary education, which is only one of the Committee's responsibilities. This may be a misperception as the Committee and some civil servants did refute the idea that the Committee's focus was too narrow, during the workshops and in their written feedback to the draft report. Committee minutes do demonstrate that Committee business does encompass the full range of its responsibilities but it is clear that secondary education has, of necessity, received more attention than other areas of activity. Several additional meetings were held which specifically focused on the Transforming Education Programme. However, it was also noted that the Committee's plans for educational reform are very challenging, because of the required speed of change and the size of the community affected, so it was inevitable that the delivery of those plans would require a great deal of attention from the Committee.

### **Question 2f: To what extent do you think the Committee is effective?**

Leadership is crucial to all aspects of good governance but particularly to the Committee's effectiveness. Essential elements of effective political leadership include the ability to continually seek knowledge, to develop trusting relationships and to empower others to fulfil their roles, to the best of their ability, for the benefit of the organisation and the people it serves<sup>7</sup>.

Some interviewees identified examples of improvements in the Committee's effectiveness in recent months, as members have grown in confidence and competence in their roles, particularly in relation to the chairing of meetings and the

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<sup>7</sup> Binney, G., Wilke, G. and Williams, C. (2005) *Loving Leadership: A practical Guide for Ordinary Heroes*. Financial Times/Prentice Hall; 2<sup>nd</sup> Edition 2009

use of meeting time. However, examples were given of the Committee focusing too much on relatively minor issues, for example, the new school uniform, to the detriment of major strategic issues.

Some issues were thought by interviewees to undermine the effectiveness of the Committee. These include a lack of capacity, both in terms of the number of civil servants and their skills, including strategic HR support and support with internal and external engagement. This has resulted in the Committee being drawn into matters that could have been delegated to civil servants. The creation of the new school's Executive Leadership Team was thought to have gone some way towards filling the leadership vacuum, so it is now possible for the Committee to hand over leadership of engagement about the change process to that leadership team.

### **Question 3: To what extent do you think the Committee receives effective support from civil servants?**

This question and later discussions of this issue during the workshops, highlighted the complexity of the issues and narratives around working relationships between the Committee and civil servants. It should be noted that some of the staff interviewees' negative experiences of working with the Committee relate to 2018. The views of staff members who have been appointed more recently, and those who have remained part of the team after the current Committee took over, tended to be more positive.

In answer to this question, several interviewees returned to the issue of the number of staff who left the Education Office in early 2018. Some interviewees described an atmosphere of fear, although others challenge those perceptions. These departures were thought to have led to a significant loss of capacity, particularly specialist expertise and organisational memory, as well as damage to the morale of the remaining staff. The large numbers of departures was also thought to have undermined the trust of some of the remaining staff in both the Committee and their newly appointed colleagues, notwithstanding the fact that some of those departures may well have taken place in any event.

Others felt that the Committee's reaction to some of the staff who had served under the previous Committee was based on assumptions that they would not be supportive of the Committee's ambitions because they had been working hard to achieve the very different ambitions of the previous Committee. Some interviewees thought this had led to missed opportunities to retain competent and experienced staff and contributed to the lack of capacity which, in turn, caused delays in implementing the Committee's plans. This was thought to have compounded a number of problems identified in relation to frequent changes of senior leadership in both the Education Office, and in the Office *of the* Committee *for* Education, Sport & Culture from 2017 - 2019, which created a leadership vacuum for staff and resulted in the reduced effectiveness of support for the Committee.

It is always difficult to identify and measure accurately the extent to which different perceptions about the underlying causes of problems in the relationships between Committee members and civil servants are accurate. However those perceptions were highlighted, from different perspectives, by a sufficiently significant number of interviewees for it to be evident that whatever the intentions of the Committee, these beliefs about bias were sincerely held. The responses of interviewees to this question echo responses to other questions, particularly 2a – Independence, 2b – Transparency and 2d – Integrity. It is important that the Committee is conscious of the risk of perceptions of bias, even when members do not believe themselves to be biased. It is also important to invest in building relationships, to avoid misperceptions arising and then becoming embedded.

Several examples of behaviours and incidents were given by both staff and Committee members which demonstrated a lack of trust between them, leading to poor relationships. For example, some staff described receiving emails from the President which were critical and which had been sent late at night. They felt this created an expectation that they would also be working at that time. This may well have been unintentional but was nevertheless a cause for concern. It is also not good practice to express criticism in emails. If critical feedback is necessary it should be given face to face, in an open manner, which provides opportunities for the staff involved to explain or clarify their actions.

