

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

POLICY & RESOURCES COMMITTEE

REVIEW OF COVID-19 RESPONSE

The States are asked to decide: -

Whether, after consideration of the Policy Letter entitled 'Review of COVID-19 response' (dated 15th March, 2022) they are of the opinion either: -

1. To direct the Policy & Resources Committee acting with the Committee *for* Home Affairs to complete a programme of debriefing reviews through the Guernsey Local Resilience Forum, co-ordinated with audit reviews; and that the reviews –
 - (i) will have regard to the States of Guernsey's strategic response and the effectiveness of that response in the management of the impact of the COVID-19 pandemic on the Bailiwick and its residents;
 - (ii) will include a high-level desk top review to create a factual record of the key strategic elements of the handling of the COVID-19 pandemic; and summarise the impact on the Bailiwick and its residents, and the cost, of the Bailiwick's handling of the pandemic; and
 - (iii) will be submitted for consideration by the Principal Committees, and the lead committees of the States of Alderney and the Chief Pleas of Sark, and the Scrutiny Management Committee.

Or

2. To direct the Scrutiny Management Committee to tender in accordance with States of Guernsey procedures for an independent entity or person to undertake a strategic review against the terms of reference set out at Appendix 1 of the above policy letter.
3. To direct the Policy & Resources Committee to use its delegated authority over the budget reserve to make funding available in line with the States' preferred option to progress a review in accordance with the costings set out in the policy letter.

The above Propositions have been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1)(c) of the Rules of Procedure of the States of Deliberation and their Committees.

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

POLICY & RESOURCES COMMITTEE

REVIEW OF COVID-19 RESPONSE

The Presiding Officer
States of Guernsey
Royal Court House
St Peter Port

15th March, 2022

Dear Sir

1 Executive Summary

- 1.1 At their meeting of 26th January 2022, the States of Deliberation ('the Assembly') directed the Policy & Resources Committee ('the Committee') to revert to the Assembly, in time for consideration at the April States' Meeting, with proposals for a review of the response to COVID-19, including terms of reference and resource requirements.
- 1.2 The Committee has explored how such a review could successfully be planned, resourced and progressed, acknowledging that the public sector's limited resources are necessarily focusing on fully restoring services and resuming work which has been suspended during the pandemic. The Committee has also been mindful of the need to avoid unnecessary duplication, noting that any review should build upon the work undertaken to date, and that already planned, both politically and operationally.
- 1.3 The Hearings undertaken by the Scrutiny Management Committee last term with the key Principal Committees, along with ongoing activity through internal audit, provide a wide-ranging and objective source of information and reflection on the Bailiwick response to date. Operationally, in line with national best practice in respect of the management of multi-agency responses, steps will be taken to prioritise a comprehensive debriefing process across the major pillars of the response and the production of recommendations and associated implementation report.
- 1.4 In light of the above work, the Committee has identified two potential options which the Assembly is invited to consider.

1. Continue with the internal audit reviews and complete a programme of debriefing reviews through the Guernsey Local Resilience Forum, supplemented by a high-level desk top review of fact to summarise impact and cost of the Bailiwick's response; or
 2. Commission an independent entity or person to undertake a review against the proposed terms of reference set out at Appendix 1. It is anticipated that this would cost in the region of up to £250,000 however it would only be possible to obtain precise figures once engagement with the market takes place with confirmed terms of reference. If, for example, a panel approach was engaged to address wide ranging topics, the costs should be expected to increase.
- 1.5 The Propositions have been drafted to allow the Assembly to determine its preferred approach.
- 1.6 The Committee recommends the first option to the Assembly, considering this provides a sufficiently robust yet proportionate approach to the review. The approach allows the core objectives of any review of the pandemic response to be fulfilled – an understanding of decision-making and operational frameworks to support future preparedness and resilience – without incurring significant expenditure or detracting unnecessarily from the ongoing recovery work.
- 1.7 Other jurisdictions have taken steps to commission independent reviews, varying in their approach and focus, however in the Bailiwick context committing to the investment of the necessary resources – both financial and the extraction of officer time - is considered premature. Continuing the scheduled reviews and debriefs allows organisational learning to be reflected, collated and actioned – the most important element of any review - and arrangements are in place to ensure that it is possible to learn from the activity of other jurisdictions. This provides the Bailiwick with the flexibility to adopt applicable learning from other jurisdictions.
- 1.8 The Scrutiny Management Committee – in accordance with its mandated responsibility to lead and co-ordinate the scrutiny of Committees of the States and those organisations which are in receipt of public funds - will receive and consider all reviews and debriefs and will be able to determine the next steps politically, be that further Hearings, a specific report to the Assembly or recommendations for any more detailed investigations. Such decision-making rightly sits with the Scrutiny Management Committee which can consider how the reviews fit with its previous work, how to ensure scrutiny is appropriately accessible and how to ensure public and political confidence in the processes adopted.

