

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

11th December, 2024

Proposition No. P.2024/95

Requête

The Government Reform (2024) Requête

AMENDMENT

Proposed by: Deputy J Le Tocq

Seconded by: Deputy H Soulsby

To insert additional Propositions as follows:

“1. To establish, with effect from the beginning of the next political term, a States’ Investigation & Advisory Committee called the ‘Government Reform Advisory Committee’, with a mandate, constitution and responsibilities to bring proposals to improve the effectiveness of the States of Deliberation in discharging their functions of government as set out in Appendix 1.

2. To direct the Government Reform Advisory Committee to bring a Policy Letter setting out its findings following an examination of the machinery of government, including a review of the number of States’ Members and Alderney representation in the States of Deliberation, for the consideration of the States’ Assembly by the end of December 2026.”.

Rule 4(1) Information

- a) The Propositions support States’ objectives and policy plans established in the Government Work Plan and seek to bring a fresh approach and ambition through direct accountability to the States of Deliberation to present proposals within a specific timeframe.
- b) In preparing the Propositions there has been no consultation with stakeholders.
- c) The Propositions have been submitted to His Majesty’s Procureur for advice on any legal or constitutional implications.
- d) The Committee will be serviced by existing resources at no additional cost.

Explanatory note

The Policy & Resources Committee has issued a Letter of Comment in discharging its responsibilities under Rule 28 of the Rules of Procedure that should be considered in conjunction with this Explanatory Note. The report of the Reshaping Government Sub-Committee is attached to the Letter of Comment for information.

Reshaping Government Sub-Committee

In 2021, the Policy & Resources Committee established the Reshaping Government Sub-Committee to review the current system of government and consider how its operations might be enhanced for the benefit of the community.

The Sub-Committee carried out extensive research in tandem with some stakeholder engagement. The delay in bringing forward its findings is because in themselves they are not as meaningful as would be hoped given the breadth of its Terms of Reference, leading to the recommendation to establish a States' Investigation & Advisory Committee.

The Government Reform Requête proposes a reduction in the number of States' Members by ten. The Sub-Committee considered that a reduction of either three or five States' Members could be explored but it was unable to reach a consensus on this issue, noting that States' Members were involved with both States and constituency work.

Establishment of a States' Investigation & Advisory Committee

Given the lack of a reasoned case for the reduction of precisely 10 States' Members, and the absence of a consensus in the Sub-Committee's report, this Amendment asks the States to support the recommendation of the Reshaping Government Sub-Committee and, in accordance with the provisions of Rule 53 of the Rules of Procedure of the States and Their Committees, proposes the formation of a States' Investigation & Advisory Committee.

This Committee will progress a review from the start of the next term that explores what changes will make the greatest contribution towards a more effective and affordable form of committee governance and specially looking at how the States of Deliberation:

1. allocate the functions of government;
2. carry out the functions of government which they have retained – for example, policy determination; and
3. scrutinise and hold to account the policies, decisions and administration of those functions of government which they have allocated to their Committees.

The Constitution and Terms of Reference for the States' Investigation & Advisory Committee are attached at Appendix 1.

Appendix 1

Government Reform Advisory Committee

Constitution and Terms of Reference

Membership of the Committee shall be:

- a) One member of the Policy & Resources Committee (Chair);
- b) One member of the States' Assembly & Constitution Committee
- c) One member of the States of Deliberation who has served at least one term;
- d) Two non-States Members from Guernsey

All Members will be voting Members and have the authority to make decisions to inform proposals that the Committee will bring to the Assembly. As a States' Investigation & Advisory Committee, the Government Reform Advisory Committee shall be directly accountable and wholly visible to the States of Deliberation.

The mandate of the Committee shall be:

“To review how the States of Deliberation and their committee structure might be changed for the benefit of the community while adhering to the general principles of subsidiarity where the States concern themselves with debating and approving legislation, broad policies and priorities, items of significant expenditure and matters of major public interest, and setting the framework in which the rest of the administration should operate.”

The Committee will be responsible for:

- a) considering the effectiveness of the existing system of government, taking note of any lessons learned from significant recent challenges such as the impact of Brexit and the management of and response to the Covid-19 pandemic;
- b) considering how government can best be structured in order to work in an agile way to identify, agree and deliver prioritised governance, administration and services for the benefit of the community in a manner consistent with accepted democratic principles;
- c) considering the number of Members for fair and proportionate representation of the Guernsey electorate and the States of Alderney in the States of Deliberation; and
- d) presenting findings, options and recommendations to the States of Deliberation no later than the end of December 2026.

Following States' consideration of the recommendations of the Committee it shall be disbanded/continue to operate until the recommended changes have been brought into effect.