These issues have highlighted a number of inter-related problems that have been identified in the other governance reviews, that is, a lack of a clear understanding of the roles and responsibilities of politicians and civil servants. This often leads to misunderstandings and frustration. These problems may well have been compounded by the relative inexperience of the President and some of the Committee members, when they were elected. If that is the case, it is likely that relationships will continue to improve over time.

Indeed, several interviewees reported that they felt that relationships were now settling down and improving. Some also commended the Committee's efforts to give school leaders a more prominent leadership role, while recognising that those leaders also need access to objective, specialist professional advice and support if they are too close to a problem or indeed, if they are the problem.

#### **Question 4: To what extent do you think external engagement is effective?**

Several interviewees distinguished between engagement in different parts of ESC. While it is relatively easy to engage with users of Sport & Recreational Services and Culture & Heritage Services, it is quite difficult to engage with the wider community about these services because of the lack of co-ordinating bodies relating to those services.

Engagement with the very wide range of stakeholders with an interest in the proposed plans to transform education is particularly challenging because of the number and complexity of sometimes competing interests.

Most interviewees were critical of the standard of external engagement, with several commenting that engagement activities were 'tick box' exercises. These criticisms were consistent with those made about engagement in relation to previous governance reviews, which suggests it is an organisation-wide issue, rather than one relating solely to the CfESC. Some interviewees felt that the Committee was seeking endorsement of its plans, rather than wishing to listen to a wide range of views and to understand the reasons for concerns about the Committee's plans for secondary education.

The term 'engagement' covers a range of activities, including giving information, gathering data (research) and involving stakeholders in decision making (consultation). Each type of activity has a useful role to play in effective engagement but it is important to be clear about which method is being applied and the purpose for which it is being used. If the purpose of engagement is to tell stakeholders what has been decided and how it will be implemented but they think they are being invited to comment on plans which could still change in response to their feedback, they are likely to react negatively. Some interviewees commented that both internal and external engagement had begun too late, after all the major decisions had been made. This meant that engagement has made little or no difference to the Committee's plans. These criticisms may reflect the lack of capacity to support effective engagement in the States as a whole, rather than any lack of good faith on the part of the Committee. The Committee does contend that the motives driving its external engagement were genuine. This contention is supported by positive answers to questions 2b, about openness and transparency and 2c, about accountability.

A few interviewees felt that engagement was improving. However, the plans relating to engagement, prepared as part of the 'Transforming Education Programme', did not demonstrate a good understanding of the need for a wide range of diverse and timely activities to provide a variety of engagement opportunities, to elicit and listen to a wide range of views.

Some interviewees thought that teachers had not been listened to sufficiently, although they thought that had improved now the new school's Executive Leadership Team is in place. It was felt that if the Committee members personally undertake a lot of the engagement activity, doing so encourages an expectation of direct access, so that stakeholders expect to be able to continue to engage directly with the Committee. That increases the Committee's workload and can distort messages, leading to bias, when minority views are expressed to the Committee directly, forcefully and repeatedly.

#### **Question 4a: To what extent do you think engagement with children and young people is effective?**

Engagement with children and young people was not thought to be effective and some interviewees expressed the view that this has also become a tokenistic, 'tick box' exercise. Some interviewees also felt that the Committee could have utilised

existing skills and relationships, for example, the Youth Commission, rather than trying to do so much of the engagement itself.

#### **Question 4b: To what extent is engagement with parents and carers effective?**

Some interviewees felt that engagement with parents had been inadequate and the lack of certainty about the Committee's plans had caused confusion amongst parents. Although engagement with parents of primary school pupils was not planned to take place until February 2020, a very long time after the original plans were activated in February 2018, some drop in sessions open to the whole community had been held prior to that date. Again, some interviewees thought that engagement with parents could be seen as tokenistic, as it was not clear how parents' views could influence the planned changes to secondary education.

#### **Question 4c: To what extent is engagement with schools effective?**

At the time at which the interviews were undertaken, there was a great deal of anxiety on the part of teachers, expressed via their unions, particularly about prolonged uncertainty about new roles and the amount of space available in the new school. Engagement with teachers was largely through head teachers, which has advantages and disadvantages. Several interviewees felt that there was a lack of capacity to support head teachers to undertake effective engagement with teachers.

From late 2019 onwards, the teachers' unions claimed they had not been consulted and had no confidence in the current plans for secondary schools. Notwithstanding the views of some interviewees that engagement with teachers was improving, in January 2020, unions reported that the vast majority of the teachers at States run secondary schools who had responded to their survey had expressed dissatisfaction with the proposed new model for secondary education. However, the unions undertaking the survey did not provide any data on the number of participants, only on the views of the percentage of those who responded. A petition arguing for a pause for reflection had attracted 5,000 signatures, and a protest march was held in February, with reports of about 2,000 people attending.

