



**OFFICIAL REPORT**

**OF THE**

**STATES OF DELIBERATION**

**OF THE**

**ISLAND OF GUERNSEY**

**HANSARD**

**Royal Court House, Guernsey, Thursday, 27th February 2020**

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**The Clerk to the States of Deliberation**

S. M. D. Ross, Esq. (H.M. Senior Deputy Greffier)

**Absent at the Evocation**

R. M. Titterington, Q.C. (H.M. Comptroller)  
Deputy B. L. Brehaut (*relevé à 9h 47*); Deputy P. R. Le Pelley (*indisposé*); Deputy N. R. Inder (*relevé à 10h 12*); Deputy S. T. Hansmann Rouxel (*relevée à 9h 47*); Deputy J. P. Le Tocq (*relevé à 9h 47*)

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# States of Deliberation

*The States met at 9.30 a.m.*

[THE DEPUTY BAILIFF *in the Chair*]

## **PRAYERS**

*The Senior Deputy Greffier*

## **EVOCATION**

# Billet d'État V

## **COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY**

### **IX. Uprating Policy for States' Pension – Debate continued – Propositions carried**

**The Senior Deputy Greffier:** Billet d'État V, Article IX – the continuation of the debate.

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

5 **Deputy St Pier:** Thank you, sir.  
I rather assumed that somebody else would jump up ... *[Inaudible]*

10 **The Deputy Bailiff:** They didn't and I was very nearly turning to the President to reply on the debate.

**Deputy St Pier:** Which is why I felt I needed to move relatively quickly.  
Sir, I think I should begin with a declaration of interest certainly on behalf of myself and I suspect actually a majority of States' Members, that I will not be affected by Propositions 3 and 4, and having a self-employed status and the majority of those in this Assembly will not be impacted. But of course a majority of the community and of course all employers will be affected by Proposition 3 and Proposition 4, and Deputy de Lisle is absolutely right that actually this is a substantial sum to be taken out of the economy.  
He was working through the numbers yesterday whereas our letter of comment makes clear it is actually £6 million a year. It is a substantial increase in the revenue raised by the States from this economy and, most importantly, on duty and Deputy Langlois was also right yesterday when he said that Social Security has very much become the easy go to in relation to revenue raising since 2008.

25 I felt that we were very close yesterday heading towards 6.30 p.m. of voting through a substantial increase in revenue raising on the back of really a very short debate and with quite a number of Members actually absent.

30 If we think about the annual Budget debates and the agony and the length that we go to for revenue raising of considerably less, it might be £600,000 or whatever for the TRP measure and it is debated for several hours on that measure alone with several amendments quite likely to be laid in several different directions and yet Social Security is below the radar. It does not have to have the same engagement either in this Assembly or indeed with the community and therefore it becomes a much easier measure to reach for.

So I am going to speak principally on the matter of Proposition 3 and 4 because those are the ones which Policy & Resources Committee are opposing.

35 I particularly want to address Deputy Lester Queripel and indeed others in his position who are I think in a quandary and wondering what to do in relation to those particular Propositions and want to encourage him and others in that position to vote against Propositions 3 and 4.

40 This is not kicking the can down the road, to use Deputy Roffey's phrase. I do not think anybody can accuse me of not being prudent and cautious. I think I have probably done more in the last eight years in terms of being willing to stand up and argue for revenue raising measures in order to address the revenue challenges of the public finances in Guernsey and I cannot support this at this stage. It is not an urgent measure that justifies the support of this Assembly today.

45 Yes, the Fund is in drawdown, to use the phrase which Deputy Roffey quite rightly used. But it is not hubris to pick up Deputy Langlois' phrase to rely on improved investment performance and I am not remotely suggesting that improved investment performance alone will be sufficient to address the challenge that is quite correctly identified by the Committee for Employment & Social Security. There is a very real challenge and it will not be addressed alone by investment performance and contribution rises may well be required, but they are not required today, and our argument is that we need to address the other measures that we can take before we reach that particular one.

50 So I really want to just speak in a little bit more detail to the letter of comment that Members have had – a substantial amount of information presented to them over the last few weeks; may not have necessarily had the opportunity to consider it all in the length which they might otherwise have been able to do so, and I am grateful to others who have already spoken to the contents of our letter. But it is worth drawing out some of the points, which is to note that there are several things already going on that are either in progress or pending that should provide us with better analysis to be able to make a properly informed decision in due course as to the appropriate long-term policy on contribution rates.

60 Now the actuarial review which was referred to is pending and it will review the validity of the assumptions applied to the Fund and we expect that to be available towards the end of this year and we would argue that that would enable an up-to-date analysis of the various policy options for the uprating policy and their consequent effect on the Fund. So we think that we should have the benefit of that.

65 We then have this question of investment governance. Now Deputy Le Clerc was quite right. She and her Committee have engaged with Policy & Resources over an extended period during this Assembly to argue that this issue needs to be addressed. I cannot deny that. But equally we have responded that we do need to address this question of investment governance, and to be fair, the Committee have themselves also acknowledged that that is required. Indeed, the policy letter to bring this to the States we expect will be before this Assembly in April. We think that that may include options that could improve the investment performance of the Social Security Funds which would affect the impact of the long-term assumed return and therefore by implication reduce the revenue requirement of the Fund.

70 Now, again, Deputy Roffey did refer to this in terms of the hypothetical analysis which is provided in the paper and in our letter of comment in the graph that is appended to it, or is it

75 contained in it, indicating that the Funds at the end of 2018 were valued at £875 million and they  
have achieved lower investment returns to the general revenue long-term investments due to the  
low investment risk approach. That has understandably been adopted by the Committee *for*  
Employment & Social Security in respect of the Social Security Funds, for very good reasons, for  
exactly the reasons that Deputy Roffey described; because it is in drawdown. Then we are in this  
80 vicious cycle of needing to adopt lower and lower risk in order to be able to manage what is there  
and that is a fundamental flaw and I have spoken to this on the floor of this Assembly before, it is  
a fundamental flaw to be thinking in those terms alone.

It is totally understandable but we should not be viewing the liabilities of the General  
Investment Fund in isolation. We need to manage the net position or the net liability position of  
85 the States as a whole. That is not about merging the funds and having it as a pot in the way that  
Deputy Roffey said he would oppose. I absolutely agree with him, it is necessary to keep this as a  
ring-fenced pot of money, but we do not need to manage it in terms of its investment risk and its  
investment profile as a separate pot of money. We can be thinking of the investment policy in the  
context of the States as a whole and that would transform our willingness to accept risk on that,  
90 and the reason we can do that is ultimately any short fall will fall on taxpayers, so in that sense it  
has the same risk profile as the other liabilities of the States of Guernsey and that is the reason  
that we can think differently, we can think longer term, we do not need to think about this pot in  
isolation.

The additional returns achieved on the General Revenue Long Term Reserve have averaged  
95 over 2% over the last five years and only 1% over the last 10 years. Now absolutely the last few  
days equities have gone down but obviously we are looking not over weeks or months or even a  
few short years, we are looking over the sorts of periods we are talking about, five and 10 years  
and over that 10-year period an additional investment return would have produced an additional  
£170 million in that fund.

100 In other words, it would be over £1 billion rather than £875 million. That is a substantial  
additional buffer that we would have had had we adopted that approach 10 years ago. Now we  
did not and we have to recognise where we are, but that does not mean that the right response is  
to increase contribution rates today. Let's fix the problem that we have now identified, feed that  
into our calculation of what the long-term contribution rates do need to be and then come back  
105 to the States with the proposals that would follow from that.

We have already referred to the £6 million a year coming out of the economy that does  
represent a direct impact of 0.2% on GDP. But there is no impact analysis and the impact analysis  
on households, the direct structure of the contribution system and in particular the absence of an  
allowance in the way that we have a tax allowance means that the employee contribution rate  
110 increase is likely to have a greater impact on lower income households which again is counter  
intuitive to all the other work that we are doing in relation to low income households. So I think  
we owe it in the same way as we would expect it of the tax review to understand what the impact  
analysis is; we would expect that in relation to the measure of £6 million and we do not have it in  
the policy letter that is before us today.

115 The requirement for additional funding for States' pensions has been included in the fiscal  
pressures that were recognised in the fiscal review that was initiated by the recent debate and that  
does need to holistically identify the combination of measures that will need to be taken to ensure  
that we have got a sustainable revenue base for the future.

Deputy de Lisle also drew attention to the increases in general revenue expenditure, in other  
120 words, the cost to the States of contributing in respect of its own employees which is a 0.16%  
increase in general revenue expenditure in the year.

So for all those reasons, sir, the Policy & Resources Committee is strongly and firmly opposed  
to an increase in contribution rates as being premature at this point. We understand why the  
Committee *for* Employment & Social Security felt obliged to bring it to the States but it is not the  
125 appropriate time and we strongly encourage Members to reject it at this stage and wait until

there is more information available and a greater analysis and on that basis, sir, we encourage Members to oppose Propositions 3 and 4.

130 **The Deputy Bailiff:** Deputy Hansmann Rouxel, Deputy Brehaut and Deputy Le Tocq, do you all wish to be relevés?

**Deputy Hansmann Rouxel:** Yes, thank you, sir.

135 **Deputy Brehaut:** Thank you, sir.

**The Deputy Bailiff:** We will mark you as present.  
Deputy McSwiggan.

140 **Deputy McSwiggan:** Thank you, sir.

I am going to snatch another bright spot from this week's debate because it is not often that people with my political background get to say to the rest of the Members in this room there is no magic money tree! (*Laughter*) But I think today is the one occasion where I get to do that because I know, sir, that we all agree that there is a need to maintain the basic States' pension at a rate that is decent, at a rate that retains some link with earnings, and at a rate that ensures that pensioners now and in future generations do not slip into poverty.

145 So we are all agreed on the need to establish a guideline along the lines that the Committee for Employment & Social Security has set out, but if we are going to establish that guideline and we are going to continue to be able to pay for it in future then we need to be saving now in order to be ready for that day.

150 Sir, I might even get to mention good old fashioned Guernsey common sense, because if we think about the picture of the good old days that we build for ourselves, not just the boom years of the financial services but way back before that if we think about the kind of Guernsey prudence that we pride ourselves on, it is this: it is about saving first, building for the future, and only after that worrying about disposable income and in-goings and outs; it is about getting the basics right. Sir, today's debate is very much about getting the basics right.

155 Deputy St Pier made reference to low income households and having a decent rate of States' pension is one of the most important tools by which we ensure that households that are low income throughout their working lives do not sink deeper into poverty as they retire as they no longer have the tools that enable them to raise their income.

160 So the decisions that the Committee is asking the States to make today are critical in protecting those low income households from poverty. It would absolutely be reckless and ill-considered to say, 'Okay, we are going to make that long-term commitment to maintaining a decent income in retirement but we are not going to make the commitment that we need to now to set the money aside to make that possible'.

165 Deputy St Pier has spoken about the fiscal review, he has spoken about other things and about the five yearly review that Social Security is required to carry out, of course there are things that will change in the future, but none of them are going to change this baseline that we need to be saving more in order to maintain a decent basic States' rate pension.

170 The move that the Committee has proposed today is basically a minimum, any more information that might come to light might encourage future States to go further than we have today, but it is never going to make us regret taking this step.

175 Sir, I know that in the past couple of terms this States has done more and more things that make us look like bigger States and probably because bigger States can do them and do them safely. But those things, things like borrowing money and taking more risks in terms of our investments, are things that are taking us away from the security that previous generations have built up for us by recognising that we are small; by recognising that we can be vulnerable when macro-economic headwinds change; by recognising that we need to save first, that we need to be



prudent, that we need to be thinking about the future that we need to be addressing, as people like Deputy Lester Queripel deeply care about, the issues of poverty in retirement, but in order to do that those of us who are of working age need to be willing to make the preparation now.

Sir, there is no magic bullet. No future review is going to uncover some other way that we could raise or recover the kind of revenue that we need to maintain a decent States' rate pension, this is always going to be a challenge. One States is always going to have to bite the bullet and make the necessary level of savings to help us maintain that.

I think, sir, that this States should have the courage to do so and I hope that Members will vote with me on that.

**The Deputy Bailiff:** Deputy Dorey.

**Deputy Dorey:** Thank you, Mr Deputy Bailiff.

I would encourage Members to turn to page 6 and table 3 and look at the historical pension uprating policies approved by the States. It illustrates the problem with pensions because the States had a policy of doing RPI increases over a number of years. Then there was the Anti-Poverty Strategy that came forward after the requête from the late Deputy Pritchard and that put forward that there was considerable pension poverty and this was caused by the lack of increases above RPI in pensions, and what happened was the States had to do something serious and you see that there was plus 4.2% in 2003, plus 3.1%, plus 2.5%, so we had to put up pensions considerably more than RPI to try and catch up.

This is all to do with relative poverty and the fact that if people are going to live in our society they need to have a similar opportunity to enjoy the community services as other people and if their increases of pension are less than what the earnings are then they will be in relative poverty, because over a period of time their spending power will be considerably less and they will be in a situation ... and that is exactly what happened at the beginning of the 2000's.

If Members turn back and I think it is really well illustrated in table 2 on page 5 where you see what happens with a pension if it just goes up by RPIX compared to median earnings increase you see while in 2020 they are the same, it is essentially half what it is in 2070. If we have that policy over that period of time we would put pensioners back in relative poverty and I would expect that we would have to increase pensions by far more than RPI just as we had to do at the beginning of this decade of this millennium: we had to do a considerable increase because pensioners had got considerably behind. So it is very important that we have a policy of increasing pensions by more than RPI if we want our pensioners to be able to participate in society and not be subject to relative poverty.

The actual proposal of 0.3% I do not think will actually achieve not putting pensioners into relative poverty over a period of time but I accept that in the situation that we are in it is the best that we can have.

But it is interesting when you look at the history of the States in relation to facing up to the financial reality of increasing the contributions to the pension fund. In 2009 when I was Minister of Social Security we brought forward a considerable review and involved increasing the pension age, increasing the upper earnings limit, and also increasing contributions for employers. Of course the employers' part was rejected as 0.5% increase.

In 2013 the then Social Security Department again brought forward proposals for a 0.5% increase. Again it was rejected by the States. In 2014 they again brought forward a 0.5% increase in contributions, they were rejected. So the States has a history of not facing up to the reality of funding our pension scheme so that it is properly financed for the future. All you do is put off and in fact what you result in is you have to make bigger and bigger increases, and with the demographics as it is it should have been done before but we did not.

But it was not until February 2016 in terms of the Long Term Care Fund a 0.5% increase was agreed by the States which came in in 2017 also because of the increase in parental benefits there was a 0.2% increase: 0.1% on the employer and 0.1% in the employee increase.

230 So we have had all these scare stories on what effect would it have on the economy. Well I actually happened to be looking at the GDP figures for 2017 and this is in real terms, we had a 4.7% increase in GDP. So in fact the economy grew by 4.6% in real terms even though we had a 0.7% increase in contributions. So I think there have been some scare stories about the effect it will have on the economy.

235 We only had the debate on pensions last month and Deputy St Pier, like me, was arguing it was the right time to do it. Now he is arguing it is the wrong time to do it. There is no consistency in his arguments. He cannot say one month we should be having secondary pensions and it is the right time to introduce it and then the next month say it is not the right time to increase contributions for States' pensions.

240 I will carry on. Now I believe is the right time for the economy ... the worst thing to do for the economy is to actually have one big increase because that is likely to have – if we are talking about having a negative effect on the economy that is likely to have a negative effect on the economy. The best way to face up to reality and if you look at page 9 where the table shows in fact what we should be doing is a 1.8% increase in contributions in order to keep that two year buffer, which is what every expert says we should have, so by putting it up 0.5% it is a small step in relation to what we should be doing.

But I would have some sympathy if the arguments were to put it up by 1.8% because that is a sizeable increase, the best thing to do is to do it in small steps rather than in one great big step, that will have less opportunity to have a negative effect on the economy.

250 So I would argue that we need to be financially responsible and that, in my view, is to increase pensions as is proposed. I would like it increased by more but we cannot do that, and be financially responsible by not increasing contributions when we know there is a gap of 1.8%.

Deputy St Pier said himself in his speech, he spoke about improving investment returns but he said that will not solve the problem so we know that will not solve the problem so we need to increase contributions. Do not delay it please, I ask Members to be financially responsible, face the reality that we should be paying pensions ... in fact we should be paying pensions higher but the financial reality is that we have to fund them in the long term and we should not put it off and make somebody else pay it later, because the people who will be benefiting from the increases should be paying now for those increases when they retire.

260 Please do not follow what P&R has said and support the Propositions.  
Thank you.

**The Deputy Bailiff:** Deputy Ferbrache.

265 **Deputy Ferbrache:** Sir, I do not think Deputy St Pier is being inconsistent at all, I think he is being prudently sensible. I voted, like I think just about everybody else, last time to increase to do what we were going to do with secondary pensions a little bit through gritted teeth but of necessity because we have an ageing population. We are going to have a demographic problem which most of the western part of the world is going to have. But this is not a one trick pony.

270 Deputy Roffey yesterday said, 'Oh, well, you are going to get a lot more bad news in a few months' time, it is going to be much worse than this in relation to the Social Security Fund'.

We are fortunate that we have got £800-odd million which is a lot of money. We are unfortunate in that – it reminds me of this tale, I think it was a biblical one, I do not know because I do not read the Bible very often, whereby three children, three sons were given some money, one frittered it, the other put it under a stone, the other invested it wisely. What I think has happened and it is no great criticism because I appreciate there has got to be an exercise in caution is that my analogy is this: that the Committee has put their money under a stone, they have not frittered it, but they have not invested it with a degree of more financial acumen than they could have done.

280 I entirely agree with the points made by Deputies Roffey and St Pier that you should ring-fence that Fund, we do not want to be like England where it is paid from general revenue and if there is

a down turn who knows what can happen. The pension that is paid – it is not a good one because £222-odd a week is not enough for anybody to live on, but it is a lot better than other places and we want it to increase and nobody is saying – I have not heard any speaker on whichever side of the debate saying – well we want reduced pensions.

285 What would have happened last year, if I understand the figures correctly, is that we would not have needed to have this £6 million adjustment if the Fund had been invested just a little bit more commercially sensibly, there would have been more money available for the bad news that Deputy Roffey is going to bring us in a couple of months' time.

290 But if you are just going to say, 'Well, we cannot do this, we cannot take any risk at all,' then you are going to make life a lot worse. Because there are two ways of increasing the Fund, one is to increase the contributions as the Committee are suggesting, bearing in mind that employees and employers are going to have to pay the secondary pension money contributions very soon to take another £6 million out of the economy or 0.2% of the GDP, it is a heck of a lot of money and it is going to fall, as Deputy de Lisle said and others have said, on those that can least afford it.

295 It is financial imprudence to agree Propositions 3 and 4, in my view, when there are other alternatives. All Deputy St Pier and his Committee are saying is let's reflect, let's look, let's consider. He is the last person, and his Committee are the last group of people, to want to denude the Fund so that £875 million goes down, forget the ups and downs of the Stock Market goes down to £800 million because we are using it to pay the pensions every year. He would want that to increase, as I would, as it would have increased if there had just been a bit more prudence ... financial acumen, I should say, and a bit less caution over the last 10 years, £170 million, it would have gone to well over a billion.

300 Now we are not saying that Deputy St Pier and his predecessors holding that role have been financially imprudent in the way they have invested the other States' funds; they have shown themselves to be financially prudent, they have not put it in the 21st century equivalent of the South Sea Bubble Company. They have not done that, they have invested it cautiously, prudently, commercially.

305 So therefore I think we are all saying the same thing, we all want pensions to increase, we all want peoples' lives to improve but we also want to make sure that the economy is not denuded of funds that need to be circulated so people can live reasonable lives.

**The Deputy Bailiff:** Deputy Fallaize.

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

There has not been much debate about the uprating policy that is proposed; there has been much more about the proposed contribution rate change and the investment policy.

320 I think that the proposal – I will vote for the proposal in relation to the uprating policy but I do think it is, well it would be slightly rude to say it is unambitious, but I think it is the minimum that the Committee should be proposing, because actually it will mean if it is maintained in the long term, and this policy of RPI increasing by RPI plus one third of the difference with earnings has been in place for a little while and if that is maintained in the long term the value of the pension relative to the value of earnings in the economy will decline. Therefore pensioners judged on the value of the pension alone admittedly will become relatively poorer than the rest of society or the economically active part of society.

325 I think that we should try to increase the pension annually in line with earnings. I do not think that is possible because I think that it is RPIX plus 1.5% or 2% but I do think that the proposal set out is the bare minimum of what ESS should have proposed and of what we should be adopting for the value of the States' pension in the years ahead.

330 Now I think that the Committee should have negotiated with the Policy & Resources Committee over this business of control of the Investment Fund because I am sceptical. I mean I tend to share Deputy Langlois' analysis that I think as it so happens the Policy & Resources Committee can point to the last few years and say if the Fund had been invested in the way that

335 the General Investment Funds are invested then we would have £170 million more in the Fund.  
Fine, I am not sure that necessarily we will be in that position in 10 years or 20 years.

340 But if the Policy & Resources Committee believes that, well, so be it. I mean that would have  
given the Committee *for* Employment & Social Security some leverage to go to P&R and say,  
okay, if it means that much to you so long as the Fund is ring-fenced. And I am not sure that  
doing it through States' Resolution would be adequate; it might be necessary to put all sorts of  
additional legal provisions in place ring-fencing it – oh, it already has, okay – so they could be  
maintained – but I think it might have been possible for ESS to have negotiated with P&R a  
slightly more generous uprating policy if they had effectively handed control over the investment  
decisions in the Investment Fund.

345 My own view is I would rather have a slightly more generous uprating policy and allow the  
view of the Policy & Resources Committee to prevail in relation to management of the Guernsey  
Insurance Fund so long as it is ring-fenced. I think that there is some risk. I am sceptical that in the  
long run it would actually make much difference but I think at a policy level it would not be an  
unreasonable thing to do.

350 So I am prepared to live with the proposed uprating policy but I do not really think it is  
sufficiently generous.

Now moving on to the point about the contribution rates, I think Deputy St Pier's argument  
about it not being the right time for the economy is probably not a very good argument, as  
Deputy Dorey explained –

355 **Deputy St Pier:** Sir, point of correction.

**The Deputy Bailiff:** Point of correction, Deputy St Pier.

360 **Deputy St Pier:** Sir, I did not make any reference to the timing in relation to the economy, I  
just made the point that it was not the right time until the other work had been done.

**The Deputy Bailiff:** Deputy Fallaize.

365 **Deputy Fallaize:** I accept that it would not have been a good point if Deputy St Pier had made  
it. (*Laughter*) But he did not so – but where I have some sympathy for his position is and I think  
probably Policy & Resources Committee's position is informed by this, that there is the next States  
going to be, we hope – I mean I am personally a bit sceptical about whether the next States will  
have the courage to make the difficult initial decisions and then see them through but we hope –  
that there is going to be a material review of fiscal policy which makes significant changes in  
relation to fiscal policy, and there is an argument for saying that in advance of that in the closing  
stages of this term there should not be any change made to social insurance contribution rates.

370 However, I think that holds so long as we could conceive of circumstances where social  
insurance contribution rates may not need to be increased, and I cannot really conceive of those  
circumstances.

375 Now I am concerned about social insurance contributions, not just the rates but the whole  
structure of the thing. I do think it is a complete mess in the post Zero-10 world. We are levying  
contributions essentially on earnings rather than on income and we are using them to fund an  
income replacement scheme, the States' pension, which is perfectly reasonable and also using it  
very oddly to pay for long-term care and health care. I do not think there is any sense in that  
whatsoever. I think we should take the social insurance contributions or the earnings related  
380 element back to its core so it funds the States' pension and we should fund healthcare and long-  
term care through what would effectively be general revenue and if it would be necessary to  
reduce social insurance contributions and transfer a portion of them on to a health tax or a health  
and social care tax in addition to Income Tax then so be it. But I think it needs a very significant  
385 restructuring which I hope the fiscal policy review will look at.

390 However, it is always easy to say I think there should be a restructuring or we should look at  
doing things differently and therefore we should not make what is the obvious policy choice  
based on the circumstances which pertain at the present time. I think that really is what the Policy  
& Resources Committee is guilty of doing. They are saying we might have change in the whole  
395 area of fiscal policy in the future and therefore we ought not to increase these contributions at the  
present time. But equally we might not have change in the whole area of fiscal policy in the future  
and I do think it is too easy for the States to say actually let's not make this incremental step  
which we know is necessary, I think a majority of the States probably believe it is necessary,  
because it might be that some years down the line we are going to have some enormous  
400 restructuring which may mean that we look back on that incremental step and see that at that  
particular moment it was not necessary.

405 Actually, given the record of the States over the last 15 or 20 years, it is much more likely that  
the major substantial radical steps in relation to fiscal policy will not be made and therefore I think  
the argument not to vote in favour of the Committee *for* Employment & Social Security's policies,  
410 while it may be theoretically quite coherent I do think that given that there is uncertainty about  
the future of fiscal policy and given that in order to maintain the existing arrangements and the  
existing framework for payment of the States' pension it is necessary to increase the income that  
is going into the Fund, on that basis I think we should support the Committee's proposals in  
totality.

**The Deputy Bailiff:** Deputy Inder, is it your wish to be relevé?

**Deputy Inder:** Yes, please, sir.

415 **The Deputy Bailiff:** I will mark you as present.  
Deputy Soulsby.

**Deputy Soulsby:** Sir, yes, I will be brief and I was not intending speaking on this debate but it  
is Deputy Fallaize that has made be rise to my feet.

420 It is a comment he made that we may not have a wholesale change to our fiscal structure as if,  
well, we will just be able to get on by like we have before tinkering with the system we have got  
now. But we know that is not the case we have had a whole debate on drugs and treatments  
which we know are going to cost upwards of £12 million a year if all those drugs eventually come  
on line, we have got the whole aspect of health and care funding. We know that even through the  
425 transformation we are doing there is going to be a funding gap which needs filling, so  
somewhere, somehow we are going to need to find some measure to fill that gap. Secondary  
pensions that came through last month and then we have got the big bad boy of SLAWS coming  
through to the end of this term. So we know that there are huge pressures there.

430 We are going to have to look at where that money comes from and also in terms of  
intergenerational fairness, which I do not think is really covered off in this. We look at things in  
pigeon holes for every policy letter and I think there is one thing that is really missing in much of  
what we talk about. No, it is not really important to Deputy de Sausmarez but I think we do need  
to look at this in the round. I do agree here with P&R that we do need to sit back and look at it in  
context.

435 Originally I was thinking, yes, I get this but then just looking at what we are trying to do here it  
is just that there is not the context which is why I have to say I support where P&R are coming  
from so I will not be able to support 3 and 4.

Thank you.

440 **The Deputy Bailiff:** Deputy Gollop.

**Deputy Gollop:** Sir, Deputy Le Clerc in her good introduction yesterday very much said this was supported by a majority of her Committee Members, and we know from what Deputy Roffey and what Deputy Langlois said that Deputy Langlois was very much against part of this policy letter. Well I was a bit of a dissenter as well but did not get covered in that because I am a little bit kind of I say one thing and then I think again and thing, ooh, I am not sure about that. Or maybe we have to sometimes reach a consensus. But I am kind of like in the opposite camp to Deputy Langlois in that I am like the late sir Bruce Forsyth saying higher, higher, higher, all the time, even though that might not seem particularly financially prudent or responsible in some respects.

440  
445 But one has to put – I mean Deputy Fallaize has laid a gauntlet down more perhaps dramatically than Deputy Langlois did yesterday, in which he is asking the pertinent question why is it that we are using a non-personal allowance base, non-income related scheme to pay for millions of pounds for healthcare, pharmaceutical care, long-term community care.

450 Now that is a big question and it is one that I have seen a lot of emails about, we have had a lot of board discussion about, but it is quite a radical philosophy he is putting forward because if he was starting from ground zero it is perhaps illogical and against the best traditions of fiscal prudence, but where I often find myself in a different corner from Deputy Langlois and Deputy Fallaize is I see politics less in terms of principle and more in terms of arts and crafts, it is a social science rather than an actual science.

455 I tend to support what works. What has worked for Guernsey over the last quarter of a century has been moderately high Social Security contributions and a very competitive tax rate, no wealth taxes, no sales taxes, no death duties or that kind, no higher rates of taxation, a flat rate structure basically.

460 There is, as Deputy Soulsby and others have pointed out, a degree of unfairness to that. Perhaps we do need to look at intergenerational equity. I think we have done that to a degree already with the secondary pensions model. We therefore start from the basis that we are not in the business of tinkering with Income Tax rates, we are not in the business of frightening horses of anybody who comes here as a high net individual or in the corporate sector, and actually we need to start from that basis.

465 I would not purport myself to be an investment expert of any kind, perhaps I have been a bit too ... made unwise decisions in the past and my little nest egg is empty, but I do tend when I am on the ball ... I have never sat on the investment sub-committee in the seven and a half years of being a Member of Social Security, but I have listened to what they have said and perhaps one set of financial advisors was easier to work with for growth than another set but that is not the point.

470 We actually as a board get feedback on a regular basis of investments and we will ask lots of questions and consider alternatives and if you look at the long picture over the last 15 years you will see an extremely positive story of the Social Security Funds. On occasion they have outperformed the Treasury & Resources Funds and I think when you are looking at this question I try when I am looking at public monies especially pensions to take not necessarily the most commercial approach but the most financially prudent and risk managed approach. As a consequence you could argue somebody with more expertise than me might argue that the Policy & Resources Funds that they dutifully invest on our behalf are perhaps invested on a different basis to a certain extent than old age pensions, and I think that is why the ring-fencing and the different approach of two different boards has over the years proved to be a winning formula. I certainly would say there have been no instances I can remember of any South Sea Bubbles or North Sea Bubbles or anything like that.

480 But moving on, if I go through the letter of comment I do find myself disagreeing with much of it. Yes, I accept the Policy & Resources Committee accept there is a need to review the existing uprating policy, but we know and we have had many actuarial reviews that the Fund in the immediate-to-long-term is not sustainable for the reasons Deputy Dorey has said. Although we may have had lower investment returns they have not been catastrophically low and one can always argue what a pity one did not buy shares at a particular price as they go up.

485

I take the point about £6 million out of the economy but, as has already been argued by Deputy Dorey, we made a decision only last month to take money out of the economy for secondary pensions. Actually it is not entirely out of the economy; if it is spent on health care then that is a wise investment that goes straight back into the economy, it is deferred gratification. It effectively takes money out in the 2020's to ensure that senior citizens from now onwards will get the money. Unlike secondary pensions, it applies sooner rather than later, and it is also giving resources to the most vulnerable in our society, people who are more dependent on the pension than other bases.

I was a Member of the Review of the Fiscal Policy Framework and Fiscal Pressures and some Members of P&R may remember I wanted it to have a sequel to come back; well maybe it will now but rather late in the day.

Perhaps Deputy Green, as an advocate and skilled scrutineer, was wise to leave the committee before it completed its workstream because we never got to the point of really putting forward something that matched the long-term contribution. Yes, and I would say myself and Deputy Le Clerc were involved in one of the Resolutions here that we are now seeking to overturn about restricting pensions in 2025 for many reasons that has not proved to be a particularly wise and sustainable move and in any case as I will come on to in a minute it does not seem to reflect current thinking in the United Kingdom.

Of course there will be an increase in expenditure by £700,000 from 2021 onwards but that in itself is not a reason not to do it because that money is needed in one way or another and if we do not do it now there is a risk of pensioners falling into poverty which apart from it being a social tragedy will lead to more Income Support being paid from general revenue down the line.

Although I have a certain amount of sympathy with Policy & Resources when they say why didn't the Committee for Employment & Social Security propose non-employed and self-employed be included too, the point is we know that those categories have already had a degree of burden within ... we need to encourage the entrepreneur. I got stopped at one of the shows last year, 'Why, when you were once a president of the Self Employed Association, do you not do more for the self-employed?' and I got sort of a little bit tainted by that accusation.

We also know that being non-employed is quite complicated because it is not just somebody who for various reasons cannot work, it could be somebody who is a high net worth individual or connected to one, it could be somebody who actually does a lot of work as a board director, and there have been issues about that.

I would accept that there are wider questions here but we cannot do everything. We have had the most expensive workload of any Principal Committee when you consider the range and depth of policy letters that have been worked on in the last year or two and we want to maintain a real interest in the pensions.

I would refute too the silo working arguments because we meet Policy & Resources at least once every three months as a full board, the President and the Vice-President meet Policy & Resources more frequently. We have also had many more additional meetings on diverse issues of importance to the States and we have very much been arguing for some time that we are under resourced and that there is an issue of poverty on the Island and prudence is needed.

I think the point really is in the last six months of this term Policy & Resources published an indication that we have a long-term shortfall in taxation. Deputy Soulsby mentioned one of the reasons for healthcare and drug expenditure and that should have been done really several years earlier. But when one looks at the core issue of the uprating policy for States' pensions I would draw peoples' attention to the fact that our policy on page 3 2.2:

RPIX +  $\frac{1}{3}$  of the difference between RPIX and the increase in median earnings.

– has actually been less of a good deal than what we have seen with successive Conservative governments in the UK. We saw the then Prime Minister David Cameron introduce a more generous formula in the UK and it appears the Rt Hon Boris Johnson may continue with elements of that.

I would also argue that there is a certain proportionality because it is not just the lowest earners of employees who will pay, of course it goes up proportionately to a figure of around  
540 £140,000 per annum and that should be borne in mind as well.

You then come on to page 5, in November 1980 the full UK basic state pension was £27.15 per week and it had gone up over 30 years under a Labour government to £97.65. We went up from £27 to £174.65. Now admittedly, it requires more contributions but we were successful in our endeavours partly because people like Deputy Dorey as Minister of Social Security and Deputy  
545 Lowe were doing the right things and I would argue that Deputy Lowe in a funny sort of way has been vindicated yet again because she warned us that the consequences of Zero-10 and the reduction of the redistributed element of the grant from General Government would have an impact on these questions and wasn't she proved right. But never mind.

If we go to the table that Deputy Dorey alluded to on page 6, really interesting points here despite all the good news we hear about the economy for the year of increase, 2018 and 2019 we decided as a board – a bit Scrooge-like, I found that a hard decision personally – to only go up by RPIX. I think it was less than £2 a week, but do you know why median earnings increase was less than RPIX? We were actually seeing a drop in median earnings across the Island.

But go back to the glory days pre Zero-10 and you see in 2003, 2004 and 2005 we were putting 7% plus after the Townsend Report and the Corporate Anti-Poverty Strategy due to concerns about pensioner poverty. We seem to have lost that concern now despite reports from the Community Foundation and other bodies that up to one in five people are really struggling and Deputy Lester Queripel would be the first to remind us of the heat or eat dilemma of many people.  
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So I think to be consistent we have made the hard decision on secondary pensions. One of the reasons I was a bit reluctant to jump on the secondary pension bandwagon, although I can see the wisdom of it, is it makes this Assembly less likely to increase and improve or even maintain the core States' pension that has been part of our social fabric for over half a century. The secondary pension is a brilliant move, it also involves people owning their own asset so all the arguments about dying at 65 and losing your nest egg will not apply to secondary pensions, but it does  
560 nothing for today's generation of older people and the people who will reach that period in the near future.

So when you look at the bigger picture my greatest criticism of the Committee, if I am honest, is that we did not for whatever reason bring it earlier in this term; and I do not think 0.5% is sufficient either for prudence of the Fund or sustaining and improving the income of not just people in poverty and relative poverty but people just above that, just about managing, and I think it would be a great mistake today if the States do not vote for both or all of the proposals, especially 3 and 4.  
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**The Deputy Bailiff:** Deputy Trott.  
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**Deputy Trott:** Thank you, sir.

