

**IN THE STATES OF THE ISLAND OF GUERNSEY  
ON THE 9<sup>TH</sup> DAY OF JULY, 2015**

**Adjourned from the 7<sup>th</sup> and 8<sup>th</sup> July, 2015**

**The States resolved as follows concerning Billet d'État No XII  
dated 1<sup>st</sup> June 2015**

**STATES' REVIEW COMMITTEE**

**THE ORGANISATION OF STATES' AFFAIRS – SECOND POLICY LETTER**

- I.- After consideration of the Policy Letter dated 15<sup>th</sup> May 2015 of the States' Review Committee:-
1. To agree that, as set out in section 5.1 of that Policy Letter, the mandates of Principal Committees shall follow a consistent format and be divided into discrete sections as follows:
    - title of the Principal Committee;
    - constitution of the Principal Committee;
    - purpose for which the Principal Committee exists; and
    - policy, advisory and general responsibilities of the Principal Committee.
  2. To agree that, as set out in section 5.3 of that Policy Letter, there shall be a Principal Committee entitled the Committee for Economic Development, which, as set out in section 6.1 of that Policy Letter, shall comprise five States' members and up to two non-States' members and which, as set out in section 5.4 of the Policy Letter, shall have the following purpose and policy and advisory responsibilities:
    - a) Purpose – to secure prosperity through the generation of wealth and the creation of the greatest number and widest range of employment opportunities possible by promoting and developing business, commerce and industry in all sectors of the economy;
    - b) Policy and advisory responsibilities – the promotion and development of all sectors of business, including construction, creative industries, digital, financial services, horticulture, intellectual property, manufacturing, media, retail and tourism; the reputation of the Island as a centre for commerce and industry; the promotion of air and sea links to and from the Bailiwick; inward investment at the corporate and individual level; the labour skills necessary to sustain economic prosperity; competition, innovation, diversification and regulation in the economy; and safeguarding living marine resources and the sustainable exploitation of those resources.

- 2A. Notwithstanding paragraph 5.4.13 of that Policy Letter, to agree in respect of the financial services sector and the States' relationship with the Guernsey Financial Services Commission that the Policy & Resources Committee shall be responsible for the matters currently within the mandate of the Policy Council, and the Committee *for* Economic Development shall be responsible for the matters currently within the mandate of the Commerce and Employment Department.
3. To agree that, as set out in section 5.3 of that Policy Letter, there shall be a Principal Committee entitled the Committee for Education, Sport & Culture, which, as set out in section 6.1 of that Policy Letter, shall comprise five States' members and up to two non-States' members and which, as set out in section 5.5 of that Policy Letter, shall have the following purpose and policy and advisory responsibilities:
- a) Purpose – to encourage human development by maximising opportunities for participation and excellence through education, learning, sport and culture at every stage of life;
  - b) Policy and advisory responsibilities – pre-, primary, secondary, further and higher education; apprenticeships; skills; lifelong learning; sport, leisure and recreation; youth affairs; the arts; libraries, museums, galleries and heritage; Island Archives; and civic celebrations and commemorations, including Liberation celebrations.
4. To agree that there shall be a Principal Committee entitled the Committee for Employment & Social Security, which, as set out in section 6.1 of that Policy Letter, shall comprise five States' members and up to two non-States' members and which, as set out in section 5.6 of that Policy Letter, shall have the following purpose and policy and advisory responsibilities:
- a) Purpose – to foster a compassionate, cohesive and aspirational society in which responsibility is encouraged and individuals and families are supported through schemes of social protection relating to pensions, other contributory and non-contributory benefits, social housing, employment, re-employment and labour market legislation;
  - b) Policy and advisory responsibilities – financial and social hardship; social housing, including States' housing and the States' relationship with housing associations; supplementary benefit and housing benefit; social insurance; pensions; health insurance; long-term care insurance; social inclusion, including in relation to disability; the unemployed and the various initiatives to encourage employment and re-employment; labour market legislation and practices; health and safety in the workplace; industrial relations; and legal aid.
5. To agree that, as set out in section 5.3 of that Policy Letter, there shall be a Principal Committee entitled the Committee for the Environment & Infrastructure, which, as set out in section 6.1 of that Policy Letter, shall comprise five States' members and up to two non-States' members and which, as set out in section 5.7 of that Policy Letter, shall have the following purpose and policy and advisory responsibilities:

- a) Purpose – to protect and enhance the natural and physical environment and develop infrastructure in ways which are balanced and sustainable in order that present and future generations can live in a community which is clean, vibrant and prosperous;
  - b) Policy and advisory responsibilities – infrastructure, including but not limited to water, wastewater and the ports; spatial planning, including the Strategic Land Use Plan; climate change; protection and conservation of the natural environment; waste, water and stone reserves; energy, including renewable energy; solid waste; general (as distinct from exclusively social) housing; the coast and coastal defences; Alderney breakwater; traffic and transport; the road network; biodiversity; agriculture, animal health and welfare and the sustainability of food and farming; maritime affairs; and public parks.
6. To agree, that, as set out in section 5.3 of that Policy Letter, there shall be a Principal Committee entitled the Committee for Health & Social Care, which, as set out in section 6.1 of that Policy Letter, shall comprise five States' members and up to two non-States' members and which, as set out in section 5.8 of that Policy Letter, shall have the following purpose and policy and advisory responsibilities:
- a) Purpose – to protect, promote and improve the health and well-being of individuals and the community;
  - b) Policy and advisory responsibilities – adult social care; the welfare and protection of children, young people and their families; the prevention, diagnosis and treatment of acute and chronic diseases, illnesses and conditions; mental health; care of the elderly; health promotion; environmental health; and public health.
7. To agree that, as set out in section 5.3 of that Policy Letter, there shall be a Principal Committee entitled the Committee for Home Affairs, which, as set out in section 6.1 of that Policy Letter, shall comprise five States' members and up to two non-States' members and which, as set out in section 5.9 of that Policy Letter, shall have the following purpose and policy and advisory responsibilities:
- a) Purpose – to support a high standard of living and quality of life by maintaining and promoting a safe, stable and equitable society which values public protection and justice and respects the rights, responsibilities and potential of every person;
  - b) Policy and advisory responsibilities – crime prevention; law enforcement, including policing and customs; justice policy; the association between justice and social policy, for example domestic abuse and the misuse of drugs and alcohol; the new population management regime, once introduced; immigration; imprisonment, parole, probation and rehabilitation; fire, rescue and salvage; consumer protection and advice; trading standards; data protection; emergency planning; civil defence; lotteries and gambling.

8. To agree that, as set out in section 6.2 of that Policy Letter, the arrangements which allow States' committees to delegate their functions should be made more permissive such that functions may be delegated to specific members of a committee or to other committees.
9. To agree that, as set out in section 6.4 of that Policy Letter, senior officer(s) of the States shall be accountable to any committee of the States which they serve in respect of policy direction.
10. To agree that, as set out in section 6.4 of that Policy Letter, if after the exhaustion of reasonable procedures a committee of the States makes a resolution to the effect that it has no confidence in a senior officer or senior officers serving it there shall be an expectation that the officer(s) will be transferred out of the service of that committee; and to agree that, as set out in section 6.4 of that Policy Letter, the Chief Executive and other senior officers must obtain the views of the president of a committee, and through him or her the members thereof, when appointing and appraising senior staff in the service of that committee.
11. To agree that the full mandate of the Policy & Resources Committee shall be based upon the duties and powers set out in section 7 of that Policy Letter.
12. To agree that the Policy & Resources Committee, once constituted in May, 2016, shall establish a policy and resource planning process through a Policy & Resource Plan, as set out in section 7.4 of that Policy Letter.
13. To agree that, as set out in section 7.5 of that Policy Letter, the Policy & Resources Committee may by resolution permit the adaptation of nomenclature and appellations in connection with the external relations and constitutional affairs of the States.
14. To agree that, as set out in section 7.6 of that Policy Letter, the Policy & Resources Committee, once constituted in May, 2016, shall, following examination of the issues, lay recommendations before the States to reform the political arrangements in connection with the States' role as an employer.
15. To agree that, as set out in section 7.6 of that Policy Letter, the Policy & Resources Committee, once constituted in May, 2016, shall, following examination of the issues, lay recommendations before the States to secure more visible and demonstrable impartiality in statistics and research issued by the States.
16. To agree that, as set out in section 8.2 of that Policy Letter, there shall be a Civil Contingencies Authority.
17. To agree that, as set out in section 8.3 of that Policy Letter, there shall be an Overseas Aid & Development Commission.
18. To agree that, as set out in section 8.4 of that Policy Letter, there shall be a States' Assembly & Constitution Committee.