A Requête entitled 'Determining The Best Model For Secondary Education' was laid on 29<sup>th</sup> January 2020, proposing that the Committee be asked to undertake an options analysis before the General Election, then due in June 2020, and that the new Committee should report back with its conclusions about the best model for the delivery of secondary education to the States of Deliberation after the election. It was not clear from the wording of the Requête what options were to be appraised and against what standards any options should be judged, or what expert and independent input was envisaged.

The Requête succeeded and a period of 'Pause and Review' has followed. The Committee then submitted a Policy Letter, seeking clarification of the terms of

reference for such a review, which gained States' approval in March 2020 although the Committee's request for funding for the review was rejected.

**Question 4d: To what extent is engagement with other Committees and functions effective?**

Interviewees are generally of the view that the Committee does make real efforts to engage with other Committees, particularly with CfHSC, P&RC and CfESS. The Children and Young People's Plan was given as a good example of cross-Committee collaboration, as was work with the Sports Commission. Although good work is evidently being done at officer level, that was not thought to be strategic. Rather, it relies on the personal willingness of individual Presidents and their civil servants to work together. Interviewees felt that the silos within which the Committees operate, as well as a lack of capacity and resources, certainly do not make it easy for Committees to collaborate. Some interviewees also felt that these efforts are often ineffective because budgets are set separately so cross-cutting work is hard to fund. There was also a sense that, because of the very individualistic nature of Guernsey politics, collaborative behaviour is not rewarded.

Some concerns were raised about the lack of a strategic overview and scrutiny of the value for money delivered by services provided by third sector organisations. As about 17% of ESC's budget is spent through 3<sup>rd</sup> Sector organisations, this is a significant issue.

**Question 5: To what extent do you think the Members' Code of Conduct is effective in ensuring the highest standards of good governance?**

As has been the case with the other three governance reviews, the members' Code of Conduct is not held in high regard by interviewees. Work is underway to strengthen the Code but many interviewees felt that the real problem was that a small number of Deputies behave badly and can bring other Deputies, and the States of Guernsey as a whole, into disrepute. Also, by the time the Code of Conduct is invoked, it is really too late. Some interviewees thought there is a need to imbue a strong, shared understanding of what is good and bad behaviour and strengthen the culture to make good behaviour the norm. Others felt there is a need to sift out Deputy-to-Deputy complaints and resolve them privately, rather than fighting trivial, personal battles in public, or misusing the Code of Conduct to gain advantage against political rivals.

**Question 6: To what extent do you think the Code of Conduct for established staff is effective in supporting the highest standards of good governance?**

Some interviewees expressed the view that the Code was not sufficiently known about and understood. This was attributed to deficits with the induction programmes for new staff.

### **Question 7: Which achievements of the Committee *for* Education, Sport & Culture are you particularly proud of?**

A number of interviewees cited improvements to pre-school education. Others highlighted the creation of The Guernsey Institute as single entity, from three small and disparate organisations, with different cultures, as a significant achievement. The work that has been done via the Sports Commission to improve school physical education was also noted, as was the planned introduction of a virtual classroom to support St Anne's School in Alderney. Progress on curriculum reform and a renewed focus on literacy were also given as examples of achievements that interviewees were proud of.

Some interviewees felt that getting the 'Transformation of Education' report through the States, getting buy-in and then spending two and a half years delivering the Committee's mandate were significant political achievements.

Although the Committee is conscious that transforming secondary education does take up a lot of its time, members also felt that good work was also going on in sport, art and culture.

### **Question 8: What aspects of governance cause you most concern?**

Concerns were expressed about whether the Committee is sufficiently rigorous in its approach to the financial management of the Transforming Education Programme, particularly about whether the Committee is asking the right questions and getting the right financial information.

Other concerns focused on the way in which it was perceived that the current Committee members reacted to everything that had happened before they took over the mandate, for example, the secondary curriculum had been reviewed and updated fairly recently but the Committee felt it should be changed again. Some interviewees expressed the view, very strongly, that everything that had been achieved in Education in the past was vilified, criticised or discarded by the new Committee when it came into power in 2018. This may be a consequence of a change in political direction when the Committee was elected but it is important to recognise past achievements, even when pursuing a new agenda.

Some interviewees felt that the Committee did not have the time necessary to complete such a major transformation and this was leading to an incremental, short-term approach to decision-making, with speed of action taking precedence over thorough planning and testing of the transformation programme. Others commented that the Committee had taken on an impossible task and that members would not be able to get the major building blocks of the new education system in place before the General Election then planned to take place in June 2020, due partly to a lack of time and partly to a lack of the right capacity, skills and resources.



