



# Representing the People

A guide for People's Deputies



# The purpose of this document. Some guidance and advice based on experience.

Each Member of the States Assembly brings unique combinations of skills and experience to their job as a democratically elected representative of the people. Combining those different backgrounds in a way that makes government and the legislature efficient and effective is a significant challenge. That challenge can be made easier if Members have a more shared view of how the system operates and the behaviours which lead most effectively to consensus whilst accommodating a wide range of political views.

As an Assembly the States of Deliberation is founded on a long Guernsey tradition of law making and self-government. The Assembly these days has much in common with many Parliaments worldwide and especially with those based on the Westminster model. You are an elected member of that Parliament and you will carry out your job most effectively if you share with your fellow members a vision of how the process works and what role each person performs.

This guidance has been prepared by drawing on considerable experience of long serving political Members, Civil Servants and Assembly Officials. It is intended to provide a foundation on which to build effective working patterns by the particular mix that constitutes a States Assembly for a particular term.

Each member will make their own use of the advice but it should also promote active discussion from time to time between members about the process of legislating and governing as opposed to the political dialogue which naturally dominates exchanges. Make good use of it so that you can contribute positively to the teamwork that will produce effective legislative and government outcomes.





# Three jobs in one!

Election as a People's Deputy presents successful candidates with significant challenges. Every action they take contributes to their reputation and the effect they have on the life of others. It is useful to consider the role of a Deputy as falling into three categories.

Whilst there are links between the three, they are quite different in nature and these notes have been divided into three sections which focus on each category in turn.

If it is your first term of office or even if you are returning to office after a break, you are likely to be surprised by the workload and the demands of the job. Coming from outside of political office you have a very steep learning curve to climb in the early days. The job certainly requires very active diary management. But above all, do not be put off and make sure you enjoy the experience and have some fun while treating the work with all the respect it deserves!

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**Participating  
in meetings of  
the States of  
deliberation as a  
Parliamentarian**

2



**Undertaking  
Committee work  
and overseeing  
policy aspects  
of operational  
delivery**

3



**Dealing with  
casework raised  
by members of  
the public**



# States Members as Parliamentarians

## Who does what in the Assembly?

### The Presiding Officer

The Presiding Officer presides over meetings of the Assembly as an impartial Chair. It is of critical importance that the Presiding Officer should remain politically independent. This role is normally carried out by the Bailiff or Deputy Bailiff. It involves encouraging lively, robust and respectful political debate during Assembly meetings. That in turn involves interpretation of the rules of procedure and ensuring that those rules are followed.

During debate all comments are addressed through the Chair and the Presiding Officer is addressed verbally as Sir/Mr Bailiff or Madam/Madam Deputy Bailiff. The Presiding Officer has no original vote and no casting vote. They announce the results of votes cast and in the event of a tied vote the Presiding Officer must declare the proposition to have been lost, thus preserving the status quo. most effectively if you share with your fellow members a vision of how the process works and what role each person performs.

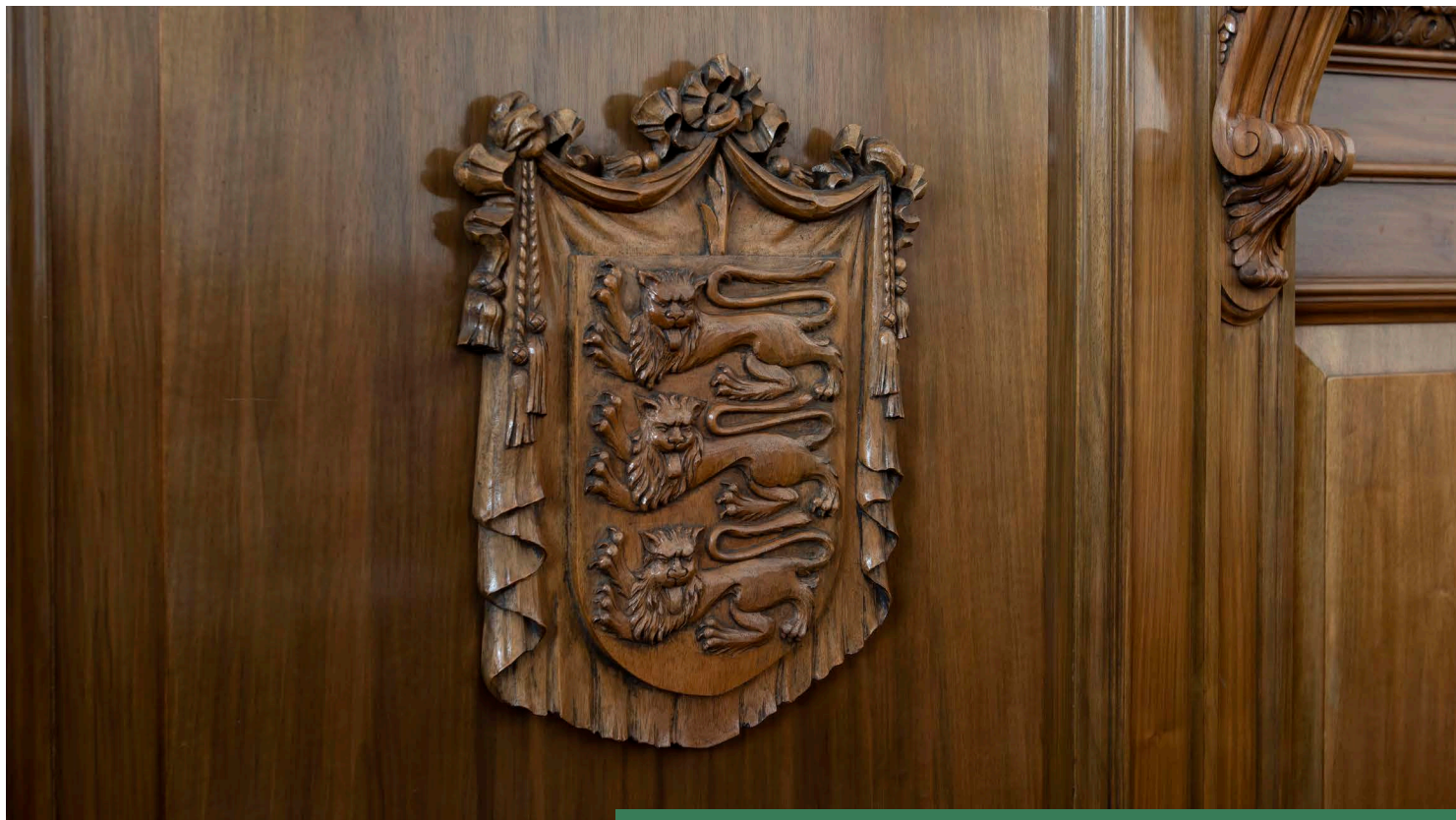
### The Crown Officers

One of the Law Officers of the Crown, H M Procureur or H M Comptroller, is almost always in attendance when the Assembly is in session. It is important that the Law Officers should be independent of the Judiciary, Members of the States and Civil Servants. The Law Officer present is invited by the Presiding Officer from time to time to comment and give advice on matters of law during a meeting, sometimes in response to a request from a speaker.