Some have argued along the lines of do not put off the contribution rise today and expect others to pay in the future. Well of course the contrary is true because we have almost unprecedented state pension provision funding. Most countries fund their state pension out of annual general revenues; in other words they have no savings, the UK being a perfect example and they fund the pensions out of tax rises. We, I think, have four or five or five and a half years, it is that sort of area of savings, and previous States and previous taxpayers are to be thanked for that advantageous position. (**A Member:** Hear, hear.)  
580

Now many have talked about the review later on this year into the Guernsey Insurance Fund and that seems to me to be a perfect time to address this particular issue.  
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Others have laboured the point about the difference over the last 10 years being £170 million. I like to put these sorts of numbers into word pictures particularly when people are talking about



590 how much they would like to reward, further reward or enhance, I should say – it is a much better word ‘enhance’ – the current States’ pension, and I certainly fall into that category.

595 But what does £170 million worth of investment differential buy you? Well I will tell you. It buys you 14,500 annual single person States’ pension payments. In other words, if you wanted to and that is similar to the number that are in drawdown at the moment – in other words similar to the numbers that are receiving States’ pension – we could if we had got the investment performance in line with other investment activities within the public sector award virtually every single pensioner a bonus equivalent to one year of their annual pension. Now we would not have done that but that I think graphically puts into word pictures just how material the figure is.

600 In the last year alone 3.56% difference between one of our significant pots and the one we are talking about. That is £31 million in a year. These are not door numbers, these are very material sums indeed and they show what can be done without piling on any more risk if the investment mandates are correctly and appropriately delivered.

605 Now Deputy Roffey said something that I think is arguably the most relevant of all today but he did not deliver it quite in the way that I ... or I did not receive it quite in the way he intended. He talked about the potential increases in taxes on the horizon and he is absolutely right, he also said that many are certainly, almost certainly, unavoidable particularly with regard to issues around long-term care of and for the elderly and I could not agree with him more. However, this increase is avoidable and should be avoided at this time. It is evidentially possible to mitigate much of the proposed rise in contributions from alternative measures, in particular enhanced and proven different and beneficial investment performance.

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**Deputy McSwiggan:** Point of correction, sir.

**Deputy Trott:** So I shall be voting along with my colleagues on P&R –

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**The Deputy Bailiff:** Deputy McSwiggan, point of correction.

**Deputy Trott:** Point of correction, sir, I shall sit down.

620 **Deputy McSwiggan:** Deputy Trott is saying it is possible to mitigate these things through enhanced investment returns but the figures he himself has just talked us through have shown that if for the last 10 years we had accrued the kind of investment returns that P&R has accrued we would only have paid one additional year’s worth of pension cost. The investment returns are never going to make up the kind of ground that increased contributions could.

625 **Deputy Trott:** That absolutely was not a point of correction, sir, because what I said, and I wrote it down because I suspected this might happen, is it is evidentially possible to mitigate *much* of the proposed rise in contributions from alternative measures.

630 Deputy Yerby is of course quite right and had I said what she thought I said she would have been right to attempt to correct me but I did not, I was very careful with my words. But the point is –

I give way to Deputy Roffey, sir.

**Deputy Roffey:** Would Deputy Trott accept that actually for the 1.8% contribution increase that is indicated as being necessary down to 0.5% is a heck of a lot of mitigation?

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**The Deputy Bailiff:** Could I just remind you, Deputy Trott, that it is Deputy McSwiggan now.

**Deputy Trott:** Oh, I beg your pardon, sorry, and I do apologise. Please do not take any offence, old habits, Deputy McSwiggan of course, sir.

640 Now I mean it cannot be mitigated away entirely, not without assuming levels of investment risk that none of us in this Assembly would wish but it can be very significantly reduced and that is why the investment review is so important.

This is also, sir, in my view and I have publicly stated this, the last opportunity the States probably has to decline an increase at this time, because I believe that most of the other things  
645 that have already left the station and are coming down the track will be very materially harder indeed to avoid.

So I shall, sir, along with my colleagues on P&R and many other sensible Members of the Assembly, be voting against Propositions 3 and 4.

650 **The Deputy Bailiff:** Deputy Merrett.

**Deputy Merrett:** Thank you, sir.

I will be quite brief. I think what is missing so far in this debate is the risk management of the portfolio. Clearly in my understanding if you have got a portfolio of money for a retirement fund,  
655 shall I say, and I am sure Deputy Le Clerc will answer this in debate, I hope she does, but you are going to take potentially a risk averse attitude towards that pot than you would for another investment pot. My understanding is the main lack of alignment between what the two pots are earning *per se*, is that there is a different risk attitude towards a pension pot.

I apologise, sir, if I have not heard this yet in debate but it is the risk attitude or the risk that  
660 ESS are prepared to take with that pension fund. I think if Deputy Le Clerc could give me some reassurances because my expectation is that there be less risk initiative, I certainly would not want to put it in a high risk account or a high risk – you can have high risk and you can have low risk and that is what I think is missing so far in this debate.

So before we continue to allude to the fact that this pot of money has not raised the same sort  
665 of funds as others I think we really need to understand what risk they are prepared to take ESS in this particular Fund. I hope I have – yes, Deputy Le Clerc is nodding at me and smiling at me so I do believe I have made myself relatively clear to help her when she sums up. If she could address that I would be most appreciative.

670 **The Deputy Bailiff:** Now I turn to the President of the Committee, Deputy Le Clerc, to reply on the debate.

**Deputy Le Clerc:** Thank you, sir.

You would think by some of the comments made that the ESS Committee have put all the  
675 Guernsey Investments Fund money on the 3.30 p.m. at Kempton and lost the lot, (*Laughter*) and we were so risk averse and – I think Deputy Ferbrache alluded to this – that we put the money under the mattress for the past 10 years and only dipped in it when we needed it. That is not the case. The Fund has performed well over the past 10 years and almost every year reaching its target rate of return. What has happened is that the P&R sovereign funds have done spectacularly  
680 well but there is a different risk profile and I think that many people would want me to talk about that risk profile.

What also alarms me is that many in this Assembly have said ESS, ESS, ESS and I would like to point out that every single year we bring to this Assembly, well twice a year actually, we bring to this Assembly the opportunity for us to debate the performance of our investment funds, we can  
685 do that through the Budget debate and, quite rightly, Deputy St Pier has pointed out that there is never enough attention given to Social Security when it is one of the largest spending committees and has considerable assets under its control. It is not given the air time that it should have and I hope that in the future that will be rectified.

So we bring the Budget report where we can debate our uprating policy and the performance  
690 of the Funds but most importantly once a year we actually bring the annual accounts and unlike the sovereign funds our accounts are audited separately and there is usually a 40-page report in

the annual accounts and every year we outline our target rate of return and not once, not once has this been questioned in the eight years that I have been in the Assembly and challenged that actually we should be trying to increase that rate of return. In fact the only time I can ever  
695 remember being asked a question in this Assembly about the ESS Funds is when Deputy de Sausmarez has asked about diversification into ESG funds, that is the only time.

So I would say we have a collective responsibility on the return of those Funds and in addition since 2016 we have a Member of P&R that sits on our investment sub-committee every time we meet. We have investment advisors, we have experts to advise us on these Funds.

700 Now what I will say is over the last few years we have invested on the advice of our investment advisors and they have far more knowledge than I do – I remember when I first stood for the investment sub-committee it was Deputy Gollop that said to me, ‘Well, Deputy Le Clerc should go on it, she has worked in a bank,’ and I said I may have worked in a bank but I am not an investment manager, and I think we must remember that, we are not the experts. We have  
705 investment advisors and we also have investments advisors on our sub-committee and we also now employ, we actually employ investment advisors through the States of Guernsey that give us advice on our Funds and P&R Funds.

We must remember that in 2008 the stock market fell by 18%; that would be £162 million loss of the Fund at that time, so you can understand why we have got a more conservative attitude to  
710 investment and our investment return.

**Deputy Trott:** Sir, on a point of correction.

**The Deputy Bailiff:** Point of correction Deputy Trott.

715 **Deputy Trott:** No, it does not. It depends on what derivative instruments you have in place to mitigate against such a significant fall. It is my no means an easy calculation, and that figure is almost certainly misleading.

720 **The Deputy Bailiff:** Deputy Le Clerc to continue.

**Deputy Le Clerc:** Sir, I did not mean to mislead, the stock market in 2008 fell by 18% and if we calculate that 18% loss today that would be £162 million. So when we actually spoke with our investment advisors we said that we did not feel it was acceptable for the value at risk to go down  
725 to 18%, we did not feel that while the Fund was in drawdown that it was acceptable to lose 18%. So we have asked our investment advisors to give us a portfolio of investments that would potentially reduce the risk, the value at risk to no more than 10% or 12%. That will still be a considerable amount lost of the Funds but we felt that that was a more prudent approach and that is what the investment strategy has followed for the past four years since we have been with  
730 the current fund managers. So I hope that that answers Deputy Merrett’s question about investments.

Going through some of the other questions that have arisen. Deputy Queripel, I think he has said that he has got difficult decisions to make. I think we have all got difficult decisions to make. I think what we have been doing is putting off those difficult decisions for many years. We have just  
735 been agreeing the financing of a wish list and as has already been explained by Deputy McSwiggan there is no money tree. Deputy Queripel often stands in this Assembly and talks about pensioners having to choose whether to heat or eat. Believe you me if we do not uprate the pension to the guide lines outlined here, RPX plus a third, pensioners will continue to face that dilemma of heating or eating, so I would ask him to please vote for Propositions 1 and 2.

740 When you vote for Propositions 1 and 2 the funding does have to come from somewhere. I think our table 4 outlines the funding issues that we are going to face, and I have said in my opening speech this is a stitch in time. This is just a small amount because it is better to get something in the pot. What I would actually love is for our economy to boom and actually I know

745 this rarely happens, we might be in a position in future years where we do not have to increase contributions.

I think there was a time in the past where actually every year there is a sum transferred from P&R to that pot, a general revenue sum that is transferred and it is based on the calculation weirdly of income and contributions, but I believe there was a contribution holiday at one point and Deputy Roffey is nodding at me, so that has happened in the past. If we have spectacular investment performance and the economy does well and we have inward migration who knows we may be able to say actually we have done that stitch in time but let's have a contribution holiday for a period of time. I do not think that will happen but I think a stitch in time is the right way to go.

755 Deputy de Lisle talked about the impact on the economy but I think the impact on the economy is going to be even greater. Once we have had the fiscal review actually I think the real issues are going to come to a head, the real issues will come to light: how are we going to pay for all the care; how are we going to pay for the pensions; how are we going to pay for all the health with the NICE drugs etc.? So again we know that the secondary pensions will not be coming ... it is likely to be at least another two years, so we will not be taking that money out of the economy for the secondary pensions for at least another two years, but what we can be doing is for the next 760 two years we can be taking the money out of the economy that 0.5%.

I think, as others have said in the past actually, we have taken money out of the economy but the economy has actually grown, it is a just a very unknown quantity at the current time.

765 I will go through some of the other speeches. I think I will just really stick to some of the questions.

I know Deputy St Pier highlighted the inequity of us excluding Class 3 and Class 4 contributions from our potential uprating contribution increase. But I would just like to remind everybody here of the Resolution from the Personal Tax & Benefit Review and that was:

To direct the Social Security Department to review the assessment of Social Security contributions to ensure that the treatment of contributors in different contribution classes is equitable; such review to have particular regard to the upper earnings limit on contributions, the rates charged for self-employed and non-employed contributors and the definition of income used in the assessment of contributions for non-employed contributors.

770 So if I look at the current rates for self-employed: self-employed 11%; non-employed in work, as we are talking about work at the moment, 10.4%; employees 6.6%. So when we are talking about the equity on that that is why we chose to increase as we have outlined in our paper, employers is also 6.6%.

I think I have already explained that this Assembly has had ample opportunity to question on our return and our investment policy over the years.

775 I think Deputy St Pier – and he has talked about this in our joint meetings when we have met with Policy & Resources –

Sorry, I will give way.

780 **Deputy St Pier:** Sir, I am most grateful to Deputy Le Clerc for giving way and I would ideally have asked her to do so had I had the information to hand, when she was responding to Deputy Merrett's question about the level of risk in relation to the different Funds.

The consolidated Investment Fund – in other words the one which is the responsibility of Policy & Resources – aims to maintain a value at risk of 10% with a 95% confidence. This indicates that statistically there is only a 5% chance of an adverse move in the portfolio value of more than 10% whilst the Committee *for* Employment & Social Security in its risk profile for the Common Investment Fund, which is what we are talking about here, that the Guernsey Insurance Fund is part of, currently targets an investment return of UK liable plus 3.5% whilst aiming to keep value at risk within 10%-12% with a 95% confidence level. So in other words there is not a material difference in the level of risk. In fact arguably it is slightly higher within the Committee *for* 785 Employment & Social Security than it is for the other Funds.

So I think the generic point that Deputy Merrett was making was right, that generally speaking there is a link between risk and return – in this case the way the risk is managed means that actually we have a slightly lower level of risk but with a high level return, and that is the issue that we need to be considering.

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**A Member:** Hear, hear.

**Deputy Le Clerc:** Sir, I have asked our investment advisors about this value at risk and it is very complicated and I do not think it is for the floor of this Assembly. But I would also like to remind Members that actually we have had several reviews of our investment portfolio, so we had a Public Accounts review in April 2016, PAC had their own investment panel and then we had a second review by BDO and Broadstone Limited and they concluded that the assets of the States of Guernsey were invested safely and securely and that the overall risk and return characteristics of the assets are appropriate.

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We had a Scrutiny review in January 2017 and that included investment performance, so again if people had concerns about our investment performance it could have been brought up at that time. Both Deputy St Pier and myself did an investment presentation to States' Members in September 2017 and again States' Members would have had the opportunity to express their concerns at that time about how we were investing those Funds. So I think that we have had ample opportunity.

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My understanding is the value at risk, and I am not an expert on this and as I have already said to the Assembly, sir, I am not an expert but I have been told that the value at risk of our portfolio is looked at slightly different from the value at risk of the P&R portfolio. I am afraid I cannot give any more technical advice other than that, but I think that is something perhaps that we need to pick up outside of this debate, and perhaps another presentation to States' Members for them to understand fully how the two investment portfolios work would be suitable rather than doing it on the floor of the Assembly and setting the hares running and pitching one investment return against the other investment return. **(Several Members:** Hear, hear.)

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I think viewing the liabilities together, I am concerned that that is a dangerous route. I am happy to go down the route of the governance of the Funds together and for the Guernsey Investment Fund to be ring-fenced, but I am really concerned about the future and this is the elephant in the room, and I am going to bring it up, sir, because it came up in the Personal Tax & Benefit Review and one of the questions in that Personal Tax & Benefit Review is should we means-test the old age pension, and I believe if we are running short on our assets that that question will raise its head again and that will be the easy solution, let's go down the route of means testing our old age pension. I do not want that to happen, I do not want that to happen. I will not be in the States next time but I would just say to you be very careful because actually if you start putting all the liabilities together that is one of the questions that you might need to face at some time in the future, or we would end up reducing the old age pension, so it would not maintain its purchase value that it retains today.

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Deputy McSwiggan, I thank her for her comments. Deputy Dorey – I almost feel that Deputy Dorey is the sixth member of ESS because so many times he has put forward strong arguments and I thank him for that. He stood up on the secondary pensions debate ... but he is a wealth of knowledge, he was a previous Minister of Social Security Department, he has wise words and a lot of knowledge, so when he speaks it is worth listening to him.

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I think that is about it. Deputy Ferbrache – I think I have already addressed his issue, so we have not put the money on the 3.30 p.m. at Kempton, we have not stuffed it under the mattress, I think we have good investment returns with our lower risk strategy.

840

Again I will not go on – well I would just like to say we have got one fund manager in particular where we have got £140 million investment and it is fair to say that the Committee have had some concerns with this fund manager over the last two or three years. We have been advised by people with greater knowledge than us that actually we should hang in there, that this fund is

going to perform, it has dragged the Fund. Deputy Trott talked about the £31 million loss of performance our Fund against their Fund last year, but we know what that is, that is one particular  
845 fund manager. We had meetings with the fund managers in London last week, we are being advised by everybody: hang on in there and hopefully that Fund will come good and we should see quite a big bounce in performance.

Sir, I think that sums up and answers most of the questions. I would just like to say I have known from the beginning of this term, and ESS have known from the beginning of this term, that  
850 there are some difficult decisions that need to be made with regard to the contributory funds. The States of Guernsey have kicked the can down the road for too long, we have not faced up to the difficult spending decisions, we have agreed expenditure such as the NICE drugs etc. without really thinking through the consequences. I think even in the January debate on the fiscal review that we did not really get to the heart of some of these matters.

855 So whatever the outcome today is I think it has at least highlighted the difficult decisions the next States of Guernsey will have to face after the Election and during that fiscal review debate.

Sir, if people do not have the stomach for making those decisions then they should not stand because the decisions are only going to get harder.

Thank you, sir.

860

**The Deputy Bailiff:** Members of the States, there are six Propositions. I am planning to take 1 and 2 together, 3 and 4 together, and then 5 and 6 at the end unless there is any request for further sub-division.

Deputy Lester Queripel, recorded votes?

865

**Deputy Lester Queripel:** Sir, a recorded vote please on Propositions 3 and 4.

**The Deputy Bailiff:** Propositions 3 and 4. So can I put 1 and 2 to you first *aux voix*? Those in favour; those against.

*Members voted Pour.*

870 **The Deputy Bailiff:** I declare Propositions 1 and 2 duly carried. We will go to a recorded vote on 3 and 4 combined. Deputy Greffier.

*There was a recorded vote.*

**The Deputy Bailiff:** Just a moment, Members of the States, while the votes are being counted. Can I just ask Madam Procureur whether we need Proposition 6 now on the basis that 3 and 4 has probably been defeated? Will there be any legislative changes on 1 and 2 which is just the  
875 uprating policy and 5 to come back?

**The Procureur:** Sir, I am tempted to say no but I do not want to say it on the hoof without reflecting a bit further on that.

Sir, arguably it would not have any effect if we include it in any event.

880

**The Deputy Bailiff:** Thank you very much, Madam Procureur. It was just something that crossed my mind while I was looking at it.

*Not carried – Pour 14, Contre 23, Ne vote pas 1, Absent 1*

**POUR**

Deputy McSwiggan  
Deputy de Sausmarez  
Deputy Roffey  
Deputy Tindall  
Deputy Brehaut  
Deputy Tooley  
Deputy Gollop  
Deputy Le Clerc  
Deputy Merrett  
Deputy Fallaize  
Deputy Laurie Queripel  
Deputy Hansmann Rouxel  
Deputy Green  
Deputy Dorey

**CONTRE**

Deputy Brouard  
Deputy Dudley-Owen  
Deputy de Lisle  
Deputy Langlois  
Deputy Soulsby  
Deputy Prow  
Deputy Oliver  
Alderney Rep. Roberts  
Alderney Rep. Snowdon  
Deputy Ferbrache  
Deputy Parkinson  
Deputy Leadbeater  
Deputy Mooney  
Deputy Trott  
Deputy St Pier  
Deputy Stephens  
Deputy Meerveld  
Deputy Inder  
Deputy Lowe  
Deputy Smithies  
Deputy Graham  
Deputy Paint  
Deputy Le Tocq

**NE VOTE PAS**

Deputy Lester Queripel

**ABSENT**

Deputy Le Pelley

**The Deputy Bailiff:** Members of the States, the voting in respect of Propositions 3 and 4 were *Pour* 14, *Contre* 23, 1 abstention, 1 absentee. Therefore Propositions 3 and 4 are declared lost.

885

Out of an abundance of caution I will put to you both 5 and 6 together, although my own view is that you might not need 6 but those in favour; those against.

*Members voted Pour.*

**The Deputy Bailiff:** I declare Propositions 5 and 6 duly carried.

## REQUÊTE

### X. Determining the Best Model for Secondary Education – Debate commenced

*Article X.*

*The States are asked to decide:*

*Whether, after consideration of the Requête dated 28th January, 2020 they are of the opinion:*

- 1. To direct the Committee for Education, Sport & Culture not to enter into any contractual obligations on behalf of the States or continue with any associated procurement processes for implementation of any elements of the 1 school on 2 sites plan as approved by the States on 6th September 2019;*
- 2. To direct the Committee for Education, Sport & Culture to prepare a report before the end of the term of the current States, that must include a comprehensive comparison of the structure and implementation of the 1 school on 2 sites plan with other viable models of non-selective educational delivery in Guernsey previously presented to and considered by the Committee, for consideration by the Committee for Education, Sport & Culture as constituted after the 2020 General Election ("the newly constituted Committee") and to direct the newly constituted Committee to revert to the States before the end of 2020 with a Policy Letter and suitable Propositions to implement what it believes to be the best model for secondary education in Guernsey.*

**The Senior Deputy Greffier:** Article X, Requête – Determining the Best Model for Secondary Education.

890

**The Deputy Bailiff:** I invite the leading requérant, Deputy Dudley-Owen, to open the debate. Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you, sir.

895

As a former Member of the Education, Sport & Culture Committee, I know the enormous amount and diversity of work which any ESC Committee has to manage and the tremendous effort that goes into a project of this type.

I do commend the Committee, especially their recent efforts to explain and persuade through their presentations.

900

I lay this prayer before the Assembly with regret. Regret that we have found ourselves in this most undesirable position. We cannot continue with the plans for the one school on two sites at this stage. We need to win back the confidence, trust and support of the professionals and the community and we can only achieve this with a pause and review.

905

In the face of such overwhelming opposition, my fellow requérants and I would be failing in our duty as Deputies of this Bailiwick if we did not call for a delay to the progression of the Committee's plans. Our requête calls for a pause for the States to direct the Committee not to enter into any contractual obligations on behalf of the States or to continue with any associated procurement process for the implementation of any elements of the one school on two sites as approved by the States on 6th September 2019.

910

Our requête calls for a review, for the Committee to prepare a report before the end of term to compare the one school on two sites with other viable models of non-selective educational delivery previously researched by the Committee to be presented to the next States after engagement with stakeholders.

915

I want to outline the reason why a pause and review approach is the only proper solution to the current opposition to the policy and in doing so to convince States' Members to vote for the Requête.

920

I am sure all Members will have read the requête and I will not read the body of our motion verbatim today for the sake of expediency, but I think it is useful to let our wider audience listening today know that during this speech I will be addressing the points raised therein in greater detail.

925

I will cover key areas in my speech which will include why the motion is required; why the problems have arisen; the consequences of the problems going unchecked; the impact of the Requête and will then conclude.

930

I will not pick over in detail the flaws or red flags which have become apparent in the plans. This debate is not an attempt to argue against the policy or to discredit it.

935

This debate is simply about a plan which has hit crisis point where we as a States need not only to lend our support to the Committee but further to step up and take responsibility because we are jointly and severally accountable for this policy. Whether or not we supported it, it matters not at this time.

940

The one school on two sites policy has gone awry and has been dismissed as being not fit for purpose by the professionals, support staff and their unions. We should be very worried about this. We need to grasp this issue now and use this opportunity to objectively review the situation and with the professionals create a successful education model that is Guernsey centred and fit for our unique Island.

945

Why is this requête needed then, sir? Well nearly 6,000 people have signed a petition. A copy I have here in front of me was handed to me on the steps of the Royal Court yesterday, as it was to Deputy St Pier and Deputy Fallaize, where a large crowd of people came to show their support for the Requête. Nearly 3,000 people have marched; 90% of teachers and support staff; five Douzaines have come out in opposition to the one school on two sites plans.



940 This is the biggest demonstration of professional and public opposition to any policy that the  
Island has seen. The teachers by a majority, supported by their unions, are asking for a pause of  
the plan and a review. This has been reiterated again yesterday in a combined statement and I  
understand again this morning in a statement from the NASUWT. They say that insufficient  
measures have been taken to address their concerns about the one school on two sites model to  
945 give them the confidence in the plans to the extent that educational outcomes will be improved.  
Many parents and members of the community are hugely worried about the prospect of the two  
larger schools, and what has concerned people the most is the lack of confidence that the  
teachers are stating in the success of the policy.

The requête is a political means by which the pause and review can be satisfied and if  
950 supported in this Chamber in the way that it is resoundingly supported outside it also means by  
which we as a political Assembly will start to regain the confidence and the trust of the teaching  
professionals as a whole, the support staff, the Douzaines and the community.

Sir, I will now talk about why the problems have arisen. It is important for us to understand the  
reasons for the opposition and here we must be honest with ourselves. It cannot be said that it is  
955 a myriad of different reasons and these can be fixed or mitigated against or worse ignored. It is  
quite simple, there are really only two reasons for opposition and one stems from the other.

First, is because we as an Assembly back in January 2018 did not insist upon the requisite  
amount of research, evidence and financial information that such a major area of policy should be  
960 based on. The second is a lack of meaningful engagement and consultation with the people who  
have the most interest in this matter, because again the process has not been adhered to for  
some reason in the planning and management of this project.

An unproven proposal, put forward by our colleagues, Deputies Fallaize, Dorey, Graham and  
Tooley, was sprinted into action from the day they and Deputy Roffey took seats on the  
Committee in February 2018. It is clear that the haste of the project implementation before it had  
965 fully been approved as a capital project was not appreciated at the time.

So returning to the first point being due process which we must not be shy about, I do not  
want to lecture anyone in this room, sir, about due process because we all have solid experience  
and relevant experience of what it is and why it is necessary when deciding how to spend funds  
from the public purse responsibly.

970 We know the required steps and what the resulting reports and policy letters look like when  
due process has been followed. We have excellent officers in the Civil Service who are well versed  
in drafting staged business cases who can produce stakeholder supported, evidenced and well  
researched policy letters. Often these come to the States and are appraised or criticised based on  
the policy direction but rarely for want of sufficient detailed facts and figures.

975 What happened then when the alternative model, a non-professional report, was presented to  
the States in January 2018, a report which had not had the benefit of being produced by our own  
employed experts, a report which was laid as a Proposition in the form of an amendment to  
replace a professionally produced and researched policy letter? Why the alternative model was  
voted through as opposed to being stalled in an attempt to put in some good governance  
980 protocols to test its deliverability, credibility, feasibility to support the policy ideas, is a question I  
cannot answer.

We must ask why we as a body politic allowed the alternative model to be voted through  
without the normal checks and balances that apply to all other major policy proposals that come  
to this Chamber which are rigorously researched, checked and sense checked and shaped by  
985 consultation with key stakeholders. Why didn't we at that time want to know if the plan was  
affordable, that it provided a case for change, that it was viable, that it could be delivered  
successfully? I know we normally do because we sit in this Royal Court and interrogate each other  
assertively about these issues every States' debate, but we did not then.

We are all culpable for letting the community down on this one decision, whether or not we  
990 voted for it, because despite being independent Deputies we are one governing body, we apply  
strict Rules of Procedure, we employ experts so that we can apply principles of good governance

and ensure that we are accountable for our decisions. We need to demonstrate that accountability and cannot duck the responsibility of this collective failure to follow the Rules that we ourselves set.

995 Moving to the second reason that opposition has arisen, this is a direct result of the lack of stakeholder engagement, this stems from the Committee's interpretation of consultation, communication and the inability to have engendered the confidence of the profession or the community in their plans.

1000 Again, sir, we know what good looks like because we have all been involved in effective consultation, the kind that helps to check, challenge and shape our policy ideas. The Committee has admitted on numerous occasions since December that they have failed to communicate well enough.

1005 A States' report from 2012 entitled Stakeholders Consultation and Engagement tells us the States should therefore have the needs of Islanders at the heart of its decision-making processes, good governance means engaging stakeholders and making accountability real. Failure adequately to address stakeholders needs risks incurring reputational damage and the loss of effectiveness and political legitimacy.

1010 So we know that it is not only a key area of governance but it is also a key factor in decision making. The Committee's own programme business case tells us about a comprehensive programme of communication and stakeholder engagement which they will continue throughout the delivery of the programme to ensure communications are well managed with the wide range of identified stakeholders in the programme, including staff in schools, the education office, learners, parents, other officers in States' committees and the general public.

1015 What has come through loud and clear from the professionals though is that they have been communicated to but not engaged with. Their challenge, check and attempt to shape this policy, has not been facilitated and more recently it has been asserted it has not been welcomed.

1020 There have clearly been communications, lots of them, especially in the lead up to this Requête, but communication is not engagement, it is different. I picked this up recently which I quite like about engagement: it says engagement is a contact sport while communication often happens at a distance, communication is what to say and who to say it to, whilst engagement is about listening to and eliciting feedback.

Now that we and the public really understand the extent of the problems this has caused, it has become more apparent that this Committee has lost the political legitimacy it needs to successfully deliver the project.

1025 The Committee have stated that it is inevitable a significant portion of the profession, parents and wider community do not support the one school on two sites model for a host of different reasons. It is only inevitable if you have been unsuccessful in bringing people along with you. If at a basic level they do not understand the why of what you are doing.

1030 I believe from my observations that the Committee's relationship with the teaching staff is now at crisis point; (**A Member:** Hear, hear.) clearly relations are strained. During one of the presentations that I attended from ESS language used by Members of the Committee and the Executive Team demonstrated to me that there is now a 'them and us' feeling. The relationship appears to have turned sour.

1035 I think at this point I would like to bring in something of interest from responses to 75 questions which have been sent overnight by the Education Committee so bear with me please. So the Committee has provided responses to 75 questions posed by the group People Power, in double quick time I might add which is very impressive, and I picked up a bit from these in regard to stakeholder engagement which is also raised at the recent Douzaine hosted meeting and it is regarding the voice of the child and its importance.

1040 With the extension of the UN Convention on the Rights of the Child to Guernsey primary schools now having rights champions enabling children to become aware of the rights of a child and specific to this matter of involving children in any consultation is that we embrace the idea that children's voices are at the heart of education.

1045 I do query the extent to which this has been embraced by the Committee and I picked some of this up from an Australian review on the matter and there is much to be found on it if you look around at our school practice and do some research because the United Nations Convention on the Rights of the Child has provided a framework for students' participation in school decision-making and reform processes.

1050 One of the six core commitments of the Children and Young People's Plan is to listen to the voice of children and young people. Things have changed much since all of us here in the Assembly were children and in education the opinion of children and young people is more valued than it probably ever has been. This is not to be naïve and to suggest that we should design policy around the voice of one group. But the voice of the children must be given due weight as key stakeholders.

1055 Now, if you are able to see the responses to the questions that have been circulated, you will be able to pick up that that voice has almost been dismissed, I feel, in the responses to the questions.

1060 But, sir, if we ignore the problems that have arisen and continue to allow the plans to push ahead without a review, we face multiple consequences. One of these is protests, protest issues, and we have already seen that on the streets of Guernsey. Short term we face continued public and professional opposition. When it comes to starting the building contracts, we may see an increased level of this opposition from the public.

1065 There is also a real risk of industrial action from the professionals and we have got to ask ourselves if we are happy to allow that to happen. At this stage I think it is useful to let Members know that the NASUWT have released a statement today where they state – it is a media release which has been circulated – that if the requête is not supported, depending on the outcome, all options will be on the table for discussion, including possible industrial action. And that has come out today. (*Interjection*)

1070 Another consequence of not dealing with the problems that have arisen is retention. We may lose staff to stress and unhappiness in their workplace. The union survey in November told us that staff dissatisfaction has increased significantly since 2016.

1075 There are recruitment issues. Longer term we could have difficulties recruiting due to the current experience of dissatisfied staff. We cannot keep this to ourselves; the platform of digital media gives us too wide an audience. It is not the kind of advert that fits in with the aspirations that we have for keeping Guernsey in the forefront of people's minds, certainly if they are skilled professionals who wish to move to our beautiful Island.

1080 It is not enough to attract teachers with the promise of beaches and a short commute to work. They need assurance that they will be listened to and valued, that their professional opinion will count. This is counter to the aim of attracting the talented educators who are seeking 11-18 States' provision, because at this time we are not listening to the talented individuals that we already have *in situ*.

1085 To doggedly continue with the plan that has attracted such wide scale and deep dissatisfaction is not good for Guernsey. It says that we as a Government do not listen, we do not value the opinion of our professionals and we ignore the concerns of our people. This is not ordinarily true. Please do not let that come to fruition and become true during this debate.

1090 Other consequences of letting these problems go is contract. This situation has created an undeniable, widespread, public crisis of confidence in the ability of our States to govern effectively. The extent of the disquiet, together with an imminent change of Government and the fact that a future States cannot be bound by previous decisions will undoubtedly constitute a known, unquantifiable risk for any contractor interested in tendering for any of the contracts.

Our States' capital bid process, teaching union surveys, community queries and formal questions in this States, have highlighted serious inadequacies of details around the plans. Numerous incremental changes to the plans made in isolation to reactively address the different concerns of many stakeholders, risk the majority-approved plan from September 2019 becoming

1095 a very different one in implementation from what was originally proposed, with the added probability of significant cost overruns.

The delivery of a different plan has been tacitly acknowledged by the Committee through the creation of mezzanine floors in each school and a suggestion of increasing the footprint of the schools to address some of the issues raised. This project is a movable feast in which costs and risk will be impossible to control until such a time as the Committee has clearly defined the design and utilisation of the buildings they intend to construct. These buildings are expected to last at least 50 years. They are a major capital investment for Guernsey and a once in a generation opportunity. The buildings we deliver will have a significant impact on the successful operation of the institutions and their learners.

1105 The States is in danger of creating a rushed job. Flaws have already appeared and inevitably our Island will pay dearly for this at a later date. We must deliver a pause, engage with stakeholders and review objectively.

The high degree of risk that the senior sponsor, Deputy Fallaize and his Committee, have created with a headlong rush towards issuing tenders is likely to be translated by tenderers into an inflationary contract price loading, with multiple exclusionary clauses and protective risk avoidance caveats regarding programme delay, abortive works, cost penalties for specification changes and possible failures in the future operability of the buildings. These prospective costs can be avoided if action is taken now.

1110 This is why the requérants seek a moratorium on the awarding of all contracts or procurement related to the implementation of the current policy until after the then newly constituted Committee for Education, Sport & Culture has presented a properly detailed policy letter to the newly constituted States for their consideration and approval.

This enables proper and objective consideration of the facts and figures by a newly constituted States of Deliberation. After all, it is they who will oversee its implementation and financing. Therefore, it is essential they approve the plan prior to proceeding any further to avoid disruptive and expensive reversals of signed contracts as we have previously seen in regards to incinerators.

1120 There is objection to the requête, sir, and it is no surprise that the Committee object to this requête and they are seeking to continue with the plans that they have created. Deputy Fallaize has summarised the Committee view as to the impact of a pause and review saying that 'Doing so would cost many millions of pounds and cause further uncertainty and disruption to students just so the States could spend another lengthy period reviewing other models of education which the States or previous committees before our Committee have already considered and rejected.'

1125 The requérants believe it is essential that the new States after the Election in June 2020 be given the opportunity to subject the one school on two sites to further rigorous review and challenge and be allowed to assess whether the final proposals balance costs and benefits, and therefore use the public resources in a way to create and maximise public value and greatest benefits to the students.

1130 Internal processes are in place to meet the petition's request for a report to deliver a comprehensive comparison of the structure and implementation of the one school on two sites against other viable non-selective models of educational delivery in Guernsey. Advice has been received that the best way to deliver is via an economic case, which is part of the Green Book process. The economic case ensures that a wide range of investment options have been evaluated and that the preferred option optimises value for money.