2 Introduction

- 2.1 The Assembly considered a policy letter titled ‘Living Responsibly with COVID-19’¹ at its Meeting on 26th January 2022, and resolved² to direct the Policy & Resources Committee to revert to the Assembly setting out proposals for a review of the response to COVID-19.
- 2.2 The proposals must propose the terms of reference for a review of both the States of Guernsey’s strategic response and effectiveness in the management of the impact of the COVID-19 pandemic on the Bailiwick and its residents, covering the period from the meeting of the Civil Contingencies Authority on 12th March 2020 until the end of January 2022.
- 2.3 The debate had demonstrated a wide variety of views held within the Assembly and therefore it was considered prudent to explore expectations with the Presidents of the Principal Committees, inviting the President of the Scrutiny Management Committee to the discussions.
- 2.4 The Committee has also engaged formally with the Scrutiny Management Committee given its interests in the approach adopted. Timeframes prevented extensive consultation with the Committee *for* Home Affairs as the proposals matured, however the Committee *for* Home Affairs has acknowledged that the Propositions are reflective of the work ongoing under its mandate for emergency planning.

3 Context for the Review

- 3.1 It is important that any review is conducted against the global, European and UK backdrop at the time. This had profound implication and impact on how the pandemic was managed and the contemporaneous decision-making based on the available data, knowledge, and information (clinical and non-clinical) at that time. Decisions and structures shifted considerably with the developing clinical understanding of the virus and, later, there was an improved level of robust data intelligence and significant vaccine coverage locally.
- 3.2 The review must keep in mind that at the early stages very little was known or certain, and every day was a different challenge with a rapidly changing picture. This will be echoed by all other jurisdictions. Matters to be considered in this context include availability of data and the approach to ensuring expert advice was applied in its interpretation; the understanding and application of lessons learnt from the impacts and experiences elsewhere as the pandemic spread; and

¹ [Billet d’État II of 2022](#)

² [Resolution 4 of Article I of Billet d’État II of 2022](#)

the engagement and response of islanders, government, and industry.

- 3.3 The Bailiwick is continuing its recovery; is managing the impact of Brexit; and the public sector is under sustained revenue expenditure pressure. It will be important that the review is given a clear direction by the Assembly on those areas which are of most importance in terms of political governance and cost to the taxpayer.
- 3.4 The most critical matter of context with respect to COVID-19 is that the world remains at pandemic status with the continued risk of new variants of concern.

4 Considerations in determining approach to the Review

- 4.1 The outcome intended for this work is not clearly defined; the period of activity to be reviewed is lengthy and interrupted by a General Election; and the scope of decision making, and actions, is significant. The Committee has concluded that the review should demonstrate an understanding of whether the critical strategic decisions taken during the height of the pandemic were robust in the context of when the decisions were taken and provide an assessment of whether they resulted in the Bailiwick navigating the pandemic satisfactorily.
- 4.2 The matter of determining overall effectiveness has been raised. This is very challenging. Decisions can only be made based on the information at the time, and with every jurisdiction having so many variables, there is very legitimate concern that meaningful comparisons cannot be made and indeed strong political considerations as to why they should not be attempted.
- 4.3 Many governments are targeting their resources on specifics determined by their own experiences and not root and branch reviews. This is understandable given few will wish the cost of the response to be exacerbated by complex and lengthy reviews which deflect limited resources from recovery. Notwithstanding the recently announced review in Jersey, the Committee would maintain that this is particularly acute in a small jurisdiction.
- 4.4 The Committee also determined that confidentiality is a particular challenge in a small jurisdiction where matters of fact can more easily lead to identification of individuals or entities. This will have to inform the approach adopted. The Civil Contingencies Authority, the Committee *for* Health & Social Care and the Policy & Resources Committee will need to determine whether to approve the release of all minutes/parts of minutes and papers; whether there are any third parties whose interests would be engaged by a release of material; and does release mean on a restricted basis to the reviewer or full publication? This will place a particular demand on the reviewer with respect to the presentation of fact and findings, but it is achievable.