Members intending to ask a question on a matter of law are encouraged to give the Law Officer as much time as possible to prepare an appropriate response. A response to a question before an Assembly meeting will often mean that the matter need not be raised during the meeting.

### The States' Greffier

The States' Greffier or his Deputy attends meetings of the Assembly as Clerk of the Parliament. The Greffier has various specific duties before during and after a meeting some of which are detailed elsewhere in these notes. They are also responsible for recording decisions and the publication of the official record of all decisions made by the Assembly.



## Deputies in the Assembly

Everything a Deputy does or is flows from their elected role as a Member of the States of Deliberation. The role of a Deputy in the Assembly is to participate in and contribute to constructive debate on the propositions being considered. Speeches may be prepared in advance or may be spontaneous in response to comments already made. A Deputy is acting as an elected representative who on occasions is also expected to reflect policy initiatives from a States or Parliamentary Committee of which they are a Member. Each Deputy uses oratory skills to persuade others of particular political points of view.

There is no time limit on speeches although repetition of points made by other speakers or made earlier in a single speech is discouraged. The tone of speeches must adhere to accepted standards of Parliamentary language.

Two members of the Alderney States are also full members of the States of Deliberation.

## H M Sheriff

H M Sheriff together with her staff is responsible for maintaining order in the States. During a meeting of the Assembly the Sheriff and colleagues carry out an important security and logistical support role. HM Sheriff calls Members to order before the entrance of the Presiding Officer. They also assist with the distribution of ballot papers and the collection of votes during elections held in the Assembly.



## The States meeting experience

As a Deputy you are expected to attend all meetings of the States of Deliberation and the States of Election. There are some exceptions to this such as when travelling out of the Island on government business or Assembly business and the Bailiff has been informed in advance. These meetings are normally held in the Royal Court Chamber. Assembly meetings usually begin on a Wednesday and are held at intervals decided by the Assembly and published on the States website together with final lodging dates for Policy Letters, Amendments, Legislation and Requête.

The Billet d'État is the foundation document for each States Meeting and contains the formal documents covering the business of the meeting. Within any agenda/order paper, it is inevitable that individual Deputies have more interest in some items than in others. Nevertheless, because each Member has a vote on all propositions it is regarded as good practice to have read all of the papers in advance. Of course, your vote may also be influenced by the debate but familiarity with the paperwork helps with your understanding of that debate.

Each States meeting varies significantly in length and each Member's diary needs to be cleared for three days including the starting date. The normal sequence for the agenda/order paper is as follows

- Statements and questions
- Appointments and elections
- Legislation
- Policy Letters
- Requête
- Consideration of the schedule of business proposed for the next meeting.

Detailed information regarding the protocols and procedures for dealing with each of these items can be found in the Rules of Procedure. A full record of the meeting called Hansard together with formal records of decisions made and an audio recording of the meeting is made available on the website.

It is a common misconception among many outside of the States that sitting listening to debate even for a full day is relatively easy work. Any Deputy who applies an appropriate level of concentration to every debate and every speech soon learns that this is not the case and that it is a demanding task. It is accepted therefore that during a meeting Members may be temporarily absent from the Chamber to carry out urgent external tasks, seek refreshment or simply take a comfort break! Each Deputy is responsible for managing their own approach to this privilege.

## A day in the States

It is a truism to say that no two days in the States are identical! However, the Assembly does follow a routine that is not varied without the approval of a majority of its Members. Here is a basic outline of that routine.

The Assembly meets from 0930 until 1730 with a two hour recess between 1230 and 1430. The recess is an important opportunity to revise speeches, talk to colleagues and generally take stock. The most common variation to this is when Members, by a majority, agree to meet beyond 1730, usually to complete a particular piece of business. Occasionally the middle of the day recess is shortened when there is time pressure on completion of an agenda.

Many Members choose to arrive at the Royal Court shortly after 0900 so that they have time for preliminary conversations about business and general networking and relationship building. A few minutes before 0930, the ushers advise Members to take their seats. At 0930 Members are asked to stand in their places and the arrival of the Presiding Officer is announced by HM Sheriff. The Presiding Officer enters and if the Lieutenant Governor is attending the Sheriff will be asked to bring the Lieutenant Governor into the Assembly. After the Governor has been welcomed by the Presiding Officer, the Greffier recites the Lord's Prayer in French.

The Greffier then calls the roll followed by the convening notice. The Clerk names each Member in turn and the Member indicates his or her attendance by saying "present" or "presente" as appropriate. If a Member is known to be absent, it is conventional for another Member to register this with an explanation in French such as "absent de l'Ile".

Following this opening, there will be statements and questions after which the Greffier announces each item of business in turn and the Presiding Officer then chairs the debate. When business is closed for the day all Members stand for the Grace in French. The Presiding Officer then leaves the chamber before the meeting breaks up.





# The shape of debate

Every States debate is different. They can be short or long, controversial or consensual, calm or passionate, interesting or boring – and many other variations! Indeed, a full debate is also an organic process that takes on a life of its own. It creates a set of feelings which are often referred to as “the mood of the assembly”. People learn to sense that mood through a number of body language signals observed among other members. The mood of the assembly sometimes influences your actions such as when you recognise that a cause you have been fighting is already lost and your energy is better used on other matters!

So how is a debate instigated? A debate can be prompted by the presentation of an Original Proposition attached to a policy letter, legislation, or a requête. Further to this, secondary Propositions (Amendments, Sursis, Motions to Withdraw) can be laid against the Original Propositions. The sequence of debate and broad procedures are the same in each case. It is important for you to know the differences between these proposal documents.

## Propositions and Policy Letters

Propositions and Policy Letters are submitted for debate by Committees of the States . The letter is signed by a majority or all Members of that Committee. Details of how a Policy Letter is prepared can be found elsewhere in this document. The propositions which may be accompanied by a Policy Letter represent the wishes of the Committee in relation to a matter within their mandate where they wish to see change. The body of the Policy Letter contains the rationale behind those propositions.