1140 After recent discussion with our States' Portfolio Director, it appears that the Committee's best guesses in their letter of comment are off track in terms of the amount of work, timeframe and the cost of the work that needs to be done to achieve the requirements of such a report. It would be inconceivable that there would be no sunk costs associated with the pause in the same way that we have written off, as a States, the cost of replacing the three-school model back in early 2018.

1145 We can, however, ensure that some of the work done in the last decade or so does not go to waste. It is clear now that the scope for review has narrowed to non-selective three-school

models, all viable combinations of which have been reviewed in detail by a previous Committee. The costings of such other options can be delivered as estimates or as costs between a range, as done before. Therefore much of the work for an economic case comparison is easily retrievable and the timeframe stipulated in the requête is not unrealistic for presentation back to the newly-constituted States before the end of 2020.

1150 Expediently done work on this report will ensure that we do not have the guestimates of delays running into years and the resultant costs of up to £11 million. If the Committee can provide a breakdown of the figures they have stated in their letter to P&R, this would be helpful to understand their basis.

1155 We might find that the review reveals cost savings of up to tens of millions by adopting some of the elements of previously researched models. It is worth mentioning at this point that as far as we have been told the Committee have yet to agree contracts and a staffing structure. Nor have they negotiated the contracts with the unions and it would be good to hear if they indeed themselves are able to adhere to their own timeline.

1160 This is an opportunity to reaffirm the one school on two sites model, if it really is the best option, or to identify a better alternative. In either case, it will be with proper engagement and with the support of the key stakeholders. In this way and for the purposes of transparency and accountability States' Members and the community will be presented with objective research in totality for them to be able to make an informed decision regarding what will lead to the best outcomes for the Island.

1165 Sir, before I conclude, I would like to address a few issues which I consider have created some confusion around the purpose of the requête and its impact. It is essential that clarity is provided around these.

1170 One of these issues is about certainty. The public interest we have seen has shown the degree and expectation of consultation needed on such fundamental matters, which will ultimately affect most families in Guernsey. If the requête is successful, we need to provide assurance and quickly, to provide certainty about a holding pattern that would be put in place, so students, parents and carers have the confidence that the delivery of education in Guernsey will remain as it is today from the four buildings that we are currently operating in. We have been assured and reassured by teachers and school managers that a delay while a review is conducted will not cause any damage or risk to the future educational opportunities of the young people currently in the schools.

1175 Again, on this issue, we must listen to *them*. They will continue to deliver education to the best of their ability, but with a pause on the table, a review ensuing and safe in the knowledge that their voice will be heard and their opinion counted, they will once again be able to settle into their day jobs and do what they do best, which is to teach our children.

1180 Another issue that has arisen is about catchment. It is obvious that we have capacity for all children amongst our four schools. Teachers and education services are very well-versed in catchment area variations depending on population density and in order to alleviate any pinch-points which materialise, we have been advised by professionals that these must be reviewed and changed, so that we do not end up with too many children going to one school and leaving capacity at another, which seems to be the case at the moment.

1185 It is not exceptional. In fact, it is part of the business as usual element of the service, and has happened many times before. The reassurance that we have received from teachers and support staff, that they have pledged that they will continue to work as they always do in a diligent way in the upholding of the current four-school configuration during a pause period, must be taken on board. It would be essential for the Committee in that instance to ensure that there is certainty about what that looks like for parents and staff alike and, also, how long this will be anticipated to last.

1190 Another area that was raised recently is around curriculum alignment and inequality and we have been told that this would detrimentally be impacted by a pause and review. I have been informed by senior teachers that from September this year, all four of the schools have a

1200 streamlined curriculum that will be offered at Key Stage Four, which is the current Year 9's, so that what has happened in the past, or even with the current Key State Four, is largely irrelevant.

**Deputy Fallaize:** Point of correction, sir.

1205 **The Deputy Bailiff:** Point of correction, Deputy Fallaize.

**Deputy Fallaize:** Thank you, sir.

1210 That is misleading. What has happened is that where schools offer the same subject, the specification, in other words the exam board, has been made consistent. There are still very considerable differences in the subjects which schools can offer which is partly based on their size and the consequential lack of demand.

So there is not a curriculum streamlining. It is just that in those cases where the same subjects can be offered, they are being offered using the same specification.

**The Deputy Bailiff:** Deputy Dudley-Owen to continue.

1215 **Deputy Dudley-Owen:** Thank you to Deputy Fallaize for his useful interjection and it is interesting, because I sort of allude to that later on.

1220 So we have learned this week, with the adoption of Attainment 8 that is progressing locally ... and is widely reported in the UK that the adoption of such a scoring process means that choice has actually been reduced at GCSE Level. I wonder, are we still going to be able to offer such subjects as ICT and Religious Education as GCSE choices from now on? They do not fit in the Attainment 8 bucket.

1225 A letter from a head teacher, which has been published in *The Press* yesterday, denies that there is inequality across our schools and strongly asserts that what we offer is as good, if not better, than most UK schools. One of the two schools that he mentioned in his letter is the much-loved Cotswold comprehensive. And he says that:

Unsurprisingly, these two very successful schools –

– because he obviously mentions another one, which I think might be in Gloucester –

do not offer the same 26 courses as each other. It is worth remembering the well-worn phrase 'equality of opportunity doesn't necessarily mean all schools or all students doing the same things, rather that all students have opportunities to follow a broad and balanced curriculum in line with their aims and aspirations'.

He goes on to say:

To imply that schools do not currently provide such opportunities is, I believe, misleading at best.

1230 This is yet another professional at the coalface disputing the Committee's assertions. I ask, why are respected senior leaders taking the risk in putting forward what they see as the true position which is contrary to that of the Committee?

1235 This morning again, we have seen further dispute in counterclaims from staff to ESC and the Executive Leadership Team, and this is in regards to evidence that is put forward by Education to promote the one school on two sites model. And they have put together a spreadsheet containing data from a UK government website between 2017 and 2018. They have looked at this and analysed it and they have filtered out the academies, which they believe have been used in the dataset, and they state that:

When the data filters out all other schools to analyse only like schools to Guernsey, we found little difference in the results of 11-16 school[s] and 11-18 schools in terms of Attainment 8 (the new measure we will be judged on moving forward). The two models offer much more even representation of the top 10 through to 200. There is a minor difference, but not so stark as suggested by ESC/[the Executive Leadership Team].

I ask again, why are respected senior leaders in our school system taking the risk in putting forward these counter positions?

1240 Sir, this –

**Deputy Fallaize:** Sorry, sir, but point of correction.

**The Deputy Bailiff:** Point of correction, Deputy Fallaize.

1245

**Deputy Fallaize:** It is not a counter-position. Deputy Dudley-Owen herself said that that data excluded academies. There is no logical reason to exclude academies. They are providing a considerable proportion of secondary education in England. The only difference is that instead of being local authority controlled they have more control over their own curriculum. But in terms of assessing the performance of schools, it is as relevant to include academies as any other type of secondary school and when you include academies the dataset looks very different.

1250

But it is not a counterview.

**The Deputy Bailiff:** Deputy Dudley-Owen to continue.

1255

**Deputy Dudley-Owen:** Sir, I am afraid that that is not a point of correction. I am reading from the correspondence from the group of staff who themselves say these counteract claims made by the ESC and the Executive Leadership Team. I would not dare to go toe to toe with a professional from another sector. I am a finance professional by trade, I am not a teacher. None of us in this Assembly are current teachers and to go toe to toe with individuals who have got far more experience than us, I believe, is really not very sensible.

1260

So to go on, this requête is simple. There are no hidden wolves dressed in sheep's clothing here and I will address some of the concerns which have arisen over the last few weeks before I conclude.

1265

The requête seems to have been overanalysed in various areas. It is most definitely not an attempt to reintroduce selection by the requérants. I have stated publicly several times that I think that ship has sailed and that we as an Island have moved away from that policy.

If we cannot take this bull by the horns now and take responsibility here in this debate regarding this matter, rest assured though that when election time comes, there will be plenty of candidates wanting to come in and sort out the mess. Some of those may have an appetite to return to selection that this Chamber does not.

1270

Another imaginary wolf that needs to be dealt with is that of the Guernsey Institute and La Mare de Carteret Primary School being in the scope of this review. The rebuilding of both is supported by the requérants. There are models of secondary delivery which could specifically affect the rebuild of the Guernsey Institute, for instance, which were previously presented to the Assembly. But that decision has been taken is non-contentious and therefore the rebuild of both should be allowed to continue.

1275

In conclusion, sir, we know why the requête is needed: because of the serious and unprecedented levels of professional and public opposition. The requête presents us, the States of Guernsey, with a much-needed opportunity to pause and review the current plans and to develop, along the prescribed due process of an economic case, previously researched alternative three-school models.

1280

Sir, the Committee wishes to reach an irreversible point of being committed to a spade in the ground by June. Well, I believe we would be rushing headlong into a serious political blunder if that was allowed to continue.

1285

Please remember that the unions have reiterated their concern that insufficient measures have been taken to address their concerns about one school on two sites models to give them the confidence in the plans to the extent that educational outcomes will be improved.

1290 We have to ask ourselves a question: why create something which is opposed at so many levels at such expense and upheaval, which the professionals, by a majority, believe will not create any better educational outcomes for our children? Our children and this Island deserve the best we can offer them. The current plans satisfy no-one. We must pause, engage and review. Only in this way can we present an education system which is fit to meet the challenges of the 21st century.

1295 I ask Members, please support this Prayer.  
Thank you.

**The Deputy Bailiff:** Members of the States, in accordance with Rule 28, I will invite each of the Presidents who are concerned whether they wish to exercise their entitlement to speak now, starting with Deputy St Pier, the President of the Policy & Resources Committee.

**Deputy St Pier:** No, sir.

1305 **The Deputy Bailiff:** Deputy Fallaize, the President of the Committee *for* Education, Sport & Culture?

**Deputy Fallaize:** No thank you, sir.

1310 **The Deputy Bailiff:** Thank you very much.  
Deputy Brehaut, as the President of the Committee *for* the Environment & Infrastructure.

**Deputy Brehaut:** No sir.

1315 **The Deputy Bailiff:** And Deputy Soulsby, as the President of the Committee *for* Health & Social Care.

**Deputy Soulsby:** No, sir.

1320 **The Deputy Bailiff:** Thank you very much.  
Now, Members of the States, there have been six amendments submitted to HM Greffier, three of which seek to replace in their entirety the two Propositions from the requête, and therefore I am proposing to take those three in the first batch and then any other amendments in a second batch. The first of the amendments that I have suggested be taken is that to be proposed by Deputy de Lisle.

1325 But, Deputy de Lisle, do you have a seconder now for both the motion to suspend the Rules and –

**Deputy McSwiggan:** I will do it.

1330 **The Deputy Bailiff:** It is going to be Deputy McSwiggan, is it?

**Deputy de Lisle:** Yes, sir.

1335 **The Deputy Bailiff:** So, Deputy de Lisle, there is a motion to suspend Rule 24(2)(b) of the Rules of Procedure to the extent necessary to permit the amendment that you, and now Deputy McSwiggan, wish to lay.

Do you wish to speak to that motion at all?

**Deputy de Lisle:** Yes I do, sir.



*Motion:*

*To suspend Rule 24(2)(b) of the Rules of Procedure to the extent necessary to permit the amendment set out below to be debated.*

1340 **The Deputy Bailiff:** Alright. Deputy de Lisle, will you speak to that motion.

**Deputy de Lisle:** Thank you, sir.

1345 Few alternatives have been suggested, sir, to the one school on two sites model. This three-school model is the only alternative that has gone through a rigorous planning and costing process, and we owe it to the public and to the education staff and teachers and pupils to resume discussion of this model of secondary school transformation, to enhance it to suit the community as a whole. It would therefore be remiss, in my opinion, to not debate this three-school model and to fully acknowledge the planning and the thinking and the costings that had been put together for this Assembly.

1350 So I ask Members to wholeheartedly support debate of this amendment, given the 18 month planning and development work conducted on it by the previous Education Committee and respect the public opinion in support of a three-school model.

1355 It is in the interest of a fair, open, transparent and comprehensive debate that the model take in all levels of abilities, learning difficulties and disabilities within an embracing, open and fair educational system that will enhance our current level of education so each child can learn and develop to their very best. I believe than this can be better accomplished in the three-school model, in smaller community-based schools.

1360 It is also important to recognise that with the passage of time there are new ideas and initiatives to be considered to improve the model so it agrees with all stakeholders and reflects the needs of the community as a whole. Notwithstanding whether, Members, you vote for the amendment when read, it is incumbent on all Members to vote for it to be laid and debated.

So I ask that a recorded vote is taken with respect to suspending –

**Deputy Inder:** Point of order, sir.

1365

**Deputy de Lisle:** – Rule 24(2)(b) of the Rules of Procedure –

**The Deputy Bailiff:** Point of order, Deputy Inder.

1370 **Deputy Inder:** Point of order.

**Deputy de Lisle:** – to the extent –

1375 **The Deputy Bailiff:** Point of order – Deputy de Lisle, point of order.  
Deputy Inder.

**Deputy Inder:** I am sorry if I was a bit late, but earlier on Deputy de Lisle said this is a three-school model. It is not, it is a four-school model. It includes three 11-16 schools at La Mare, Les Beaucamps and St Sampson's, and a Sixth Form Centre at Les Varendes.

1380 That is not a three-school model, that is a four-school model.

**The Deputy Bailiff:** That was a point of correction more than anything

**Deputy Inder:** Sir, I meant that, sorry, I beg your pardon.

1385 **Deputy de Lisle:** I do not think that was a point of order, sir, but however, *(Laughter)* just to repeat my last point, I ask that a recorded vote is taken with respect to suspending Rule 24(2)(b) of the Rules of Procedure to the extent necessary to permit the amendment to be moved and debated.

1390 **A Member:** Hear, hear.

**The Deputy Bailiff:** Deputy McSwiggan, you are formally seconding that motion?

1395 **Deputy McSwiggan:** Yes, sir.

**The Deputy Bailiff:** Thank you very much.  
Does anyone else wish to speak on the motion?  
Deputy Fallaize.

1400 **Deputy Fallaize:** Thank you, sir.

I think it is important that this amendment be debated, **(A Member:** Hear, hear.) because the proposal contained within it, I am not sure that it is exactly the same, but it is certainly extremely close to the other proposal that was brought by the previous Committee, and which is in fact the only other model which has been proposed in this Assembly or debated by this Assembly.

1405 And it seems to me that at the very least what we need to get out of today, or this debate, whenever it is going to finish, is some opportunity for the States to set out its views, whether they are revised or not revised, in comparing the model which has been approved by the States over the past couple of years and the one which was put before the States in January 2018.

1410 So I think, sir, this debate having started, it would now be absurd for this amendment not to be debated. Whether the States wish to vote in favour of it is a different matter. But I do think it is essential that it should be debated and certainly my Committee will vote in favour of its debate, sir.

**The Deputy Bailiff:** Deputy McSwiggan.

1415

**Deputy McSwiggan:** Sir, I think it might be helpful to say, because my track record on education is well known, that I offered my support to Deputy de Lisle for this motion and the amendment in good faith. I have been completely honest with Deputy de Lisle that I much prefer the model that the Committee *for* Education, Sport & Culture are proposing to the model that this amendment offers. But I by far prefer the certainty of this model to the years of uncertainty that we would be left with if the requête unamended went forward.

1420

So I think this is a genuine opportunity to walk out of this debate with some form of certainty and it is for that reason that I am supporting this motion and the amendment.

1425 **The Deputy Bailiff:** Deputy Meerveld.

**Deputy Meerveld:** Thank you, sir.

1430 I will not be supporting the motion to debate, nor will I support the amendment if it is debated. We are in danger of doing exactly what Deputy Dudley-Owen said was our major failing in January 2017: designing an education system on the floor of this Assembly without properly consulting with the professionals. The reason the requérants said pause and review is because you

have to go through that engagement process. You have to go back to the educationalists, the Douzaines, the teachers, the parents, the students and get them involved in this process.

1435 This amendment asks us to endorse a plan, which I liked – I was involved in helping to draw it up – but I will not try and change to that plan on the floor of this States, because that is creating exactly the same issues as was created by the sales of a concept for two schools on the floor of this States.

**Deputy Merrett:** Point of order, sir.

1440

**The Deputy Bailiff:** Point of order, Deputy Merrett.

**Deputy Merrett:** We appear to be debating the amendment, not the Proposition to suspend the Rules.

1445

**The Deputy Bailiff:** There is a degree of merit in that. *(Laughter)*

**Deputy Meerveld:** Would that be Jennifer Merrett, sir? *(Laughter)*

1450

**The Deputy Bailiff:** Deputy Meerveld, the more you say now the less I am likely to allow you to say if the amendment is to be debated.

**Several Members:** Hear, hear.

1455

**Deputy Meerveld:** Okay, sir. I believe I have made my point though. I will not support this amendment *(Interjections)* because it goes against good governance and, actually, we need to do this process differently to avoid the mistakes we have already made.

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

1460

**Deputy St Pier:** Sir, on the motion to suspend the Rules, Deputy de Lisle has not explained why it is necessary for the Rules to be suspended; in other words, why he failed to lodge the amendment in time. That is why we have the Rules. For that reason alone, I struggle to, notwithstanding the support of the Committee for Education, Sport & Culture to debate this issue, understand why, with all the notice that was had, this was not lodged in time and, therefore, why we need to suspend the Rules.

1465

I am reluctant to suspend the Rules for the sake of suspending the Rules.

**The Deputy Bailiff:** Deputy de Lisle, I will give you the opportunity to reply to the debate on the motion to suspend the Rules to enable amendment 6a to be laid.

1470

**Deputy de Lisle:** Yes, sir, I think it is extremely important, given the voice of the community and the public in general, that in fact the three-school model is actually debated in the States.

1475

Secondly, of course, I have to make the point that the amendment was placed, actually ... Well, it was in the hands of the Law Officers actually on the Monday at 12.30 p.m. But due to the pressures of time and so on and so forth, it was not put through until after the deadline date.

But that being the case, I think it is contingent on this Assembly to consider the work that has gone in by the Education Committee this term with respect to looking at a transformation of education in various forms. And I think it is very important that all of the work and the time that has been placed by the Education Committee this term is actually delivered to the public and to this Assembly at this time.

1480

1485 **The Deputy Bailiff:** Well, Members of the States, we will go to the vote, and it will be a recorded vote, because that has been requested, on the motion pursuant to Article 7(1) of the Reform (Guernsey) Law 1948 as amended to suspend Rule 24(2)(b) of the Rules of Procedure so that amendment 6a can then be laid. It is proposed by Deputy de Lisle and seconded by Deputy McSwiggan.

Deputy Greffier.

1490 **The Senior Deputy Greffier:** Deputy Brouard –

**Deputy de Lisle:** Can I just ask, sir, that you clarify exactly *Pour* and *Contre* and what each actually signifies with respect to this.

1495 **The Deputy Bailiff:** Okay. A vote *Pour* will mean that the Rule is suspended and allows the amendment to be debated. A vote *Contre* will mean that the amendment cannot be debated at all because it does not comply with Rule 24(2)(b).

Deputy Brouard is not here, but you can start again if you like Deputy Greffier.

1500 **The Senior Deputy Greffier:** Yes sir.

*There was a recorded vote.*

**The Deputy Bailiff:** Well, Members of the States, I am satisfied that that motion to suspend Rule 24(2)(b) of the Rules of Procedure to the extent necessary to permit the amendment to be moved, has been carried.

Is it going to be your request, Deputy de Lisle, that the amendment be read?

1505

**Deputy de Lisle:** Yes, sir, thank you.

**The Deputy Bailiff:** Deputy Greffier, could you then read the amendment for us please and I will announce the result in due course.

*The Senior Deputy Greffier read the amendment.*

1510 **The Deputy Bailiff:** Thank you very much, Deputy Greffier. I now invite Deputy de Lisle to open debate on this amendment.

[Amendment 6a.](#)

*For the Propositions, substitute the following:*

*1. To rescind the following Resolutions of the States:*

*(a) numbers 1 to 6 and 8 to 12 on item III on Billet d'État No. II of 2018, "The Future Structure of Secondary and Post-16 Education in the Bailiwick" – P.2017/110, made on 19th January, 2018, and*

*(b) numbers 1 to 4 on item V on Billet d'État No. XVI of 2019, "Transforming Education Programme & Putting into Effect the Policy Decisions made by the States in 2018" – P.2019/66, made on 6th September, 2019.*

*2. To agree that from the earliest date practicable, secondary and post-16 education shall be organised as follows:*

*(a) a three school model encompassing three 11 to 16 secondary schools at La Mare de Carteret, Les Beaucamps and St Sampson's and a Sixth Form Centre at Les Varendes;*

*(b) the Guernsey Institute incorporating the College of Further Education, the Institute of Health and Social Care Studies and the GTA – operating as one organisation providing vocational,*

*professional and technical education for full-time and part-time students, including apprentices at Les Ozouets and Les Varendes;*

*(c) St. Anne's School in Alderney; and*

*(d) Le Murier School and Les Voies School operating as Special Schools for students with special educational needs.*

*3. To agree that any legislation replacing the Education (Guernsey) Law, 1970, must provide for genuine devolution of governance and leadership from the Committee for Education, Sport & Culture (and by extension from the 'Education Office') to the 11 to 16 Schools, the Sixth Form Centre and the College of Further Education; and further to agree that it must provide for the Committee for Education, Sport & Culture (supported by the 'Education Office') to focus on 'central government' functions – for example, education law, strategy and substantial policy, curriculum, funding arrangements and the accountability of performance and standards in schools and colleges.*

*4. To agree that the development of the replacement legislation provides an ideal opportunity to consider the most appropriate long-term relationships and governance arrangements between all providers of secondary and post-16 education, including in relation to provision for students with special educational needs; and further to agree that in any event there must be a firm requirement for the strongest possible collaboration between all providers of secondary and post-16 education, including strengthening collaboration between the 11 to 16 Schools, the Sixth Form Centre and the College of Further Education for the benefit of students of all abilities and interests.*

*5. To direct the Committee for Education, Sport & Culture to return to the States before the end of 2020 with costings for secondary and post-16 education organised in accordance with Proposition 2 and those extant resolutions of the States that are not rescinded by Proposition 1.*

**Deputy de Lisle:** Thank you, sir.

1515 Sir, we are proposing a model with three 11-16 schools, a single sixth form centre and the retention of the Guernsey Institute.

The 11-16 proposals resemble those put forward by the Education, Sport & Culture Committee that Deputy Le Pelley was President of and I was a Member earlier this term. However, the post-16 model that the Committee suggests back in 2018 has been replaced with a model in which academic study and further education are kept separate. The Guernsey Institute conceived by the current Education Committee will see the Island's further and higher education establishments brought under one banner.

1520 The amendment directs the Committee for Education, Sport & Culture to return to the States before the end of 2020 with costings for secondary and post-secondary education organised in accordance with the three-school model described. The costing for the three-school model set out in the previous Committee's policy letter amounted to £114 million. Allowing for a 10% uplift would suggest an indicative current cost for the three-school model of approximately £125.4 million.

Sir, the amendment proposes the States rescind Resolutions 1 to 6 and 8 to 12 of the January 2018 debate and Resolutions 1 to 4 of the September 2019 debate.

1530 The amendment includes ... I should say, the three-school model includes, the rebuilding of La Mare de Carteret High School alongside moderately enlarged high schools at Baubigny and Les Beaucamps and with the current Grammar School being retained as a sixth form centre.

1535 The proposed model, sir, supports many of the workstreams already being undertaken to modernise the Guernsey Education Law and to improve the wellbeing and mental health of students, and does not interfere with the excellent work being done at Le Murier and Les Voies special needs schools, or the Institute of Higher Education at Les Ozouets.

The proposal will also not affect the education provision in Alderney, nor impact upon the desire to transfer responsibility for the good governance of the schools to local boards; local management of schools. Rather, the proposals seek to move things forward apace and deliver

1540 what the proposer, myself, and the seconder believe the great majority of stakeholders desire: a three-school model with a separate sixth form centre.

So the proposals are for a three-school model encompassing three 11-16 secondary schools at La Mare, Les Beaucamps and St Sampson's, and a sixth form centre at Les Varendes, the Grammar School site; the Guernsey Institute incorporating the College of Further Education, the Institute of Health and Social Care Studies and the GTA at Les Ozouets, operating as one organisation providing vocational, professional and technical education of full-time and part-time students including apprentices; St Anne's School in Alderney; and Le Murier School and Les Voies School operating as special schools for students with special needs

1550 **Deputy Smithies:** Point of correction, sir.

**The Deputy Bailiff:** Point of correction, Deputy Smithies.

1555 **Deputy Smithies:** Deputy de Lisle, in reading that last part of his speech, mentioned the combination of the Guernsey Institute operating at Les Ozouets. The Proposition is operating at Les Ozouets and Les Varendes.

**The Deputy Bailiff:** Deputy de Lisle to continue.

1560 **Deputy de Lisle:** Just to clarify that point, that is an overspill situation, if that was required, from the former St Peter Port site at Les Ozouets.

Finally, Proposition 5 directs the Committee *for* Education, Sport & Culture to return to the States before the end of this year, 2020, with costings for secondary and post-16 education organised in accordance with the three-school model.

1565 Sir, we are seeking to direct the current Committee *for* Education, Sport & Culture to investigate a three school 11-16 comprehensive school, plus a sixth form centre model, as outlined, rather than proceeding with the one school on two sites 11-18 model, which is facing all sorts of logistical and staff and student wellbeing issues, as well as the growing displeasure from teachers, parents, pupils and trade union officials.

1570 So I would like to just place this model for the transformation of education at the secondary level before this Assembly for debate, sir.

Thank you.

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

1575

**Deputy McSwiggan:** Yes, sir.

**The Deputy Bailiff:** Thank you very much.  
Deputy Roffey.

1580

**Deputy Roffey:** Thank you, sir.

Very unusually for me, I voted to suspend the Rules of Procedure in order to debate this and I did this because I thought we were in a very unusual set of circumstances, where we had suddenly brought forward by three weeks this particular debate at a busy time and, therefore, in fairness to Deputy de Lisle and others it was very difficult, or it made it considerably more difficult than it would normally be, to get amendments in on time. So I am happy that we have allowed this to be debated, but I have to say I cannot support this amendment.

1585 Parts of it, 3 and 4, about the delegation of power to control the schools and educational institutions is coming anyway; in the Law, that would be coming. We have no dispute on that whatsoever.

1590

But basically, my fundamental objection, well, I have a number of objections, but the most fundamental one is I do not think we have the pupil numbers for a complete, standalone hermetically sealed post-16, A level, if you like, or A Level and IB, institution. National guidance says that anything under 900 post-16 pupils in that would not make it viable.

1595 The only person I know that has spoken to me and said, 'Actually, I used to teach in an establishment of quite a similar size' was an acquaintance of mine who is a retired teacher and actually a retired union rep. And when I said, how on earth was it staffed? He said, 'Well, they were nearly all part-time staff'. Well, try and imagine going out to advertise in the UK, 'Come and relocate to a really expensive place like Guernsey on the basis of a part-time contract to teach in a

1600 post-16 institution.'

Now, of course, that could be got around. You could say, well, they have a part-time contract there and in the rest of their working time they go to the other three 11-16 schools that Deputy de Lisle is envisaging. But then, in those schools, they would not be a part of the faculty, they would be people that came in occasionally. They would not really be a part of that school as such.

1605

So I do not think a totally separate sixth form block will work. It works very well when you have got the scale – there are some superbly successful ones in the UK. But I do not think it could work in Guernsey.

I also am not convinced that this will provide the certainty that Deputy McSwiggan referred to in seconding it. It would appear to at first. We will walk out of this Assembly saying, 'Okay, we scrapped two years' of work, but at least we have got an idea of the direction we are heading in, and that is better than the requête or the P&R amendment, because they do not provide that certainty'.

1610

As sure as eggs, I believe that when Proposition 5 actually comes back to the States, when we come back with the costings of what will be four quite small educational institutions, three 11-16 and one post-16 college, and then a fifth one, obviously, with the Institute across the road, the revenue costs will be shown to be *very* significant.

1615

And I actually think that we will probably be going back to the drawing board at that stage. I do not know, because I do not know who is going to be elected, and maybe everybody is going to be elected who loves this model and will not mind that and will press on anyway. But I suspect that the whole darn process of devising a secondary education system ... If we pass this today, we will appear to have settled it, just like we appeared to have done twice with the existing model. I do not think we will have done any such thing. We will be starting again at the end of this year when that report comes back.

1620

I totally accept the sincerity of Deputy Le Pelley, who unfortunately is not here, and Deputy de Lisle, who think that a model around this sort of setup that they describe in the amendment is the best way to go for Guernsey. They have believed it for a long time. I just do not accept it. I do not think it is cost effective. I do not think it is educationally optimal. I am glad we are debating it. I think it is right that we should not close down this debate, because it really is one of the seminal debates of this Assembly. But I have to, through you, sir, say I am sorry to Deputy de Lisle, I just do not think it stacks up and I cannot vote for it.

1625

1630

**The Deputy Bailiff:** Deputy Le Tocq.

1635 **Deputy Le Tocq:** Thank you, sir.

Very similarly to Deputy Peter Roffey, I find myself in this rather depressing environment, that I think we are all in at the moment, rising to say I will reluctantly support this amendment. Now, my reasons for doing that is, as Deputy Roffey said, it is better than the requête, which will cost us a lot more and gives no certainty whatsoever to the very people, the very young people, we should be giving certainty to.

1640

Now, ironically what is proposed here, because it is significantly different in terms of post-16 to what the previous ESC Committee support, and which I could not support if that was the case, but

1645 ironically what is here in this amendment, sir, looks very similar to what we proposed when I was on the Education Council back in 2000-2004. It was basically three schools with a tertiary college, and the tertiary college was going to be on two sites, funnily enough: St Peter Port School site and the current Varendes site. And I think really that is probably what you would have to go for if this was to work effectively, unless you went for some sort of system that Deputy Roffey alluded to with teachers teaching in 11-16 schools for part of the time and at the Sixth Form Centre another time.

1650 Sir, it certainly will cost more than the current to run and that is what concerns me the most. Because whilst we might accept that, I fear for the future. But I also think that, bearing in mind the strength of community feeling out there, sometimes we need to take a step forward towards something and if the current proposals, which have been voted on twice by this Assembly by quite significant majorities, whilst the current proposals are perhaps unpalatable for some in our community, this would enable us to take a step in that direction.

1655 I do believe, sir, that if this was passed, that there would have to be further reforms in the future. But that is why I said right at the start, reluctantly I will support it, because unamended the current requête is something that would be disastrous (**A Member:** Hear, hear.) and would cost, and, to be honest, reckless and feckless for us to vote through, when we have spent so much time and money and effort, and to provide no certainty for the future.

1660 So that is where I rest, sir. It is reluctant, in a depressed mode that I am in at the moment, but that is how I am likely to vote.

**The Deputy Bailiff:** Deputy Fallaize.

1665

**Deputy Fallaize:** Thank you, sir.

I am not depressed. I might be later this week, but I am not as depressed certainly as much as Deputy Le Tocq. Like him, I may very well vote in favour of this amendment for all the same reasons as him. Because I think the amendment does propose a better way forward than the requête and the Proposition effectively before us at the present time in this amendment is to delete the Propositions in the requête and replace the Propositions with this amendment.

1670 I commend Deputy de Lisle, and Deputy Le Pelley in his absence, and if he is unwise enough to be listening I am sure all colleagues wish him well. (**Several Members:** Hear, hear.) But I commend both Deputy de Lisle and Deputy Le Pelley for at least having some conviction about what it is they want to do instead of the reforms which have been approved by the States twice in the past two years.

1675 I was amazed when Deputy Meerveld speaking on the amendment, when he was meant to be speaking on the motion to suspend the Rules of Procedure, (*Laughter*) said that he could not support this amendment. Because this model is identical to the model which was put forward by the Committee of which he was Vice-President in January 2018, except it deals with the dog's breakfast of the post-16 proposals which his Committee got so badly wrong and he has since accepted that it got so badly wrong. (**A Member:** I'd be careful!)

1680 So the amendment addresses the post-16 –

1685 **Deputy Meerveld:** Point of correction, sir.

**The Deputy Bailiff:** Point of correction, Deputy Meerveld.

**Deputy Meerveld:** Thank you, sir.

1690 I do not accept that the previous Committee made a dog's breakfast of the post-16. I would refer the Members back to Proposition 8 of that policy letter in 2017. It read:

the Committee for Education, Sport & Culture should return to the States by March 2019 with a policy letter setting out how post-16 provision will work in partnership with the Institute of Health and Social Care Studies and the GTA University Centre to become the Guernsey University College, including a co-designed governance model.



The fact is, the previous Committee openly admitted that the post-16 provision was a work in progress and had intended to come back with a policy letter detailing its findings March of last year.

1695 So I do not agree that it was a dog's breakfast, or whatever phrase Deputy Fallaize used. It was a work in progress and if it had been left to be finished I think it would have looked very different.

**The Deputy Bailiff:** Deputy Fallaize to continue please.

1700 **Deputy Fallaize:** Thank you, sir.

So the amendment is almost identical to the proposals that were put by the Committee of which Deputy Meerveld was Vice-President and Deputy Dudley-Owen was a Member and Deputy de Lisle, as he said in his opening speech, was also a Member. Except that it proposes post-16 arrangements, which I am afraid, in my view – I was not saying Deputy Meerveld thought that his Committee's proposals for post-16 were a dog's breakfast; obviously he did not, otherwise he would not have put them forward – but I thought they were a dog's breakfast and I think that most of the States agreed and certainly the post-16 sector almost universally agreed.

1705 But this is an amendment which does resolve the post-16 challenges that his Committee could not. So I was amazed when Deputy Meerveld said he could not support this amendment.

1710 Now, I think what would happen here, if this amendment was successful, is that actually almost exactly the same proposals which were put by the then Education Council in 2001 would end up being implemented. That is three 11-16 schools and a tertiary college. You would have post-16 provision under the terms of this amendment divided between Les Varendes and Les Ozouets and before you got to end of the project, in my view, that would have developed into a tertiary college. Now, there are some Members of the States who are quite favourable towards tertiary colleges, but I think that that is where it would end up.

1715 My Committee circulated at quite short notice the best it could do in terms of a financial impact assessment of this amendment, which differs slightly, and when you are talking about the numbers involved here perhaps not in material terms, but differs slightly from the information that Deputy de Lisle himself laid out, and it is probably worth briefly referring to that.

1720 The like-for-like comparison for this three-school model, adjusted for inflation, is likely to be in the region of £128 million in terms of capital costs. There are additional capital costs which were not included in our original comparison of models and were not in our model either, but have now been added and they would have to be included in Deputy de Lisle's model. And that will add between £2.5 and £5.5 million.

1725 The cost of developing an outline business case would be somewhere in the region of £2 to £2.5 million and then of course there are the revenue costs. I think it has to be accepted even by those Members who are fully committed to this amendment that the revenue costs would be greater than they will be in our model.

1730 There are two other points I think to make in terms of what we were able to produce in the short period available to analyse this amendment. The first is that the school population projections have changed slightly from the time when Deputy de Lisle and his colleagues on that Committee put forward their proposals and those changes would require either, under his model, an extension at St Sampson's to cater for a total of seven forms of entry across the whole school, and the estimated cost of that is about £4 million, or a revision of the primary feeder school arrangements and going back to a catchment-based system of entry into secondary schools rather than through feeder primary schools.

1735 The previous plans for the rebuild of La Mare de Carteret School were based on what was then called BB98, which was at that time the latest Building Bulletin Standards. They would now have to comply with BB103. This is likely to add between £3 and £4 million to the capital costs. So I think the costs that were outlined by Deputy de Lisle probably, in capital cost terms, need to have about £10 million added to them and the revenue costs would be higher.