- 4.5 The Policy & Resources Committee has taken the approach that this is neither a clinical review nor a review of legal advice received but is focused on what reasonably under the circumstances could be expected of the Bailiwick Assemblies. How prepared were they? How well did they do in making and delivering decisions?

5 Scope of the Review

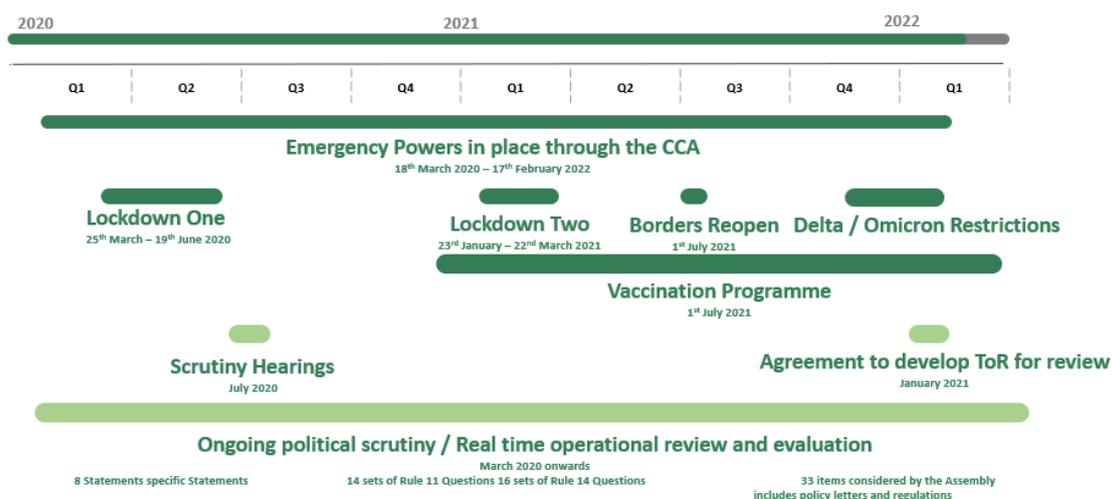
- 5.1 Careful consideration has been given to the explanatory note in the Amendment which anticipated that a review of this nature would examine closely both political decision-making including its evidence base and the legislative framework for operationalising a response. It would therefore specifically include an assessment of the suitability of Guernsey's statutory and regulatory public health regime, particularly in terms of enabling and facilitating an effective governmental response to the impact of a pandemic such as COVID-19.
- 5.2 The Assembly has also directed the Committee *for* Health & Social Care to assess the work required to review the Public Health Ordinance, 1936 and develop a new Public Health (Enabling Provisions) Law³ in order for the Policy & Resources Committee to report back in June 2022 within the refresh of the Government Work Plan. This legislative consideration is therefore out of scope.
- 5.3 In the 'Living Responsibly with COVID-19' policy letter the three sponsoring Committees noted that in consulting with the Committees of the States they had determined that the constitution, powers, and safeguards within the Civil Contingencies (Bailiwick of Guernsey) Law, 2012, alongside the operationalisation of the response by the Public Sector could neither be modified nor replaced to improve outcomes without compromise in efficiency and effectiveness. Furthermore, it was noted that it was unlikely that any action which restricts civil liberties would be taken outside a setting where the meaning of emergency in the 2012 Law was engaged.
- 5.4 It is therefore questionable whether there is value in resource and budget allocation for further exploration of that legislation. On balance, and further noting the views expressed in debate, the Committee remains of that view and has excluded a legislative review.
- 5.5 The Committee would also advise the Assembly that any reviews will need to respect the independent role of the Law Officers in relation to criminal prosecutions and investigations of deaths in the Bailiwick.
- 5.6 It was further noted that it was considered important that the terms of reference do not duplicate established internal reviews but that the outputs are available