Occasionally a Policy Letter is presented as a “green paper” in which the propositions simply ask Members to “note” its contents. The implication of this is usually that the sponsoring Committee wishes to keep the Assembly informed of progress but will be returning later with detailed proposals. These propositions cannot be amended.



## Legislation

Draft legislation has resulted from the passing of States' resolutions, normally resulting from debate of a Policy Letter. The legislation will have been drafted by the Law Officers and considered in detail by the sponsoring Committee and the Scrutiny Management Committee.

## Requête

A requête is a device whereby a group of seven Members can bring propositions before the States on any matter even if they are not members of the Committee within whose mandate the topic sits. The Members supporting the requête (the requêrants) generally seek the assistance of H M Procureur, H M Comptroller or the States Greffier when drafting propositions in the same way as a Committee will be advised when drafting a Policy Letter. The requête document is similar to a Policy Letter in format with propositions to be debated together with a supporting written rationale.

## Secondary Propositions Amendment

Any two Members may propose an amendment to propositions being put to the Assembly. Once again, the proposers may seek advice from the States' Greffier, H M Procureur or H M Comptroller on the wording of the amendment. The amendment document may include an explanatory note setting out what the proposers are trying to change. Whilst most amendments are

prepared and formally submitted to the States' Greffier between the time when the originating document is published and debate begins, there may be opportunities in the course of a debate to prepare and present last minute amendments.

## Sursis and Sursis Motivé

The literal meaning of the word Sursis is to delay. A Sursis motion asks the Assembly to delay debate on a Policy Letter or Requête. The motion is usually proposed immediately after the proposer of the initial propositions has spoken but a sursis motion can also be laid later in the debate. Sometimes a Sursis includes a further purpose such as requesting a Committee to return with a new Policy Letter. This is then known as a Sursis Motivé.

## The order of debate

The Rules of Procedure set out in detail how debate should be ordered. On occasions, this can be a complex matter and the Presiding Officer must use their discretion in interpreting those rules. Under certain circumstances it is possible to suspend the Rules of Procedure. Details of how and why that step might be taken are contained in the Reform Law and the process will be subject to the discretion of the Presiding Officer and their interpretation of the rules.



However, in most cases, the debate follows these steps

- 1** The Greffier announces the item on the agenda.
- 2** The Presiding Officer invites the proposer (most often the President of the sponsoring Committee) to open the debate.
- 3** In the case of an Amendment debate, the Presiding Officer asks the seconder to confirm their support.
- 4** Debate is then opened and Members seek permission from the Chair to speak by standing in their place and then speaking when invited by the Presiding Officer.
- 5** When no other Members wish to speak and if the propositions affect the mandate of other Committees, the Presiding Officer invites the President of those other Committees to sum up relevant parts of the debate.
- 6** The Presiding Officer then invites the proposer of the debate to sum up.
- 7** Members are then asked to vote on the propositions either “au voix” (by calling out “pour” or “contre”) or by “Appel nominale” (when a recorded vote is requested by any Member). There is provision for some absent Members to cast a proxy vote in specific circumstances as outlined in the Rules of Procedure.

There are some detailed variations to the sequence that fall within the Rules of Procedure but those are handled by exception by the Presiding Officer. One important exception is when a Member invokes a guillotine motion (using rules 24(4), 24(6) or 26(1)). If this happens, the Presiding Officer follows a specific procedure to determine the wishes of the Assembly and then either continues or closes debate.

## Making a speech in the Assembly

When a Member wishes to speak they must stand in their place and wait to be called by the Presiding Officer. All speeches must be made through, and addressed to the Presiding Officer. This means that remarks and comments must not be addressed directly to other Members. It is also important for speakers to remember that they must at no time use “unparliamentary language”. There is no comprehensive definition of this term although it is clear that swearing, blasphemy or accusations of lying are included. Within a debate the boundaries are set clearly at the discretion of the Presiding Officer.

A speaker may be requested to “give way” to another Member. That Member makes that request by standing in their place but remaining silent. The speaker has sole discretion on whether or not to give way. If the speaker indicates that they will not then the Member making the request should immediately be seated.

A Member may interrupt a speaker by standing and requesting a “point of correction” or a “point of order”. The speaker cannot deny this privilege but the Presiding Officer will ensure that the interruption is within the Rules of Procedure.

Subject to the precise order of being called to speak by the Presiding Officer, you have a choice to make about when to speak in a debate. If you speak early there is less danger of you repeating arguments made by others. If you speak midway through a debate your comments may be muted because they are distant from both the proposer’s introduction and the summing up just before the vote. If you speak late in a debate you need to be careful not to simply repeat arguments already made by others - The choice is yours!

## Making sure you are heard

There are many aspects and words of advice regarding effective speaking in political debate. As with any skill, it is always possible to learn more from experience. You may be used to speaking to many different audiences or it may be totally new to you. In either case it always pays to revisit some basic rules. Here is a short checklist. Remember your aim is to be persuasive in a proper Parliamentary manner.



### **Structure your speech.**

Decide the main points you want to get across. Two or three at most will be as many as your listeners will want

to hear and they must be directly related to the propositions. No one will welcome listening to points already made by other members. Brevity is always appreciated.



### **Work on an introduction that will raise interest and a conclusion that Members will remember.**

Traditional advice is to “Tell people what you are going to tell them, tell them and then tell them what you said”. It works well but with experience you may prefer to be more adventurous in your opening and closing.



### **Build impact into your speech.**

Experienced politicians use a number of devices to gain impact when they speak.

- Lists of three are powerful.
- Drawing contrasts is very graphic.
- Alliteration makes points memorable.
- Talking about “we” not “I” carries people with you.
- Setting up a position and then knocking it down can destroy that position very forcibly.
- A touch of humour brings welcome relief to a serious debate.
- Anecdotal and biographical speeches can be less effective than you would imagine.





- **Prepare brief notes to remind you of what you want to say.** Some people prefer to read a prepared speech and others prefer to talk spontaneously to a list of bullet points. Unless you have considerable experience of reading a prepared speech in a way that makes it sound spontaneous, you would be well advised to move towards the bullet point approach when preparing.

- **Deliver your speech with authority.** It helps to speak slowly using short, simple sentences. Keep your head and voice up and vary the tone for emphasis. Show commitment to your subject but remember that displaying too much emotion may lose you more votes than you gain.

Finally, if you really want to be heard don't forget to turn the microphone on before you start and turn it off when you have finished!