1745 There is one point I think to make in relation to the Guernsey Institute, because, bearing in  
mind at the moment we are kind of comparing this amendment with the Prayer of the Requête. I  
think that Deputy Dudley-Owen is wholly wrong when she lays her requête and says that it would  
not need to have any impact at all on the Guernsey Institute. Because the terms of the requête are  
plain – they are not plain in every respect, but they are plain in this respect – they require an  
analysis of three-school models previously presented to Committees. Those models include  
1750 models in which the concept of the Guernsey Institute as it currently stands cannot fit. It includes,  
for example, the proposal that was developed by the Committee which Deputy Dudley-Owen was  
a Member of –

**Deputy Dudley-Owen:** Sir, point of order.

1755 **The Deputy Bailiff:** Is it a point of order? Is there a breach of the Rules?

**Deputy Dudley-Owen:** I think there could ... Yes. It is not a correction. But I think  
Deputy Fallaize is straying out of the rounds of this particular amendment and straying into  
general debate on the requête.

1760 **The Deputy Bailiff:** I think at the moment I am satisfied that what he is doing is explaining  
why this is a preferable set of Propositions to debate rather than the two Propositions that derive  
from the requête and therefore it is permitted.

So, Deputy Fallaize to continue, please.

1765

**Deputy Fallaize:** Thank you, sir.

I was intending, incidentally, my main speech on the requête would be wrapped up in the  
amendment, which stands in my name. Because I think if you have an amendment before the  
States which the first Proposition of which is to delete the Propositions in the requête, then the  
1770 requête must surely be in play. So I thank you for that, sir.

So the – I will give way to Deputy Ferbrache.

**Deputy Ferbrache:** I am grateful, sir, to Deputy Fallaize for giving way.

1775 I just want to ask a question. He says he may well vote in favour of this amendment. I am  
assuming if that is the case then the requête of course fails and I am assuming then what he  
would do would be – I am asking a question for him to respond to – he would then vote against  
the amended Propositions on the basis then that the two-school model would continue. I assume  
that is what he is intending.

1780 **Deputy Fallaize:** Yes, obviously. All the votes I cast are going to be votes which try to maintain  
the current reforms which my Committee is leading and which the States have voted for twice in  
the past two years. But as we go through the debate, if there are amendments which I think  
improve the Propositions to a greater or lesser extent, I will vote for them.

1785 So the Prayer of the Requête, which this amendment is seeking to replace, would impede the  
work, it would have to stop the work, of the Guernsey Institute, because the terms of the requête  
require all three-school models previously presented to Committees to be re-examined. And that  
not only includes the model that was developed by the Committee of which Deputy Dudley-Owen  
was a Member, in which the concept of post-16 and vocational and technical education was  
1790 *completely* different from the concept of the Guernsey Institute, but also includes, potentially, the  
model that was developed by the Education Council in 2001, which Deputy Le Tocq has referred  
to, and again means that the Guernsey Institute would not be able to continue because it would  
not look anything like it in those proposals.

And there are other models that were previously presented to Committees, not our  
Committee, because our Committee was elected to deliver the model the States had directed it to

1795 deliver. But certainly Deputy Dudley-Owen's Committee, or the Committee of which she was a  
Member, looked at other three-school models in which the Guernsey Institute in its present  
concept is not compatible. So there is no question the terms of the requête halt the work of the  
Guernsey Institute, both in terms of its concept and the timeline for its development.

1800 Now, this amendment does not have that same effect. So when Deputy de Lisle says that the  
work to develop the Guernsey Institute can continue under the terms of this amendment, he is  
right. But when Deputy Dudley-Owen says that the work to develop the Guernsey Institute can  
continue under the terms of her requête, she is wrong. So in that respect I think that this  
amendment is preferable to the requête.

1805 The other thing, sir, to make a final point, and really returning to what I said originally, I  
understand those Members who are not in favour of the current reforms. This has been a very  
contentious and divisive area of policy. Those Members who are ... Six of the seven signatories to  
the requête have always been vehemently opposed to the development of the two 11-18  
colleges. The Members who have been most strongly opposed to that model have continued to  
be opposed to that model for two years – I mean, more or less every day for two years – and that  
1810 has been evident to other Members of the Assembly, who will have witnessed the level of  
challenge and scrutiny and criticism that they have offered it. I understand their opposition to it.

1815 But what I do not think is acceptable, or forgivable, quite frankly, is to come to the Assembly  
and say, nearly five years after this debate about the future of secondary and further education  
started, when we have had three Committees over successive States' terms analysing multiple  
models and coming forward with their own proposals, now to say at the eleventh hour, not only,  
'Please stop the reforms which you embarked upon two years ago and when you are in the  
second year of a five-year transition model', but we have not got any clue at all what should  
replace those reforms! That to me is a level of irresponsibility which the States should not be  
prepared to contemplate.

1820 Now, this amendment does at least overcome that problem. It does at least allow the States, if  
the States want to say, 'Stop the reforms which we approved twice in the past two years', it at  
least allows the States to replace those reforms with something that is tangible.

1825 On this point about certainty, if the requête is approved in its original form, then my  
Committee is directed to go away and stop the reforms which it had been charged with  
introducing. That bit is understood. But then, what happens to the transition model for the  
students who are already in it, in the transition model and who already know where they will be at  
school in the next few years? Not just where they will enter school in Year 7, but which school they  
will move to if they need to move.

1830 What will have to happen is, Deputy Dudley-Owen referred to it as a 'holding pattern', and  
kind of threw out this term as if we were discussing aeroplanes stacking to land at an airport. We  
are talking here about children and students who get one shot at their education, and they will  
have to be put into what she describes as a 'holding pattern'. But there will be absolutely no idea  
at all about where the end point of the transition period is. There will be no clarity at all about  
what model of education the States is going to adopt eventually instead of the –

1835

**Deputy Prow:** Point of order, sir.

**The Deputy Bailiff:** Point of order, Deputy Prow.

1840 **Deputy Prow:** I think this detailed analysis of the transition arrangements around the original  
Propositions of the requête is outside of the debate on the amendment, sir.

1845 **The Deputy Bailiff:** I will simply repeat what I have said before. The process through which  
Members are going at the moment is to decide what Propositions to debate. Now, in order to  
decide what Propositions to debate, it is legitimate, in my view, to compare and contrast the  
consequences of the existing Propositions, which are the Propositions derived from the requête,

and the Propositions that would be substituted were the amendment to carry. The same will apply next time round whatever happens to this amendment, because it will be a binary choice: are we going with the ones we have got at the moment; are we going to go with the ones that are proposed to be replaced? So it is legitimate.

1850

Deputy Fallaize to continue, please.

**A Member:** Hear, hear.

1855

**Deputy Fallaize:** Thank you, sir, but I will wrap up.

So the reason for the legitimacy of that particular point I was trying to make is the transition models, the transition plans, the level of certainty that would be provided for students is completely different under the terms of the original requête than under the terms of Deputy de Lisle's amendment.

1860

Effectively, under the terms of Deputy de Lisle's amendment, the Committee would go away, it would spend a brief period of time making some kind of conservative estimate about when it would be able to get this new model in place by and at that moment it would be able to establish a complete transition model for students.

1865

Under the terms of the requête, the Committee, whether it is my Committee or any other Committee, is not going to have a clue how you design a transition model, because in order to know how you design it, you have got to know what the end point is. So you would just be stuck in this holding pattern, as Deputy Dudley-Owen refers to it as.

1870

If there is anything the States are agreed upon in relation to secondary education – not perhaps every Member of the States, but the overwhelming majority are agreed upon – is we need to move away from a four-school model. But actually, Deputy Dudley-Owen's requête proposes maintaining a four-school model indefinitely! That would be the actual, practical effect of it.

1875

So for that reason, and I am on the horns of a dilemma because of the point that Deputy Ferbrache makes, obviously I want the current reforms to be allowed to continue, but I do think that this amendment, for the reason that it provides some level of certainty and because I think after five years of debate the States should be able to settle on what they want to do in relation to secondary and further education, that this amendment probably is a better way forward than the original requête.

1880

I will listen to the rest of the debate before deciding how to vote.

Thank you, sir.

*Carried – Pour 26, Contre 7, Ne vote pas 3, Absent 3*

**POUR**

Deputy McSwiggan  
Deputy de Lisle  
Deputy Langlois  
Deputy de Sausmarez  
Deputy Roffey  
Deputy Oliver  
Alderney Rep. Roberts  
Alderney Rep. Snowdon  
Deputy Ferbrache  
Deputy Brehaut  
Deputy Tooley  
Deputy Gollop  
Deputy Parkinson  
Deputy Le Clerc  
Deputy Leadbeater  
Deputy Mooney  
Deputy Merrett  
Deputy Stephens

**CONTRE**

Deputy Dudley-Owen  
Deputy Soulsby  
Deputy Prow  
Deputy Trott  
Deputy St Pier  
Deputy Meerveld  
Deputy Inder

**NE VOTE PAS**

Deputy Tindall  
Deputy Lester Queripel  
Deputy Paint

**ABSENT**

Deputy Brouard  
Deputy Le Pelley  
Deputy Hansmann  
Rouxel

Deputy Fallaize  
Deputy Lowe  
Deputy Laurie Queripel  
Deputy Smithies  
Deputy Graham  
Deputy Green  
Deputy Dorey  
Deputy Le Tocq

**The Deputy Bailiff:** Members of the States, I am going to do two things before we rise for lunch and then we will resume later and somebody can speak thereafter, because it is nearly 12.30 p.m.

1885 The first is that I will announce formally the result of the motion to suspend Rule 24(2)(b) of the Rules of Procedure to allow this amendment to be debated. There voted in favour 26, against 7, there were 3 abstentions, 3 absentees and that is why the motion was approved and the amendment is being debated.

### Procedural

1890 **The Deputy Bailiff:** I am very conscious from what people were saying yesterday and where we have reached this week that there is the possibility, and I put it no higher than that, that you might wish to sit outside of the normal sitting hours, either later today, tomorrow, or possibly not adjourn and defer the business to the next ordinary meeting of the States of Deliberation by resuming on another day before then.

1895 So what I am going to do before you rise, and there is only one Member who is not currently present in the Chamber – and I am sure he will fit in wherever – will you stand in your place if you are going to be in difficulties sitting late tonight? Now, I know you are all invited to have a drink with the Bailiff tonight, because it is Overseas Aid. So if you want to rise at 5.30 p.m., then clearly we will do that. But is that the general will; that there will not be a late sitting today? Are you going to rise in your place if you are unavailable?

1900 Okay this is just so that people know before they start moving motions to sit late or sit at different times.

Tomorrow, 5.30 p.m. going home time, is that going to pose difficulties for people tomorrow from 5.30 p.m. onwards? If you rise in your place please. This is to give Members, as I say, a view. Thank you very much, you can sit down again. You might stand up again in a moment.

Saturday, 9.30 a.m.; okay. This is again just to inform Members.

1905 Monday, 9.30 a.m.; (*Interjections*) If it is a parliamentary business meeting you can reschedule it. It is as simple as that.

Tuesday? Thank you all very much. This is simply to give you an indicative view of which Members might be unavailable if you are minded to move a motion that we sit outside of those hours. I am not planning to move any motion at the moment that you sit late.

1910 It will be a matter to see where we are to just before half past five today and where we are to tomorrow. (*Interjection*) We might.

Deputy Brouard.

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

1915 Would it be helpful to remind Members what dates we have already got put aside for our overspill meetings? (*Interjection*) I am just saying, because that is the normal way of proceeding –

1920 **The Deputy Bailiff:** If the business is not concluded by 5.30 p.m. tomorrow, or whatever time tomorrow, and there is no motion to adjourn to a different day, then the business of this meeting will conclude with the Schedule for Future States' business, because that is mandatory come what

may before we rise and then all items that have not been concluded will be deferred to the next meeting of the States of Deliberation which I think is in three weeks' time.

Deputy Tooley.

1925 **Deputy Tooley:** Thank you, sir.

I am aware that the Alderney Representatives stood to say that they would be potentially unavailable beyond 5.30 p.m. tomorrow. Can we just clarify that if the States were to continue to sit provision would be made to allow them to continue to be resident in Guernsey for those days? I understand that hotel bookings ... It might be that they have other reasons why they would not be able to be here, but that it would not be made impossible for them to be present by expenses etc.

1930

**The Deputy Bailiff:** Alderney Representative Roberts.

1935 **Alderney Representative Roberts:** Sir, the chances of the weather over Saturday and Sunday are actually disgraceful for getting home at all. So we will be lucky to get home.

**The Deputy Bailiff:** In that case you might be here then but, *(Laughter)* perhaps unwillingly.  
Deputy Trott.

1940

**Deputy Trott:** Sir, based on your very useful analysis of Members availability I give notice that I will move an amendment asking the States to sit on Monday *if* required.  
Thank you, sir.

1945 **Deputy Gollop:** Sir.

**The Deputy Bailiff:** Deputy Gollop.

1950 **Deputy Gollop:** I am sure I will be popular with this point of view, but would it be impossible for Members to come back here after lunch at, say, two o'clock rather than 2.30 p.m. and the Court be available at that time to continue this debate? *(Interjections)*

**The Deputy Bailiff:** Let me think about that one.  
Deputy Tindall.

1955

**Deputy Tindall:** Thank you, sir.

I did rise at 12.29 p.m.; I have a 30-second statement for the DPA and I am failing quite badly at the moment and I would like to make it, **(The Deputy Bailiff:** Alright.) if it is at all possible, please.

1960

**The Deputy Bailiff:** If you wish to say something and it will not take very long, then I will let you.

**Development & Planning Authority –  
Statement by the President**

**The Deputy Bailiff:** So I will call you.

1965 **Deputy Tindall:** That is very kind of you, sir.

1970 DPA has taken legal advice on whether they can vote on the Propositions in the requête and also on any amendments thereto. The legal advice received has confirmed that having regard to the particular Propositions put to the States the DPA Members can vote, (*Interjection*) provided they remain open minded on the planning applications and decide them having regard to the four material planning considerations at the time of a decision.

I have been authorised to say on behalf of my colleagues that I confirm that we, Deputy Oliver, Alderney Representative Snowdon and myself, remain open minded on the planning applications and that we are able to decide them on their planning merits having regard to the four material planning considerations at the time of the decision.

1975 As this Statement applies in respect of all amendments and the requête itself, so we would be grateful if this is noted for the purposes of *Hansard*.

Thank you, sir.

**The Deputy Bailiff:** Thank you very much, Deputy Tindall.

**Procedural –  
Sitting extended to 6.30 p.m.**

1980 **The Deputy Bailiff:** Well, I will test your appetite to come back after a shortened lunch hour, an even shorter one now, as suggested by Deputy Gollop. So I am ... Normally we would adjourn until 2.30 p.m. but I will put to you the motion that we resume at two o'clock rather than 2.30 p.m. Those in favour; those against.

*Some Members voted Pour, others voted Contre.*

**The Deputy Bailiff:** I think I am going to have a recorded vote on that just to be safe.

1985

**The Senior Deputy Greffier:** Mousier Brouard.

**Deputy Brouard:** Pour.

1990 **Deputy Smithies:** Sir, if I may raise a question.

It is germane that if we are intending to sit on later tonight, a shortened lunch hour, it does not make for good government, I do not think, to work longer than is absolutely necessary in terms of the debate we are having. One has to have powers and faculties of concentration, which do fade; and it is not a matter of age, it is a matter of fact. If we are going to sit later tonight that may have an effect on how we vote as to whether we come back at two o'clock.

1995

**Several Members:** Hear, hear.

2000 **Deputy Ferbrache:** (*Inaudible*) to make a motion that we sit. We make a decision now, one way or the other, that we sit until no later than – because I fully accept what Deputy Smithies states – 6.30 p.m. tonight.

**Several Members:** Hear, hear.

2005 **The Deputy Bailiff:** Very well. I will put that motion to you, that we now decide that we will extend our sitting hours to no later than 6.30 p.m. this evening.

Those in favour; those against.

*Members voted Pour.*

**The Deputy Bailiff:** Right. I will now put to you the motion that we adjourn now until two o'clock rather than 2.30 p.m.

2010 Those in favour; those against.

*Members voted Contre.*

**The Deputy Bailiff:** I will declare that lost. Therefore we will adjourn until 2.30 p.m.

*The Assembly adjourned at 12.39 p.m.  
and resumed its sitting at 2.30 p.m.*

### **Determining the Best Model for Secondary Education – Debate continued**

**The Deputy Bailiff:** Deputy Prow then, please.

2015 **Deputy Prow:** Thank you, Mr Deputy Bailiff.

I wish to speak to amendment 6a and I will try and stick and concentrate on that amendment. In doing so, can I first say that I hold Deputy de Lisle and Deputy Le Pelley in very high regard. Although I have never been on the ESC Committee, I have worked with them and I admire the work they have done and the input that they have put in. But I cannot, I am afraid, support this amendment.

2020

In the, in my opinion, sir, excellent opening from Deputy Dudley-Owen, I think it will be very clear as to why I cannot support it. She made it very clear in her opening – and I completely agree with her – sir, the requête is about determining the best model of secondary education. And so I will restrict my contribution to this point, and actually concentrating on the aim of the requête, which is to facilitate an options comparison debate, *not* on the floor of this Assembly, but to be a catalyst for the Education, Sport & Culture Committee to do the work together with the teachers and stakeholders and come back with those worked up comparatives. I will repeat that, sir: to do that work together with the teachers and the other stakeholders and come back with those worked up comparatives.

2025

However, the amendment laid will now unfortunately open up the spectre of an off-the-hoof option debate, where the various models will be championed only to be challenged and rubbished by ESC, who will carry on defending their holy grail. And this, in my view, will not be productive.

2030

Sir, some of the more far reaching amendments, and this one is indeed the most far reaching, reflect the very need why supporting the pause requête is the right route, instead of designing or making more changes to the ESC proposals. We must pause and work with the professionals and the community.

2035

I therefore oppose the amendment, which relates to providing specific options where at this stage stakeholder engagement has not taken place. I am not, like some within this debate, going to face two ways on this.

2040

Sir, I think my views are very neatly summed up in a letter that all Deputies have received. This is a letter dated 25th February this year, and this was a letter sent on behalf of the NASUWT, the NEU and Prospect unions, representing the majority of teachers and support staff in the Island's secondary schools. It sets out their unified view of the merits of the requête and the amendments to be debated this week. I may refer to this letter again, sir, but the bit I want to pick out is very relevant to this amendment.

2045



2050 There are two sections which I will read out, because I would like them to actually appear on *Hansard* and for the benefit of those listening to us on the radio – and I would suggest there are probably *very* many more people listening to us on the radio than our normal audience. So, sir, returning to this letter, it says this, sir – and this is a very recent letter remember:

- For many months we have repeatedly informed ESC of the issues that most urgently require to be discussed with us if their proposals are to have any hope of obtaining workforce support. [These] issues – which principally concern the operation of the school day and enrichment – remain outstanding; indeed, we still have no dates in the diary for their discussion. It should not be necessary – as ESC propose[s] – for them to be directed by the States to open dialogue with us. We are here, ready and willing; it just takes a phone call or an email to make the arrangements.

Next bullet point, sir, says:

- 2055
- We are aware that since the amendments became public –  
– of which one we are discussing now –

some staff – which will include members of our unions – have expressed support for a three school model, primarily because it is mentioned in the amendments put forward [both] by P&R and Deputies De Lisle and Le Pelley –

– now, Deputy McSwiggan.

Had we had the opportunity to do so, we would have cautioned them that all that glitters is not gold, and ... they should dig deeper beyond the superficial allure ... in the absence of any definite costings or detailed analysis of their feasibility, the States is in danger of repeating history by yet again backing a proposal plucked out of the ether without being properly investigated.

2060 Now, sir, that is what the requête is seeking to avoid. It is absolutely clear that a large majority of the public and the teachers do not support the one school on two sites model. We must pause and review and this amendment does not do that. It would set aside the main aim of the requête and I would caution Deputies of not falling into the trap.

2065 Sir, in an earlier speech Deputy Le Clerc spoke about betting on the 3.30 p.m. at Kempton. I would go out and place a bet that although this amendment might get some support at the initial stage in this Assembly, that many who support that will not vote for it and that will then make the main Propositions of the requête fall away, and we do so and we do that, sir, at our peril.

Thank you, sir.

2070 **The Deputy Bailiff:** Deputy Gollop.

**Deputy Gollop:** Thank you, sir.

2075 Yes, unlike Deputy Prow, I sometimes do like to be attracted by superficial allure and more importantly face more than one way sometimes, because I do not think in this complicated debate, and its many antecedents, we have had the perfect solution that satisfies every conceivable perspective, whether it be based on cost or site or infrastructure or whatever.

2080 Now, I must admit, when the amendment came out – I was not sure if it would get to the point of being laid, but it has been because we accepted Deputy de Lisle – I was very much attracted to it. I think, myself, it is the most sensible model for Guernsey of an equal, at least initially, three high quality secondary schools in the classic sites and a sixth form college. That is my view. My follow-up view, my best runner-up, would be what I suspect is a more economical one, but with other difficulties, of an 11-18 school, let's say, at Les Varendes and the two other schools continuing and being enhanced as 11-16. That is where I stand and I am willing to make decisions about that.

2085 The problem we have got though is more complicated than that. Deputy de Lisle is renowned for not spending taxpayers' money. He is always perhaps the champion of the low expenditure view. But he has come out quite clearly and said that this option is probably going to come out at

2090 about £125 million and based on his extensive experience in education and on two of the last  
previous Committees, I think there is foundation for that. And I of course briefly sat on Education,  
Sport & Culture, and I would argue that this amendment is not a complete replication of the  
original Le Pelley-Committee model. It is significantly different in at least one crucial respect, apart  
from the fact that time has shown another model not to be popular with strands of the public.

2095 But it is different in that it gets away – regardless of what Deputy Meerveld thinks or  
envisions – from the, effectively, reconstruction of the College of Further Education and the  
creation of a tertiary college. Now that we know that that was not liked by some of the lecturers  
and other stakeholders, and perhaps that was the straw that broke the camel’s back with the old  
model and enabled the two model idea to gain traction. This basically separates that.

2100 It might not be the most economically efficient model that you would find in the United  
Kingdom or other places, but then you could say the same about our small airport, or our  
relatively small drafting chamber or the fact that we have to have commissions running all sorts of  
things with a population under 65,000. It is a Guernsey idea and I am very drawn to it.

2105 But, and this is the important point, here am I, saying admittedly after over 20 years’ of  
experience, like Deputy Trott, I was a veteran of the States – and Deputy Le Tocq – when it came  
round before in 2001, and of course the full model was never actually built by the States. But the  
point is this, that Deputy Fallaize and the Committee have put a lot of work into their two-school  
model, they have had support from leading educationalists who have come to the Island or are  
based on the Island and it was accepted by the Chamber on two occasions. And I am not going to  
deny that it has a degree of merit, especially in terms of breadth of subjects. There are many  
disadvantages too.

2110 But the model that has been put forward has been found, as Deputy Prow has identified to us,  
to be lacking by the majority of the teaching profession. And there has been, as Deputy Trott has  
said on at least two occasions on the radio recently, a distinct lack of public engagement and  
public criticism. There have also been numerous issues raised in the planning process relating to  
traffic infrastructure, parish cohesion.

2115 In that context, the pause and reflect message, the mainline of the requête, is the soundest  
route to go. Because I can stand here saying what we want is actually a new improved version of  
the original Le Pelley/de Lisle/Dudley-Owen Committee, and then I can say, well, actually, other  
Members who think that there might be a significant saving and a great argument for keeping  
education at Les Varendes but making it an 11-18 school of mixed ability, a great idea. I can say  
2120 yes to that. But we have already seen two models effectively falter, especially the current two  
model on one site, with public engagement and reaction.

2125 And the previous model, I went to all the presentations, I think, even the one in Alderney, even  
the ones that did not take place because there were not enough people of the old Education,  
Sport & Culture Committee, and those presentations were not controversially disliked in the way  
that perhaps we have seen with the green ribbon movement since the autumn. But there was not  
a huge groundswell of enthusiasm and there were noises off from Grammarian teachers, from  
lecturers. We do not want to have any more slip-ups.

2130 We also know, whether we like it or not ... And of course I want the children to have the best  
possible education, and the teachers have assured us, as far as they can, that there will not be  
undue disruption. But we are facing a General Election and so we therefore know that if we go  
blindly ahead with any of the models today or next week, we will potentially be opening up  
another chasm of public disapproval, professional disengagement and confusion.

2135 Therefore, it is better, all things considered, and it is a compromise, to go for the pause and  
review. So, reluctantly, I am going to vote against the de Lisle amendment, even though I suspect  
that it will end up being more or less the right answer down the line.

**The Deputy Bailiff:** Deputy Inder.

2140 **Deputy Inder:** Sir, I am probably not going to support this amendment and I will give a number of reasons why.

I am going to try and pull us back a little bit to the letters that we have received from the schools around 20th January. And for some clarification, there has been some sort of suggestion that certain Members are involved in it, but I can tell you there is nothing further from the truth and I am sure as Deputy Ferbrache – who is not going to speak today but – will bear me out.

2145 I got a telephone call, I would say around the 18th or 19th January from someone I did not know. That person claimed that they were a staff member at St Sampson's High. They told me that they had a letter that they wanted to release. I had not had sight of it, and they wondered if I would release it myself. They then went on to tell me that it was a letter, which you have now all seen, that had something like support from 90% of the staff on the site.

2150 Now, my response – was probably in my usual style – was along the lines of, 'So hold on. I do not know you from Adam, you have got a letter that I am not allowed to see, but you want me to send it out on behalf, because you have told me that there are 90% of St Sampson's staff who have signed something'. And he said, 'Yes, that is what I ...' – I said forget it. I said the only way ... He said, well, if ... I asked him why it has been anonymised and he said, basically, the teachers – and we will go through the rest of the letters later – effectively, whether we like it or not, whether you accept it or not, there seems to be some kind of culture of fear among the staff. They appear, for whatever reason ... And do not forget, I do not think it is particularly peculiar to the current ESC. We had something similar when I was on the Board. Everyone seems to be in some kind of fear of sticking their head above the parapet. Back then we were told it was the ... what was it called? The Civil Service Bloggers? Was that what it was? The so-called Civil Service Bloggers. Now it appears to be elements of the Senior Executive Team.

2155 So there is something not quite right among our staff, where they appear to be uncomfortable speaking out because there appears to be a suggestion that in some way, culturally, it may impact on their promotional abilities, the water cooler effect and their careers.

2165 So I said to this guy, 'Well, I am not putting it out, because I can tell you what is going to happen. I have not seen any signatures at all, I put this out, next thing I know, a day later, we have got 50 teachers from St Sampson's saying, 'Well we have not seen that.' 'Well we have not seen that' and I am going to look like a complete plum. Now I do not need any help doing that. I am completely capable of doing that myself. *(Laughter)* I do not need any help from teachers to do that.

2170 So on the hands-free on the way to the Airport, as I am sure Deputy Ferbrache will bear me out, the only advocate I had on my telephone numbers, Deputy Peter Ferbrache. So the suggestion was to the school, well I will tell you what I will do. If you send those signatures to Deputy Ferbrache he will effectively count them and validate them, I do not need to see the signatures, I would suggest that you put one line on the bottom that says, 'Signatures to this statement have been validated by Deputy Ferbrache in his private capacity as an advocate of Guernsey' and that is it – job done. I will release it for you as long as I am assured that someone else has seen the signatures. That happened through all four of those letters that were produced. And hopefully Deputy Ferbrache can at least nod and agree that that is how he saw that it happened. Thank you, Deputy Ferbrache, for those listening on glorious technicolour on the radio.

2175 Now, going back to those letters themselves, I am just going to read them; excerpts of them. Now this is from St Sampson's. It was the first large letter to go out. They mentioned things like – I am just going to skim through it – health and safety, the risks of pinch points – their words – and space issues on much larger schools. Well, Deputy Fallaize is shaking his head, but that is by the professional staff. And I will remind Deputy Fallaize – because every time someone says something which does not go along the party line, we get headshakes from people – and all other Members of the Assembly, that when the alternative amendment was put to this Assembly, one of the big phrases used by the Committee, or what is now the new Committee, was to keep politicians out of education and –

2190

**Deputy Roffey:** Point of order, sir.

**The Deputy Bailiff:** Point of order, Deputy Roffey.

2195 **Deputy Roffey:** I thought we were debating between the two Propositions in the requête as it stands and the propositions being proposed substituting for by Deputy de Lisle. We seem to be focussing on the two-school model, which does not appear in either of those.

**Deputy Inder:** Well, I am going to get to that point and as explained at the start –

2200

**The Deputy Bailiff:** Just a minute Deputy Inder. (**Deputy Inder:** Sir.) If it is a point of order it requires a ruling from me.

**Deputy Inder:** I beg your pardon. I will let you decide.

2205

**The Deputy Bailiff:** It will help, I think, to move the debate on as to which set of Propositions might be in play, to concentrate on the comparison between the two. If you want to do that by referring to correspondence that has been circulated, you can. But can we get to the correspondence, please.

2210

**Deputy Inder:** Sir, well, I think what I am trying to do ... I said at the start that I will not be supporting this amendment, I am giving the reasons why and I am giving the background. So to be fair, through you, sir, I think it is reasonable, and often the case with these debates, it is very hazard to separate the amendment from the actual Propositions. And if in your view, sir, I have gone too far, will be speaking in general debate, I am quite happy to accept that and will not speak again, because it is fairly clear where I am going to be. So there we go.

2215

So, areas becoming 'impassable' – these are not my words, these are the professionals. These are the men and women who actually work in St Sampson's High on a daily basis. This is not politicians that go down there once a month to have a look around the joint when no-one is there and everyone is in class. These are the people that are actually working on the ground. This is putting the educationalists at the heart of it.

2220

They have also claimed in the original letter there would be a rise in physical and mental ... Well, I have probably missed that; I have said a rise in physical and mental wellbeing. I do not think that is what they meant, it is probably what I wrote down incorrectly. Anyway, there would be a rise in the effect on, probably, physical and mental wellbeing. So this is from the professional staff. The educationalists, not the politicians.

2225

They go on to say this year's cohort gave indications of future issues in a bigger establishment. Now, I do not know exactly what that means but for some reason the 40 extra children that entered St Sampson's High gave some indication of future issues. I have to take that as read.

2230

It also went on to say the size of the school will need three lunchtime sittings, as opposed to the two, I believe, offered by Education. They talk about the loss of the outside sporting facilities and references general behavioural differences. It then goes on to talk about the performance of the sixth form, or the split sixth form, I suppose, and particularly believes that research shows that community schools of around 1,000 are generally better.

2235

They talk about their concerns over the lack of consultation and, their words not mine, there is: 'a culture of distrust' – a culture of distrust. That is a fairly fundamental accusation to levy. And, sir, I will say that over the past few months we have heard a lot from ... We have had a lot of emails, where people will start, 'I am a father,' 'I am a mother,' and they are all in Year 6 or 7. Well, I am a father as well. I have got kids in Year 8 and Year 10. I think the primary schools are actually in quite a good place. What we are seeing now at St Sampson's High ... I have got a child who is 15 years old, she will be heading towards her GCSEs this year and this is absolutely affecting the feelings of the staff and the students.

2240

2245 I am less worried about those coming from the primary school into Year One. I am particularly worried about the cohort of children that are currently embedded in our schools. The effect this is having on the children, I am not going to overplay it and say it is immense, but it is certainly there, it is live. There is a general febrility, a general concern about how the teachers are feeling in their working environment and no-one can say that that cannot be impacting on the children.

2250 And they have also ... That was the so-called 88, and they have asked for a pause and review and they have actually said that any negatives, in their view, far outweigh the benefits of 11-18 school. And that is fairly damning stuff.

Beaucamps was the second letter we received and it said that, '70% agreed' – and is their words:

2255 they were willing to support the concerns raised in the [St Sampson's] letter.

They went on to say:

This shows the majority of the teaching and support staff of Les Beaucamps High School remains particularly concerned about the management of the proposed development of both sites, infrastructure around the schools and the overall impact it could have on the educational outcomes and mental wellbeing of the students.

So here we go again, we are talking about mental wellbeing, impact on the students, impact on the workforce.

2260 I think what has happened, sir, is that, to use a football analogy, if the Committee are, I suppose, the chairman, effectively, of the football team, they appear to have lost the stadium and it looks like the senior executive team have lost the dressing room. That is the harsh reality. There is too much evidence that there has been a problem over the last ...

Deputy Fallaize? He looks like he wants to ... I will give way to him.

2265 **Deputy Fallaize:** I am grateful to Deputy Inder.

I am not saying this to detract from anything that he is saying, because the Committee recognises that there are concerns which need to be addressed. But in relation to the point he is making about Beaucamps, he said '70% of the staff at Beaucamps'. I think he will find it is 70% of the staff who participated in ... whether it was a letter or a survey. I think the actual figures of overall staff who expressed those views was around or slightly under 50%.

**Deputy Inder:** Well, quite possibly. I am only reading from the letter. But what it does say, and I will read the paragraph:

2275 All staff members were invited to take part and 47 staff completed the anonymous survey.

I assume through that, through you, sir, that Deputy Fallaize is saying there must be closer to 100 staff at Beaucamps. But then, 70% of the 47 staff, I assume, agreed they are willing to support the concerns raised in the letter. But anyway, there you go. But that –

2280 **Deputy Fallaize:** Sir, point of correction.

**The Deputy Bailiff:** Point of correction, Deputy Fallaize.

2285 **Deputy Fallaize:** Sir, Deputy Inder's maths are not right, are they? I did not say it was 47 times two making up 100%. I said that it was 50%, or just under, of the total staff body. So the number of staff is not as high as Deputy Inder is suggesting.

I am not disputing that it is 70% of those who participated, but it was 50%, or just under 50%, of those who work there.

2290 **Deputy Inder:** Well, okay. We really are dancing on a pinhead here, because the critical problem that we have is there are general concerns with the management of the transformation process as laid out by these letters.

And we had one from La Mare de Carteret. They wanted:

to confirm [their] support for the staff at St Sampson's High ... following their recent letter and stance on the Education, Sport and [Culture] plans for the one school, on two sites, model.

[They] would further like to call for a pause and review of the transformation plans for all nonselective options to be considered objectively ...

2295 So that is the educationalists again calling for a pause and review. So that is three letters so far calling for a pause and review. Now, I do not know if it is 90% or 85%, but it ain't 10%. It is fairly damn substantial.

2300 I will move on. Le Murier, Le Murier never gets a mention, and actually, one of the best letters we had was from Le Murier. It was the most well written letter that we had and it went into clear detail of the concerns that they have had over the last two years. I am going to spend some time reading portions of this. They wanted to make their ... And it was the last letter that we received I believe:

Le Murier, and [their] staff would like to make [their] concerns known.

Discussions have been ongoing with ESC, however as yet, no clear answers have been given to alleviate staff concerns.

2305 What does that say? Now, I do not know. I suspect it is not the Committee, but I suspect it is more likely at transformation level. So this is two years in. Their concerns are not being addressed and we are in the process of within five or six months potentially putting diggers in the ground on our two sites. I do not understand why people are not seeing what I am seeing when these schools are asking for a pause and review. They say:

Given that improving educational outcomes is the primary objective for the proposed changes to the education system in Guernsey, the staff at Le Murier, like the majority of those in the other high schools, do not believe the ESC has done enough to satisfy concerns ...

2310 They have not done enough to satisfy concerns. They have not taken the staff with them. Now it is alright for us – and they have not ... this is my bit – to talk about leadership and it has been voted twice. Now, leading people with no-one behind you is not leading, that is just going for a walk. *(Laughter)* Now they go on to say:

2315 ... the plans to implement the decision to create one 11-18 school on two sites. A staff ballot ...