³ [Resolutions 1-3 of Article I of Billet d'État II of 2022](#)

to the reviewers. *'This is to prevent duplication of work by the limited resource within the public sector which necessarily must now focus on fully restoring services and progressing with work that was suspended.'*

- 5.7 The Committee is also cognisant that political scrutiny has been applied 'in real time' as summarised in figure 1 which draws together all phases and key activity during the period when emergency regulations were in place. The Committee has set out in section 6 more detail for the Assembly's consideration.

Figure 1: Responding to the COVID-19 pandemic



6 Scrutiny and Reviews undertaken to date or planned

Scrutiny Management Committee Hearings

- 6.1 In July 2020, the Scrutiny Management Committee held public hearings (“the Hearings”) with three Principal Committees – the Committee *for* Health & Social Care, the Committee *for* Home Affairs and the Committee *for* Education, Sport & Culture - to examine the Bailiwick’s response to the COVID-19 pandemic. In place of a fourth planned Hearing with the Policy & Resources Committee, evidence was provided by correspondence as a change to the schedule of States’ Meetings meant it was not possible to find a mutually convenient date.
- 6.2 The Hearings were consciously scheduled at a time where it would be possible to challenge constructively the actions and experiences associated with the first lockdown, recognising that the pandemic remained ongoing and further waves – and indeed lockdowns - were possible. The Hearings were designed to provide opportunity for the rapid identification of lessons learnt in what remained a constantly evolving situation so that learning could be incorporated into the Bailiwick’s continued response. As was made clear in the Hearings, despite the pressures presented by pandemic, there had been a conscious commitment

throughout the response to acknowledging, documenting, and addressing challenges as and when they arose to support real time learning and development. This was established practice as recognised in the Influenza Plan framework that had been adopted and adapted from the start of the pandemic.

6.3 Evidence was provided by the Committees' three Presidents and their senior advisors with the subject matter of the three Hearings accordingly encompassing both political decision-making and operational implementation. Collectively the three Hearings provide a scrutinised record of the period October 2019 (the Hearings explored the Public Health influenza planning exercise) through to July 2020 focusing on:

- The immediate response to the pandemic in respect of preparedness, the evidence available to inform decision-making regarding restrictions, testing strategies, relationships with external parties;
- Case numbers to date including deaths;
- Health and social care provision in what is an already complex health and care system containing private, public and third sector partners – including the continuity of services and long-term impact on waiting lists, supply chains, relationships with the Medical Specialist Group and the care home sector, mental health and wellbeing;
- Operational law and order considerations when moving through the phases of lockdown;
- The support available to affected businesses and employees through adjustments to the Population Management regime; and
- The impact on education services in terms of continuity of learning and longer-term effects on the children and young people.

6.4 The correspondence between the Scrutiny Management Committee and the Policy & Resources Committee similarly focused on the political and operational management of the COVID-19 pandemic response to date, including:

- The scale, cost, responsiveness, and effects of the business support measures in place;
- The policy decisions underpinning the business support measures, balancing the need to support businesses against the financial burden on the taxpayer;
- Operational and strategic considerations centred on future economic support measures if necessitated by a second wave;
- The ongoing analysis of the sectors most affected by the pandemic and how this would inform the development and implementation of the Government Work Plan;
- The effectiveness of communications with affected employers and employees and the evolution of working practices.

- 6.5 The Hearings provide a near contemporaneous record of the first lockdown from the perspective of the three Principal Committees most engaged in strategic and operational response. Importantly, they highlight the challenging and unprecedented circumstances in which Principal Committees, and their officers, found themselves; evidence of ongoing reflection and self-evaluation; and a summary of the learning points recognised at that stage.

States of Deliberation scrutiny

- 6.6 Summarised at appendix 2 is the political scrutiny applied throughout the period when emergency regulations applied, demonstrating an active enquiry and challenge to the decisions and actions taken concomitant to their impact through Parliamentary Questions under Rule 11 and Rule 14; due political consideration on key matters through Statements and Question Time; and the consideration of policy letters and passing of law.