## The Parliamentary Committees

Two important Committees exist to report to the Assembly as a parliament rather than as representatives of government. Unlike all other States Committees who are responsible for propositions on policy, the Parliamentary Committees bring propositions relating to States processes. These Committees are:

- The Scrutiny Management Committee
- The States' Assembly and Constitution Committee.

The Scrutiny Management Committee exists to lead and coordinate the scrutiny of Committees of the States by reviewing and examining legislation, policies, services and the use of monies and other resources for which Committees are responsible. The Committee is made up of three States members and two Non-States members.

The States' Assembly & Constitution Committee exists to advise the States and to implement policies in connection with the constitution, procedures and practices of the Island's Assembly, the procedures and practices of committees of the States and provisions relating to States' members.

## How are proposals to the States prepared?

The first that most Deputies see of proposals is when they are submitted to the States' Greffier who then publishes them on the States' website. Members of the sponsoring Committee will, of course, have taken part in their preparation. Details of what goes on in Committee before the proposals are drafted are set out elsewhere in this document.

Once a Committee has agreed the final draft of a policy letter, legislation or other proposals there are a number of steps before it appears in the Billet d'État .

- The Propositions and Policy Letter are formally submitted to the States' Greffier for publication and distribution.
- The Policy & Resources Committee and the Scrutiny Management Committee each have a right under the Rules to submit a formal Letter of Comment to the States' Greffier on any items being brought to the States. In preparing any Letter of Comment, the Policy & Resources Committee may wish to consult with any affected Committees to include their comments in its letter.



At the end of every States' Meeting, Members are asked to agree the business for the next States Meeting. This item is brought for debate by the Policy & Resources Committee and is called the 'Schedule for future States' Business'. It outlines when the Committee proposes that the outstanding propositions submitted to the States Greffier, are to be debated. Once the States agree with this (subject to any amendments) the Billet d'État for the next States Meeting is produced by the States' Greffier and published on behalf of the Presiding Officer.

## Parliament and the gov.gg website

The clue is in the name – gov.gg is a website dedicated to all aspects of States business and services in Guernsey. It has revolutionised the way in which Assembly Members can access current and historical documents to support them in their role as parliamentarians. As a source of evidence of current and past political processes in Guernsey, it is unique and extremely valuable to Members seeking to develop their arguments.

Anybody now joining the Assembly will be well advised to develop their skills in getting the most out of the website. In particular, the Hansard and the audio recordings available through the site enable Deputies to trace the way arguments have developed on particular topics in the past. Nearly all of the information most relevant to States' Members as parliamentarians is contained in the website



section “States Meeting Information”.

## States’ Members as part of the wider Parliamentary world

States’ Deputies are not only members of the Guernsey Assembly they are also part of the world wide body of parliamentarians, most specifically with its membership of 16,000, the Commonwealth Parliamentary Association, of which Guernsey is a member in its own right. Members of parliaments around the world are the colleagues and co-workers of Guernsey Deputies. The international parliamentary network to which Guernsey Deputies belong is central to projecting Guernsey’s profile overseas whilst closer to home the contacts Deputies make with Westminster MPs and members of the States of Jersey and Tynwald are an important part of our engagement with their governments.

As well as forming relationships beyond Guernsey, engaging with other parliaments helps us review how we do things here as well as giving us the opportunity to contribute to and strengthen parliaments in other parts of the world. Members of the States will have during their time with the Assembly opportunities to attend seminars and workshops at Westminster and beyond to deepen their knowledge of how parliaments work, attend observer missions and post-election events to strengthen and help out other Assemblies. They will be able to represent Guernsey in other parts of the Commonwealth as part of delegations. They will also be able to engage with The Commonwealth Women Parliamentarians (CWP) and the Crown Dependency Network which is made up of parliamentarians from Guernsey, Jersey and the Isle of Man.



# States' Members and Committee

States' meetings are the most important and significant part of a Deputy's responsibilities but they occupy only a small proportion of the time you need to allocate to do the whole job. For most Deputies, the largest proportion of their time is spent contributing to Committee work.

## What a Committee does

The business of government involves committing much of the process and reasons for decisions to writing. This represents a major difference from commercial businesses and is one reason why things take longer in the public sector.

Whilst each Committee will of course focus on the matters covered by its mandate, it is also very important to look to the strategic direction and priorities agreed by the Assembly, which often involve a high degree of cross-Committee working.

A strong professional and non-political Civil Service plays a vital role in preparing Policy Letters and other reports for consideration by Committees and the States Assembly.

Every proposal is different but a typical example involves these steps

- An idea or proposal emerges from events, public opinion or a States Member and is developed to a point when a decision is made to discuss it formally in Committee.
- Technical questions about the proposal and evaluation of the pros and cons are researched, principally by Civil Servants.
- An initial report is prepared by Civil Servants and presented to the appropriate States Committee for discussion giving a balanced view of the question or topic, including an indication of the extent to which the proposal fits with any overarching strategic priorities agreed by the Assembly.
- The Committee discusses the report, recommends any changes, decides its preferred actions and whether to take recommendations to the States.
- A formal Policy Letter is drafted by Civil Servants and edited by the Committee before being submitted for inclusion in a Billet d'État.
- The Billet d'État is published and procedure then moves on to become part of a States meeting.





## Meetings, meetings and more meetings!

### Why have meetings at all?

Meetings are an important and unavoidable part of government life. Democracy relies on reaching levels of agreement often involving compromise between a number of people and that means that groups have to meet together for discussions and to agree decisions. Because they are so important, meetings need rules of procedure and accepted ways of working. This section of the guide looks briefly at meetings in general and the difference between different types of meetings that States' Members attend.

### What kind of meetings?

Before the debate takes place in a full meeting of the States' Assembly much preparatory government work will have happened in formal Committee meetings and informal meetings about States business. In addition, States' Members often become involved in operational management meetings dealing with the implementation and delivery of government services.

Each type of meeting is different in character and purpose. States' Members are wise to adapt their approach and behaviour for each meeting if they want to be most effective.





## Committee meetings

Committee meetings are the engine room of political States' work. All Members can table items for discussion within rules of procedure designed to make the Committee run smoothly. Committee chairs, normally the Committee President, are supported by Civil Servants to devise the agenda and decide what supporting documents are needed. Those documents are then prepared and circulated before the meeting. Political Members, including any Non-States Members, then consider the papers before the meeting. The purpose of the Committee meeting is to carry out the mandate of that Committee. The Committee also prepares proposals for presentation to a States' meeting when appropriate, usually in the form of a Policy Letter. Formal minutes are kept of Committee discussions and these are normally submitted to the next meeting of the Committee for approval.