– so this is Le Murier, and le Murier along with – and I would like to have heard from Les Voies, actually – they handle some of the most, I am going to use the word small-d difficult, more challenging students that we have across our estates:

A staff ballot was held out of the 67 staff at the school and 48 responded. Of these, 97.9% of respondents voted in favour of supporting the Requete because as a staff we feel more time is needed to look into some of the concerns which have not been addressed for our students ...

2320 So that is two years in, putting spades in the ground, all of these transformation issues have not been addressed.

Some of the main areas of concern are outlined by Le Murier:

Indoor Sports Facilities access – Will Le Murier students have the same number of hours use of the Sports facilities as at present?

2325 Someone is saying yes. Well, I am not entirely sure why Deputy de Sausmarez is saying yes. I did not think she was on ESC, but I will give way to her. Just nodding and saying yes does not also mean much, does it?

Now:

Pool access – Will Le Murier students have the same number of hours use of the pool as they currently enjoy when there [have been] additional students at Victor Hugo College?

Which one is that? Is that St Sampson's? Yes, fine, okay.

Current proposals regarding how the new model will affect these routines are unclear.

Importantly though:

Students with anxiety, ASD, and hypersensitive disorders require quiet, low stimulation environments – can this be guaranteed when the numbers of students in each year group at [St Sampson's High] is due to rise to over 300 ...

2330 Again, they do not have that clarification and we are months away from putting diggers on the sites.

Deputy Fallaize – I will give way to Deputy Fallaize.

**Deputy Fallaize:** Point of correction, sir. The number –

2335

**The Deputy Bailiff:** Point of correction, Deputy Fallaize.

**Deputy Fallaize:** Sorry, sir,

2340 The number of students at St Sampson's or Victor Hugo College is not going to be 300 per year or anywhere near that.

**Deputy Inder:** I do not think the letter said that – (*Interjection*) No, I did not say per year. I am sorry, Deputy Fallaize, I did not say per year. I read from the letter and I will read it again for you:

... can this be guaranteed when the numbers of students in each year group at [St Sampson's High] is due to rise to over 300 students?

I am assuming that is in total not each year. (*Interjections*) Anyway.

2345

**The Deputy Bailiff:** Just a minute.

This is a debate, Deputy Inder. This is not a conversation between you and Deputy Fallaize. You are addressing me and therefore the entire Assembly as a result of that. (**Deputy Inder:** I accept that.) We are debating at the moment whether to substitute the original Propositions for a new set of Propositions. Can you try and get to the point soon, please?

2350

**Deputy Inder:** I will get to the point, sir.

I accept through you, sir, Deputy Fallaize's interjection, but I have only read what has been read in this letter and that is what they have said and I am clearly not ... But again, we are dancing on pinheads. I wish people from Education had got up and talked about the main problem that we have got: it is the transformation. It is not whether we have got 5% less or 200 more, they are dancing on pinheads. The problem is that it is the staff and staff of all of our schools ... they want a pause and revenue. They do not want us to design, on the floor of the Assembly, a new model.

2355

I accept, actually, through you, sir, that Deputy de Lisle's model probably is not far off what people are ultimately going to accept – a sort of three-school model. But I do not think we are in a position ... We will be making the same mistakes that the old Education Committee probably made and the new Committee certainly made by designing it on the floor of the Assembly.

2360

So I will go on to say a couple more things about Le Murier, because I do think they need a bit of a voice sometimes:

... if lesson times are changed, extended or the day lengthened, any co-located educational or social opportunities could be hampered. The current ethos of Baubigny schools is that of "Learning Together". This has had a positive impact on confidence and self-esteem of students in both schools. Has this been taken into account when planning the changes for Victor Hugo College?

2365 Now, I am quite sure Members of Education will be nodding their heads, but if they have not, this has not been communicated.

I will not go through any more of the Le Murier work, because I will be here for a while. The last thing I will read though, sir, is ... Over this period we have had another email dated 25th February and this was a joint statement from NASUWT, NEU and Prospect. That is basically all of the three large schools. They have levied this at the Committee:

ESC [has] not made sufficient strides to address their concerns about the implementation of the 'one school ...

They have not taken the staff with them:

... for them to have confidence in the plans that are being progressed so the educational outcomes [will] be improved ...

And this was all about educational outcomes. The Committee has not taken them with them. Actually, what we are being asked to do today is, if we do not pause and review, we are effectively allowing a process to continue that will effectively build two sections of two schools which right now it does not look like anyone wants or anyone wants to work in because the transformation issues have not been addressed.

2375 This is the combined letter, again, NASUWT, NEU and Prospect, that they wish:

for there to be a period of pause and review to enable alternatives to be considered ...

They go on to say:

In the event of a three-school solution being preferred, the unions would wish to see the issue of parity addressed. In particular, that any timetabling, staffing and resourcing advantages derived from the sixth form provision should be conferred upon just one 11-16 [school location].

2380 And the reason I will not be supporting the de Lisle and Le Pelley amendment, is for all those reasons that I state here. It is about pause and review. The current Committee has not taken the staff, not the students, nor the public with them. It simply has not done that and any denial of that is an absolute delusion on anyone's part. They just have not done it.

2385 Today, as mentioned by Deputy Dudley-Owen, we have seen a letter coming out from, I believe it was NASUWT – sorry, a statement coming from NASUWT – they are now talking about industrial action. This is industrial action. Can you believe what we are hearing here? We have had nurses on the streets, we have had 2,500 people on a Sunday, and it takes a lot to get a Guernseyman out on a Sunday, especially when the rugby is on, 2,500 people marching on the streets. We have had petitions of 6,000; this Island is not in a good place.

2390 Before I sit down, sir, and I will be rejecting this and I probably will not be talking in general debate, I do have a sort of fear for democracy here, and I do. Not for the same reasons possibly Deputy Gollop alluded to, but I will mention this, and we do have a role as the President of the States' Assembly & Constitution Committee. What we have got now is a situation of possibly the worst storm imaginable. We have got a brand new election system coming on 17th June, we have got an absolute crisis in confidence in our education system, and if this goes through today unamended as the two – or over the next few days – 11-18 schools, I do not actually know what is going to happen. But I will predict one thing, the easiest thing in the world to turn our brand new election into a single election issue will be to allow two 11-18 schools to go forward. Absolutely



2400 anyone will be able to say that, 'I reject the 11-18 schools', and they will practically walk in the door.

Now, personally, those who have voted over the last three or four years... We talk about this as a consensus Government. I do not actually think it is. You are ultimately responsible for your own vote. I sleep particularly well. But there will be people in here that are likely to be affected by their votes over the past three or four years.

2405 I always thought there would have been a mild reckoning over the loss of the Grammar School – I did believe that. What I did not expect is to see this three or four months before the Election. The more the claps, the distance between the thunder and the lightning it goes away, normally the storm goes away. I thought the Grammar School effect ... But what this has done, 2410 this has brought the anger at the loss of the Grammar, the annoyance at the 11-18 schools, and the inability of the current ESC to have sold this to the public, the teachers and the students, into sharp focus. I have a *genuine* concern that if we carry on down this path we are heading to a very awkward election. And it is not necessarily what we lose – it is what we let in through the door.

2415 I will leave it at that, sir. You have to excuse me, sir. If you think that is general debate, that suits me fine; I know exactly where I am. I will not be supporting this and I will be looking more towards the St Pier/Trott and maybe the main requête.

**The Deputy Bailiff:** Deputy Meerveld.

2420 **Deputy Meerveld:** Thank you, sir.

As I stated earlier, when we were talking about suspending the Rules to allow this amendment to be heard, I will not be supporting it, because I do not believe it covers the area of good governance that the pause and review is designed to address. But I will not repeat my arguments from earlier.

2425 Before I talk to the actual Propositions and the model proposed in this amendment, and I would like to thank Peter Ferbrache for –

**The Deputy Bailiff:** 'Deputy' Ferbrache, please, Deputy ... (**Deputy Meerveld:** Sorry?) 'Deputy' Ferbrache, please.

2430

**Deputy Meerveld:** Yes, sir, I would like to thank Deputy Peter Ferbrache – sorry, Deputy Ferbrache – for so astutely pointing out the potential mealy-mouthed political games that might be played here and I would certainly hope that no Deputies in this Assembly would vote through and support this amendment just to then substitute the other Propositions in the requête regarding a pause and review and then to then vote in general debate against the ones that they have actually supported to put in there, because that would be the kind of political game that brings politicians in this States into disrepute and I think the public would see right through it.

2435 Anyway, going on to the specific model being proposed. Now, whilst I say I will not support this amendment, to put it on the table now, because I do not believe this Assembly should be 2440 making decisions on the back of an envelope in this Assembly without consulting with the teachers, the support staff, the Douzaines, the parents, the pupils, who have all expressed reservations, prior to making a decision.

2445 There are good reasons to support it. In fact, I can think of a lot. I can think of 47 million reasons, each worth £1 of taxpayer's money. If we go back – and I will explain that – to 10th November 2017 policy letter, where this policy was proposed, and let me read two Propositions. Proposition 10:

... the following project will be included within the Education Estate Development Phase 1 within the current capital prioritisation cycle (2017-2020) (Estimated total cost of £74m):

- (a) A new 8 form entry secondary school and, if approved under Proposition 6ii) enhanced community sports facilities, on La Mare de Carteret site;
- (b) Refurbishment and remodelling of Les Varendes site for post-16 provision.

Proposition 11

That the following projects be included within the Education Estate Development Phase 2 (pipeline) and bids made during the next capital prioritisation cycle (2021 onwards) (Estimated total cost of £36m-£40m):

- (a) The redevelopment of La Mare de Carteret Primary School;
- (b) The redevelopment of Les Ozouets site for a Further and Higher Education Institute, including new workshop facilities;
- (c) If required in the future, an extension to Les Beaucamps High School to 6 forms of entry.

2450 So that is, we develop the secondary estate to accommodate all students, redevelopment of La Mare de Carteret Primary, the development of a higher education institute, now referred to as the Guernsey Institute, and a sixth form provision on the Les Varendes site. And that comes to a total of £110 million to £140 million.

In September 2018, this Assembly approved the two-school model, to deliver exactly the same facilities – £157.2 million. Therefore, £43 million to £47 million more than was originally proposed for a three-school model.

2455

**Deputy Fallaize:** Point of correction, sir.

**The Deputy Bailiff:** Point of correction, Deputy Fallaize.

2460

**Deputy Fallaize:** Deputy Meerveld said that it was to deliver exactly the same facilities. It was not to deliver the same facilities. There was no capital cost in the previous Committee's proposals for the integration of what is now the Guernsey Institute, the Institute of Health and Social Care Services and the GTA University Centre; there was no provision the digital infrastructure and services; there was no provision for a three form entry primary school at La Mare de Carteret, which he has included in his costs; and there was no provision for the costs associated with transformation which are not building construction costs.

2465

So he may be reading out the correct costs, but when he says that they were to buy the same things I am afraid he is misleading the Assembly, sir.

2470

**The Deputy Bailiff:** Deputy Meerveld to continue.

**Deputy Meerveld:** Thank you.

2475

For one thing,, Deputy Fallaize is absolutely wrong. It did include the rebuild of La Mare de Carteret Primary and the £36 million to £40 million was an overall cost estimate for the development of the further and higher learning education institute.

Okay, if there were some extra costs that have been costed in the £157 million, I would love to know how you get to £47 million of extra costs for integration of various institutions.

2480

Basically, if you take that £110 million to £114 million in the original costs, I think Deputy de Lisle is probably not far wrong in the fact that the plan that is now being put down would be in the £120 million to £125 million range.

2485

Deputy Fallaize in his speech earlier said, 'Ah, but the revenue costs will be higher'. So we are looking at possible a cap-ex of £47 million cheaper, but if we add in a few extras that Deputy Fallaize has mentioned it might be not quite a £47 million capital saving; but certainly considerably less. And the revenue costs, based on the figures supplied by ESC, are an extra estimated £884,000 a year for the three-school model versus the two-school model, which is a very small percentage of the £80-plus million budget of that Committee.

2490

Deputy Fallaize also in his speech made reference to, and I quote he hopes the eleventh hour amendment: 'I hope the States will not tolerate the level of irresponsibility of this eleventh hour requête.' Hmm; interesting. But he seems to have a very short memory, because he and three others not bring an eleventh hour amendment to a pre-approved three-school model to adopt a two-school model? Let me see. In March 2016, the previous States decided to pursue a non-selective three-school model. In November 2016, this new States endorsed pursuing a three-

2495 school non-selective model and instructed the Education Committee in the very divisive selection debate to go ahead and work that up. At neither of those debates, in which Deputy Fallaize was present, did he ever present a two school model. No.

2500 In August, I think it was of 2017, there was a meeting of Deputies by invitation only on an offsite location, to which the Members of the ESC at the time were not invited, to discuss a two-school concept. That subsequently attracted funding from P&R and was worked up to become a comprehensive plan to be presented to this States to replace or to challenge the three-school model which was the extant model of the States. And actually, in November we had a debate about whether or not it should be on the December agenda. I remember it being stated back then that, 'Oh no, we need to work until January so we can finalise all the details of our proposal'.

2505 When January came we did not have all the details of a proposal. We had lots of attacks on the three-school model in an attempt to discredit it, despite the ... only based on a post-16 provision, which as I stated earlier was actually, we had already admitted, a work in progress and was going to be the subject of a subsequent policy letter. And this Assembly approved, on the back of an envelope, a two-school model that then the new Committee proceeded with implementing with.

2510 So if you talk about levels of irresponsibility, how irresponsible is it for that Committee to have proceeded with implementing a plan before working out how they are going to deliver it and in doing so fail completely and abjectly to be able to bring the teaching professionals, support staff, Douzaines, parents and students with them to the extent that we have the objections we do now.

2515 Deputy Fallaize also mentioned about delays of costs and issues with transition. Well, that is interesting, because I know the La Mare de Carteret plans, which at the time of that debate were fully approved and ready to go to tender to begin construction, approved plans by the DPA, finished. I know the architectural costs on that alone was £2.6 million that was discarded by the States and God knows how many other millions over the years that three-school model was bounced around and worked up.

2520 Then we talk about transition. The previous Committee in 2017 had informed parents which schools their children would be going to under the three-school model. And yet ... and of course we had a full staff transition model and everything else laid out. But then, at that time, Deputy Fallaize thought nothing of throwing that out and going back and creating the uncertainty that has been created by this two-school model to date.

2525 Having said all this, I think there is merit in this three-school model. I cannot support it and will not support this amendment, because this needs to be taken back alongside other model to the teachers, support staff, Douzaines and the other list of stakeholders, and it has to be worked up with them engaging in that process, so what is finally delivered by this Assembly is supported by the majority of the stakeholders in our community. That is why, although I do favour this kind of model, I do not want to see it endorsed today. I want to see it taken forward and I certainly hope that this is not used as a stalking horse to try and throw out the eminently reasonable pause and review proposal.

2530 Thank you, sir.

**The Deputy Bailiff:** Deputy Smithies.

2535 **Deputy Smithies:** Thank you, sir.

Just picking up on what Deputy Meerveld, just said I fear it will be. Some Deputies seem to prefer this amendment to the unamended requête and will support it as a wrecking amendment. Tactically appealing, but somewhat cynical.

2540 I did question Deputy de Lisle in his opening speech about the use of Les Varendes as a joint sixth form centre and a Guernsey Institute, and he did respond by referencing a spill-over situation. But the fact is the amendment will allow Les Varendes to be used by the Guernsey Institute.

Now, bearing in mind that academic A levels might not be compatible with vocational studies on a restricted site, and Deputy Roffey referred to this, specific objections are to the size of the

2545 campus and the shared facilities. Also, safeguarding issues may arise from having 17/18-year-olds studying A levels in close proximity with older students on vocational studies. Also, there are staff issues. Are the facilities at Les Varendes going to be sufficient to allow the campus to be used for the joint purpose?

I am not happy with this amendment – that may be obvious – nor the way it is being used, and I will vote against it, and I urge those Deputies who have still got open minds also to vote against it. Because it is quite possible that this amendment will pass and thus shut down further debate, I would like to say why that is a bad idea by indicating some of the concerns about continuing an unreviewed journey along the one school two site path.

2555 I would like to see a more serious attempt at considering the future use of Les Varendes for 11-16 or 11-18 education, either as part of the one school two site model or a three-school model.

2560 The zeal with which the destruction of any vestige of secondary education at Les Varendes has been pursued, almost with a vigour which is similar to the attempts of Henry VIII to destroy the monasteries. (*Laughter*) ESC have selectively quoted from the Peter Marsh Consulting report, and they have done this on two occasions at least probably more. In the key findings and recommendations of that report, which is the bit they quote:

Selection of sites

Both of the proposed selected sites for the operation of the new school at St Sampson's and Les Beaucamps have, in our view, sufficient space within their grounds to meet the future new build space requirements of the new school system.

So far so good.

**Deputy McSwiggan:** Point of correction, sir.

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**The Deputy Bailiff:** Point of correction, Deputy McSwiggan.

2570 **Deputy McSwiggan:** Deputy Smithies says that the Committee *for* Education, Sport & Culture have selectively quoted from the Peter Marsh report, as if they have taken information from that report and used it to support their argument, whereas they have in fact given us access to the full report.

So there is no selectivity going on here.

**The Deputy Bailiff:** Deputy Smithies to continue.

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**Deputy Smithies:** I thank Deputy McSwiggan for her intervention. The fact is, they have chosen to quote in their policy letter in September a selective paragraph, which I am now quoting. Yes indeed the entire report is available if one ... and in fact I see Deputy Fallaize has it in his hand. It is available on the website and has indeed been published in that respect.

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However, what it goes on to say these sites:

are also far more suitable for adaptation and development to meet the future brief of the States of Guernsey than either the Grammar School or Sixth Form Centre or the La Mare School sites.

Well, so far so good. But what it does not quote is on the previous page '1.4 Final Brief – Two Sites, One School', and this is preceding their conclusion:

We understand that in order to deliver the future 11-18 ... vision the starting presumption is that the two recently built new schools will need to be adapted and extended to cater for the increase in pupil numbers from the ages of 11-16 and also for the new Sixth Form provision for ages 16-18 with 450 pupils split equally across both sites. The two schools are:

- St Sampson's High School ... and,
- Les Beaucamps ...

2585 This is their understanding when they started their brief. Their conclusion might come to the fact that the two schools are the solution, but that is what they were told when they went in to do the work. So it is not a case of them reaching that conclusion that is where they were pointed, nudged.

I will give way.

**Deputy Dorey:** Thank you.

2590 As you would know from the previous report, I was the one Member of Education actually who was persuaded Les Varendes site was the best site. I extensively questioned Marsh about it and he was absolutely certain that the two best sites were St Sampson's and Les Beaucamps. So he was speaking to a Committee which had divided views and we spent a lot of time and I questioned him extensively about it.

2595 So I think you are misrepresenting what he said, because he was very clear that the two sites that we should take forward were the Beaucamps and St Sampson's site. I accepted the majority view of the Committee and have supported that since, and that was part of the influence on me.

So I think you are misrepresenting the situation. Thank you.

2600 **The Deputy Bailiff:** Deputy Dorey, I do not think I am misrepresenting anything. I think you mean Deputy Smithies is misrepresenting. *(Laughter)*

2605 **Deputy Smithies:** Yes, I thank Deputy Dorey for his intervention. However, the fact is that, whatever he said to the Committee, what is in the public domain is what he has written in his report and that is at variance with what Deputy Dorey has just told me. Not that I doubt for a moment that is what was said, but that is what is in public.

2610 Moving on, the sites at Les Beaucamps and Les Varendes are both well served with road infrastructure, being approached and surrounded by two-lane roads and with good drop-off facilities. Baubigny by contrast is surrounded by narrow one-way single-lane roads. The exit from the site funnels traffic towards Les Capelles School and the approach is shared with traffic heading to Les Nicolles Prison. The general traffic movement in the north of the Island is already congested and to increase the number of vehicles attempting to make progress between 8.00 a.m. and 9.00 a.m. seems misguided.

2615 The traffic impact assessment – and this is part of the reason that I would like the pause and review – has revealed that a full appraisal shows that these considerations were not taken into account in site selection and should now be taken much more seriously.

2620 Other objections, or another objection, to Les Varendes centres around the suggestion that any refurbishment will require the partial or full evacuation of the buildings. However, this is easily countered by the deploying of temporary classrooms. There is ample space on site, not least in the central courtyard area, for enough temporary classrooms whilst a phased refurbishment or expansion is carried out.

I do urge those Deputies who have not already made up their minds and are prepared to support the unamended requête to vote this amendment down.

2625 **The Deputy Bailiff:** Deputy Leadbeater.

**Deputy Leadbeater:** Thank you, sir.

2630 I am going to echo the words of everyone that has spoken this afternoon, Deputy Prow, Deputy Smithies now, Deputy Gollop, Deputy Meerveld etc. I do not need to go over all the points.

What I will say is we have this large percent of educational professionals asking us to pause and review, we have got unions asking us to do the same, we have got members of the public, we have students asking us to pause and review. This amendment, although well intentioned, does nothing to pause and review and as it was pointed out by Deputy Ferbrache this morning, the

2635 people behind this amendment, the people that are going to be supporting this amendment are speaking in favour of it, do not want what the amendment says. They just want to use it to substitute the Propositions at the end and just vote it out. Everyone can see that. You would have to be foolish not to be able to spot that.

2640 The thing is, are we listening as an Assembly? Are we listening to all these people or not? I mean, denial is not a river in Egypt. We have to start listening to these people, because otherwise we are just going to go completely backwards. What happens at the end of the day? This requête is an answer for all the questions that have been posed to us as politicians during the course of this process. Now, I do not believe ... I am in favour of a three-school model. The common sense three-school model does not include what this amendment says. But either way, I would be happy to see this model; far happier to see this model over the current proposals. But forget about it, because it is not going to happen. Even if it gets voted through now, it is not going to happen. We are still going to be looking at the two-school model.

2645 So the only way to deliver, to let the people know that we are listening, is to pause and review. Everybody should have that on their mind. (*Interjection*)

2650 Thank you, sir.

**The Deputy Bailiff:** Deputy Langlois.

**Deputy Langlois:** Thank you, sir.

2655 Ever since Deputy de Lisle introduced his amendment, the word which has at the fore of my brain has been 'rematch'. I think the word has been lurking there ever since last week, when Tyson Fury had an extraordinary victory and everybody started talking about the possibility of rematch with Anthony Joshua. So I think it has been there in my head. As Deputy de Lisle was speaking it came to the fore, because I think this is what we are talking about here.

2660 There really are only two heavyweight contenders as models. There is the current champion, one could say, which is the Education, Sport & Culture's one school two colleges model, which is in place at the moment, and there is the model that the previous Committee presented to the States which Deputy de Lisle, as he said in his opening speech, is bringing back to the States, but he thinks in slightly better condition than it was two years ago. Now that is the match up, if I can continue the analogy –

**Deputy Leadbeater:** Point of correction.

**The Deputy Bailiff:** Point of correction, Deputy Leadbeater.

2670 **Deputy Leadbeater:** I do not think ... The requête is not asking to compare these two models. It is asking to compare the two site one school model against other three-school models, not just particularly this model.

2675 **The Deputy Bailiff:** I do not think that is a point of correction, (**Deputy Langlois:** No; no.) because I do not think you are suggesting that Deputy Langlois has either said something inaccurate or misleading.

But anyway; Deputy Langlois to continue.

2680 **Deputy Langlois:** And obviously, as has been pointed out, if Deputy de Lisle's amendment is successful, we will be debating in general debate his proposal versus the current model which is actually in progress at the moment. That is the big match that I was referring to.

2685 Now, it is obviously in the interest of the requérants and their supporters to imagine that there are other contenders. But really, there are not. We have spent enough years on this to know that there are only really three other possible contenders and two of them, only really one of them, has got legs, the one which has been mentioned before today, which is the two 11-16 schools and

one 11-18 school. But that model is possibly unique in having been disparaged by both the former Education, Sport & Culture Committee and the current one. Both Committees have made very disparaging remarks about that model. It is one which will feature in P&R's amendment, which has been lodged, should that be laid. But nobody so far who has looked into this has supported that particular model.

So we are left with, as I said, the two main contenders, which is the current model and the one Deputy de Lisle is proposing. Again, pause and review implies that somehow there are possibly exciting young pretenders out there who might give either of these two models a run for their money. But nobody has actually presented them yet. We have not seen anything. As I said, we only have a very limited number of models. I will not run through all five of them, but two of them are before us.

Really, I think what is going on– I will give one last tweak of this analogy – at the moment is just joshing at the weigh-in. And I think the sooner we can vote through this amendment, then we can have a proper general debate about the merits of this model against the one that Education, Sport & Culture are in the middle of implementing on our behalf. I think that could be a real debate rather than talking of pause and review with no real end model in site, which I do not think is going to get us anywhere at all.

Thank you.

**The Deputy Bailiff:** Deputy Dorey.

**Deputy Dorey:** Thank you, Mr Deputy Bailiff.

I will speak against this amendment and I will explain, I believe it is a very poor amendment and there are loads of errors in it.

To start off with, it talks about £114 million from the Billet II of 2018. If you go to Appendix 6, which you probably do not have in front of you, from that Billet, there is what is called 'Comparison of Education Sites Development – Option Costs' and it has got Option 1 and Option 2. Under Option 2, it has:

3 Schools: 2 x 11-16, 1 x 11-19 (including 6th Form) at Les Varendes, CoFE at Les Ozouets & [La Mare de Carteret] Primary

And that is where £114 million is. So the number that he has picked out is not for the model that he is talking about. So that is the first key error that he has made. In fact, what he was talking about is Option 1, which is three 11-16:

Les Varendes Sixth Form College, LOC Further & Higher Education Institute - Workshops, Catering, Hair & Beauty

Which comes out at £110 million. So, first thing, he has picked the wrong amount, because he has actually picked the amount for a different model that the words in his amendment refer to. So for that reason, I think there is an error.

But Deputy Meerveld talked about the numbers. Well, if there has been an email sent to all States' Members which has Rule 4(3) financial impact assessment, and it is on the de Lisle/Le Pelley amendment. Obviously he has not read it, but interestingly it is based on the side-by-side comparison of costs and curriculum across school models which he requested before the debate in September and it clearly shows that when you bring these costs up to date that the cost of the model – which was Option 1, not Option 2, which the de Lisle amendment refers to – works out at £128.1 million and the one school in two colleges, when you take the same basis of which it is calculated on, works out at £123.9 million. So in fact, the one school is less when you just compare like for like than the amendment which we are discussing.

The financial impact assessment goes on to explain about transport and access improvement, land purchase, CAS base at each site, proceeds from disposal are all not included in those

numbers. There are also other matters which were in the original proposal, which include a three form entry at La Mare which are not included.

2735 So the actual numbers, he was incorrect. This is actually more expensive than the two-school model.

**Deputy Meerveld:** Point of correction, sir.

2740 **The Deputy Bailiff:** Point of correction, Deputy Meerveld.

**Deputy Meerveld:** The numbers I was quoting were directly from the policy letter published on 10th November 2017. The numbers that Deputy Dorey is referring to are numbers where they have looked at other elements, not the complete total, including the secondary provision and the primary provision, and also includes some £18-million-worth of inflation in less than two years on £100 million investment. So that has never ever been quantified or justified.

2745 Thank you, sir.

**The Deputy Bailiff:** Deputy Dorey to continue, please.

2750 **Deputy Dorey:** He is incorrect. These have been done by professionals looking at the situation and comparing like for like. They are not trying to give incorrect information. You are questioning the professionals which have done this under the Rule 4(3), the financial impact assessment. They are doing like-for-like comparisons.

2755 Another error in this. The text in this amendment does not talk about La Mare Primary, but the numbers that were in that Option 1, which I referred to, include La Mare Primary. So when we have done the comparison between the two, we have assumed La Mare Primary is included, but only at the two form entry size which was what was included in the January 2018 Billet. So that is another factor which is not included in the text which should be.

2760 Then Deputy Smithies spoke about what Deputy de Lisle has said, that Les Varendes site would be used as an overspill. Again, this is totally misleading, because in the proposal which was in Option 1, which this £110 million comes from, was only to rebuild part of the Guernsey Institute. There was £23.7 million for the rebuilding of the Guernsey Institute, while in our proposal there is £47½ million. It means we are rebuilding the whole of the Guernsey Institute on one site. This only has effectively half the cost because it is not using the Les Varendes site as an overspill. It is using it as part of the delivery, which was the original proposal in January 2018. So again, that is misleading because you cannot build a Guernsey Institute for £23.7 million, which is the cost which has been brought up to date for the proposals as they were in January 2018. So again, that is not accurate.

2770 In 2(a) of the amendment, it talks about 'a Sixth Form Centre at Les Varendes'. Well, it is not possible to have a sixth form centre, and the maximum number of pupils that we are predicting going forward would be 520 pupils in the sixth form, it is not possible to have a sixth form with that number of pupils. If Members recall, before the January 2018 debate had the head of the Sixth Form Colleges Association come over and speak to States' Members. Basically, for a sixth form to function it need 800-900 students. So this proposal is not able to be delivered. That is about the smallest size of which a sixth form college can exist on.

2775 Now, if, as Deputy Fallaize said in his speech, that the only way of doing it is to form a tertiary college, that is again interesting, because in the January 2018 Billet the Committee then spoke about tertiary college and it goes on to say – which is the only way you could do it – that:

The culture and ethos of a tertiary environment is less formal than that of a Sixth Form College. The Committee believes that parents/carers prefer the more structured 'school-type' supervised environment that provides a stepping stone transitional phase between school and work or Higher Education.

It goes on to say the:



option does not meet the principle of improving education[a] outcomes as General Further Education and tertiary colleges have the lowest outcomes of all proposed models ... In addition, the Committee feels there would be a strong benefit in delivering the focused management structure described above which would not be met [by] a ... tertiary college model.

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So the proposal in this amendment will either produce a sixth form college which is unworkable or it has to be combined with the College of FE and you produce a tertiary college, which the Committee that he was a Member of said would have poor results and a worse outcome.

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So I urge Members to vote against this amendment. I do not believe that it is the right way forward. It has been poorly drafted, it does not refer to La Mare, it talks about a sixth form college which is unusable/unviable and it actually works out more expensive than the two-school model. So I urge Members to vote against it.

Thank you.

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**The Deputy Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you, sir.

2795 I think this debate has really proved the point of the requête, which is to pause and provide an objective review.

2800 We have listened to debates this afternoon and we listened to debates late morning which have talked about the merits of Deputy de Lisle's model that he has put forward and Deputy McSwiggan's model that they have put forward today; and this is precisely what we need to get away from. We need to inject some good governance and some proper, objective protocol into this whole scenario, because otherwise we are never going to be able to come up with a solution that is good for Guernsey that has been thoroughly tested.

2805 So I cannot support this amendment, because it leapfrogs directly to the solution and, as I have said, the whole point of the requête is not to skip the essential pause and objective review, but to present an economic case which substantiates and compares all the options, limited options, side by side together.

2810 It is not to say that the de Lisle/McSwiggan model could not be put into the mix at all. It is absolutely, entirely possible to see it there. But at the moment what we are doing is we are designing again on the hoof and Deputy Dorey has – rightly so – looked at the issues regarding that particular model. But how can the rest of us? We do not have the information that Deputy Dorey has in front of him; we do not have the information that Deputy de Lisle has in front of him. So how on earth could the rest of us make any objective appraisal of the model that Deputy de Lisle is putting forward? We could not.

2815 So I really hope that Members take out any ... I hope that there is nothing that Deputy Leadbeater said, there is no truth in that, that people are playing a game of chess with this particular amendment. I really do believe that we ... I hope we have got more integrity than that and that this amendment is voted down.

Thank you.

2820 **The Deputy Bailiff:** Deputy Graham.

**Deputy Graham:** Thank you, Mr Deputy Bailiff.

Well, at least I agree with Deputy Dudley-Owen on one thing: I am not going to vote for this amendment, but for reasons probably a little bit different.

2825 I think Deputy Fallaize earlier on was quite right to point out that this amendment, if it is attractive in any way, it is because the requête amended by this amendment would be less egregious than the requête unamended. But I think his comment lost a lot of its strength when he then sought to explain, 'Well, it is slightly better because it provides a degree of clarity and certainty'. I really do not think it does. I suppose it offers the prospect of a model around which a

revised transition for students could be devised, but there will be too many uncertainties even at this stage about it.

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For example, Deputy de Lisle has pointed to the similarity between the model that he is proposing here and that proposed by the former Committee two or three years ago. But even that one was surrounded by quite a lot of uncertainty. For example, we were not totally certain about the distribution of students between the three high schools, were we? The actual policy letter brought by the previous Committee had 960 students at La Mare de Carteret, it had about 700 at St Sampson and 600-odd at Beaucamps. And then I think the Committee, the former Committee, recognising at the last minute that that was unattractive, almost off the back of a fag packet said, 'Oh okay', and they had an amendment standing by – which was never deployed, actually – which would have accounted for a more even distribution of students. But it was very much off the back of an envelope stuff.

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The other area of uncertainty is when we get talk of spillover from Les Ozouets to Les Varendes for the Guernsey Institute. I think we need to be clear here. The Varendes site, and the sixth form centre at Les Varendes ... the sixth form centre is not self-sustaining in terms of being able to operate separately as a sixth form centre. It requires access to the main 11-16 school on quite a considerable scale – access in terms of access to classrooms and specific facilities there.

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So you would have the scene on the one hand with a site which has previously held about, nearly, 1,200 students at one stage – 1,150 I think – with about 400-odd students rattling around in it fairly empty, and a gross misuse of space. But on the other hand, the awkward proposition of having a spillover – of exactly what part of the Guernsey Institute is not clear – coming over on a programme basis to mix in with the Sixth Form Centre, and I just do not see that that would work. It would have to have a formal structure of some sort and then you start talking about a tertiary college and we all know that that is probably the sub-optimal version. So I do not think there is much clarity or certainty about the model that Deputy de Lisle and Deputy McSwiggan are putting before us. It is worth debating it.

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I think Deputy Fallaize also pointed out that, actually, there was a degree of equity or fairness for students that would be in this model; and that is true, but I am afraid it is fairness of access to a very sub-optimal model. And if that is was our aspiration is I do not want really to be part of it. Why do I say that? I really think, with the greatest of respect to Deputy de Lisle, I think this model is a model for the past millennium and not for this millennium, and he and I know quite a bit about the past millennium because we have spent more of our years in that than this. But it never worked in the past millennium and I do not see why it should work in this one.

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I apply a litmus test to any of these models and that is, if my grandsons were still of the school age, would I be happy to see them go in it? And I think there is a double whammy, really, for students in this particular model. The first is that the empirical evidence and the current evidence out there, not just in England, but throughout the world, is that small 11-16 schools with an even smaller sixth form centre – a sixth form centre that is smaller than some of our primary schools here – just does not produce the desired outcomes educationally. So the model itself is against you.

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And then, if we accept, and I think we do, that the best thing you can do for students is to put the best teachers in front of them, what would this model do for the prospects of teacher recruitment? We know that in the United Kingdom teacher recruitment is desperately difficult now. It is not the most popular profession, or not as popular as it used to be.

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And given the difficulty of recruiting and given the fact that already, and not just in the last year or two, it has been extremely difficult for our head teachers of our high schools to recruit good teachers to come and teach in the 11-16 system, given that, do we really want to finish up in a situation where the really up-and-coming young teachers in the United Kingdom, because we do depend on them coming here let's not be mistaken about that, most of them love their subjects so much and are so good at it that there is an urge in them to teach as many of the students as they possibly can. Not just at GCSE, but through to A Level. I am not saying all of them

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and I am not saying there are not good 11-16 teachers. But you reduce your recruiting pool if you say – and Guernsey would be saying under this model – to any young aspiring teacher who was mindful of their career prospects and their CV, ‘Come to Guernsey and teach in 11-18, but you will have to be at Elizabeth College, Ladies College or Blancheland College. You cannot do it in the state system’. I do not think that is doing good service to our students. I really do not think so.