### **Question 9: Is there any other aspect of governance that you'd like to explore in this interview?**

Some issues around the relationship between the Committee and the P&RC were raised in answer to this question. Although some interviewees thought that the P&RC had been supportive, they also felt that the level of financial scrutiny by the P&RC and the slow pace that characterises the States' bureaucracy, had compounded the already significant challenges of delivering such a complex change programme within a very tight timetable.

## **8 Conclusions**

### **8.1 Overview**

It is clear from the analysis of information, gathered through the interviews and document review, that while many aspects of governance are satisfactory, many challenges remain. The Committee faces a number of complex issues. Judgements by interviewees about the Committee's ability to demonstrate good governance varied widely, creating a very mixed picture of perceptions about current performance.

It is also evident that the Committee has worked very hard and made some significant achievements. Committee members themselves do acknowledge that they have made mistakes but feel that they have learned from them. Responsibility for some problems does not lie with the Committee alone, for example, a lack of strategic HR support and the lack of a coherent, strategic approach to public engagement by the States of Guernsey, as a whole, have been contributing factors to the problems experienced by both the Committee and civil servants.

The issues relating to the Committee's ability to demonstrate good governance, within the context of the States of Guernsey, can be summarised under three broad headings: structures, systems and behaviours.

## 8.2 Structures

### Political structures

As has been noted in the report of the Governance Review of the P&RC, the political structure of the States, in which the legislature is also the executive, gives rise to a number of difficulties. These include, the inability of the States of Deliberation to hold itself to account for its own actions or to scrutinise Committees effectively. The States of Deliberation simultaneously perform both executive and a scrutiny roles and each role undermines the effectiveness of the other. Although the Scrutiny Management Committee has been established to try and rectify that problem, many interviewees who took part in both this Review and that of the P&RC, had doubts about the effectiveness of the Scrutiny Management Committee to provide the necessary degree of objective challenge, commenting that it 'lacked teeth'.

Other interviewees commented that the Scrutiny Management Committee's processes were too slow and cumbersome, leading to a backlog of issues requiring its attention and preventing it from examining problems arising within Committees quickly enough to prevent those problems escalating to the point where they become irremediable, with the consequent damage to the reputation of the States of Guernsey.

### Committee system

Power in the States of Guernsey is highly dispersed because of the committee system, and this compounds the problems generated by the operation of an executive legislature which is not subject to effective scrutiny. There is very little centralised power, so the P&RC, although nominally the 'senior committee', has no levers or sanctions at its disposal to challenge or remedy problems arising because of the behaviour of members of individual Committees or when they go awry for other reasons.

The evidence available in both the academic and good practice literatures suggests that committee systems always have problems because of a lack of clarity about power and accountability, as well as with effective decision-making and organisational agility, which is why most UK local authorities have adopted an executive cabinet and scrutiny model.

Essential elements of successful political leadership include the ability to continually seek knowledge, to develop trusting relationships and to empower others to fulfil their roles, to the best of their ability, for the benefit of the organisation and the people it serves<sup>8</sup>. To be effective, the Guernsey committee structure would need to be under-pinned by relationships of trust between Principal Committees and the

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<sup>8</sup> Binney, G., Wilke, G. and Williams, C. (2005) *Loving Leadership: A practical Guide for Ordinary Heroes*. Financial Times/Prentice Hall; 2<sup>nd</sup> Edition 2009

P&RC, effective collaboration, strong leadership, good communications but above all, a shared purpose to which all were firmly committed. That is not currently the case.

Committees do need to have some power, because power enables conflicts of interest to be resolved and influences how resources are allocated, as well as how priorities are delivered<sup>9</sup>. However, it can be argued that power is only 'lent' to Committees and can be withdrawn by the States of Deliberation at any time. This is clearly illustrated by in the way in which the current Committee was able, as an independent group of Deputies, with varying levels of prior knowledge and expertise, to produce and propose The Alternative Model for the future of secondary education, in opposition to the plans being developed by the previous Committee and win sufficient support for that alternative model in the States of Deliberation. This led to the resignation of the previous Committee and the current Committee being elected to take over the ESC mandate.

It is evident that the structures and systems of the States of Guernsey have enabled a group of Deputies to win the support of the States of Deliberation for an alternative proposal to the one which had been developed by the previous Committee. It is particularly notable that the current Committee's alternative proposals were presented in outline only and were not tested against objective standards or supported by independent external advice.

Although the Committee's proposal did provide some of the information necessary to inform the debate about the relative merits of the two different models of secondary education, the proposals were not subject to scrutiny and the Committee did not have time to develop detailed plans. As a result, the Committee has had to develop its plans in real time while not having sufficient senior, experienced education policy professionals to provide advice, support and challenge.