Committee Members can bring forward items for discussion and this is the best forum generally for introducing new ideas or topics. Discussions that take place in formal Committee meetings are normally regarded as confidential to the members of that Committee. States' Members need to work effectively with colleagues in Committee if they are truly to influence the general direction of the States on particular issues.

## Informal meetings

Much useful work takes place in informal meetings. This may involve any number and any mixture of staff and others. They may be called

-  to provide information
-  to discuss a particular project
-  to test the ground on some ideas
-  for many other reasons.

Generally, informal meetings are not minuted but may be the subject of informal notes for the files. Sometimes these meetings are regarded as confidential, others may be about information available to the public. Many States Members find that attending informal meetings makes their jobs much easier, others choose to limit the time they allocate to such events.

## Operational management meetings

As with all organisations, Civil Servants hold frequent meetings with colleagues. The meetings contribute to effective communication and management of States services. They also deal with issues that have arisen during the delivery of those services. On some occasions States' Members may be invited to attend as observers or to give guidance to Civil Servants on likely political reactions to the decisions they are making. The meetings also contribute to the advice given to politicians on policy formation.

## How to make sure meetings are effective

Sometimes you walk away from a meeting thinking - “what was the point of that?”

Everybody taking part in a meeting has a responsibility to make it mean something.









A Committee Chair normally puts the agenda together with help from Civil Servants and Committee Members. The rules of procedure for Committee Meetings allow Members to bring items to an agenda in a formal way. More usually a Member can persuade the Chair to include an item or can bring it up under “any other business”.

It is important before a meeting and early in a meeting to be absolutely clear about what the purpose is and what people expect the meeting to achieve. For example, you could go to a meeting expecting to approve purchase of a piece of equipment only to find that the decision is to investigate different options further. If you are chairing a meeting it helps to declare the purpose of the discussion at the start of the meeting. If you are attending a meeting and this does not happen, you may be wise to ask about the purpose before getting involved in the discussion.

For formal meetings, minutes record the key discussion points, decisions and action points that are agreed. In some cases the meetings are audio recorded. If you feel it is important to get one of your comments on record, make sure that you ask for your view to be minuted. For meetings where

there is an audio recording a written record of resolutions is kept and published. At meetings without a taped record the minutes of the previous meetings are approved at the start of the next meeting. If you feel that anything has been left out of those minutes or that anything is inaccurately reported it is important to make that clear and ask for the minutes or resolutions to be amended before they are approved.

It is important to show respect to the Chair and others attending any meeting. In order to do this

-  arrive punctually for the meeting so that nobody has to go over old ground covered in your absence
  -  if you want to speak you should make it clear to the Chair and wait for them to invite you
  -  do not interrupt speakers or “talk over” others
  -  keep to the subject being discussed
  -  consider very carefully what points you want to make before you speak
  -  try to keep your comments brief and to the point
  -  avoid unnecessary repetition
  -  be open minded for as long as possible and be prepared to listen carefully to others’ points of view and the reasoning behind them
- be ready to compromise rather than forcing a vote when there is a disagreement.



Remember above all that meetings are there to make progress and not simply to criticise or moan about what has happened! There is little purpose in criticism unless you can suggest a better path.

## States' Members and Civil Servants

In common with all democratic government systems, the States of Guernsey cannot operate effectively without good teamwork between Politicians and Civil Servants. Each one has their role to play and working co-operatively within those roles enables the public sector to devise, implement and operate services for the benefit of all.

Like any teamwork the joint political/staff team must

- play to individual strengths
- understand respective roles and responsibilities
- acknowledge that changes in political membership and approach must be balanced by the continuity provided by Civil Servants
- deal with any disputes or disagreements in mutually respectful private conversations rather than in public
- build goodwill and relationships that are trusting and respectful for the good of the Island.

However, given that many topics which the political and staff groups have to deal with involve sensitive, subjective, political judgements there is always tension between the two roles and frustration can all too easily boil over. Everyone in the system has their part to play in making it work.

Key aspects of the role of Deputy are that

- outcomes must be achieved within a defined timeframe set by the electoral cycle
- each group of Assembly Members is getting onto a moving train with work in progress and earlier achievements in place rather than being faced with a blank sheet
- elected Members have a variety of professional skills and experience that may or may not directly relate to policies they are seeking to develop



they should focus on policy development and structured scrutiny of service delivery systems rather than seeking a detailed involvement in operational matters

- they seek to inject a sense of urgency in moving things forward
- they are not part of a formal line management reporting structure
- they are self-employed and hence do not have the same employment rights as employees
- they need to recognise that many restrictions on what is achievable relate to resource limitation and allocation - economic realities!

- sufficient detailed work should be carried out to ensure that risk of service failure is minimised even if sometimes that is at the expense of rapid delivery

- they are subject to the disciplines of organisation structure and line management reporting
- they are employees who enjoy the same legal rights as employees in other sectors
- management of resources relating to both revenue and capital expenditure is an important part of their job because public money is at stake!

By way of contrast, key aspects of the role of Civil Servants are that

- they provide continuity so that policies and projects which span more than one electoral term can be successfully completed
- where there is evidence that existing services are efficient and effective, they should seek to defend the status quo
- their professional training and experience support and advise elected members who may have very different backgrounds
- they carry first line responsibility for service delivery and achieving customer satisfaction among service users

These two lists illustrate why effective teamwork between the two groups will always present a challenge. Indeed, it is only right that each group should challenge the position of the other. This should not prevent them from carrying out their roles with mutual respect and goodwill rather than provoking any actions to undermine the authority of the other group. As a last resort, States Deputies are subject to a code of conduct and Civil Servants are subject to an employee disciplinary code. Promotion of good teamwork, effective leadership and cordial relations should ensure that these are indeed codes of last resort!

# States' Members as representatives of the

## Delegates or representatives? A real balancing act!

Each Deputy has been elected by voters so you clearly have a duty to deal with members of the public as helpfully and respectfully as possible. On the face of it, that is a simple duty and people would not want to stand for election if they did not want to help the public.

However, it is not always as easy as it seems. Public expectations, at least for some, can be very high and at times unrealistic. In a small community that can be difficult to handle. Very often, public opinions are expressed forcibly so it is important to listen carefully and establish exactly what people are saying and what they expect you to do. Indeed, a Deputy cannot truly do an effective job if they do not regularly consult people in some way. That consultation can take many forms from a structured opinion survey through to everyday conversations and “straw polls”.