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So for that reason ... It has been pointed out that there is a cynical temptation to vote for this amendment in order to sort of produce a face-off between the current model and the previous model and I have to tell Deputy Shane Langlois that I will not be tempted by that cynical approach. But for those reasons, I really cannot bring myself to support this amendment and I hope the Assembly is of a like view.

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**The Deputy Bailiff:** Deputy Soulsby.

**Deputy Soulsby:** Sir, yes I will not be very long.

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I just remember how, I think it was at the last education debate we had, I likened education debates to having your wisdom tooth taken out. You start off with a dull ache and it gets worse and you know you have to go and then you eventually do turn up at the dentist or the debate and you have all these loud noises and all these sounds, and afterwards you are left with a feeling of numbness. *(Interjection and laughter)* I have got that, but also this time round I actually have a date with a dentist which will probably take a wisdom tooth out. That is, if we have finished debate by then. So I feel like I am doomed one way or the other over this debate.

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I think just looking at the amendment, it has a sense of attractiveness. It kind of lures you towards, ‘Oh good, there is a solution here!’ – and I understand that, because my major concern the whole time over the requête is the uncertainty it provides. I know they talk about pause and review, but the uncertainty by opening up all manner of different models is something that really does concern me.

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I did touch upon this in a letter of comment. It was from Deputy McSwiggan and myself, because, for all manner of different reasons, there are only two of us left standing from an HSC point of view. We talk about the uncertainty that can come for children and just thinking, what we need to be thinking is what is for the best outcomes for our children. That is where I started from. So I thought, ‘Oh right, yeah there is more certainty here with this amendment’. But I cannot support it, really because (a), as others have said, we have had this debate before and it has lost, and we know all the negatives about it compared with other models. So I really feel that I could not support it now. It is going to be far more expensive to run.

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The one advantage of the two colleges model is that it enables us to have community services on those two sites. Yes, you could do it with three sites, I am not saying you cannot. But it will be that much more expensive. But it is one of the advantages of the new model: being able to provide those support services, such as CAMHS and other outreach services provided by Health & Social Care and others, on those sites.

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So from that point of view I am concerned and I just think that it does not, in the end, really provide enough for what we want in terms of children’s outcomes for me to be able to support it. So that slightly increased certainty, and I note what Deputy Graham said – it does not provide perfect certainty – but I think the more certainty it gives is not outweighed by the negatives of the model we have got here.

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So that is why I cannot support it.

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**The Deputy Bailiff:** Deputy Lowe.

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

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Right, first of all, I will declare an interest again, that I am on the La Mare de Carteret High School Management Committee. So therefore I think it is appropriate that I say this right at the very beginning, because Deputy de Lisle is going to be really disappointed with me, because, I will

not be supporting this amendment. This is coming from somebody who has been fighting to get that school rebuilt for several years – and I mean several years. Not 10 years; even beyond that. But this is not the way to do it and not with this amendment. (*Interjection*) So I cannot support it.

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We are designing a system on the floor of this Assembly and that is not the way to do it. That is not good governance; that is not the way to react. We are in the situation we are because we designed a one school two site model on the floor of the Assembly and we are going from one ... what is it, out of the frying pan into the fire, if we actually go down the route of supporting this amendment to come up with yet another scheme that we would tell the teachers, we would tell the Douzaines, we would tell the public, we would tell those that signed the petition, that this is what you are going to have because the States have decided that today. Is that really what we want to do? Are we really going to listen or are we going to go down the dictatorship of saying, what they are going to have? I do not think we should be doing that. I for one will not go anywhere near it. I think we do have a right to listen; we should be listening to them.

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This is unusual. I have never seen anything in my 26 years in the States like we have got here; never seen so much opposition to a States' decision as what we have got before us – never. I think the closest was the abortion debate, where that was roughly 51% supported abortion, 49% did not. And in those days people had to write letters, as I have said in this Assembly before, and we had hundreds. We had letters with blood on telling us we were murderers and everything else. But at the end of the day there was a lot of opposition for that. The next one after that would be the waste and then ... But this absolutely tops the lot. Because what is different with this one is that the very staff who are looking after and teaching the children, over 90% of them, are asking us not to support it. That is what is key for me.

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Now, if you have got 10% of the staff, because people do not like change, that happens wherever you go. People do not like change, and I understand that and you have to try and take those few with you. But when you have got such a high percentage of staff, over 90% of the staff right across the secondary schools ... I mean it is interesting, really, because somebody phoned me up the other night and said, 'Oh it's only St Sampson's, you haven't heard from the other schools and they actually support it. I am sure because they have been quiet'. And this person had actually missed out that St Sampson's, Les Beaucamps, La Mare, Grammar School, Sixth Form had all written to us asking for the pause. So that was quite an eye-opener to her, because she thought it was just St Sampson's.

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But there again, yes, we know. We have had those letters, we had it from unions. And again, that was quite interesting to me, because when it came out originally in November the unions were saying this to us, there is no doubt some were pooh-poohing that. 'Oh it is just the unions, that's just the unions', and of course the bombshell came when the letters started to come out with all the names from the teachers at 97%. Suddenly it was being taken a bit more seriously, I would suggest, and we are where we are now with all of those.

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So you have got the majority of the Douzaines, you have got nearly 3,000 walking out on the street on a Sunday afternoon, you have got nearly 6,000 on a petition that has been handed in here, you have got the public who have actually stopped and asked us to support them.

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So whether it is sort of ... It was said earlier on about blaming the States; somebody said in here about blaming the States' Members in here. Well actually, it is not the States' Members in here. It is whether you want to just have by 20 votes to actually go against all of those that I have just listed out. Well, that is a matter for those in here. That is democracy.

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So the other point for me as well is that it was said about the children. For me, the professionals who are teaching our children and grandchildren, or friends' children, if you have not got any, they are the very people that put the children first. They have not come out and said this without thinking of whether it is appropriate or not for the children. That is their priority: looking after the children and making sure they are being taught. And as one of them actually said to me the other day, do you think we are going to stop teaching the children? Because this is the message we are getting from some States' Members: children will stop being taught, which, again, is a bit of an unfortunate thing that has been said.

2980

2985 So for me, I am sorry Deputy de Lisle. As much as I would really love La Mare to be rebuilt, it is  
for me to say which is the right one. We have been asked to go for the pause, the teaching staff  
have asked for it along with the unions – to have the pause. It may be La Mare might be in the  
three schools. We have heard about, some would like a three school. Now, they are not saying  
whether it should be ... The majority is saying La Mare, the majority are not saying the Grammar  
2990 School. It is not for us to decide which school it should be. There are some that are saying,  
actually, we do not disagree with the one school two sites, but it is the wrong two sites. Another  
one actually said, 'Well, actually, I think it should four. We should stick with four'. So that is exactly  
what the pause is for.

Deputy Fallaize has said it enough, and I do not disagree with him on that one, you are never  
2995 going to get something where everybody is going to agree – absolutely not. So how would I  
handle it if I was actually in Education and this pause went through? The first thing to do for me  
on the pause thing, is obviously sit around the table, talk to the staff – you have got to take your  
staff with you. I cannot believe that we have got so many staff that are against this, and not just  
for one or two reasons. We have been to the presentations, we went to the union, unfortunately  
3000 there were not many politicians that went to meet with the ... There was about 10 union reps  
there, right across the sector, and they explained all the different reasons of why they wanted this  
pause to take place. But it was interesting for me, because apart from this pause they wanted to  
take place, it was a case of, 'Work with us, listen to us, help us, let's go through this together'. That  
for me is what we should be doing.

3005 Then, once you have met with your staff and you are getting somewhere, there should be, I  
suggest, something along the lines of ... We were happy to do it; we sent out a card to every  
household. Do you want – with Island-wide voting – full Island-wide voting; do you want part  
Island-wide voting; do you want to go back to districts? It was all there, and that is the closest you  
are going to get, actually, to circulate to every household after this debate during the pause time  
3010 to be able to find out exactly what it is. So then you would know if it was the Grammar School;  
you would know if it was La Mare; you would know which three school if it was a three school; you  
would know, actually, it could come back and say one school two site. But that is the best way you  
are going to be able to get to a consultation without the opportunity to go down to a  
referendum; and we cannot do that because the Rules do not allow it to happen.

3015 So that would be my recommendation to anybody who wanted to actually consider that at  
Education.

So for that reason as well, I will be rejecting the amendment.

**The Deputy Bailiff:** Deputy McSwiggan.

3020

**Deputy McSwiggan:** Sir, this feels increasingly surreal. I find it strange to be standing up and  
saying, I like solutions, I do not like flip-flop government, and to be somehow in the minority and  
somehow wrong for saying that.

3025 Now, sir, if one believes in something very strongly and wants to bring it to the States and is  
unable to be there, then I think one hopes that someone who believes in it equally strongly and is  
able to make the case for it will step into one's shoes. And so I think possibly Deputy Le Pelley is  
listening in thinking, 'Oh no! Why is she of all people standing up to defend this amendment?',  
because I do not think that he would have anticipated that I would. But I am going to do my best  
to do it justice.

3030 I said on the motion to debate that I did not second this in bad faith. I did not second it to play  
games. I seconded it because, as I said, I like solutions. Deputy Dorey and others who have taken  
the model apart are right. It has a lot less going for it than the one school two sites model. It will  
be a lot more expensive to ... It does not have the same kind of economies of scale. Maintaining  
what would be a relatively small standalone sixth form college would be very tricky and I suspect  
3035 that the working patterns that would impose on some teachers would be substantially  
unwelcome.

But we are not ... well, right now we are not weighing up this model or the one school on two sites model. We are weighing up this model or staring down the abyss of endless uncertainty that the requête promises us. And sir, I do not think that is good governance.

3040 I am seconding this amendment because I think this whole debate is premised on a falsehood. It is premised on the argument that we have not had sufficient information to make a decision, that good governance has not been followed, that due process has not been considered. We have had hundreds and hundreds of pages of information, not only on this model, not only on the model that is currently being implemented, but also on numerous alternatives to it. If we can look  
3045 at all that and still throw our hands in the air and say, 'No I do not have enough to make a decision', sir, I think the problem is with us, not with the information and not with the process. It is there, we should be at this point using our judgement and seeing it through.

Sir, am a little bit more ... I approach this debate with a bit more cynicism, a bit more agnosticism than a lot of my colleagues when it comes ... And perhaps it is because I do not have  
3050 children in our school system who are going to be directly affected by this decision, not for a long time yet, in any case. But I recognise that for years and years, for decades, we have been educating children in a school system that many of us would acknowledge is not as good as it could be. Again, it does not have the economies of scale that it might, it had that dreadfully divisive selective process at 11. We have had that and we have managed and Guernsey has  
3055 produced many wonderful young people from all the Island schools who have gone on to do great things in the future. I sort of accept that we will manage whatever school system we continue to have in place after the end of the 11-plus.

But, sir, I would remind Members that we came to the crunch of the 11-plus decision again basically because of an infrastructure issue, basically because we had to decide what to do with La  
3060 Mare de Carteret because it cannot go on in the condition that it is forever. And so we came back into this place to decide well, what should our secondary education system look like because we cannot just carry on as we are, with the school infrastructure that we have, indefinitely.

There is a big investment decision needed and the States has effectively tied itself up in knots over multiple different debates about what the right investment decision is and what the knock-  
3065 on consequences of that decision are for the other schools within the secondary and post-16 education system.

I am prepared to be a bit agnostic and accept a system of secondary education that is less than perfect because it will still be considerably better than trying to put our children in a holding  
3070 pattern for what could be the bulk of their secondary education. Well, it might be the whole of their secondary education for some children, because if we have not resolved this in the space of one States' term, if we are still going round and round the same debates, what grounds do we have to believe our successors are going to be any better at it than we are?

Arguably, our election was a single-issue election; the single issue was the 11-plus. But it threw us up in fairly equal numbers on both sides of that argument! It is very likely that a single-issue  
3075 election based on what the configuration of the secondary education estate should look like will throw up people in equal numbers on ... well, different sides of that argument, it is going to be a multi-sided shape that one. It is not a very binary decision.

So I think unless a States has the courage of its convictions sufficiently to say, okay, here is a model, it is going to work, we are going to stick to it, we are going to see it through, then this  
3080 limbo will go on and on and it does not affect us in any ... I mean it affects us right now. This is not a place that any of us wants to be, it is not an enjoyable atmosphere for any of us, but its impact on our lives is glancing compared to the impact it will have on the lives of our children.

So, sir, I think that certainty and that finding a solution is very desirable and it is what we should be working towards during the course of this week's debate. And I am prepared to  
3085 compromise to the extent that I will support this amendment which, as I said, is not the model I would have chosen, because it offers at least that, and because it offers, as Deputy Gollop and others have indicated, a stepping stone to work towards further improvements in the future.

3090 I said during the debate on the motion to debate that when it comes to decision time, if I am given the option I will of course support ESC's model above this. But I rank this above the requête. That is not playing games, that is preferential voting. That is my ideal, (*Interjection*) (**A Member:** Hear, hear.) that is less ideal but not as bad as the other thing that might be on the table, and that is terrible! And frankly, that is terrible.

3095 Sir, if anybody is playing games here ... No, I am sorry. I retract that. I do not want to suggest that anybody is playing games because this is quite a serious matter. But I think that it is just as important to do a little bit of self-reflection if one is saying, 'Actually, I think the end model could look a lot like this', because if you do think the end model could look a lot like this, then what is the point of waiting? What is the point of forcing us into this limbo again, this period of indecision, of uncertainty, of worry for everyone in the community, if you can see that the end point of that debate and the weighing up of the arguments ... I will stress this again, the arguments are out there, the work has been done, the research has been done, the case has been made for this model and other models. We need to be applying our judgement.

3100 If you can see that at the end of the day the political cards are going to come down in favour of a model that looks a lot like this one, then save us the heartache, save us the time, and get behind it at this point.

3105 Please, sir, I ask Members to support the amendment.

**The Deputy Bailiff:** I am going to turn to Deputy de Lisle now as the proposer of the amendment to reply to the debate on it.

3110 Deputy de Lisle.

**Deputy de Lisle:** Thank you, sir.

I must thank people for putting their views forward and debating the amendment in front of us.

3115 I think Deputy Roffey started, although he seemed to see that there was a scale issue with the sixth form. Now, I do not see that, because the sixth form has operated extremely successfully up to this point with the numbers that they have had and they have been augmented by numbers because of the very broad curriculum that they have been able to offer and the wide range of subjects that they have offered, they have attracted, actually, students also from the colleges to come in and support their classes. So that is a very important factor and there was room there to afford that accommodation for those additional students.

3120 I will go back to my own situation. I was the first, actually, A level student to take geography at the Grammar School, which was the Intermediate at that time. I was the only student for two years and the teacher had come from New Zealand specifically to teach me. (*Laughter*) I have to say today that that geography A level has continued since then and has been a very successful endeavour for the Grammar School right through. But it does not hurt to have small numbers in a class to have great success at the end of the day. (*Laughter*)

3125 I thank Deputy Le Tocq for his points, because he goes back to, he said, 2004, 2001, when in fact we decided on three secondary schools to the level of the Grammar School. We started the building programme at St Sampson's and a very successful rebuild there. We said at the time, 'Oh, which one is going to be next?' and it was either Beaucamps or La Mare. We decided on Beaucamps, 'But La Mare will be next'. We developed Beaucamps very successfully and then when it comes to the third, there is a bit of an abyss. Some rethinking going on rather than getting on with the rebuild which was part and parcel of what the earlier Education Committee had committed to.

3135 So right from 2004 when I was first elected, I have also said rebuild La Mare as we promised, because the Government has given those promises time and time again. They did it in 2002, 2004, they did it again once the rebuild of St Sampson's was done, then Beaucamps and after Beaucamps the States again said they were going to develop La Mare. And of course we have seen great strides in La Mare as an educational centre with very good results in recent years. We

3140 have also seen some phenomenal results in the sports field from that school. Talk to anybody in Southampton and they will know where Guernsey is and how it has done well for its sporting prowess.

I thank Deputy Fallaize also for his support. He made a number of points, but the main one was with respect to conviction. I think it is being convinced that we have got to get on and produce a solution.

3145 He made the point of comparison of costs and of course I am delighted to see that his Committee was able to get hold of the two-school model and compare it directly with the three-school model that the amendment is suggesting and produce numbers quite quickly, actually. But he would agree that those numbers require a lot of refinement yet, because it was done in haste, but showed that we can get there fairly quickly if we wanted to in terms of bringing forward the three-school model. He said that this amendment allows the States to replace the reforms with something tangible and he is absolutely right.

3150 Deputy Prow made the point, of course, for waiting in terms of the requête, which was to support the requête in terms of having a wait-and-see period to test what people might eventually come up with.

3155 Deputy Gollop was attracted to the model and felt that it was the most sensible model for Guernsey, although he did speak of the fact that there was an election ahead and that perhaps the public would want to look at it further, although he found that, probably, a review was something that was necessary, although this model was probably to be the preferred in the future.

3160 Deputy Inder made the point of getting back to a lot of the letters and correspondence that he had witnessed and the frustrations of staff, students and the public with regard to the two-school model and their wish to have something better on the table.

3165 Deputy Meerveld was very active in sort of promoting this particular model at the beginning of this term and was an architect, actually, behind much of it, together with other members of the board at the time, and says there is merit in the three-school model, but it has to go out to stakeholders and not be supported today with no stakeholder involvement if you like. Many people would say, well, you have had the stakeholder involvement in calling for the model to go forward.

3170 Deputy Langlois spoke about two heavyweight models, the two-school model and the three-school model and there were not any contenders to that and therefore we should press on with the three-school model because that seemed to have greater support.

3175 Deputy Dorey brought out all the financial figures that had been recently put together. They do show some differences from the numbers that were uplifted from the previous Committee's numbers. But there again, that was professionally done too in terms of providing some new numbers and that will have to be worked on even further.

Deputy Dudley-Owen supported pause and provide an objective review and said that she would not be able to support this particular avenue at this time. Although, again, she was one of the people that actually put forward the three-school model and worked very assiduously on it as well.

3180 Deputy Lowe, I was surprised with, because being on the Management Committee, I think it is a shame at the moment, with even the head teacher has been taken off that particular siting in some ways in terms of the new school development. But being on the Management Committee, I would have expected some support for the La Mare de Carteret and some positive reaction to the three-school model.

3185 I step down.

**Deputy Lowe:** Thank you for giving, way Deputy de Lisle.

I just want to clarify I was not speaking on behalf of the Management Committee. I was just declaring I am on it.

3190



**Deputy de Lisle:** Yes, thank you. Of course I have been serving on it as well in the past, but La Mare 'may be the answer' she did say, I must say, but it is not for us to say. If it is not for the politicians to say, then who is going to say it at the end of the day, and who is going to make a determined judgement on the direction that we are going to take? So I do not think it is good enough to make that argument. People are looking for leadership in this area and I do not think the States are providing it at the current time and I think we have to step forward and be counted.

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Deputy McSwiggan made the point she likes solutions and perhaps this model does not have the economies of scale which you get from rationalisation of the plant, from four schools down to two, which would rationalise the system, but then there are headaches to that.

3200

I mean I taught for a number of years in London in a very large comprehensive school. It was 2,200 students and 125 staff. And the point there is we had *wonderful* results in that big school, we were sending students to Oxford and Cambridge, London University and so on, and there was an emphasis of the staff, though, to look at the A stream. Of course we had A, B, C, D, E, F, G, H; the staff tended to look at the top streams and not always kindly being cast to teach some of the lower streams in the school.

3205

So this is a problem with bigger schools and this is the wonderful thing about the secondary schools that we have here, in that students rise to the top. They were not at the Grammar School, but they rose to the top in their schools in smaller schools and were able to be seen and noticed and helped.

3210

**Deputy Hansmann-Rouxel** Thank you, Deputy de Lisle, for giving way.

It is just that Deputy de Lisle mentioned streaming and that is not what is happening in the comprehensive schools. Streaming is whole year group or stream going through that particular way. It does not allow the... It is not setting, which is what is going to be happening in our new all ability schools and those things are very different.

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**Deputy de Lisle:** Yes, I should have been mentioning setting rather than streaming, because children in setting are set by the subject and you can be in the top set for mathematics but in the B set perhaps for English.

3220

Sir, I thank Deputy McSwiggan for her support and, as she said, we should not put children in a holding pattern. The limbo situation should not go on and it is up to us as the politicians here in Guernsey to find a solution and step forward and provide certainty in this dilemma, because otherwise it will go out to the public and be an election issue and what will we get back at the end of it? There will be another Education Committee that will have to decide on working through all these plans again and starting afresh to try and put forward a new model which will be one of the two, probably, as Deputy Langlois suggested, that we have got in front of us today.

3225

Just to conclude, I wanted to state that the three-school model is something that we have got on the ground at the current time. We have got the schools there, we have got the property. And to me, it does not make a lot of sense to be rationalising the school system to the extent of losing those properties to education.

3230

The property is already being used at La Mare de Carteret for education purposes. The property at Les Varendes, the Grammar School property, is huge, it is recently built – relatively recently built – it has got huge grounds around it for sporting activities. To throw that away does not make any sense at all to me. So I think we have to use ... And if we were to decide today, let's just use what we have got and carry on. We can do that. There is no reason why we cannot just carry on as we are. Sure, we want to rebuild one if the facilities, because it is not in keeping with the others. It is the one that needs upgrading, La Mare de Carteret. But apart from that, let's promise to do it, get on with it and we have got our educational estate set up and running. We could do it today and say let's run with what we have got, but we will rebuild the La Mare de Carteret.

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3240

That means that we would have the three schools 11-16 and the Sixth Form Centre carried on at Les Varendes site, the Grammar School site. Now, that all makes a lot of sense to me and will resolve a lot of the uncertainty that is out there that we have to deal with at the current time.

3245 Also, we know that the public in general is in support of that three-school model and teachers come here and a lot of them will say, 'Well, I am trained in two or three subjects, so I am quite prepared to work in the 11-16 system'. Others will say, 'I would like some opportunity for taking the A Level' and so on. Fine, there is no reason why they should not have that opportunity despite the fact that they are mainly working within one of the 11-16 schools. But they also take the afternoon, one afternoon a week or whatever it is, in order to take their classes at A Level at Les Varendes as well. So there is no problem there. There is going to be movement anyway, no matter what system you bring in. So there is a little movement there, but it is far better to have the teachers moving a bit than to have the students moving too much.

3255 I also want to say that the proposed model supports many of the workstreams already being undertaken with respect to the current Committee and it is not trying to replace the Members that are already doing a very difficult job, but it is just asking them to look at this particular model which is all set. It is set on the ground and it is a matter of utilising what we already have out there.

I thank you for currently looking at this particular model again and I would ask Members to support the amendment.

3260 Thank you, sir.

**The Deputy Bailiff:** Well, Members of the States we go to the vote on amendment 6a –

3265 **Deputy de Lisle:** Can I have a recorded vote please, sir?

**The Deputy Bailiff:** Yes, I would rather you did not interrupt me while I am talking, please, Deputy de Lisle. But we go to the vote on amendment 6a, proposed by Deputy de Lisle, seconded by Deputy McSwiggan and we will have a recorded vote please.

Deputy Greffier.

3270

*There was a recorded vote.*

**The Deputy Bailiff:** Well, Members of the States, I am satisfied that that amendment numbered 6a has been lost, and we will now turn to amendment 1.

I invite Deputy St Pier to open the debate on amendment 1. Do you want to have it read?

3275

**Deputy Le Tocq:** Sir –

**The Deputy Bailiff:** It does not matter Deputy Le Tocq. I am aware there is another amendment that has been submitted. We are taking amendment 1 next, thank you.

3280

Deputy St Pier.

[Amendment 1](#)

*To delete Proposition 1 and 2 and substitute therefor:*

*"1. To re-affirm that 'opportunity and excellence' means 'students would have the widest possible range of curricular and extra-curricular opportunities. This transformation should be based not on convenient management of the existing estate, but on educational policy and educational outcomes. Buildings are not unimportant, but the future of the Bailiwick depends most of all on the knowledge and skills of its people.'*

*2. To re-affirm that as soon as practicable all students in secondary and post-16 education must have access to:*

(a) the right facilities to achieve the best possible outcomes subject to value for money<sup>1</sup>; (b) a purpose-built 11 to 18 School, operating as one organisation in constituent colleges or campuses; and (c) a purpose-built Guernsey Institute operating as one organisation providing vocational, professional and technical education for full-time and part-time students, including apprentices.

3. To direct the Committee for Education, Sport & Culture to include, for comparison, within the full business case for the currently approved two site model, the best value alternative configuration of campuses on three sites to most effectively meet the re-affirmed objectives and outcomes (taking into account transition costs, impact on students, whole life costs and expected educational outcomes) as set out in Proposition 1, and the States' commitment to co-located community services.

The comparison should have particular regard to meeting the policy and funding objectives underpinning transformation of secondary education. For the avoidance of doubt, any comparison between models of two and three site utilisation from within the current education estate should not include the site of the current La Mare de Carteret High School. Further, the comparison should include one site with a co-located Sixth Form Centre.

4. To direct the Committee for Education, Sport & Culture to continue the alignment of curriculum in support of opportunity and excellence, which is anticipated to be the entitlement in the new Education Law, where it can be accommodated within current physical and financial constraints.

5. To re-affirm that the capital costs of organising secondary education to most effectively meet the re-affirmed objectives and outcomes as set out in Proposition 1 (taking into account transition costs, impact on students, whole life costs and expected educational outcomes) will be up to a maximum of £77.9 million. In addition to affirm that the States of Guernsey have delegated authority to the Policy & Resources Committee to approve expenditure up to a maximum of £77.9 million charged to the Capital Reserve (in respect of the total project costs comprising building, transformation and transition, and the accommodation of services to children and their families) subject to the approval of appropriate business cases submitted by the Committee for Education, Sport & Culture which must demonstrate that the financial resources requested for the construction and operation of the preferred option balance cost and outcomes and therefore represent value for money,

6. To re-affirm that the States of Guernsey have delegated authority to the Policy & Resources Committee to approve expenditure up to a maximum of £51.1 million charged to the Capital Reserve (in respect of the total project costs comprising building; transformation and transition) subject to the approval of appropriate business cases submitted by the Committee for Education, Sport & Culture which must demonstrate that the financial resources requested for the construction and operation of the preferred option balance capital cost, revenue cost and outcomes and therefore represent value for money in the development of The Guernsey Institute at Les Ozouets as part of the Transforming Education Programme.

7. To re-affirm that the States of Guernsey have delegated authority to the Policy & Resources Committee to approve expenditure, subject to the submission of appropriate business cases by the Committee for Education, Sport & Culture, of up to £22.4 million, which may be drawn down over a period of two years from 2022, for the capital redevelopment of La Mare de Carteret Primary School as part of the Transforming Education Programme; and to note that the business cases associated with this project will include the results of a review of capacity in the primary phase across the Island.

8. To re-affirm that the States of Guernsey have delegated authority to the Policy & Resources Committee to approve expenditure, subject to the submission of appropriate business cases by the Committee for Education, Sport & Culture, of up to £5.8 million on the Digital Roadmap, which is intended significantly to improve digital services across the education estate as part of the Transforming Education Programme.

**Deputy St Pier:** Thank you sir, and no, I do not think that I will have it read. It I think it is too long. It has been in circulation in the public domain and I will speak to it.

3285 So, sir, here we are discussing secondary and post-16 education once again. As Deputy Dudley-Owen has said, we are all responsible. Nobody does or will emerge from this situation well. (**Several Members:** Hear, hear.) This is our Brexit issue: highly emotive and divisive with ESC playing the role, ironically perhaps, of the UK's Prime Minister arguing that we just need to get it done, whilst the requérants play the role of those calling for a rethink of the whole  
3290 situation. It is a mess and it has been for some time – so much so, frankly, that I was actually giving serious consideration to placing myself in self-isolation (*Laughter*) for a couple of weeks.

**A Member:** Hear, hear! (*Interjection and laughter*)

3295 **Deputy St Pier:** I have actually lost count of the number of debates in the last two decades on this topic and it may actually be one of the statistics that the Mother of the House is tracking, I do not know. Nobody in or outside the Assembly can be remotely happy with where we are. But at least we are lucky that politics is not a blame game (*Laughter*) and we do not live in a blame culture, because if we did we could point the finger at the Assembly, some of whose Members are  
3300 still here, that at the turn of the millennium fudged the whole issue with a messy compromise (**Several Members:** Hear, hear.) that became known as the EDP – the Educational Development Plan.

Or we could blame Deputy Trott (**A Member:** Yes.) and his Treasury & Resources Team (*Interjections*) including Deputies Langlois and Dorey for squeezing down the costs and the size of  
3305 what became known as St Sampson's High School, without which we might have fewer apparent space challenges than now seem to exist.

Or we could blame the Assembly that succeeded them for failing to bite the bullet when they had the chance with the rebuild of Beaucamps, which everyone seemed to know at the time was the wrong school to rebuild, but went ahead with it anyway. Or we could blame the last Assembly  
3310 and the last Education Minister and Department for ducking the key policy decision on selection early enough in the term.

We could blame the last ESC Committee led by Deputy Le Pelley for revisiting the decision in the early part of this term. We could blame the current ESC Committee for what they did when they picked up the baton. We could blame Deputy Dudley-Owen and her fellow requérants for  
3315 rocking the boat and seeking to revisit the matter again.

We can blame the Policy & Resources Committee for failing to provide leadership, (*Laughter and interjection*) which generally means failing to provide their support to the side of the argument that any given individual is on. (*Laughter and interjection*) We could of course blame the President of the Policy & Resources Committee, for a whole multitude of things no doubt, but  
3320 most particularly for rocking the boat by challenging the consensus with his amendment which opposed the rebuild of La Mare de Carteret High School before a decision had been taken on selection.

In fact, there is so much blame to go around that it could take up the entire debate. But fortunately I am sure no-one here today will want to do that. We just want to acknowledge that  
3325 we have a shared problem that we all own and we all want to help resolve. Not forgetting that at the heart of this are several thousand young people whose educational outcomes will be impacted, positively or negatively, depending on the decisions that we take this week. (**A Member:** Hear, hear.) If we accept that education of each generation is the bedrock of a civilised society, then schools become our fortresses and teachers become our heroes.

3330 That was why I argued back in 2018 that we must listen to our teachers when they call for the end of selection. And so now we must listen to them too. We must seek to understand their concerns and if possible we must seek to address those concerns. But most of all, I think our community expects, not unreasonably in my view, that we must now engage with the teachers, with the objective of ensuring that a majority, not all – I think that is unrealistic – but that a

3335 majority are on board for the changes proposed. This amendment allows more time for that  
engagement to take place.

As we explain in our letter of comment, published this week, the Policy & Resources  
Committee does not support this requête unamended. However, what cannot be overlooked in  
3340 this debate is the clear strength of feeling within sections of the community, and the teaching  
profession in particular, in relation to certain aspects of the current programme for the  
transformation of secondary education. It is understandable that the apparent loss of confidence  
and support for the current proposals by a significant proportion of the profession has no doubt  
spooked members of the community, especially those with children or grandchildren in or  
entering the education system.

3345 Now, we can seek to explain the causes of that concern amongst some of the profession. We  
can say that it is just the voice of the unions; we can say that they just fear change; we can say that  
they just fear for their roles; and we can say that some of the community are just motivated by  
nimbyism in that they do not want larger schools in their backyards. We can say that the concerns  
are unfounded, or that they are irrational, or that they are emotional, or that they are illogical, or  
3350 that those opposed are not agreed on their concerns or have an agreed alternative. But whatever  
the reasons, we cannot ignore the reality that concerns do exist. But neither should we ignore the  
concerns of a good section of our community who despair at the perceived – from the  
community’s view – inability of a minority on any given issue to accept that a decision has gone  
against them, resulting in this Assembly constantly re-debating issues and policies.

3355 As an aside, and perhaps two decades too late, this issue is just the sort of one where a so-  
called ‘Citizens Assembly’, as used in Ireland on matters such as abortion and divorce and recently  
in Jersey to look at assisted dying, this is just the sort of issue where such a mechanism might  
have been an appropriate way to build community consensus on the right solution to an  
apparently insoluble problem on which they are so many different and divided views. I hope that  
3360 this actually will be something that the next Assembly will consider for such issues in the future.

So whilst the Policy & Resources Committee would encourage States’ Members to vote against  
the Propositions put forward by the requérants without amendment, we recognise that this  
debate provides an opportunity for all these concerns to be expressed within the Assembly. These  
views, whether or not they accord with our own, must form part of our deliberations on this  
3365 matter.

The Policy & Resources Committee has therefore acted to ensure that the Assembly does not  
have to choose between, on the one hand, a potentially damaging unamended requête and on  
the other hand ploughing on with the *status quo* without due consideration to the concerns  
expressed both inside and outside this Chamber.

3370 Now, we are not a large enough community for there to be a perfect solution and I think that  
has already been acknowledged, and the Committee *for* Education, Sport & Culture fairly explains  
in its own open letter that there is no model that will be met with universal or overwhelming  
approval once broad ideas turn into more detailed plans. However, whilst that is true, it is not to  
say that there is no room for compromise. Indeed, the Policy & Resources Committee notes that  
3375 notwithstanding this requête, there remain other risks to the current schedule for the two-site  
model, including, but not limited to, the continued professional concerns and of course the whole  
capital tender process itself.

At this juncture, two of our most valuable qualities as a jurisdiction come to mind. The stability  
we are able to offer those living or otherwise investing in our Islands, combined with a nimbleness  
3380 with which we can act to meet the needs of those whom we serve. The Policy & Resources  
Committee’s amendment draws on these complimentary qualities. We wish to support the  
delivery of education reform and it serves no-one to go back to the start of this entire debate.  
However, it is also wise to acknowledge the extent of public and professional concern and to  
exercise our nimbleness by revisiting those specific areas of concern following the unprecedented  
3385 actions in recent weeks.

3390 The Policy & Resources Committee's amendment provides States' Members with the ability to re-affirm their commitment to educational reform and the objectives of that reform. But it would also enable further consideration within the full business case to be submitted by the Committee for Education, Sport & Culture of three campus configurations, which should include at least one comparison with a one-site with a co-located sixth form.

In any event, it is indisputable that parents, children, teachers and the wider community need to have confidence in the Island's education system and it is essential that a resolution is found to the ongoing uncertainty.

3395 As a Government, we must provide stability by setting the framework for secondary education for the next 25 to 30 years. However, that framework must be built on a consensus of support within the community and the teaching profession.

3400 Policy & Resources position is that we are the midst of a process which should be allowed to run its course. Members of the States have previously resolved that the transformation of education in Guernsey and Alderney must be amongst our highest priorities. This Assembly has twice since 2018 reaffirmed its policy support for one 11-18 school on two sites. As a result, we have incurred £3 million of public spending on the development and implementation of that policy choice.

3405 Now we can choose to pause or stop that policy in its tracks if we so wish, but should only do so cognisant that it will have a significant impact in terms of cost, delay and most importantly of course on the children in the system.

3410 The starting point for considering this amendment is to, forgive me, pause and review to consider where we are in the process. The Committee for Education, Sport & Culture has submitted planning applications on which the Development & Planning Authority have yet to opine. They will need to need to consider these objectively and impartially and of course they may or may not give planning consent.