That is not a criticism of the Committee, in fact it can be argued that it has made very significant progress since its election. However, such a significant change of strategic direction, to the 'one school, two sites' model from the 'three schools' model being developed by the previous Committee should have been informed by a thorough, evidenced-based review that tested both models against agreed criteria. This would have enabled the States of Deliberation to choose which model gave Guernsey the best combination of benefits and thus reduced the likelihood of further major changes of policy. These issues are not the responsibility of the Committee but they do highlight some really significant weaknesses in the States of Guernsey's approach to making complex strategic decisions.

To compound this already sub-optimal approach to managing strategic change, a Requête was laid in January 2020, with the aim of halting the process of change to a 'one school, two sites' model, in order for the Committee to provide evidence to the States about the benefits of different models, which were not specified. This effectively delayed any process of change for at least a year. It can be argued that the

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<sup>9</sup> Morgan, G., (1986) *Images of Organisation*, Sage: CA

time to have that discussion was before The Alternative Model Amendment was voted on by the States of Deliberation in January 2018, not two years later, when much work had already been done and significant resources expended. The Requéants did not make it clear which other models they would like the CfESC to explore and report back on, or the criteria against which the suitability for Guernsey of any other possible models might be judged. That has now been resolved by the Committees March 2020 Policy Letter seeking clarity of the terms of reference of the review and (unsuccessfully) seeking the resources available to fund it. It is beyond the scope of this review to examine the relative benefits of any model of secondary education, but it is clear that if the Transforming Education Programme is paused or halted completely there will be significant consequences for the States of Guernsey both in terms of sunk costs, which cannot be recovered, continued uncertainty for pupils, families and teachers and damage to the reputation of the States of Guernsey as an effective government.

## 8.3 Systems

### Strategic Planning

Developing a robust strategy does not need to take a great deal of time and it can help avoid delays in policy implementation, as well as the inadvertent waste of capacity and other resources. If the Committee had a more effective strategy, it would make it easier for members to distinguish between operational and strategic issues and ensure they focused their attention on the big challenges, not the small details.

This classic description of core strategic management highlights six key elements of an effective strategy, to specify:

- The scope of the organisation's activities – effectively, the Committee's mandate and its other responsibilities;
- The organisation's environment – including both the internal environment of the States of Guernsey and the needs and views of the population;
- Strategic allocation and management of resources – providing a framework for obtaining the best possible match between scarce resources and changing demand;
- Creating capacity by building resources and competencies – giving civil servants, teachers, third sector bodies and other professionals the resources, development opportunities and support to enable them to be as effective as possible;
- The values and expectations of leaders - which need to be explicit and communicated in a way that builds trust and consensus; and
- Achieving positive outcomes – which need to be specified, so that progress can be measured and improvements made, when necessary<sup>10</sup>.

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<sup>10</sup> Johnson, G., Scholes, K., & Whittington (2008) *Exploring corporate strategy: text and cases* (8<sup>th</sup> edn.) Harlow: FT Prentice Hall

The States of Guernsey, as a whole, lacks a consistent approach to delivering strategy and CfESC is no exception. The Committee does not have an overarching strategy to match its resources in Education, Sport & Culture to its responsibilities. The P&R Plan update (which was not progressed due to the pandemic and the shift in focus to the 'Revive & Thrive' recovery strategy) did contain additional information on Committee's strategic direction, which might be helpful for internal planning purposes but it did not provide an accessible strategic narrative. The CfESC has shared responsibilities with other Committees, for example, the CfHSC, for delivery of some priorities but this shared responsibility is not embedded in joint strategies, so it is very hard to identify who is responsible for what, and to measure progress towards fulfilling those responsibilities.

Effective strategic management is essential to the delivery of such a complex mandate. The lack of effective strategic management has led some senior civil servants to be unsure of what their staff are working on and unable to be confident that the combined efforts of all staff are contributing to delivering the Committee's ambitions.

### **Engagement**

Engagement, consultation and communication by the States of Guernsey with the population in general, and groups of stakeholders in particular, is not effective. Although improvements have been made, for example, by the creation of a central communications function, engagement is still patchy and needs to be reviewed and refocused to make the best use of limited resources. It also tends to be reactive, rather than proactive, which can make the States seem defensive and damages trust. It is important to engage with the right people at the right time and in ways that suit them, rather than ways that tend to suit civil servants and Deputies. Effective engagement brings many benefits, including data on changing needs, higher trust in services and institutions and more opportunities to increase empowerment and co-production. Although there is no guarantee that effective engagement will satisfy all stakeholders and remove all objections to proposed changes, it is almost inevitable that poor engagement will increase the likelihood of significant opposition to change.