Guernsey operates as a representative democracy. That means you are elected to represent all residents and the interests of Guernsey as a whole. That is not the same as simply doing what the majority expect. Majority opinion can be formed without access to the full facts or indeed based on

false information. Emotions can run high and can overwhelm an informed judgement based on facts and full information. Your representative duty is to do what you believe is best for Guernsey and all its people in both the short and long term.

This is the case whether or not you are a member of a political party. Ultimately you carry personal responsibility as an individual for representing the people and you should not bow to pressure or even intimidation in a way that prevents you from discharging that responsibility. The same is true of your response to views expressed by lobbyists or pressure groups. Sometimes there is a difficult balance to be struck between actively listening to their point of view and allowing yourself to be influenced unfairly.

## Everyday conversations

States' Members are, of course, subject to a code of conduct that demands “respect and courtesy” for the public and not to “bring the States into disrepute”. The Code exists mainly to avoid and discourage notably bad behaviour and reference to it should be rare. However, the Code gives a broad sense of a standard of behaviour that is expected from the States Members.



Guernsey is a close community so Deputies tend to have closer and more frequent contact with members of the public than Parliamentary representatives in larger jurisdictions. Members therefore need to be aware at all times that they are

- “on parade”
- subject to public scrutiny
- vulnerable to criticism.

This means that even casual conversations with members of the public need to be carried out with great caution. Comments can easily be misinterpreted. Deputies are always in possession of confidential information, especially that which is commercially sensitive or relates to identifiable individuals so accidental disclosure can be dangerous. Most Deputies like to portray a relaxed and friendly image with people but take care! Humour and jokes are very easily misunderstood as is any attempt to offer special favours to friends or family. It all comes down to developing a keen awareness of your responsibilities and duties at all times.

## Dealing with complaints and queries from the public

Sometimes conversations with the public are casual and every day. Most Deputies agree that it takes much longer to complete a supermarket shop when you are in office and keep on being approached on one matter or another! But when a member of the public

approaches you about a particular matter, it is important to follow the right steps.

Whatever the topic, people generally approach a Deputy only if they expect you to take some action. As soon as you realise somebody is making an “official” enquiry or complaint you should

- listen very carefully to what is said (people are not always good at explaining what the problem actually is!)
- if possible, make a note of what you have been told (if you cannot do that during the conversation, do so as soon as possible afterwards)
- check whether they have spoken to any staff or other Deputies about this matter and what answer they received (occasionally a person attempts to “play off” one against another in order to get the answer they really like!)
- Express sympathy for any negative feelings they have but do not immediately acknowledge any wrongdoing or apologise for what has happened
- say that you will look into the matter with the right people and gives a realistic estimate of when you will get back to them
- talk to the appropriate Civil Servant to check the facts and discuss what has happened and what steps should be taken next

- always agree precisely who will do what and wherever possible encourage the Civil Servant to contact the enquirer/complainant themselves
- report back to the member of the public and check that they are now satisfied with what has been done (even if they do not like the answer!).

It is only by following these simple steps that you should avoid what may be mere misunderstanding becoming serious, time-consuming and stressful issues.

It is when dealing with this type of issue that you are most likely to come into possession of data which falls under the remit of GDPR. Important information about your obligations in this area is available on the gov.uk website by following

**> government >your deputies>how deputies process personal data.**

For your own protection it is vital that you should make yourself aware of these regulations.



# States' Members and

## What part do they play?

Most of what the public think about the States and States' Members is drawn from what they read, see and hear in the media. Both the mainstream media and social media are strong opinion formers. The messages they send can be entirely factual, riddled with inaccuracies or basically true but presented with a particular political slant.




Politicians cannot and should not attempt to control media output totally. However, you can take steps to ensure that media reporting does not make the political challenge even more difficult. You will probably find it sensible to calm down public criticism or outrage over matters you believe are being managed effectively. "Freedom of the press" and "freedom of speech" should not mean that exaggeration, distortion, emotive outrage or even fake news pass without comment and become accepted wisdom by default.

## Dealing with the mainstream media

When they are first elected, very few Deputies have had previous experience of dealing with mainstream media. It is the job of journalists not only to report events and unfolding stories but also to stimulate a level of discussion and political controversy

among the public. Indeed, they serve a very valuable function by raising the level of public engagement with political matters. Each media outlet makes its own choice about editorial policy and the level of factual or sensational reporting it wants to pitch. It pays to consider carefully which media agency you are dealing with if you talk to them.

Typically there are three kinds of contact between politicians and the media

-  organised media releases and press conferences
-  individual structured interviews
-  unplanned requests from the media for information and comment.

Effective positive communication with the media is a high level professional skill so if that type of support is available to advise you, do not turn it down. Civil Servants, and in particular those responsible for communication matters, are generally in a good position to advise States Members on how and when to deal with media contacts.



## Media releases and press conferences

From time to time, a Committee or the States as a whole choose to pass news to the media in a formal statement. The statement should be agreed by all appropriate people in advance and should not come as a surprise to those involved in the topic. That said, once the statement is published all of those who were aware of it in advance should try to be supportive and should not be trapped into contradicting it. It is generally sensible therefore if a Committee President deals first with media follow-up and other Committee members decline requests for interviews other than in exceptional circumstances.

Press conferences may also be arranged for a topic of general interest. Once again it is easier to stay positive if one person takes the lead. Sometimes it is appropriate to involve others but if that is the case there should be agreement in advance on who will talk about what are the key positive messages to put across.

## Formal media interviews

From time to time all States' Members are approached by the media for interview. People have their own strengths and preferences dealing with different media and they may decline to take part with some. However, here are some hints and tips for dealing with different types of media interview.

## Newspapers

- Try to establish at the start of the conversation the boundaries of what you are talking about and do not stray from these.
- Be prepared to ask the reporter where they are “coming from” and what the “angle” of the report is likely to be.
- Remember that reporters usually want direct quotes and be prepared to give them words you will stand by.
- Do not be afraid to make comments “off the record” if you think talking about it will help the reporter’s understanding of the topic but make it clear and confirm afterwards that you do not want to be quoted directly.

Much damage can be done to government work if information is “leaked” to any of the media whether deliberately or accidentally. You should take care to avoid this at all costs.



## Television and radio

Be aware that TV is usually interested only in “soundbites” and that they, not you, will choose what is broadcast (it is not unusual for a five minute interview to camera to be broadcasted as a 20 second clip!)