3415 The Committee for Education, Sport & Culture is in the midst of preparing its full business case for submission to the Policy & Resources Committee, which it too will need to consider, like the DPA, objectively and impartially after rigorous review and challenge which Committees know they are used to receiving from P&R even if they do not much like it. Actually, Deputy Ferbrache referred to that yesterday when he was speaking. And the full business case may or may not pass muster and the Policy & Resources Committee, whether as currently constituted or otherwise, may or may not decide to use its delegated authority.

3420 So it is important to remind Members that the full business case is not just about demonstrating the case for the delivery of the capital expenditure, namely the extension to two existing schools, it must also make the case for the delivery of the agreed policy, namely the transformation of secondary education.

3425 So the Policy & Resources Committee is laying this amendment so that the States of Deliberation can reaffirm or otherwise their support for the previous policy principles that were resolved in January 2018 and again in September 2019. But we also believe that it is important that the work continues to develop the Guernsey Institute as the approved tertiary model for vocational, professional and technical education for full- and part-time students. So that is at the heart of the amendment.

Proposition 3 is the one which seeks:

To direct the Committee for Education, Sport & Culture to include, for comparison, within the full business case [of] the ... [current] two site model, the best value alternative[s] ...

3430 – for a three-site model and the various permutations of that. We heard Deputy Langlois speak to what some of those may be. But ultimately, those different three-site model comparisons is for the Committee for Education, Sport & Culture, with the one exception that we have suggested that the comparison should include a one-site with a co-located sixth form centre. But that is not the only three-site model that might be available to be included within the comparisons.

3435 So that is why Deputy Trott and I are laying this amendment, I should say on behalf of the whole Policy & Resources Committee. To some it may be a curate's egg: good in parts. It does have something for everyone, frankly something for them to like and something also for them to dislike, and that also goes for Members of P&R too. So those who support it may not be able to support every Proposition when it comes to the final vote and I would encourage Members to support it on that basis. It is not perfect but it is *far* better than what is currently before us.

3440 Thank you, sir.

**The Deputy Bailiff:** Deputy Trott do you formally second the amendment?

**Deputy Trott:** I do, sir, and I reserve my right to speak.

3445

*Not carried: – Pour 11, Contre 24, Ne vote pas 2, Absent 2*

**POUR**

Deputy Brouard  
Deputy McSwiggan  
Deputy De Lisle  
Deputy Langlois  
Deputy Brehaut  
Deputy Tooley  
Deputy Parkinson  
Deputy Stephens  
Deputy Fallaize  
Deputy Hansmann Rouxel  
Deputy Le Tocq

**CONTRE**

Deputy Dudley-Owen  
Deputy Soulsby  
Deputy de Sausmarez  
Deputy Roffey  
Deputy Prow  
Deputy Oliver  
Deputy Ferbrache  
Deputy Gollop  
Deputy Lester Queripel  
Deputy Le Clerc  
Deputy Leadbeater  
Deputy Mooney  
Deputy Trott  
Deputy Merrett  
Deputy St Pier  
Deputy Meerveld  
Deputy Inder  
Deputy Lowe  
Deputy Laurie Queripel  
Deputy Smithies  
Deputy Graham  
Deputy Green  
Deputy Paint  
Deputy Dorey

**NE VOTE PAS**

Alderney Rep. Roberts  
Alderney Rep. Snowdon

**ABSENT**

Deputy Tindall  
Deputy Le Pelley

**The Deputy Bailiff:** Members of the States, the voting on amendment 6a proposed by Deputy de Lisle, seconded by Deputy McSwiggan, was *Pour* 11, *Contre* 24, 2 abstentions, 2 absences, and therefore, that is why the amendment numbered 6a was lost.

3450 Deputy Ferbrache.

**Deputy Ferbrache:** Sir, I intend, if I can, to restrict my remarks, as I must, solely to the amendment, because I do not want to lose my right to speak on the requête itself when we get to that part of the debate.

3455 When I entered the States firstly in 1994 the senior politician who then held the role of President of Advisory and Finance was Deputy Peter Morgan. When I was re-elected to the States as a Conseiller in 1997, the President of A&F was then Conseiller Laurie Morgan. When I became a Deputy for St Peter Port South in 2016 the States, by the narrowest of majorities, elected the senior politician as Deputy St Pier to lead P&R. I have heard many of those three politicians make speeches. I have supported many. The speech I have just heard from Deputy St Pier, of the many,  
3460 is the worst I have ever heard by a leader of our States. It shows no moral responsibility, it shows no leadership, it is a fudge. It is holding the current Education Committee out to dry. (**A Member:** Hear, hear.)

3465 In an earlier speech that I made today I made, probably, a bad biblical analogy. I make another one. Deputy St Pier's speech reminded me of Pontius Pilate. It is ... What he has proposed, he has said there is something for everybody. Well, there is almost nothing for anyone in this particular amendment. If one looks at the content of the amendment itself, it says at paragraph 3:

To direct the ... [Education Committee] to include, for comparison, within the full business case for the currently approved two site model, the best value alternative configuration of campuses on three sites to most effectively meet the re-affirmed objectives and outcomes (taking into account transition costs ... [etc.]

3470 But then it goes on in the next paragraph to say:

The comparison should have particular regard to meeting the policy and funding objectives underpinning transformation of secondary education. For the avoidance of doubt, any comparison between models of two and three site utilisation from within the current education estate should not include the site of the current La Mare de Carteret High School.

3475 So where does that leave us? Why do they not tell us, if they are going to give us leadership, which they patently have not done and which they are responsible for so doing, rather than having their Vice-President festoon himself in green tape and walk round with 2,500 people instead of – fair enough, going on the march, but – listening to what people have to say and presented a balanced debate to the States of Deliberation.

3480 Let's forget the politics, forget that there is an election in June 2020 and do the best for the public. That is what we expect our leaders to do and that is what these five people – because we are told it is the unanimous view of the Policy & Resources Committee – have patently, woefully and shamefully failed to do by bringing this amendment.

If they favour the two-school model, they should say so. If they favour the three-school model without La Mare de Carteret being considered – we know they do not want La Mare de Carteret being considered – they should say so. This is a fudge.

3485 They say in relation to it, if we continue down to the proposed Resolutions, at Resolution 5, they want the States:

To re-affirm that the capital costs of organising secondary education to most effectively meet the re-affirmed objectives and outcomes as set out in Proposition 1 (taking into account transition costs ... [etc.]) will be up to a maximum of £77.9 million.

3490 So the way I read that, and I may be wrong – I may be wrong – they want to say you can have possibly, or perhaps look at, Education Committee, having three schools rather than two, but you do it for the same cost. You do it for the same ... How can you do that? How is that responsible? How can you expect this Education Committee – and I don't ... miss all the other bits off – in the next four months, because that is all that is left of this States, to achieve something meaningful? I cannot get over ... There are not enough adjectives in my vocabulary for me to express my displeasure about this amendment.

3495 They say that they are bowing to public opinion, but they are not really, because if you look at the explanatory note, they are saying:

The Committee acknowledges both the community and the teaching profession concerns in light of the developing picture of the scale, density, facilities and traffic management plans arising from the publication of redevelopment proposals for the two colleges of Lisia School at Les Beaucamps and Baubigny.

3500 Now they now know, they might not have known it when they wrote the explanatory note, but they now know and somebody else has referred to that, I think Deputy Prow referred to it earlier, the letter from the unions which say forget it, we do not want ... You can pause and reflect until the cows come home, until, I do not know, somebody makes a positive speech about education – my goodness me, that is a long way off – but we do not want a two-school model. We do not



3505 want a two-school model; we want a three-school model. That is what effectively the unions are saying.

So if they are going to take into account all the concerns that have been rightly expressed about traffic and other matters in connection with the two-school model then they should say so.

I am not giving way.

3510

**Deputy Hansmann Rouxel:** Point of correction.

**The Deputy Bailiff:** Point of correction, Deputy Hansmann Rouxel.

3515 **Deputy Hansmann Rouxel:** There is nothing in the ... (*Inaudible*)

I apologise. There is nothing in any of the union communicate that says they do not want. What they do want is a pause and review of all the models and meaningful looking at models. There is nothing to suggest that they are unanimously saying, 'No we do not want'.

3520 **The Deputy Bailiff:** Deputy Ferbrache to continue, please.

**Deputy Ferbrache:** Thank you, sir.

3525 What the majority of the teachers that I have spoken to, the overwhelming majority of the teachers I have spoken to, but of course I have not spoken to them all, they do not want – it does not matter what they have written – they do not want a two-school model. Now, whether that is right or wrong we will debate later in this session and we will come to some kind of conclusion.

3530 Deputy St Pier said we have got to listen to the ... We listen to the teachers, 'I listened to the teachers when I decided to vote to end selection some years ago'. Why did he not listen to the people? Why did he not we listen to the people in relation to that? The majority of the people did not agree with Deputy St Pier. And in relation to personal matters in relation to education, I, in relation to my children, practice what I preached. Now, why did he not listen to that? Why did he not follow the proper moral code in connection with that? I am not going to go into the selection debate, that is done for today. It was a terrible decision, but it is done for today.

3535 In relation to this, we have an amendment which says ... I do not know what timeframe they expect the work that they suggest is to be carried out. I do not know how they expect with all the Education Council's work that they are trying to do to do it within any reasonable timeframe and in any meaningful way. Because what they also say is they have got to carry on. They have got to carry on with all the other processes, so they have got to carry on with something that might not happen.

3540 At least the requête, or the requérants, are open and unveiled in saying 'Stop'. Whether that is right or wrong, that is for later in the debate. But at least they are saying stop.

3545 Now, it is a bit like being pregnant, you cannot be half pregnant, but that is really what the Policy & Resources Committee are asking here. They are saying to the Education Committee, carry on, but they are saying, 'Well, look at this other model. We do not really believe in it ...', and the words might not appear on a piece of paper, but they do not really believe in it, but they want to do it because they were a bit worried, there is an election coming up, they think there is a lot of public angst, concern, worry about the two-school model and they want to somehow fudge it.

3550 They want to fudge it in the most unsatisfactory way. They want to fudge it in a way that leaves the public of Guernsey, leaves the children of Guernsey, in the most unsatisfactory of states, because there are only two solutions. There is either the two-school model or there is the three-school model.

3555 Now, they, I cannot think ... I know there has been Brexit and Deputy St Pier and his Committee did great work in relation to Brexit and that was something that came from left field that when they took office in May/June on 2016, nobody could have envisaged. And we have got looming large, possibly, and my goodness me, what problems that will bring to our society and our economy, the coronavirus, and they may well have to spend vast amounts of resources in relation

3560 to that. But, but, but, I would have expected the Policy & Resources Committee to be speaking to Education weekly on this particularly matter, daily, talk about, 'Where are you?', 'How are you with the planning process?', 'How are you with your costing process?', how are you with this, how are you with that. If they have not done it, then they have fallen dramatically short of the duties that they should have discharged. So now, we are because we are four months from an election, because people out there are shouting, because people out there are moaning at them, they are being querulous, they are being cowardly, they are being pathetic, that they have brought this amendment.

3565 I could say lots more but I am getting myself so angry I am going to sit down. (*Interjection*)

**The Deputy Bailiff:** Deputy Fallaize.

**Deputy Fallaize:** Thank you, sir.

3570 This is a confused and frankly baffling amendment, I think. My Committee is strongly opposed to it and will vote against it and we ask all other Members to vote against it, whether they are supportive of the current reforms or supportive of the requête or supportive of any other course of action.

3575 One of the responsibilities of the Policy & Resources Committee is leadership, Deputy Ferbrache has just spoken about leadership. These reforms to education, which are the most far reaching in decades, were never going to be smooth or easy. They were always going to go through periods of uncertainty and anxiety.

3580 In my view, leadership would have been to encourage the States to see through these strategic reforms, because the case for them today remains as strong as it was when the States, including four of the Members of the Policy & Resources Committee, voted for them in January 2018 and September 2019 and to guide the States and the community through a period of uncertainty and anxiety and resistance. This amendment cannot credibly be dressed up as leadership.

3585 That said, I do not go quite as far as Deputy Ferbrache, because I do accept that in our system of government it is *very* difficult, almost to the point of impossibility, faced with the current circumstances and particularly in an era where so much political discourse is carried out in an environment of hysteria, frankly, it is difficult to the point of near impossibility for the Policy & Resources Committee to provide leadership which the community and the States might expect. And so, although I say I do not think this amendment can be dressed up as leadership, I can to some extent forgive them for the deficit of leadership.

3590 What I think is less understandable and less acceptable is that this amendment provides no clarity. It confuses rather than informs and it distracts from what should be the real debate about whether to press ahead with the current reforms or stop them.

3595 Sir, if we ask the 39 Members of the States what would be the effect of this amendment, we would probably get 39 different answers. If we ask the five Members of the Policy & Resources Committee what would be the effect of this amendment, we would probably get five different answers. (*Interjection*) Or 39 different answers, yes.

3600 I do not know for how long after this debate my Committee will remain in place. But as the President of the Committee which effectively is the subject of this amendment, I have to tell the States that if this amendment is approved and become States' Resolutions, I and my Committee will be very unclear about what it is that we will have been directed to do. And on Monday, or whenever is going to be the first day after this debate, we would be unable clearly to articulate to the community the strategic objectives and policies of the States on secondary education. That is the last thing we need to emerge from this debate.

3605 The decision the States need to make is whether to press ahead with the reforms and the model they agreed by substantial majorities in 2018 and 2019 or whether to stop the reforms and start afresh for the fourth time in the space of five years, searching for a new and different model of secondary education, the brilliance and popularity of which has apparently escaped the Sillars Committee, the Le Pelley Committee, my Committee and indeed every Member of this Assembly,

3610 and the teachers unions, none of whom have been able to come up with even the outline of a  
better model despite our critics insistence that what has been approved by the States twice will  
not do.

3615 That decision can be made only through either Deputy Dudley-Owen's requête or my  
Committee's amendment to it, which is the next amendment to be laid after this one. The current  
amendment, though doubtless well meaning, is unhelpful and unnecessary and proposes an  
unclear outcome which advances this debate not one jot.

3620 Sir, what on earth are meant by these 'To re-affirm' Propositions from 5 to 8 in this  
amendment? Having made these Resolutions once, less than six months ago, why does the States  
need to be asked to make them all over again? Or is the expectation that the States will approve  
the amendment and then reject the Propositions to re-affirm, thus providing the Policy &  
Resources Committee with an excuse not to have to consider the full business case, but to say,  
'Oh actually we have to hand the whole thing back to the States'.

3625 But of course that would not really work either, because if the amendment is carried and the  
Propositions to re-affirm are lost, the extant Propositions from September will remain in place  
which delegate authority to the Policy & Resources Committee to approve the full business case. I  
cannot understand why these Propositions, 5, 6, 7 and 8, are included in this amendment.

3630 Deputy Trott in a media release – which was as equally confused as the amendment – and the  
Committee in the explanatory note, talks about these Propositions existing to allow the States to  
re-affirm or otherwise. What on earth does re-affirm or otherwise mean? I do not think Deputy  
Trott could explain that now. I would be happy to give way to him and he could explain how the  
States is going to convey the impression that it is doing otherwise by voting whichever way it  
might vote on these Propositions, 5 to 8, if this amendment is carried. Because, actually, the States  
would not have voted otherwise, the States would have not voted at all, they would have voted to  
negative the Propositions and we would then go back to the extant Propositions which are the  
same Propositions as set out in this amendment.

3635 If clarity was what was required, what the Policy & Resources Committee needed was a  
Proposition to invite the States either to re-affirm their delegated authority or to rescind their  
delegated authority, not to construct it in this, frankly, weasel form of words that has been set out  
in this amendment.

3640 Now –

**Deputy Trott:** You said you would give way?

**Deputy Fallaize:** Oh, I will give way to Deputy Trott.

3645 **Deputy Trott:** Sir, just because this Assembly has given the Policy & Resources delegated  
authority does not mean that it needs to use it. Now, the purpose of this Proposition is if the  
States decided *not* to re-affirm that delegated authority, the Policy & Resources Committee would  
of course *not* use its delegated authority and bring the proposal back to this Assembly. I have  
publicly stated that if this amendment becomes the substantive Propositions, I will vote against  
3650 Proposition 5, personally, in order to ensure that that is the outcome.

3655 Now, sometimes, sir, Members of the States try to be too clever for their own benefits and  
there is nothing clever about that. That is an opportunity for the States to issue a direction to the  
Policy & Resources Committee as to whether they still wish that delegated power to be  
undertaken, and that is an entirely appropriate Proposition to bring before this Assembly.

**Deputy Fallaize:** Sir, it does no such thing and Deputy Trott is either being daft or he knows  
this, because if the amendment is successful and then the Propositions 5 to 8 are lost, as Deputy  
Trott is going to recommend to the States, then the extant Resolution will be that the Policy &  
Resources Committee has delegated authority and it can –

3660

**Deputy Trott:** On a point of correction – I am not going to –

**The Deputy Bailiff:** Point of correction, Deputy Trott.

3665 **Deputy Trott:** It is a point of correction, sir.

I am not going to recommend to the States that Propositions 5 to 8 are lost. I am going to recommend to the States that they do not vote for Proposition 5, but they do vote for Propositions 6, 7, and 8, because the purpose of this amendment is to salvage what we can from what is an absolute dog's breakfast as a consequence of there being absolutely no material support for ESC's proposals by the profession that we are asking to operate the system that we are providing it with.

That is the issue.

3675 **The Deputy Bailiff:** Deputy Fallaize – Deputy Fallaize, before you continue, can I just interpose my desire that the temperature lowers a little bit and that language such as 'daft' is not used in these circumstances. (*Interjections*) It does not need to be generated to that level when at the moment all we are doing, Members of the States, is deciding what set of Propositions you are eventually going to debate.

Deputy Fallaize to continue, please.

3680

**Deputy Fallaize:** Thank you, sir.

So despite what Deputy Trott is just saying, okay, he wants the States to vote for the amendment and then vote for Propositions, 6, 7 and 8, but he is going to recommend that the States vote against Proposition 5. But if that Proposition is successful, then the Resolution of the States will be to delegate authority to the Policy & Resources Committee and if that Proposition is not successful the extant direction of the States will be to delegate authority to the Policy & Resources Committee.

Sir, no, I am not giving way again.

3690 **Deputy Trott:** You are misleading the States, if I may, sir; point of correction.

**The Deputy Bailiff:** Deputy Trott, is it a point of correction?

**Deputy Trott:** It is a point of correction.

3695

**The Deputy Bailiff:** You will get the opportunity to speak later in the debate if you wish.

3700 **Deputy Trott:** Yes, but it is a genuine point of correction because Deputy Fallaize is misleading the States. I repeat: just because the Policy & Resources Committee has delegated authority it does not need to exercise it. It is the Policy & Resources Committee's choice whether to exercise it or not. Proposition 5 allows the Assembly to express a view as to whether that delegate authority should remain or whether it should be taken away, and that guidance would be extremely helpful.

3705 **Deputy Fallaize:** No it does not, sir. If Proposition 5 is lost the extant Resolution will be the Policy & Resources Committee has delegated authority.

If Deputy Trott is seeking to avoid exercising the delegated authority which comes with the seat on the Committee he holds, the Policy & Resources Committee can do that now. It could refer now ... it could refer the matter back to the States. (*Interjection by Deputy Trott*)

3710 Sir, there is no benefit in Deputy Trott shouting things at me from his seat. There is no need for these Propositions, 5, 6, 7 or 8.

Now, Proposition 1 in this amendment talks about providing students with the:

widest possible range of curricular and extra-curricular opportunities.

3715 – and asking the States to re-affirm that as a principle. Now, that above all requires scale. If you want the widest possible curricular and extra-curricular opportunities, you are not prepared to make compromises, you want the widest possible, that requires scale and that requires a greater number of students in schools, which speaks to the current reforms.

That part of the amendment goes on, in terms of trying to capture principles, to say that the transformation of education:

3720 should be based not on convenient management of the existing estate, but on educational policy and educational outcomes.

These are commendable principles about education set out in this amendment, but then at Proposition 3, a few paragraphs later, the amendment descends into itself being preoccupied with management of the estate. For example, how many buildings there should be and where they should be located by requiring an analysis of other models which:

3725 should not include the site of the current La Mare de Carteret High School. ... [and] should include one site with a co-located Sixth Form Centre.

3730 So we are told that we must stick to principles and we must not in any way determine the future structure of education based on convenient management of the estate, and we must get on with analysing models which must not include using La Mare de Carteret High School and must include one site with a co-located sixth form centre. That is completely contradictory.

3735 Sir, I want to advise the States that my Committee took advice on what should be included in our business cases to be submitted to the Policy & Resources Committee. We took advice from the author of the Treasury's Five Case business model, the so-called Green Book, on which the Policy & Resources Committee's business case model is based, Mr Flanagan and we took advice from the Policy & Resources Committee's capital portfolio team.

We were clearly advised that the business cases need not include evaluations of other previously rejected education models where the Government had already agreed, as the States have twice, that as soon as possible secondary education should be delivered in two 11-18 colleges.

3740 We were advised that we should concentrate on evaluating different options for delivering that model and that is what we have done in business cases: a do-minimum way of delivering that model, a preferred way of delivering that model, and we have used the *status quo*, the current model, as the comparison model.

3745 Now, at the eleventh hour, and contrary to the advice issued hitherto, in this amendment the Policy & Resources Committee wishes to reintroduce at least one, possibly more, previously rejected education models and to require analysis of them at the wrong stage of their own process and in a timescale which would allow only for a very high level analysis which inevitably would satisfy no-one. Doubtless least of all the Policy & Resources Committee.

3750 This amendment has been preceded by much talk, respectfully, especially from Deputy Trott, including a few moments ago, about wanting to respond to the views of teachers. Again, I accept that this is a sincere and not unimportant consideration.

3755 The first thing to say about this is that this amendment does nothing to address, in fact it seems to me to do everything to avoid, most of the issues raised most frequently by teachers and other staff, which are in relation to space, of which some of them think there is not enough, and day-to-day operational changes, of which some of them think there is too much or at least too much too soon.

The authors of this amendment seem to imagine that they are responding to or satisfying the concerns of staff by alighting on a new model of education or rather reviving an older previously rejected one. What they inaccurately and perversely imply to be secondary education in three 11-

3760 16 schools one of which would have a co-located sixth form. Of course, that is really two 11-16 schools and one 11-18 school or selection by postcode, but more about that in a moment. The point here is about the views of teachers to which –  
Oh, I will give way to Deputy Ferbrache.

3765 **Deputy Ferbrache:** Sir, I would be grateful, if he is so willing, if in the course of his address Deputy Fallaize could build on the point that he just made about Deputy Trott, because my understanding is that the overwhelming view of the teachers now, as published, as broadcast, is that this amendment, together with all the other amendments, should be rejected. I would be grateful if he could tell the Assembly if that is correct, and, if so, how he thinks that Deputy Trott's  
3770 points about meeting the concerns of the teachers when seemingly they do not want this amendment is so met.

**Deputy Fallaize:** Thank you, sir.

I will come on to that very quickly. I was coming on to that, because I think the point here –  
3775 although I do want to refer in a moment to this highly unsatisfactory model which literally a few weeks ago some Members of the Policy & Resources Committee discovered, this co-located sixth form model, and now appear to be championing – but the point here is about the views of teachers, to which, at least in part, this amendment is meant to be a response.

This amendment and the education model it wishes to reintroduce into the debate have been  
3780 rejected by the teaching unions. In the period leading up to the debate in January 2018 when the States decided what the future structure of secondary and further education should be, the local branch of the National Education Union said of this co-located sixth form model that it:

... would serve to consolidate the perception that the one 11-18 establishment would continue to benefit from more favourable staffing arrangements and would be perceived by the wider community as being the best or most academic school. A number of NEU colleagues have sought to emphasise their opposition to a continuation of a secondary suite containing just one 11-18 school alongside two or three 11-16 institutions.

Of course, this is the problem when you start going out and asking people, 'Do you favour this one particular model that has been developed?' It is possible to get answers on that particular  
3785 model, which when a different model was put a year ago or two years ago would have got different answers. But if you just analyse one model at a time, it is always possible, because there are so many of them, to get a majority of people who are opposed to it.

More recently, indeed, as recently as Tuesday of this week, the three largest unions represented in schools – and Deputy Inder has referred to this in an earlier speech – wrote to  
3790 States' Members to advise that this amendment from the Policy & Resources Committee did not have their support.

It is true that teachers at one school in particular favour this model of 11-18 education on one site and 11-16 education on two or three other sites. But no sooner had they conveyed that view publicly, and Deputy Trott and possibly other Members of the Policy & Resources Committee had  
3795 decided to become its champion, than teachers at another school were advising that they did not support such a model.

Quite apart from demonstrating, as if any further demonstration was needed, that there is nothing approaching a consensus in the profession let alone in the community for any one particular model of education, what is clear is that this amendment has not achieved one of its  
3800 stated main objectives of responding adequately to the views of teachers.

Finally, sir, I want to convey my Committee's view about this previously rejected model which the Policy & Resources Committee wants to put back on the table, which, as I say, is one 11-18 school and two 11-16 schools.

I will give way to Deputy Inder.

3805 **Deputy Inder:** Thank you, Deputy Fallaize, for giving way.

The letter that you referenced earlier if that was – though you, sir – the 25th February 2020, which did seem to make comment on the ESC proposal, you have got to be careful what information we take, because in the same letter – the same letter – ‘A way forward’ they wrote:

3810

So what is the [best] way forward? It is incontrovertible that our members want a genuine pause and review, which involves consideration of a range of possible options –not just the one ...

So I think I would ask Members to be very careful picking and choosing excerpts from different pieces of letters they get from people.

3815

**Deputy Fallaize:** Yes, can I just quickly respond to that point? Deputy Inder makes a fair point. I am not standing ... I am not going to stand here during the course of this week at all and say the majority of teachers are in favour of the current reforms. But if you lay an amendment before the States off the back of trying to respond to teachers’ concerns, it must be of slight concern to the States, and presumably of slight concern to the proposer and seconder of the amendment, when the teachers’ unions then write to the States’ Members to say, ‘We do not support that amendment’.

3820

Oh, I will give way to Deputy Lowe and Deputy ... Oh I can only give way to one Member at a time. I give way to Deputy Lowe to begin with.

3825

**Deputy Lowe:** Thank you.

I stand because you mentioned just now that you were coming to a conclusion and I wanted to ask HM Procureur before you sat down just to clarify the situation between yourself and Deputy Trott, because whether it does mean the reading that you agree, Deputy Fallaize, which I have to say I come down on to the side of Deputy Fallaize, or whether Deputy Trott’s interpretation, which is different, is the right one. And I think if we could hear from HM Procureur, because you may want to respond from the advice we have been given. Would that be possible please?

3830

**Deputy Trott:** I would also like to ask HM Procureur a question.

3835

**The Deputy Bailiff:** Well, you cannot speak at this moment.

**Deputy Trott:** *(Inaudible)*

3840

**Deputy Fallaize:** Well, shall I ... I will give way to Deputy Prow in a moment, but shall I continue and then maybe at the end the Procureur may –

**The Deputy Bailiff:** The Give Way Rule is such that I have nothing to do. A Member sits down when somebody stands up if they are going to give way to them and then they resume. Now Deputy Lowe wants HM Procureur to help, I will decide when that will be done.

3845

**Deputy Fallaize:** That is all I was trying to establish, sir.

I will give way to Deputy Prow, then I think I must carry on. *(Interjection and laughter)*

3850

**Deputy Prow:** I thank Deputy Fallaize for giving way.

Deputy Fallaize has basically given us the impression that there is not a consensus between the teachers from different schools and perhaps in an attempt to be helpful I have already referred to the letter of 25th February. This is a letter sent to all Deputies from the NASUWT, the NEU and Prospect unions. I am going to quote a different part of that letter so it is not the same part. It says this:

3855

Following a very well attended all union meeting held on 22nd January –

– this quite recent –

– we each polled our members and overwhelmingly established two key messages:

1. That ESC had not made sufficient strides to address their concerns about the implementation of the 'one school, two site[s] model' for them to have confidence in the plans that are being progressed so that educational outcomes would be improved;
2. That they wished for there to be a period of pause and review to enable alternatives to be considered with the then draft Requete presenting the political means to achieve this (ESC having refused a previous such request when we met with them in October 2019).

3860 Thank you, sir.

**Deputy Fallaize:** What I said, sir, in relation to consensus, was that it is okay for any group of people to be against a model of secondary education, but the challenge is not to decide what we are against. The challenge is to decide what we are for. Because saying I am against that model, or against that model, or against this model is not a policy position.

3865 The future structure of secondary education cannot be not-two schools or not-three schools. There has to be a positive decision made at some point and it is over that that I am saying there is no consensus. That is ... I think that is plain now, but I think it will become plainer as this debate wears on and hopefully after this amendment is defeated and we can get on with what I think is the core of the debate, which is between the current reforms hopefully plus the amendment which I am hoping to lay and Deputy Dudley-Owen's requête.

3870 Now, I want to convey my Committee's view about this previously rejected model which the Policy & Resources Committee wants to put back on the table of one 11-18 school and two 11-16 schools. The Grammar School and sixth form centre operates as a single organisation. It is not a coincidence. If in the future there is a site providing 11-18 education, it will inevitably be run as a single organisation, not for ideological reasons, but because it is the only sensible and efficient way given that, as every Committee which has ever looked at this in any depth has concluded, we do not have enough sixth form students to run a completely separate sixth form college.

3875 Reference in this amendment to a co-located sixth form centre is semantics. The 11-16 phase and the sixth form have and would in the future have the same senior management team, the same teachers and share many of the same facilities, and feature a good deal of integration between students in the two phases. It would be illogical, as well as hideously expensive, to duplicate on the same site science labs, art rooms, design and technology workshops, IT suites, libraries and sports facilities for use only by sixth formers next door to the same or similar facilities for 11-16 students.

3880 A very small number – a very small number – of staff at Les Varendes teach post-16 students exclusively. Sixth formers lead the student voice team, they are prefects and peer mentors, they run the support clubs for younger students. Any colleague who thinks all this could or should be broken apart to create separate organisations operating on the same site, indeed from the same building, has, respectfully, taken leave of their senses.

3890 If we think we have challenges in taking staff with us on the journey of transforming education, we will have seen nothing if we try adding to the mix telling staff who are currently teaching across 11-18 education that in future they must choose between 11-16 or post-16. A co-located sixth form is a fantasy. It would be an 11-18 school. If you think, as my Committee does, and I believe a majority of this Assembly does, that it will be better for it, then the only question is whether this advantage should be available to one third of the Island's students of compulsory secondary age, based only on where in the Island they live, or available to all students.

3895 As it happens, although my Committee and our predecessor Committee have not always been in complete agreement about education, on this particular matter, on this model which the Policy & Resources Committee wants to reintroduce of one 11-18 school and two 11-16 schools, the advice of the two Committees has been very closely aligned.

3900



3905 When they put their policy letter before the States in January 2018, the previous Committee, of which of course two of the most prominent signatories to this requête – Deputy Dudley-Owen and Deputy Meerveld – were Members, advised the States as follows on this model of education which is in this amendment. It:

does not meet the Committee's principle of equality of opportunity.

[...]

It is also highly likely that the building at Les Varendes would need to be partially vacated whilst renovation and extension works were carried out ... it would not be as easy to move from 19 forms of entry to 20 forms of entry in the future should the need arise.

8.25 This model does not meet the education principles the Committee wishes to achieve, [it] does not meet the Committee's transition principles and it could lead to a dip in outcomes due to the complexity of the transition model.

3910 I want to make this point very clearly. My Committee, which of course before it was the Committee, proposed and was then elected as the Committee to deliver one school in two 11-18 colleges in particular is wholly opposed to any model which would see 11-18 education on one site only and 11-16 education on other sites. (**Several Members:** Hear, hear.)

3915 Such a model would replace selection by aptitude with selection by postcode. One third of our 11-16 students would have the advantage of carrying out all of their compulsory secondary education in an 11-18 institution, while two thirds of them would be denied these advantages, and the conferring of this advantage on one third of students only would be determined exclusively by where in the Island they live. My Committee cannot imagine a less secure basis on which to establish and provide for the success of our new non-selective secondary system. That is, if the intention is to make it a success.

3920 I believe a clear majority of colleagues, not all of course, but a clear majority, are persuaded of the advantages of 11-18 education. Why then would we confer such advantages only on the secondary school students who live in the middle of the Island and deny those advantages to the students who live in most of the north or the west or the south of the Island? But that is the consequence of the model trailed in this amendment. Mark my words, if this amendment is approved the Assembly will soon be halfway down the road of embracing such a model. My  
3925 Committee cannot accept such egregious inequality of opportunity and this Assembly should have nothing to do with it either.

In addition, we ask colleagues to consider the issue of school size in terms of the number of students under the one 11-18 two 11-16 schools model. Assuming there were approximately the same number of students in the 11-16 phase of each of the schools, without which we would be  
3930 building more inequality of opportunity into what would be an intrinsically unequal structure, the site providing 11-18 education would have around 1,200 to 1,300 students. I will in a later debate explain a little more about student numbers in our two 11-18 colleges model, because the numbers have frequently been exaggerated by our critics, but for now the point is that in the unequal one 11-18, two 11-16 schools model, the site providing 11-18 education would have a  
3935 very similar number of students as will be accommodated in each of our 11-18 colleges in the two-school model.

3940 So anyone – and there are a number – arguing that in our model the colleges would have more students than they would like, must not be misled into believing that this one 11-18, two 11-16 schools model is a solution, because they will be establishing an 11-18 school with a very similar number of students to our 11-18 colleges, but they will then be denying the advantages to two thirds of the Island's secondary school students.

3945 As I have said, there are a number of other reasons for rejecting this amendment, including that at a time when we need to provide ideally further certainty, but if we cannot bring ourselves to provide some certainty nearly five years after this debate started, then we should at least provide some clarity, this amendment provides only confusion. And having been prepared, at least in part, as a response to staff concerns, it has not succeeded in meeting them.

Our Committee asks Members to reject this amendment and allow the States to come to the substantial debate we need to have which is around our Committee's amendment and the Prayer of the Requête.

3950 Thank you, sir.

**The Deputy Bailiff:** Madam Procureur, there has been a slight difference of opinion (*Laughter*) on both sides of me as to what the effect would be if this amendment were to carry and these were to remain the substantive Propositions and there were then to be a vote for or against Proposition 5 from within the amendment.

3955 Are you able to assist the Assembly as to what a vote for or against would actually lead to please?

**The Procureur:** I can try, sir.

3960 Sir, in relation to Proposition 5 and the difference of opinion in relation to delegated authority, it may be helpful to remind the States that the decision to delegate authority to the Policy & Resources Committee came about by States' Resolution in September 2019. Therefore, fundamentally, there is a Resolution to delegate that authority to the Policy & Resources Committee. Using the words re-affirm tends, sir, in the ordinary sense to mean simply validate. It is not the same as rescinding a Resolution of the States.

3965 However, sir, if I may perhaps give a bit of credence to both sides, I do understand Deputy Trott's position, in that he is stating that the Policy & Resources Committee do not *have* to use their delegated authority. Clearly, sir, if the States decided to vote against Proposition 5 and not to re-affirm that decision to delegate authority, whilst it is not the same as rescinding the Resolution – in other words, that Resolution of 2019 still stands – it will send a very clear message that the States were not comfortable with that delegated authority being used, which would then be a political matter for the Policy & Resources Committee.

3970 So therefore, sir, I stand slightly in both camps, if that is of assistance. I think there is merit in both.

3975 **The Deputy Bailiff:** Thank you very much Madam Procureur. Deputy Trott do you seek further clarification?