There is a need for targeted and nuanced messages as well as genuinely two-way communication, to ensure stakeholders feel listened to. The Committee needs expert support, including, but not limited to, input from the corporate Communications Team. That Team was thought by many interviewees to be under-resourced and not able to meet demand for advice and support. Stakeholder engagement was not seen as the Communications Team's core activity.

Some of the responsibility for this problem does lie with the States as a whole, rather than the Committee, because of the lack of a States-wide, consistent and coherent approach to community engagement.

## 8.4 Behaviours

### Managing the relationship between Committee members and civil servants

It is evident, to a greater of lesser extent depending on the Committee involved, that there is some lack of understanding across the States about how to delineate and manage the boundaries between political and managerial responsibilities<sup>11</sup>.

Some of that lack of understanding has its roots in a lack of knowledge about the role and added value to any government of an independent, professional civil service. This can lead to an expectation that civil servants should provide uncritical support to Committees and carry out their instructions without question or challenge. Civil servants have three broad areas of responsibilities. These are: *political* responsibilities, to take action to achieve the strategic objectives set by politicians but they also have *professional* responsibilities to act in ways that reflect their professional expertise and ethical standards and *personal* responsibilities, to act in ways that are consistent with their personal values and integrity<sup>12</sup>.

Civil servants undertake a wide variety of roles and navigate a complex system of government, without which no Committee can function<sup>13</sup>. If the Committee does not respect and utilise those skills, it will be wasting its greatest assets – the competence, capacity and integrity of its staff.

It is evident from the interview responses and from a leaked email that not all members of the Committee have always demonstrated exemplary behaviour toward some civil servants. These behaviours may well have their roots in anxiety and frustration but they are always counter-productive. This provides further evidence of the need for organisational development input and ongoing support to enable Deputies and civil servants to enjoy more productive relationships. It would be helpful for all Committees to have access to expert support and facilitation to enable any problems in their relationships with civil servants to be resolved quickly, rather than escalating to the point where they undermine the well-being and effectiveness of both civil servants and Committee members.

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<sup>11</sup> Nalbandian, J., (2006) Politics and Administration in Local Government *International Journal of Public Administration* 29, 1049-1063

<sup>12</sup> Rayner, J., Williams, H., Lawton, A. & Allinson, C. (2011) *Public service ethos: developing a generic measure* Journal of Public Administration Research and Theory, Vol.21, Issue 1, pp 27 – 51.

<sup>13</sup> The 21<sup>st</sup> Century Public Servant <https://21stcenturypublicservant.wordpress.com/>

## 9 Recommendations

### 9.1 Structures: Explore opportunities to improve current structures

The problems generated by the States of Guernsey's Committee system and a legislature which is also an executive have been set out in both this Report and the report of the Governance Review of the P&RC.

It would be helpful to begin honest and open conversations within the States about the extent to which the current structures are fit for purpose and ways in which they could be made more effective. This could also include exploring opportunities to improve systems and behaviours and thereby to mitigate the inherent flaws in the current structures. This could help to improve the functioning of the States, without embarking on a lengthy and contested change process to create a different model of government.

The way in which groups of Deputies can achieve abrupt changes of strategy by issuing a Requête or an Amendment, can cause significant challenges and generate unnecessary costs. It would be better to ensure that all major policies are subjected to rigorous debate, supported by sufficient information, evidence and independent evaluation, where appropriate, than for Deputies to seek to change direction or cause delay some considerable time after those policy decisions were made.

### 9.2 Systems

#### 9.2.1 Strategic Planning

It would be helpful to develop a consistent approach to strategic planning, across all Committees and Boards, including a coherent reporting process<sup>14</sup>. Such a framework would enable the P&RC to delegate more power to Committees because it would be easier for it to chart and regularly measure progress against agreed strategic objectives.

In the meantime, it would be helpful for the Committee to produce a simple outline strategic plan, setting out its priorities and creating an accessible narrative about what it is aiming to achieve and why.

#### 9.2.2 Scrutiny

It would strengthen the States' scrutiny function if more resources were provided for the Scrutiny Management Committee to hold 'rapid reviews' of urgent problems or issues that are referred to it or which it chooses to investigate. The concerns of the Scrutiny Management Committee about its inability to compel witnesses may be

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<sup>14</sup> Johnson, G., Scholes, K., & Whittington (2008) *Exploring corporate strategy: text and cases* (8<sup>th</sup> edn.) Harlow: FT Prentice Hall

misplaced. All of the States systems of government rely on the consent of all parties to comply with reasonable requests, so the application of any form of quasi-judicial process is rarely necessary. It would be beneficial to develop a learning approach to Scrutiny, to encourage openness and reflection, rather than it being applied in a hostile way, which will generate defensive behaviour, reduce transparency and increase reluctance to take responsibility when things do go wrong.