- On TV remember that the body language of your interview will give out as many messages as your words so be aware of your appearance.
- Address your remarks to the reporter if present or to the camera if you are instructed to do so.
- Remember that the interview will probably be edited if it is recorded rather than live so keep your comments brief and to the point and avoid phrases that can be taken out of context.
- On live radio, engage naturally in conversation with your interviewer but try to keep the messages short and to the point.



Wherever possible you should make use of professional advice and training on how to deal with broadcast media.

## Casual media requests for comments

States Members often receive calls from the media to comment on a piece of news. The greatest risk in this case is making an unguarded comment because you have not had time to think about it. You should have the confidence to ask for time to think once you have established exactly what is being asked. It is always possible to say that now is not a convenient time to talk and arrange to call back later. You can then decide on the main point of your message and a snappy way to say it!

## Social media and democracy – a mixed blessing?

As well as the challenge of dealing with the mainstream media, politicians nowadays have to make decisions about how they relate to and deal with social media. The explosion of social media use in the recent past has led to greater engagement with politics among certain groups of the public. As with all political engagement, the difficulty for politicians is that the people engaging are, by definition, unlikely to be representative of the population as a whole.

Each Deputy, when elected, has already made choices about the extent and nature of their interaction with social media. Whatever

choices those are, the benefits and pitfalls of social media use change when you take on public office. It is worth considering a list of hints and tips to remember when you use social media once you have been elected.

- understand that the people expressing their views through this medium tend to hold the strongest and more extreme opinions on any topic
- remember that social media output is unregulated
- do not confuse opinions expressed on social media with overall public opinion as it represents a self-selecting sample
- in the social media world, many users regard politicians as public property so prepare yourself for abuse on a different scale compared with when people deal with you in person
- remember that communication through social media is permanent and may be thrown back at you at any later stage
- the mainstream media routinely make use of social media sources so your comments are likely to receive wider circulation than you might expect.

Perhaps the simplest piece of advice is that you should not put on record through social media anything that you would not put in hard copy writing and expect to be made publicly available!

## Guernsey in the wider world

As a Deputy and a member of the government you carry a responsibility for the reputation of the Island which far exceeds that of an ordinary citizen. International relations are a volatile and fickle field in which so many statements or actions can be taken out of context. An important part of States work is to manage the risks presented by negative or even hostile external reactions. This has become even more the case with the expansion of instantly available global social media and the importance of the international finance industry to our economy.

Special responsibilities are carried by politicians with senior posts such as the President of the Policy & Resources Committee and a Policy & Resources member with the external relations portfolio. This also applies to the President of the Economic Development Committee. Several senior Civil Servants including the Chief Executive Officer are also asked to represent Guernsey officially on many occasions. The different aspects of external relations that they handle are explored below and their responsibility differs depending on who they are dealing with. They seek always to present a positive image but must also be ready to leap to Guernsey's defence when negative or hostile approaches are faced. The procedures and protocols for dealing between jurisdictions are widely understood among Diplomats and senior Civil Servants. Their advice is very important.



Possibly the greatest reputational risks occur when somebody on the outside misunderstands comments made by somebody in Government other than those with direct responsibilities for external relations. So, any States' Member should take care when making any comments that can be used against the Island, however well-meaning they are and however much you believe they need to be said. This is particularly true of any comments posted on social media.

## **Dealing with Alderney and Sark**

The Bailiwick is unique in its structure and governance some of which is based on ancient Norman law traditions and some which has evolved much more recently. The relationship between Guernsey and Alderney is quite different from the relationship between Guernsey and Sark. Both of the smaller islands are proud of their autonomy and consequently careless comments by Guernsey government members can create unnecessary friction and work. It pays to understand as fully as possible each of these relationships before passing comment on the other islands.

## **Dealing with Jersey**

Aside from any joshing cultural rivalry, Guernsey and Jersey can be seen as having many common interests but as operating politically in many different ways. There is a constant struggle to find the appropriate balance between cooperation for mutual benefit and competition especially in key

international markets. Consequently, and for the reasons outlined above, any publicly available comments by any member of the Guernsey Government may prove to be very sensitive.

## **Dealing with the UK**

Whilst as a Crown Dependency Guernsey is firmly linked constitutionally with the UK, the sheer imbalance of size between the two jurisdictions means that the relationship must be handled with great care. All the Channel Islands for many years have relied on a level of goodwill from Whitehall that can easily be upset. Therefore in this area even more than in relation to the local relationships discussed above, individual States Members should exercise extreme caution.

The formal and much of the informal contact between Guernsey and Whitehall is handled by particular Deputies and Officers. It may be unlikely for you to have any significant contact. However, if you do, it is wise to treat these contacts cautiously and to avoid any statements or actions that could be misinterpreted as an official States of Guernsey position. As always, this presents particular risks using social media.

## **Dealing internationally beyond the UK**

Guernsey clearly has international relationships beyond the UK. France because of geography, the European Union and competitors in the international finance world are prime examples. Once again



Deputies are well advised to exercise caution with these relationships in the same way as in connection with the UK. The greater the physical and diplomatic distance from the other jurisdiction, the greater the risk of misunderstandings.

### **Some formal international relationships**

As a Deputy you may be asked to take part in meetings and conferences as a representative of Guernsey within a formal international structure. The key examples of this are

- ◎ The Commonwealth Parliamentary Association (CPA) - A Parliamentary and political association which holds regular regional and global conferences and in which Guernsey has played a significant role from time to time
- ◎ The British-Irish Council – an intergovernmental organisation bringing together the United Kingdom, the Republic of Ireland, the devolved governments of Northern Ireland, Scotland and Wales and the governments of the Crown dependencies to encourage collaboration on specific issues of mutual interest
- ◎ The Crown Dependencies Network - A semi-formal grouping of Guernsey, Jersey and the Isle of Man that meets from time to time with a focus on the relationship between the Crown Dependencies and the UK.

# Personal image, integrity and maintaining public

Standing for public office demands a certain level of self-respect, confidence and individuality. This may mean that you feel you have total freedom in how you present yourself to others. However, once holding public office the image you portray can be attached in people's minds to the institution and not just to you. This is particularly true when carrying out official duties and attending meetings of the States Assembly. There is general agreement that a respectful demeanour and business dress are important if Deputies are to maintain public confidence.

In all democracies there are suspicions about the motives of people serving as representatives. The concept of "conflict of interest" refers mainly to the possibility that an elected representative could benefit financially by influencing government decisions.

Possible conflicts of interest should be declared and anybody with a conflict of interest excluded from the specific political discussions and decisions that are connected. You need to be aware that the public and mainstream media perceive this as a very sensitive issue. The code of conduct rules for States' Members cover how conflicts of interest should be declared and managed.