Policy & Resources Committee – review of business support and COVID-19 costs

- 6.7 Internal audit has already undertaken and reported on a review of Business Support Grant payments and will shortly commence a review of Payroll Co-funding support.
- 6.8 There are two specialist schemes running to the end of March 2022 – Visitor Accommodation Scheme and Visitor Attraction Scheme. Both will be subject to similar reviews but neither yet has a terms of reference.
- 6.9 Monthly reporting of COVID-19 costs was established and is a natural source for relevant information. No deficiencies in the controls centred on business support payments were found by external audit which will be auditing again as part of the annual audit.

Guernsey Local Resilience Forum – review of operationalising strategic response

- 6.10 A Local Resilience Forum (LRF)⁴ is a multi-agency forum formed in a police area of the United Kingdom by key emergency responders and specific supporting agencies. It is a requirement of the UK Civil Contingencies Act, 2004.
- 6.11 An LRF allows responders access to a forum to consult, collaborate and disclose information with each other to facilitate planning and response to emergencies, and produce a community risk register.
- 6.12 The States of Guernsey had previously adopted this approach as best practice and established the Guernsey Local Resilience Forum (GLRF).

⁴ [The role of Local Resilience Forums](#): a reference document published by the Cabinet Office

- 6.13 A framework to manage the multi-agency strategic response to COVID-19 was adapted from the GLRF Influenza Plan. While establishing organisational roles, responsibilities, and reporting, it did not replicate tactical and operational plans, and organisations were expected to maintain arrangements in accordance with the framework and applicable guidance.
- 6.14 The Civil Service implemented Command, Control and Co-ordination (CCC) structures in accordance with this best practice to provide the optimum chance of managing what was essentially the unknown. The CCC structure achieved the work required at the beginning (planning for the worst-case scenario, protecting public health/life and essentially locking the Bailiwick down). Once urgent and immediate mitigations were in place the CCC structure could start examining ways of easing the islands out of lockdowns, with a focus on community recovery and managing the economy.
- 6.15 The CCC structure was extensive and reporting/information sharing was stringent. Over time and as more information became available from other jurisdictions, together with more local data becoming available, the structures flexed and were used to address what was required, adapting to respond continually to the changing context.
- 6.16 Presented diagrammatically at Appendix 3, the diverse nature of the necessary operational activity is immediately clear. It also demonstrates the governance put in place through technical support and clinical advisors, and the role of the strategic decision-making led politically where mandates were engaged.
- 6.17 The framework to manage response is partnered by a framework for review from a LRF perspective following a major incident. This sets out an expectation that comprehensive debriefing will take place of the response across the Bailiwick, an implementation report produced, and recommendations shared within the Guernsey Local Resilience Forum.
- 6.18 The GLRF is facing the same issues with regards the enormity of scope for review and is yet to confirm the areas of operational response to COVID-19 that it will prioritise. It is likely, however, these will include the major pillars of the response i.e. border measures, vaccination programme and on-island testing. The scoping and resourcing of this work is under development.

Contingency Planning

- 6.19 Under 'The Civil Contingencies (Contingency Planning) (Bailiwick of Guernsey) Regulations, 2013,' before June of each year, named responders – a combination of senior postholders within the islands' emergency services and Principal Committees – are required to produce a business continuity plan and, if relevant, an emergency plan. Responders are placed under an ongoing duty to consider

whether their plans remain satisfactory. This supports the Civil Contingencies Authority duty to assess risk continuously and determine whether planning is sufficiently satisfactory.

- 6.20 Pandemic preparedness features heavily within the above and therefore steps will be ongoing ahead of June to update plans based on practical experiences within their particular sphere and will be informed by the work of the GLRF.

7 Options

- 7.1 The Policy & Resources Committee has discussed with the Scrutiny Management Committee the numerous issues identified in discharging this Resolution as set out here for the Assembly.

- 7.2 Two approaches were identified, and it was decided that the Assembly should be invited to consider each. The two options are:

1. Continue with the internal audit reviews and complete a programme of debriefing reviews through the GLRF, combined with a high-level desk top review of fact to summarise impact and cost of the Bailiwick's response; or
2. Commission an independent entity or person to undertake a review against the terms of reference set out at Appendix 1.