### **9.2.3 Engagement**

The Committee should seek expert advice on engagement to ensure they are using the right methods, with the right people, at the right time. They should be clear about the purpose of engagement. If it is to provide information about the implementation of decisions that have already been made, that is perfectly legitimate but it does need to be clear if that is the case.

The States should develop an overarching, States-wide, co-ordinated strategy to improve communications and engagement and provide adequate funding to deliver it. The States should also build skills and capacity in engagement, both at corporate level and across Committees and Boards, on the part of both Deputies and civil servants. This could include creating a cohort of civil servants with a good understanding of how to engage effectively, which could share knowledge and provide support to colleagues to improve their practice, alongside their substantive roles.

## **9.3 Behaviours**

### **9.3.1 Roles and responsibilities**

The Committee should continue its efforts to build stronger working relationships with the civil servants who support it. Those relationships should be based on mutual trust and respect for their respective roles, including the professional independence of civil servants. Where conflicts do arise, these should be resolved as quickly as possible, in a positive and supportive manner.

The States should clarify the roles and responsibilities of politicians and civil servants, including the current complex web of accountabilities. This exercise should include the provision of a targeted induction programme for newly formed Committees and newly elected Presidents. Such a programme should include opportunities for Committee members to gain a thorough understanding, not only of the HR policies of the States of Guernsey but also of the rudiments of working with civil servants, financial management and conflict management. Specialist training for Presidents should be made available, including chairing skills and the management of Committee business and the expectation should be that all Presidents will take up the offer of such training, whether they are experienced or not. Long service alone does not guarantee effectiveness.



### **9.3.2 Codes, rules and protocols**

The States should consider implementing a protocol, including a set of standards of behaviour, that new and returning Deputies will be asked to sign up to. The States should publish the names of those who have committed to abide by those standards. The work to strengthen the Code of Conduct for Deputies should be concluded as quickly as possible.

The States should introduce a continuing professional development (CPD) approach to improving the understanding of both Deputies and civil servants of good governance, and make the successful completion of the programme a pre-requisite of Deputies gaining or continuing to hold any senior political role and civil servants being appointed or promoted to senior roles.

**Professor Catherine Staite**  
**July 2020**

# Appendices

## Appendix I

### **Catherine Staite, LLB, MBA, ILM level 7 in Executive Coaching**

### **Emeritus Professor of Public Management, University of Birmingham**

### **Fellow of the Royal Society of Arts (RSA)**

Catherine Staite is the Emeritus Professor of Public Management at the University of Birmingham. She has undertaken executive and non-executive roles in a variety of organisations, including in the statutory and voluntary sectors, as well as the private sector. A lawyer by training, she worked in mental health and with criminal justice agencies, before becoming an academic.

In 2011, Catherine joined the Institute of Local Government Studies, at the University of Birmingham, as Director. INLOGOV is a unique centre for learning and research, as it brings together both academic insight and practical knowledge to support political and managerial leaders. During her years at INLOGOV, Catherine focused her teaching and writing on leadership and governance, particularly in local government.

In 2016, she was awarded a Professorship in Public Management. In 2017, she stepped down as Director of INLOGOV. She now coaches political leaders and provides support to local and national government on organisational development, governance and leadership.

Previous roles include; Associate Director at the Audit Commission from 2001 to 2005 and Director of Policy at the Office for Public Management, a not-for-profit organization (now renamed Traverse), from 2005 and 2011. Catherine focused on research and leadership development.

Non-executive roles include non-executive director of Rampton Special Hospital Authority, with responsibility for reviewing the continuing detention of patients and a member of the Board of Visitors at HMP Hull, with responsibility for the hospital wing.

During her years working in Birmingham, Catherine supported Birmingham City

Council and the Mayor of the West Midlands in a number of advisory roles, including; Independent Member of Birmingham Strategic Leaders Forum for Children's Services, Independent Member of the Preventing Violence against Vulnerable People Board (BVVP) and Independent Member of the Steering Group of Birmingham Partners.

Catherine provides expert support and challenge to local and governments on good governance and strengthening the working relationships between politicians and their civil servants and officers.