**Deputy Trott:** Yes I do, sir. Having been proved right on that one, (*Laughter*) I wonder if HM Procureur would be keen to confirm my interpretation of Proposition 3.

Proposition 3 of the amendment says that there – effectively says – can be:

any comparison between models of two and three site utilisation from within the current education estate ...

– with the exception of current La Mare de Carteret High School. So with the exception of that option, because that is horrendously expensive, as we all know, there can be any comparison. And therefore, Deputy Fallaize, in what he thought was a rather impressive demolition of the amendment, misled the Assembly initially and sought to a second time because, I believe, any comparison is possible.

3985 Would HM Procureur confirm that to be the case with the exception of utilising La Mare secondary school site?

3990 **The Deputy Bailiff:** Madam Procureur, are you able to respond immediately or would you like to think about that?

**The Procureur:** Sir, it would be helpful to be reminded of what Deputy Fallaize said. I am sorry, I had not ... That is not clear in my mind.

3995 **The Deputy Bailiff:** Deputy Fallaize, can you assist HM Procureur, please?

**Deputy Fallaize:** Sir, what I said was that the Committee would be obliged to undertake an analysis of one or more three-school models, but would be prevented from including in any of those models the redevelopment of La Mare de Carteret High School and must include in that model or one of those models one 11-18 school and two 11-16 schools. That is what it says in the amendment that Deputy Trott is seconding. Everybody who reads the amendment can read those words, Deputy Trott can stand up an endless number of times and deny that that is what is in the amendment, but I am afraid it is in black and white.

Even the Members of his own Committee know that is what is in the amendment and it would be better for him to desist from this act. (*Interjection*)

**The Deputy Bailiff:** Madam Procureur, would you still like some further thinking time?

**The Procureur:** Yes I would, sir.

**The Deputy Bailiff:** Thank you. I will call Deputy Prow then.

**Deputy Prow:** Thank you, sir.

I have to follow two very interesting speeches, but Deputy Ferbrache's speech actually will allow me to cut mine short. I will start in the same place as Deputy Ferbrache, by trying my level best to stick to the P&R amendment that we are debating, because in general debate I certainly want to challenge what the President of ESC has said and I will leave that opportunity to general debate.

Also, we have got two identical challenges to the P&R amendment, but I am in the Deputy Ferbrache camp in trying to persuade this Assembly not to support it rather than the President of ESC.

There are two parts to this, sir. Again, I will spend no great time on this because I have already articulated this point when speaking to the previous amendment and the reason is that it effectively overturns, this amendment would overturn, the main pause and review and stakeholder engagement element of the requête, and debating options on the floor of the Assembly is not what the requête is about and so for that reason, it is one of the reasons why, I cannot support the amendment.

The other reason has been very well put, as I said, by Deputy Ferbrache. So I will not say too much more about this. But I will put it in my words. Frankly, the P&R amendment will make very little change to the current position, with no pause and review and still with no commitment to stakeholder engagement and *still* with the delegated authority – and I think Deputy Ferbrache has covered that very adequately.

The question of delegated authority. We need to remind ourselves about where we made a decision to grant delegated authority. We did so in a vacuum without the developed business case. And this is where this whole process has started to go wrong and it is as the ... In fact, I give P&R some credit, because they do acknowledge this in their letter of comment, and again I think it is worth acknowledging that the P&R Committee has acknowledged that:

both the community and the teaching profession concerns in light of the developing picture of the scale, density, facilities and traffic management plans arising from the publication of redevelopment proposals for... Les Beaucamps and Baubigny.

This is where this whole thing has started to unravel. P&R, I do give them credit for acknowledging this and attempting to find a way through. However, I am disappointed and exasperated that ESC have failed even now to grasp this message and have reacted aggressively, digging in, our way or no way, and I think that has come out of the speech that we have just heard from the President of ESC.

The P&R explanatory note goes on to say the requête 're-opens the broadest discussion'; and I think it is just as well it has. However, I would also say it is not just the requête that has done this,

it is our democratic system. We in the Assembly have now received overwhelming challenge from the public, very concerned about the introduction of two large 1,400 pupil comprehensive schools in a small Island environment. That is where we are.

4050 Yes, we the States have by a majority approved the ESC model and nobody is arguing that. But this is a point that becomes repeated over and over again. We have never suggested that that is not the case. But now, as the information is slowly cascaded out, the challenge from those tasked to perform in the classrooms simply cannot be ignored nor can the outcomes be delivered in such a divided environment between the ESC model and those employed to deliver it.

4055 I will just close by ... There was a reference in the opening address by the President of P&R to Brexit and making some sort of comparison. I do not actually think that that is really very helpful. The Brexit ... There was a UK referendum where it was decided to leave the EU. That was then followed by Theresa May's Government and where the negotiated settlement was tried to get through Parliament. Perhaps one thing we could perhaps think about is that the Boris Johnson government was returned with an overwhelming majority and we have a General Election coming up. So perhaps that is an analogy, but I do not think that it is a fair comparison.

4060 But as Deputy Ferbrache said to us all, it is for this States now to try and find a way through it, now, today hopefully, or certainly in this session, and this is what we need to be concentrating our minds on. And, sir, I do not think the P&R amendment helps us or assists us in that task.

4065 Thank you, sir.

**The Deputy Bailiff:** Deputy Lester Queripel.

**Deputy Lester Queripel:** Sir, thank you.

4070 Sir, despite what Deputy Ferbrache and Deputy Fallaize have said, I would like to believe this amendment has been laid with the best of intentions. Maybe I am being naïve, but I would like to think that.

4075 Although I do question why it has even been laid, because if it has been laid to address the views of teachers, as has been said, surely there was no need to lay it because the requête actually does that. So surely this is superfluous to needs. Unless I am missing a fundamental point somewhere along the line, sir. I would like to hear Deputy St Pier's views on that when he responds.

I will give way to Deputy Trott, sir.

4080 **Deputy Trott:** I am very grateful to my friend for giving way, because as we have heard from our colleagues on ESC, the requête is a blunt instrument that will result in the cessation of all activity. This amendment takes into account the teachers' views, which appear to favour, overwhelmingly, the progression of work around the Institute. So if this amendment becomes the substantive Propositions, the Assembly will have an opportunity to express its view as to whether most aspects of the current ESC plans can continue or otherwise.

4085 So does it reflect ... Has it the potential to reflect teachers' views? That is entirely a matter for the Assembly when they vote on the various permutations that the amendment produces. And when, if I may, Deputy Fallaize says he does not understand it, well of course I have some sympathy with that view, and I do not say that sarcastically, because he does not know and I do not know – he gave way – at this stage what the permutations will look like. For instance, and this ... Deputy Ferbrache gave us the benefit of his wisdom earlier, but Proposition 2(b) gives this Assembly the opportunity, if it wishes, *not* to consider, not to continue with the one school on two sites proposal if it so wishes.

4090 The amendment is complex, but it enables the best of what we have on the table to proceed and at the same time express a view in relation to public opinion.

4095 I am grateful to my friend for giving way.

**Deputy Lester Queripel:** Sir, I thank Deputy Trott for that clarification and explanation.

4100 He said it is complex. I am not sure it is that complex, but I will listen to the rest of the debate and what Deputy St Pier says when he sums up.

To me, I have still got the feeling it is superfluous, but I would like to hear ... I am sure that Deputy St Pier will align himself with everything that Deputy Trott has just said when he responds, so I just want to hear that, please sir, verification.

4105 Before I sit down, sir, I would make a plea with the Assembly to please keep this debate respectful and courteous. There was some unnecessary terminology used before. *Please* do not resort to such baseline behaviour as has been employed by some members of the community in the build up to this debate. (**A Member:** Hear, hear.)

4110 With that thought uppermost in my mind, I deprecate *wholeheartedly* the manner in which some members of the community have treated the Committee for Education, Sport & Culture. (**A Member:** Hear, hear.) It is absolutely, totally unnecessary and totally unacceptable.

I attended a recent march against the one school two colleges model and I was absolutely *appalled* to see a placard stating 'Matt Fallaize is a mug'. (**A Member:** Hear, hear.) That is *appalling*, absolutely unacceptable. In my view that is *below* baseline behaviour and the person or persons who put that placard together should be thoroughly ashamed of themselves.

4115

**The Deputy Bailiff:** Deputy Le Tocq.

**Deputy Le Tocq:** Thank you, sir.

4120 My depression that I had before is not getting any better, I am afraid. (*Laughter*)

So we are in a mess and for some of us who have been in this Assembly for a number of years, as I mentioned before, it feels a bit like *Groundhog Day* for me, where I have supported first of all the removal of the 11-plus, the removal of selection, which I was in favour of when I entered into the Assembly but was persuaded by experience to get rid of, and then to see the attempts, the various attempts, over a number of years and particularly in the last Assembly, to come to a conclusion on that and to bring about a fairer system for all of our secondary school children, and ultimately our primary school children come to that, because the 11-plus is something that they face in Year 6. To see that move forward, with views that I had previously, was an encouragement.

4125 The beginning of this term, it seemed to me for the first 18 months or so we were going round in circles again and were in grave danger of flip-flopping decisions and indeed going backwards.

4130 Sir, I am not ... I said I was reluctantly in favour of Deputy de Lisle's amendment. I am very reluctantly supportive of this one. It is worse than a dog's dinner, it is probably equivalent to a guano being slightly better than a bouzaïe (*Laughter*) But we are in a mess, as I said before, and when you are in a mess to try and find a way forward is *very* difficult indeed. And the idea that by pausing and reflecting we could find some nirvana position that a majority of people can agree to is, I think *very* foolish.

4135 I indeed was surprised – and it was one of the reasons why I supported the one school two college solution – by the degree of majority support that it had in this Assembly. People like Deputy Ferbrache and Deputy Dorey and Deputy Graham, who had previously not supported anything of that sort, were supportive of it. I would like us to try and focus our minds as to whether we could move in that direction again. But pausing and reflecting will not do that because we have been through virtually every possible solution, and not only we ourselves have rejected others, but I am absolutely certain from my engagement with teachers that you could not find a majority of teachers that would rally around one of those options. They all have different options. There are all probably moved by a majority against the current proposals, yes; 4140 (*Interjection*) the public outside, similarly, as well. So we are in a mess.

4145 So there are elements of this that I could not support at all if it comes to substantive positions, and one of those is Proposition 3. But I think we cannot afford to – particularly where we are in terms of this term coming to an end and a new term coming – to lose momentum, because otherwise, by my own experience, I imagine that the next term, if the requête succeeds, we will spend the whole of the term, those of us who find ourselves back in here, whoever does back in 4150

here, debating the whole thing again and again and again. (*Interjections*) And in so doing, we disenfranchise, as we have done ... All of my children have been through the system, I promised my eldest daughter she would have a new school at Beaucamps and my youngest still did not when she went there. That is very foolish.

4155 We have got to make, if we cannot make a giant leap forward, we must make at least a few steps forward and on that basis, *very* reluctantly, I have been willing to support this amendment.

**The Deputy Bailiff:** Deputy Trott.

4160 **Deputy Trott:** Thank you, sir.

Sir, this amendment acknowledges:

'both [our] community and the teaching profession concerns in light of the developing picture ... [with regards to] scale, density, facilities and traffic management plans arising from the publication of redevelopment proposals for the two colleges of Lisia School at Les Beaucamps and Baubigny.'

4165 However, the requête potentially reopens the broad discussion on secondary and, unintentionally, tertiary education provision.

The Policy & Resources Committee:

is under Resolution to exercise the authority delegated to it through rigorous review and challenge of the full business cases presented and, in particular, an assessment as to whether the final proposals deliver the agreed policy, balance costs and benefits and therefore use public resources in a way that creates and maximises public value.

...

Unlike the Requête, this Amendment seeks to keep current work streams on track while considering the concerns of [our] community within the current full business case, and should build on information already held by the Committee for [ESC] in determining its proposals for which two sites should be brought forward (as considered by the Assembly in ... 2019).

Now, sir:

It is important that work continues to develop the Guernsey Institute as the approved tertiary model for vocational, professional and technical education for full-time and part-time students, including apprentices. To this end Proposition 2 and 6 seek to ensure the continued work to develop governance arrangements for the new Guernsey Institute and the redevelopment of its campus.

And there has been, to my knowledge, no material objection to this aspect of the proposals.

4170 Now, sir, the President in moving the amendment did not ask that the amendment be read and I understand why. But I think under the circumstances I should go through each one of the Propositions and explain what they are about. But I will not deal with Proposition 1, because I think that is genuinely self-explanatory.

Whereas Proposition 2 asks:

To re-affirm that as soon as practicable all students in secondary and post-16 education must have access to:

4175 (a) the right facilities to achieve the best possible outcomes subject to value for money ...

– and a definition of value for money is given. Now, who could object to that?

(b) a purpose-built 11 to 18 School, operating as one organisation in constituent colleges or campuses ...

4180 Now that, as I said earlier, gives the Assembly the opportunity, if it wishes, to express its view now based on the information that we have today, that we did not have last time, and that is the overwhelming disapproval of the teaching profession in particular as to that model, if it so wishes. So it can re-affirm or otherwise.

Now, sir, those of us who have been around a while – I gladly give way to my friend.

4185 **Deputy Fallaize:** I was going to ask for a point of correction, sir, but Deputy Trott has given way.

I think, in fairness, Deputy Trott would have to accept that 2(b) does not capture the current model or the current reforms it says:

a purpose-built 11 to 18 School, operating as one organisation in constituent colleges or campuses ...

4190

That could be one college, two colleges, three colleges or 100 colleges. So I do not think he is quite right to present it to the States as giving the States an opportunity to affirm the current reforms at all.

4195 **Deputy Trott:** Well, I think ... And this Assembly does not have many idiots and Deputy Fallaize is certainly not one of them even if it did. He would know as well as I that if the States chose not to re-affirm its support for 2(b) that would to all intents and purposes be the States expressing the view that it did not wish for the current proposals to continue. Well, I believe it would. In fact I believe very strongly it would.

4200 2(c) – I give way again, sir.

**Deputy Fallaize:** I am grateful to Deputy Trott.

Can I just then ask him to confirm when he talks about ... Because what I see wrapped up in 2(b) is the concept of a school, a single school, operating in a number of colleges or campuses providing education to 11-18-year-old – so that full range of secondary education. So is Deputy Trott saying that he will perceive that if this amendment is carried and then 2(b) is lost, the States will have said, not only we do not want to have two 11-18 colleges, but we actually do not want a single school operating in a number of constituent colleges or campuses. Because I think if that ... Maybe that is his interpretation of it, but it certainly was not mine when I read the amendment.

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**Deputy Trott:** Well, for me, sir, it is simple as I expressed earlier. That would be the States saying that the current proposals were no longer to their liking based on, particularly ... I mean I am not discounting public opinion, public opinion is extremely important. But there are a number of factors involved in public opinion ranging from traffic management through to genuine educational concerns. But what cannot and must not be ignored, and I do not think anyone in this Assembly would refute this comment, is the quite simply overwhelming lack of support from the teaching profession for what we currently have on the table. So it is a way, as I say, of the States, if they wish, to express their view in a way that would be in my view irrefutable, they can do so.

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Now, 3. Deputy Le Tocq has already said that he would not vote for 3, and that is entirely a matter for him, in the same way, sir, as I would not re-affirm 5, because I think that with something that is as contentious as this, it is better that this Assembly consider the business model in its entirety.

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Now, of course where there is an element, I suppose, of potential criticism, is that is what will happen anyway, because the Policy & Resources Committee are bound to bring this back to the Assembly. It would be extremely foolish to do so. But there is certainly no intention by the PRC to somehow or other contain any decision within its environs. It wants the decision to be carried out in the most open and transparent way.

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Now, I have already said, sir, that Propositions 6, 7 and 8, which are the ones that continue the development of the proposals around the Guernsey Institute and of course importantly La Mare de Carteret Primary School and the Digital Roadmap, could all be progressed if the States wished them to do so.

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Now, this amendment had its genesis in the ESC saying that the requête, if approved, which I confess I am strongly inclined to support, but would much prefer these amended Propositions, ESC has told us that the whole thing will stop, it will grind to a halt. Now, whether that is because

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the consequences of that would be the mass resignation of Members of the ESC or whether it would be because the Members of the ESC did not feel that they had a mandate or the right ... Whatever that may be, I know not. But if the States adopts this amendment and votes to re-affirm that work should continue in those areas, as I believe the States probably would, then ESC (a) does not necessarily need to resign, but (b) would have plenty to be getting on with until the next Assembly made certain decisions with regards to the future.

Sir, there is nothing sinister about this amendment, there is nothing clever about this amendment – (*Interjection and laughter*) save in regard that what it does do is provides a way forward. As I have said, the requête, being the blunt instrument it is, does not do that.

So it is in the hands of the Assembly, sir. With the exception of hearing back from HM Procureur there will be no more from me on this amendment, with one exception. Deputy Ferbrache in his opening remarks sought to accuse me of doing what clearly any self-respecting politician would do and that is get a gauge of public opinion. Now, I know he was not on the march, sir. I do not know what he was doing, watching the football maybe. But I did go on the march and I listened. I was not adorned in green ribbons, sir. My six year old daughter was, she thought it was a *wonderful* experience! But I was not. But I would like to give him some advice, if I may through you, and that is democracy does not exist exclusively within this place, he should get out a little bit more, sir. (*Laughter*)

**The Deputy Bailiff:** Is now a convenient time, Madam Procureur, to respond to the query that was raised by Deputy Trott before?

**The Procureur:** Sir, it is.

I may have misunderstood the query, having revisited the comments from Deputy Fallaize and revisited the wording in the Proposition. But, sir, Proposition 3 makes it clear, in my view, that the Committee is being directed, if this Proposition is to carry, to include within the full business case – which they are already about to present and I understand they are pretty much finalising if not already finalised – the best value alternative configuration of campuses on three sites.

Now, *the* best value alternative configuration does, in my view, imply that they are being asked to come up with *one* best configuration of campuses. However, the paragraph underneath that does talk about:

For the avoidance of [any] doubt, any comparison between models of two and three site utilisation ... within the current education estate ...

Which to my mind implies that although they are being asked in the first paragraph of Proposition 3 to come up with the best alternative configuration, i.e. one, that does not mean that they are to disregard comparisons between, they might be looking at other models, although they are being asked to come up with the one.

Now, I do accept that there is perhaps a bit of uncertainty on both sides and part of this may relate to the actual practical considerations of where they are with their business case. It may be that the Policy & Resources Committee might consider themselves able to assist for the purposes of the *Hansard* record as to how they actually see that working practically. That may be of assistance.

Sir, I hope that is of some assistance, but I can see that there is perhaps a slight discord between the first and second paragraph here.

**The Deputy Bailiff:** Thank you, Madam Procureur.  
Deputy Roffey.

**Deputy Roffey:** Thank you, sir.

It is difficult this debate, knowing what to say when. I mean I have a lot to say about the subject of public opinion, because it has been used a great deal so far, and I am not so convinced



4285 it is as one sided as some people have portrayed. I also think there is also, sometimes, an obligation on the States' Members to use their judgement and not just weigh up public opinion, although of course that is an important factor to take into account.

I even think that, despite not denying the deep upset and concerns of our teaching staff, that there are nuanced reasons for that as well and that people are upset about different things, and it needs to be picked up. But when to say it? I do not think this is the time on this particular amendment. But I think if I wait, or anybody waits to the general debate, the whole guts will have been stripped out of the debate then because we will have decided really one way or another ... I know technically, in the safest way, sir, all we are debating is what to debate. But I think by the time we get on to the debate that we will have decided what the outcome will be almost. So I think in the next amendment probably, if we get on to that tomorrow, that is the time I will make my major contribution.

But there are a couple of things I want to say. Other Members of P&R, and even then half-heartedly by one, are not hearing a lot of support for this amendment. But that opposition is coming from two totally different positions.

4300 The requérants and their supporters are saying that this amendment is fatally flawed because it not provide the pause or sufficient pause in the pause and ... Actually, I think that is a daft expression. We are not talking about pause, we are talking about very significant delay and we are not talking about reflection, we are talking about going back to a drawing board that is already so covered in doodles that you would not know how to find your way forwards. But nevertheless, if they want to call it pause and delay, if they want to wrap it up and make it sound nice, then this does not do that sufficiently for them.

I think from the point of view of the Committee though, there are two big problems with this amendment as it stands, and it is almost from the opposite position. That we are being told that this will allow us to drive our policy forward and it will not delay us too much. It will even allow us to remain in office, just now from Deputy Trott. Frankly that is not a consideration to me! Yes, I quite like the job. I am a masochist in that sense, so I quite like doing it. But the outcome of this debate, it is the children we are talking about not, whether a particular political board stays in office or is not in office. **(Several Members: Hear, hear.)**

4315 But I think the problem is two things. First of all, we are being asked to make comparisons between the twice approved policy of this States, which is not *about* to start happening, but has *been* happening for the last year or so, and therefore we are deep into it, and other models. But what sort of depth of comparison do P&R want? I think we are either bound to make a superficial comparison that will satisfy absolutely no-one – it will not satisfy the teachers, it will not satisfy the unions, it will not satisfy the requérants, and I think Deputy Fallaize referred to earlier, it would probably, unless they are very easily satisfied, satisfy P&R either and nor when they bottle it and refer the whole full business case back to the Assembly, nor will it satisfy the States of Deliberation, unless, again, by that time we have elected a load of people who are very easily satisfied

4325 Or we can do, yes it is quite possible to do, a real in-depth comparison of the twice approved model that is well into implementation against some others. But do not be naive. Just, it then has exactly the same problem as the requête. We are then talking about big delay, huge cost, huge uncertainty and will probably end up going round and round and round this mulberry bush. Now, I like mulberries, but I am fed up of going round this particular bush. I like black ones anyway; I do not like the white ones as much.

4330 So that is one problem. I do not know what sort of comparison we are being asked to make. But either way, it has problems: superficial, meaningless, in depth; all of the same problems as the requête.

4335 But the other thing is we are being asked to compare the wrong things. Now, I do not care what the learned Procureur may say, and she is absolutely right, when you have got an amendment that specifies one particular model and says, 'Well, make sure that this is included', and it is actually *in heavier type than the whole* of the rest of the amendment, you are being given

a pretty big steer that this is really one of the leading options that really has to be gone into in depth. I am not surprised that Deputy Le Tocq would find that difficult to live with because this whole idea of at least – let's ... Of:

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Further, ... comparison should include one site with a co-located Sixth Form Centre.

Well that is one of two things. It is one of two things. Deputy Fallaize opined earlier that it would be no such thing. It would be one 11-18 school and two 11-16 schools with selection by feeder school, basically. He preferred postcode because that is a natty little expression, but it is actually which feeder school, what primary school you are at that would determine whether you enjoy a 11-18 education or whether you enjoy a 11-16 education, and the two ain't equal.

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So that is one option, and that is a sensible option, you are right. Do you have different chemistry labs, different art facilities, different technical drawing facilities – that is an outdated expression – different drama facilities? Of course you do not. And we all know at the moment ...

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Deputy de Lisle said earlier that the sixth form, why was I worried about the scale of the sixth form, standalone sixth form that he was proposing, because it has worked well for ages? It has not! It is part of an 11-18 school. Of about 80-odd teachers, I think there are three or four, five maybe, three that teach A Level and do not teach 11-16 and a couple who are teaching to 11-16 and do not teach into 11-18. The pupils ... Okay, the 11-16-year-olds do not go into the sixth form block – no, I do not think I am mindful to give way, because I know Deputy Inder is going to speak next and he can correct me then. We will never get to the end if we do all of this. I think we should look again at the Rules. I am going to write to the President of SACC about this giving way business. *(Laughter)*

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And I think there are a couple who work in the 11-16, they never teach A Level. The pupils, as I say, the younger pupils, there is a bit that they cannot go into, because that is the older domain, but the older pupils do a lot of their stuff in the 11-16 school. And that is actually good. *(Interjection)* It is actually culturally *really* good. So why would we not want to do it in future? I suppose we could give them sort of blinkers so that when the sixth formers go into the other part of the school they cannot see the little youngsters because they have to be entirely separate. But it is nonsensical.

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But if we are going to, if it means exactly what it says a co-located 16-18 sixth form block, basically, without being an 11-18 school, then it is hugely expensive, hugely inefficient and exactly what people have said: under, about, 900, standalone sixth form centres do not work. So it is either so unfair or ludicrously inefficient and expensive.

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Now, I have to say, I said earlier, I do not care whether I carry on on the Education Committee or not. I am not precious. I am absolutely convinced that is the right way to go, but if I get directed in a different direction, if somebody comes up with a last minute amendment, so, I do not know, three 11-18 schools, I would think that was wrong, I would think it was suboptimal, but I would try and find a best way through with it. But if somebody wants to push us to look in depth as a lead option at something hugely unfair, hugely divisive, different geography in Guernsey, the kid from Bordeaux does not get the same advantage as the kid from St Peter Port, I am having nothing ... I am out of the door then. That is when I really am having nothing to do with it. That would be like asking me to look at bringing back selection. I have not got many red lines, but there are a couple and that is one of them.

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Sir, there was talk at the beginning of this debate about leadership. I am going to be kinder than Deputy Ferbrache to P&R, but then that is probably because I have no intention to stand against Deputy St Pier as President of P&R in the next Assembly. *(Laughter)* I thought Deputy Ferbrache was unnecessarily aggressive and if we all start cranking things up ... But I have to say, in all honesty, that I think if this is leadership it is leading us into a maze. It is leading us into a maze that will ... Well, it is either leading us to do a fraud, where we are pretending to really do a proper consideration against other things when we are not, or it is leading us into a two or three year delay. And anybody that has been to any of our presentations, and unfortunately only

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half of the States' Members managed to make those three presentations on a Friday and Saturday, will see exactly what that means.

4390 People have said from all quarters: put the children at the heart of this. A two or three year  
delay considering in depth options is not doing that. It is letting down the young people of this  
Island. And therefore, I am sorry, it may have been a valiant attempt to try and find middle  
ground, but I am afraid it is the lukewarm. I do not do the Bible like Deputy Ferbrache does, but I  
4395 think I know what happened to the lukewarm and I think it should happen on this occasion as  
well.

**The Deputy Bailiff:** Deputy Meerveld.

**Deputy Meerveld:** Thank you, sir.

4400 I am not going to support this amendment, obviously. But there are a number of reasons.  
Firstly, it does not give the true pause. It has built in, I think as other people have mentioned, the  
ability for P&R to carry on proceeding and for that matter ESC to carry on proceeding. It does not  
have the proper review. Why is La Mare de Carteret excluded? It is by far the cheapest and  
logistically easiest to implement of the three-school models considered by the previous  
4405 Committee, whereas the Les Varendes site was considered one of the most expensive and  
logistically difficult to implement as a three-school option. It was reviewed and it was dismissed  
for issues I will not bother going into at this stage. So why are they trying to exclude? What is the  
justification for excluding what should be part of any viable comparison?

But there is a more fundamental issue. As Deputy Roffey said before, we should be putting  
4410 children at the centre of this. Well, there is a wider group who need to be at the centre of this as  
well. Again the stakeholders, the teachers, the support staff, the Douzaines, the parents, the  
students, the members of the public and the electorate, who are out there objecting to this plan in  
one way or another, or maybe not objecting – let's take that back – just concerned. And this  
amendment does not have that going back to the stakeholders, it does not have the pause and  
4415 the review required, the broad-based review where other options, broader views, are put on the  
table. It does not include that and that is what we have got to go back to and that is why the  
requérants who were pestered for a considerable amount of time after coming forward with the  
requête to come up with an alternative model. 'Why aren't you presenting your alternative  
model?' 'Why aren't you putting that up to be compared?' Because then we would be as guilty as  
4420 the existing Committee in the way that the two-school model was presented of proceeding with  
something half-baked and ignoring the stakeholders.

The stakeholders have come out in large numbers – nobody can deny that – they have  
expressed major concerns. We cannot address those concerns on the floor of this Assembly. You  
have to go back out to them, engage with them and get them to buy into what is being done or  
4425 have them suggest what they want and this amendment does not do it.

Thank you, sir.

**The Deputy Bailiff:** Deputy Inder.

4430 **Deputy Inder:** Sir, it should not take too long.

I am not going to be that hard on Policy & Resources and I am sure at some point Members  
will try and out leadership each other, but in our system we trust our various committees to go off  
and do their thing under direction. It is only when a Committee can see something going  
hideously wrong, which it clearly has, should Policy & Resources step in. So I am not going to  
4435 knock them for what appears to be trying to at least save the skin of the 11-18 model, possibly  
Members of the Committee and try and see if they can do what could be seen as some sort of  
Guernsey compromise. (*Interjection*) I do not see that as a particular problem.

Now, reading through it, very quickly, if you look at Proposition 8, Digital Roadmap re-affirmed  
– fine. Actually, La Mare de Carteret Primary School re-affirmed. I believe that was, I would not say

4440 one of the demands, I am not entirely sure it is related to secondary, but it certainly came out from one of the letters that we received. So I do not find that as that offensive.

When you get to ensuring:

The Guernsey Institute at Les Ozouets as part of the Transforming Education Programme

4445 – I thought that was fine. It is actually one of the amendments I suggested to Deputy Dudley-Owen that she should have done to her own requête. But I think that has been sorted out by ... and I cannot remember. I believe it is Deputies de Sausmarez and Yerby? Or that neck of the woods. Anyway, so there is another sensible requête coming that takes selection out of it and re-affirms the Guernsey Institute as effectively a done deal. So that seems reasonably sensible.

4450 The three-school configuration: I think we know that is what is likely to come out of it. Nothing was mentioned here, with the exception of La Mare de Carteret, which would be unacceptable. So having a three-school configuration in option 3 did not seem too offensive. No-one said it has got to be that school, this school or this school – it did not seem too offensive.

4455 Where I would disagree with them – because I just do not believe that the 11-18 school is acceptable to the staff, the people or the students – is 2(b). Now, this was designed, I believe, to do that compromise. But personally I will vote for most of the parts of it, because I think Policy & Resources has done what they could do given the situation. It was going to hell in a handcart and they had to step in and try and do something. And in that role, rather than letting the Committee hang out to dry, they have tried to include them in the process.

4460 Well, I genuinely believe they have, through you, sir, to Deputy Fallaize, who is nodding and laughing, I think that is what they have genuinely tried to do. But in any event, because I do not think ... One thing we are sure of ... Deputy Fallaize made great play of, 'No-one knows what they want'. Well, I will tell you what they do not want. They do not want two large 11-18 comprehensives. It does not matter what you call them, this Island does not want two large 11-18 comprehensives.

4465 But to end, sir, what I am likely to do is ask that 2(b) is done as a separate vote and I will not be – (*Interjections*) Pardon? (*Interjection*) Okay, well then just get rid of the whole lot then.

4470 But, sir, I must pick up this ... If someone says it is nonsense, it does not necessarily mean it is true, and we hear this all the time about this 11-18 school, as though it is the great thing. It reminds me of Thomas Cromwell, who was one of the henchmen for Henry VIII, and his job was to destroy the monasteries, wipe them from the face of the earth, so there was no danger the Catholic or the Papist would ever be able to pray in the old temple. And it feels like that with the Grammar School. There is a desire to absolutely destroy that site so it can never appear again. (*Interjections*)

4475 **Deputy Tooley:** Point of correction, sir.

**The Deputy Bailiff:** Point of correction, Deputy Tooley.

4480 **Deputy Tooley:** There is no such desire. In fact, two of my children are educated at that school. If I had any desire to see that school pulled down as is being suggested ... There is no such desire. Deputy Inder has no evidence of this and should withdraw the comment.

**The Deputy Bailiff:** Deputy Inder.

4485 **Deputy Inder:** I certainly will not be withdrawing the comment.

For all the failings of the previous Committee, we were not evacuating that site, and I will remind Deputy Tooley that in their last policy letter, they wanted to set the Grammar School site as one of the Partnership of Purpose sites. It is a nonsense to evacuate existing real estate. I cannot understand why we would want to evacuate a school that was designed for education. Part

4490 of it was actually built as a sixth form centre. We have been misinformed by Members of ESC staff on social media –

**Deputy Ferbrache:** Point of order, sir.

4495 **The Deputy Bailiff:** Point of order Deputy Ferbrache.

**Deputy Ferbrache:** What has this got to do with the amendment? He is talking about something completely different, gone off on a tangent. He should stick to the amendment.

4500 **The Deputy Bailiff:** Deputy Inder can you clarify as to where you are heading with this at the moment, please?

**Deputy Inder:** Well, I was kind of referencing to 2(b) and parts of 3. But in any event, sir, unlike Deputy Ferbrache, I do not see this as a particularly cynical move. I genuinely think it was an attempt of them because Policy & Resources, being busy elsewhere, have seen the runes. Unfortunately, the Education Department appear not to see the runes. The 11-18s, if it is not finished here today or tomorrow, it is finished at the Election. There is no two ways about it, this project is over.

Deputy Brehaut, would you like to –

4510 **The Deputy Bailiff:** Deputy Inder, nobody is standing. Just continue, please.

**Deputy Inder:** Sorry, I just see these people nodding in the background, making comments. But anyway, in short, in some form I am going to support. So I will be voting for this, with the exception of, if I can get it, 2(b).

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**The Deputy Bailiff:** Let me just clarify something for everyone's benefit: there will be no option to vote separately for any of the internal Propositions in this amendment. It is a straight replace and substitute, at this stage. *(Interjection)* If they become the substantive Propositions, then there will be the opportunity to vote for each Proposition in turn and if Members want me to subdivide Proposition 2, if that remains, then I *might* think about it. *(Laughter)*

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Can I remind you, as I reminded Deputy Trott earlier – and I do like to be consistent – that it is Deputy McSwiggan now.

4525 There is, for those of you that wonderful devices that get information, a further amendment that has been submitted to HM Greffier. It is amendment 7. Please will you take a copy of it home with you and I will tell you now that I am going to interpose that amendment next and before amendment 5, which is the amendment to be proposed, if it is to be laid, by Deputy Fallaize and Deputy Graham. Just to forewarn you of that so that you understand the order.

**Procedural –  
Continuation of sitting on Monday if needed –  
Motion carried**

4530 **The Deputy Bailiff:** Finally this evening, before you go, I have had a request to put a motion to you in respect of creating a fourth day, if needed, for this meeting. I am going to do it now, because if people have arrangements that they need to make then it is better to do it in advance rather than leave it until tomorrow.

The motion is that – can I please finish first – if the business of this meeting does not conclude by whatever time you get to tomorrow, and I am making no indications as to whether you want to

4535 sit late tomorrow, then the States, instead of deferring the business of the meeting to the meeting  
that begins in just under three weeks' time, we will reconvene on Monday next week at 9.30 a.m.  
to continue the business.

4540 So that is the motion I am going to put to you. There is no debate on it. Everyone had the  
opportunity earlier today to stand up and I am simply going to put the motion and see whether or  
not that is approved. If it is approved, it will still be open to you tomorrow to put an alternative  
motion if that is what you prefer and I will take a vote on that. But if it is approved then that will  
be the way that we work moving forwards through tomorrow.

So the motion is, if the business does not conclude by whatever time you want to finish by  
tomorrow then the States will reconvene on Monday morning at 9.30 a.m. to continue the  
business for this current meeting. (*Interjection*) All of it. Those in favour; those against.

*Members voted Pour.*

4545 **The Deputy Bailiff:** Well, I will declare that carried.

So we will work on the basis, for those who need to make any arrangements to be here on  
Monday if they can be and need alternative arrangements, or if meetings that are scheduled for  
Monday need to be re-arranged, that can be done during the course of tomorrow and we will  
now adjourn until 9.30 a.m. tomorrow morning.

4550 Can we close the meeting today, please, Deputy Greffier.

*The Assembly adjourned at 6.38 p.m.*