19. To agree that, as set out in section 8.5 of that Policy Letter, Special States' Committees shall be known as States' Investigation & Advisory Committees.
20. To note the continuation, as set out in section 8.6 of that Policy Letter, of the Elizabeth College Board of Directors, Ladies' College Board of Governors, Priaulx Library Council and Guille-Allès Library Council.
21. To agree that there shall be a Passenger Transport Licensing Authority constituted as a committee of the States as set out in section 8.8 of that Policy Letter.
22. To agree that there shall be a Development & Planning Authority constituted as a committee of the States as set out in section 8.8 of that Policy Letter.
23. To agree that there shall be a States' Trading Supervisory Board constituted as a committee of the States as set out in section 8.9 of that Policy Letter, including that the States' Trading Supervisory Board shall take policy direction from the States and their relevant Principal Committees as set out in the first sentence of paragraph 8.9.23 of that Policy Letter.
24. To agree that, as set out in section 8.11 of that Policy Letter, the States should be free, if at any time they so wish, to constitute committees on which States' members are not in the majority but with the qualification that no person shall be the President of a States' committee unless he or she is an elected member of the States.
25. To agree that the full mandate of the Scrutiny Management Committee shall be based upon the duties and powers set out in section 9 of that Policy Letter.
26. To agree that, as set out in section 9.2 of that Policy Letter, the States shall elect to the Scrutiny Management Committee three States' members and two members independent of the States.
27. To agree that the arrangements in respect of precluding or not precluding members of the Scrutiny Management Committee from sitting on other States' committee shall be as set out in section 9.2 of that Policy Letter.
28. To agree, as set out in section 9.3 of that Policy Letter, that the Legislation Select Committee shall be dissolved; that the functions of the Legislation Select Committee (other than those arising under Article 66(3) of the Reform (Guernsey) Law, 1948) shall be transferred to the Scrutiny Management Committee with the intent that the functions arising under Articles 66(1) and (2) of the Reform (Guernsey) Law, 1948 shall be discharged by a standing Legislation Review Panel, as set out in paragraph 9.3.10 of that Policy Letter, for and on behalf of the Scrutiny Management Committee; and that the functions of the Legislation Select Committee arising under Article 66(3) of the Reform (Guernsey) Law, 1948 shall be transferred to the Policy & Resources Committee.

29. To agree that the Scrutiny and Public Accounts Committees shall, following examination of the issues, lay recommendations before the States no later than February 2016, in relation to the matters in paragraphs 9.4.3, 9.4.4, 9.4.5 and 9.4.9 of that Policy Letter.
30. To agree that, as set out in section 9.4 of that Policy Letter, the Scrutiny Management Committee shall be provided with accommodation, facilities and support staff independently from those provided to the Policy & Resources Committee and the Principal Committees, including removing the line management links between the States' Chief Executive and officers supporting the Scrutiny Management Committee.
31. To agree that, as set out in section 10.5 of that Policy Letter, the number of People's Deputies to be elected at the 2016 general election shall be 38; and to note that later in 2015 the States' Assembly & Constitution Committee will lay recommendations before the States regarding the allocation of those 38 seats between the electoral districts.
32. To agree that, as set out in section 10.10 of that Policy Letter, the States' Assembly & Constitution Committee shall enter into discussions with the Bailiff with regard to the seating arrangements in the Royal Court Chamber, taking into account any views on the matter expressed during the States' meeting.
33. To agree that all standing committees of the States as presently constituted shall be dissolved from May, 2016.
34. To agree that, as set out in section 11.2 of that Policy Letter, the Treasury & Resources Department shall be authorised to approve the use of up to £530,000 from the Transformation & Transition Fund to provide for the implementation of the improved committee system from May, 2016.
- 34A. To agree that the accounts of the improved committee system shall be prepared under recognised Accounting Standards and that the Treasury & Resources Department shall formally commence the phased implementation of recognised Accounting Standards, as resolved by the States in March 2012, with effect from 1 January 2016.
35. To note that, as set out in various sections of that Policy Letter, later in 2015 the States' Review Committee will lay before the States further recommendations necessary to allow the improved committee system to be established.
36. To note that, as set out in various sections of that Policy Letter, later in 2015 the States' Assembly & Constitution Committee will lay before the States the recommendations necessary to amend the Rules of Procedure and the Constitution and Operation of States' Departments and Committees etc. in order that they will be consistent with the improved committee system.
37. To direct the preparation of such legislation, as set out in section 11.1 of that Policy Letter and otherwise, as may be necessary to give effect to the above decisions.

38. To direct:

- a) that starting in May 2016 the States' Assembly & Constitution Committee shall:
  - i. consider and investigate a range of workable methods of electing Peoples' Deputies, including the possibility of all or some Deputies being elected in a single electoral district; the possibility of all Deputies being elected in fewer districts than at present; and the option of single transferable votes for Guernsey elections;
  - ii. present that range of workable models to the States of Deliberation by no later than their meeting in June 2018, together with the Committee's recommendations;
  - iii. examine the merits and implications of any Resolutions made by the States after consideration of those recommendations being subject to endorsement in a public referendum; and, if thought appropriate, to include in the same policy letter further recommendations for the holding of such a referendum;
  
- b) that the Committee shall consult with, and take evidence from, the widest possible range of persons from among the membership of the States, of Parliaments in other jurisdictions, those with expertise and experience of electoral processes in other jurisdictions, and the general public in Guernsey.

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