

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

26 August, 2025

Proposition No. P.2025/104

The Committee for Education, Sport & Culture

EDUCATION GOVERNANCE BOARDS

Project de Loi entitled

The Education (Guernsey) (Amendment) Law, 2025

SURSIS MOTIVE

Proposed by: Deputy H Camp

Seconded by: Deputy R Curgenven

To sursis consideration of the Projet de Loi entitled 'The Education (Guernsey) (Amendment) Law, 2025' and to direct the Committee for Education, Sport & Culture to return to the States with a revised Projet de Loi which—

1. revises and limits the Committee's regulation-making powers ensuring that powers in respect of the constitution, powers and functions of Governance Boards vest clearly in the States of Deliberation by Ordinance and that the said regulation-making powers remain in-keeping with the scope envisaged by the Policy Letter, being to permit "operational changes to elements of the governance framework" to be made by the Committee for operational efficacy; and
2. sets out in full the proposed constitutional terms of reference of the Governance Boards, including their objectives, responsibilities and delegated and/or devolved powers, to apply from the commencement of the Law.

Rule 4(1) Information

- a) The propositions contribute to the States' objectives by ensuring adequate oversight and consultation relating to proposals for fundamental changes in education governance policy and ensure that legislation considered by the States is not premature and can have meaningful effect.
- b) In preparing the proposition, the President and Vice-President of the Committee for Education, Sport & Culture have been consulted.
- c) The proposition has been submitted to His Majesty's Procureur for advice on any legal or constitutional implications.
- d) There are no financial implications to the States of Guernsey in carrying out this proposal.

e) Drafting advice has been sought from the States' Greffier.

Explanatory note

The purpose of this sursis motiv   is to prevent the premature approval of legislation that would establish governance boards without powers, accountability or certainty of future empowerment. It further seeks to ensure appropriate political distance between the Committee and its operational education settings, as set out as a major objective in the Committee's Policy Letter (P.2024/112) on this subject. The current draft law knowingly fails to meet those standards, instead creating boards with only advisory functions and no authority over critical governance concerns and retaining over-reaching powers at the Committee-level that maintain the status quo and do not achieve the stated political distance. This issue is further compounded by the fact that the Education Devolution & Delegation Investigation & Advisory Committee, the mechanism through which any future recommendations for the governance boards to obtain such powers, has not been constituted at this stage, rendering the legislation even more premature.

By adopting this sursis motiv  , the States will ensure that any future legislation on education governance is properly designed, consistent with expert recommendations, consistent with the spirit and intent of the Policy Letter (P.2024/112) and capable of delivering meaningful accountability.