## **Appendix II**

### **Documents reviewed**

#### **Minutes of meetings:**

2019.06.03 (TEP focused)

2019.06.06 (TEP focused)

2019.06.11 (TEP focused)

2019.07.16

2019.07.17 (TEP focused)

2019.07.26

2019.07.31

2019.09.10

2019.09.24

2019.10.09

2019.10.18

#### **States of Guernsey Policies**

Established Staff Directive: redeployment and redundancy procedure

Senior Officer Appointments: political representation within the recruitment process

#### **P&R Plan 2018 review and 2019 update**

Appendices 1m, 3c, 8c.

#### **ESC Policy Letters and President's Statements**

ESC Policy Letter: Transforming Education Programme and putting into effect the policy decisions made by the States in 2018 (July 2018)

ESC President's Statement, Wednesday 28<sup>th</sup> September 2018

ESC President's Statement, Wednesday 24<sup>th</sup> April 2019

# Appendix III

## Letter to interviewees

Dear .....

Thank you for agreeing to take part in this Governance Review of the Policy and Resources Committee.

I have been asked by the States of Guernsey to explore the way in which governance currently operates. The aims of this Review are to;

- ) Review how well governance is working now:
- ) Explore how you think it could be improved; and
- ) Recommend, and support the early implementation of changes which would strengthen governance.

The findings of this Review will also help to develop a governance resource pack, to provide information, support and guidance for new Members on good governance.

## Methodology

### ) Structured interviews

I will be interviewing Committee Members and civil servants who either support the Committee or are, or have been recently involved in operational delivery of the services for which the CfESC is responsible. The interviews are confidential and you will not be quoted in any reports or presentations. If you do say something that I think would be of particular interest or value to other participants, I will ask your permission to include those comments but they will not be attributed to you. Your views and that of other interviewees will be reported anonymously, in summary form.

The interview questions are set out below, to give you an opportunity to reflect on your understanding of how well governance works at the moment and the things you would like to change and improve. Please do not discuss these questions with colleagues in advance of the interview because it is very important to gather the rich variety of *individual* views and perspectives at this stage of the research. The planned workshops, will provide an opportunity to share your perceptions and experiences with colleagues and come to a collective view about the opportunities to strengthen governance. We will use that learning to inform the thinking of other Committees and functions within the States of Guernsey.

## Structured Interview Questions

- 1 What does the term 'good governance' mean to you?
- 2 Principles of good governance:
  - ) Independence
  - ) Openness and transparency
  - ) Accountability
  - ) Integrity
  - ) Clarity of purpose
  - ) Effectiveness
- 2a To what extent do you think CfESC operates independently of inappropriate external influences?
- 2b To what extent do you think CfESC operates in an open and transparent way?
- 2c To what extent do you think CfESC is accountable?
- 2d To what extent do you think the CfESC and its individual members act with integrity?
  - As a Committee
  - As individuals
- 2e To what extent do you think the CfESC has clarity of purpose?
- 2f To what extent do you think CfESC is effective?
- 3 To what extent do you think you receive good support from civil servants?
- 4 Engagement
  - a. To what extent do you think external engagement with children and young people is effective?
  - b. To what extent is engagement with the parents and carers effective?
  - c. To what extent is engagement with schools effective?
  - d. To what extent is engagement with users of sports and leisure services effective?
  - e. To what extent is engagement with other committees and functions within the States of Guernsey effective?

- 5 To what extent do you think the Deputies' Code of Conduct is effective in ensuring the highest standards of good governance e.g. do Committee Members demonstrate respect for each other's views when debating contentious issues?
- 6 To what extent do you think the Code of Conduct for established staff is effective in supporting the highest standards of good governance e.g. are you confident that professional and technical advice is accurate and thorough?
- 7 Which achievements are you particularly proud of?
- 8 What aspects of governance cause you most concern?
- 9 Is there any other aspect of governance that you'd like to explore?

# Appendix IV

## Interviewees

### Committee members; 1

- **President** Deputy Matt Fallaize
- **Vice president** Deputy Richard Graham
- **Members** Deputy Mark Dorey  
Deputy Pete Roffey  
Deputy Rhian Tooley
- **Non-voting member** Professor Richard Conder

### Staff;

**Ed Ashton** - Director of Operations Social Security, Education & Inclusion

**Liz Coffey** - Executive Headteacher

**Colette Falla** - Strategic Lead for Supporting Government (former Chief Secretary, Education, Sport & Culture)

**Frank Flynn** - (former Director of Operations (Education))

**Steve Foote** - Programme Director, Transforming Education Programme

**Nick Hynes** - Head of Inclusion and Services for Children & Schools

**Natasha Keys** - Director of Sport & Culture

**Sophie Roughsedge** - Business Change Manager, Transforming Education Programme

**Alun Williams** - Education Lead for the Health Improvement Commission (former Life Long Learning Manager)