# Some Dos and Don'ts



## - Golden rules for States' Members

As a Member of the States of Deliberation you have taken on a difficult and complex job. No such job can be reduced to a simple set of rules but these hints and tips might help you to avoid the most dangerous pitfalls and hazards.



### 1 - Who am I as a States Member?

-  **DO** be proud and honoured to be a democratically elected representative in the Parliament of your Island
-  **DON'T** feel that you can make changes without having proper regard for the protocol procedures and people that maintain our working democracy.



### 2 - Who does what?

-  **DO** Focus on your responsibility for identifying and developing the right policies for Guernsey
-  **DON'T** try to do everybody else's job for them and become too involved in detail and operational matters

### 3 - What different kinds of States' work should I do?

-  **DO** focus on the contribution you can make to the States Assembly Committee work and helping individual members of the public with States matters
-  **DON'T** try to involve yourself in every issue of government at a detailed level

### 4 - How can I be sure I say and do the right things as a States' Member?

-  **DO** prepare effectively for meetings by making sure you read through enough of the background material to feel comfortable
-  **DON'T** make unconsidered and "off-the-cuff" comments when you are not sufficiently prepared to talk about a topic

















## 5 - What should I do if I find myself in a minority when a Committee or States' decision has been made?

-  **DO** accept that after a reasonable amount of discussion and debate a decision must be made and the majority vote prevails - that's democracy!
-  **DON'T** question publicly the validity of the decision or the integrity and sincerity of those in the majority



## 6 - How can I build and maintain respect from members of the public?

-  **DO** be ready to listen to concerns and complaints with an open mind
-  **DON'T** be afraid to convince the complainant that their complaint is unfounded if your investigation shows that to be the case because most people respect honesty



## 7 - How do I deal with the media?

-  **DO** form positive and supportive relationships with the media without giving them information they should not have
-  **DON'T** talk to the media on a given topic unless you are sure of your facts



## 8 - How do I work most effectively with Civil Servants?

-  **DO** work hard at forming positive relationships and promoting effective teamwork
-  **DON'T** assume that you must get closely involved in either operational matters or technical specialisms normally handled by Civil Servants

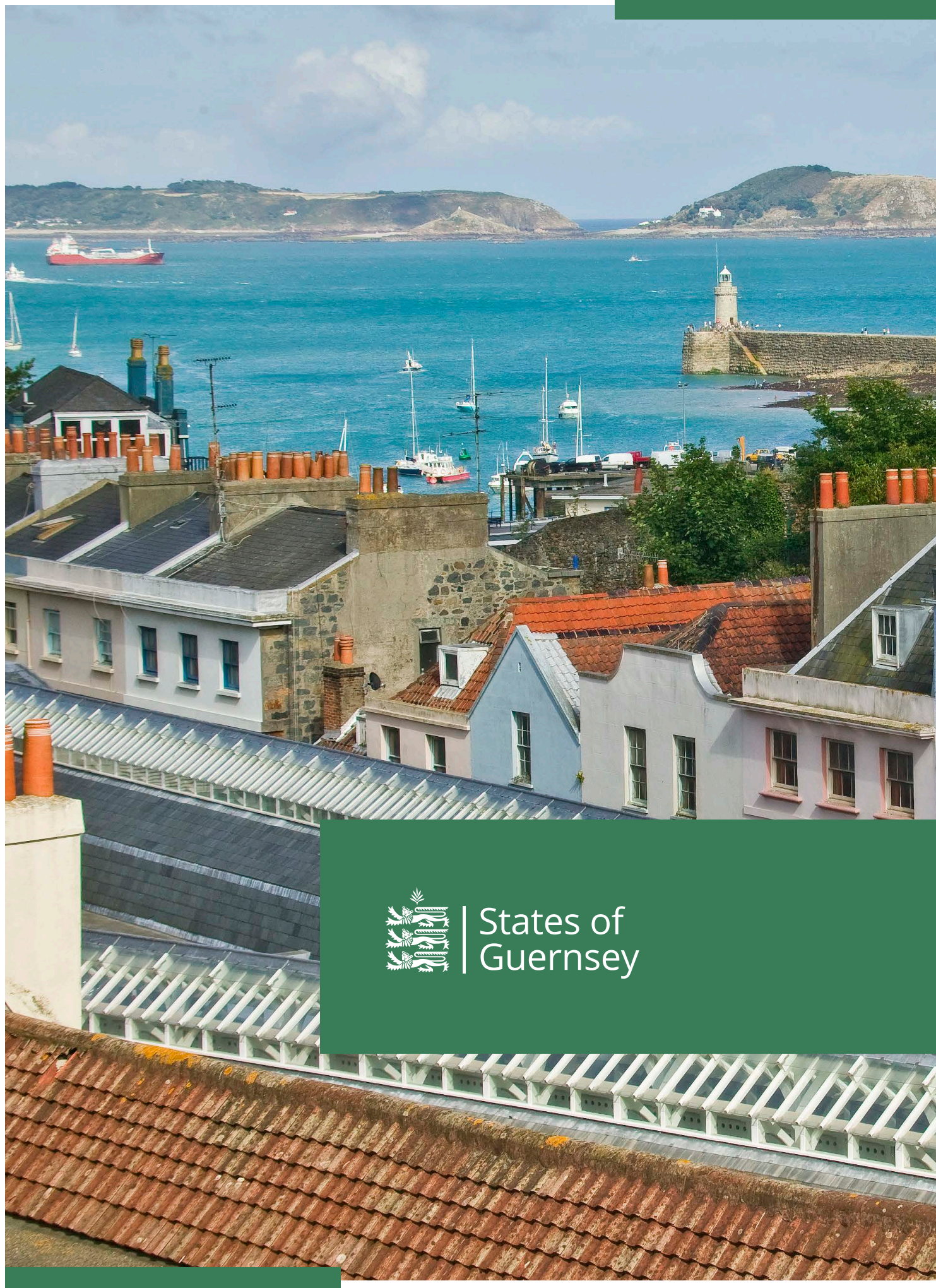
## 9 - What does the “representative democracy” label mean in practice?

-  **DO** apply your own judgement to all decisions using all of the information and evidence you have access to
-  **DON'T** simply respond to apparent public opinion that may be misinformed

## 10 - What is my number one priority as a States Member?

-  **DO** remember that the future of Guernsey short and long term is your responsibility.
-  **DON'T** forget that any of your actions as a States Member can affect the reputation of the Island





States of  
Guernsey