- 7.3 The Policy & Resources Committee is recommending option 1 at this time on the basis that the programme of best practice debriefs supplemented by a high-level desk top review:

- is best practice, with an established method that can be adopted and adapted, such as with the internal audits;
- will provide a swift, manageable and cost-effective approach and an at least equal opportunity to identify actions to improve preparedness across diverse range of multi-agency activity engaged in the response to the pandemic;
- provides factual accounts which can be considered by operational Committees and facilitates future Hearings as considered appropriate, thus continuing the method already deployed by the Scrutiny Management Committee for effective political accountability;
- allows the expedient consolidation at a cross-Committee level of an objective summary of fact, with associated evaluation of impact and cost, to serve as a permanent record. The development of high-level metrics

through this process may allow comparison with other jurisdictions as they complete their own reviews.

- 7.4 The Scrutiny Management Committee will receive and consider all reviews and debriefs and will be able, in accordance with its mandate, to determine the next steps politically, be that further Hearings, a specific report to the Assembly or recommendations for any more detailed investigations. Such decision-making rightly sits with the Scrutiny Management Committee which can consider how the reviews fit with its previous work, how to ensure scrutiny is appropriately accessible and how to ensure public and political confidence in the processes adopted.
- 7.5 To expedite this work, a co-ordinator will need to be seconded from within the organisation or contracted on a task and finish basis, the funding for which would be authorised by the Committee through its delegated authority from the Budget Reserve. Subject to how the Scrutiny Management Committee decided to proceed with the reports it receives, some further funding to run Hearings may be required. The Policy & Resources Committee estimates that this would not likely exceed £40k.
- 7.6 The Committee does not recommend that steps be taken to commission an independent entity or person to undertake a review against the terms of reference at this time because:
- a comprehensive and independent review will be complex, engage a wider range of services and officers, impact current programmes of work and will be potentially long-running with questionable additional value compared with alternative approaches;
 - there would be value before commissioning work of this complexity and magnitude to better understand and learn from the reviews commissioned in other jurisdictions, specifically Jersey and the Isle of Man. While such jurisdictions are further along with the planning of their respective reviews, information continues to emerge regarding their approach, scope, timeframes and costs which could helpfully shape any Guernsey equivalent in due course;
 - the Bailiwick and its Civil Service is now monitoring and mitigating against new threats; and
 - the Bailiwick has only just ceased living under emergency regulations and the world is still at pandemic status. Risk remains and expediting determination of any improvements in the Bailiwick's response to COVID-19 should be encouraged.

- 7.7 The Committee anticipates that on the basis of early approaches to market, were steps taken to commission an independent entity or person, this would cost up to £250,000. However meaningful engagement with prospective suppliers can only take place once there is an agreed terms of reference from which a scope of works can be developed. Costs may prove higher, potentially considerably higher, for example Jersey' approach has resulted in anticipated costs of £500,000. The actual tenders received will vary, possibly significantly, should the Assembly broaden the terms of reference or scope of work. The Propositions have been drafted to provide for that eventuality.
- 7.8 Costs would be dependent on the specific scope and in turn the mix of skills required and approach adopted. Two potential approaches have been identified; a traditional procurement route to appoint an external consultancy provider or the engagement of a senior former UK civil servant. Should the Assembly resolve to commission a full review against the attached terms of reference, both options would be explored to determine which would best discharge the terms of reference.

8 Compliance with Rule 4

- 8.1 Rule 4 of the Rules of Procedure of the States of Deliberation and their Committees sets out the information which must be included in, or appended to, motions laid before the States.
- 8.2 In accordance with Rule 4(1)(a), the Propositions are brought to the States of Deliberation in accordance with the previous direction of the Assembly and supports the Government Work Plan Priority 1, 'Responding to COVID-19 Pandemic'.
- 8.3 In accordance with Rule 4(1)(b), the Committee can advise that in developing the proposals, discussions took place with the Presidents of the Principal Committees and the Scrutiny Management Committee. Timeframes prevented extensive consultation with the Committee *for* Home Affairs as the proposals matured, however the Committee has acknowledged that the Propositions are reflective of the work ongoing under its mandate for emergency planning. Discussion with Alderney and Sark took place ahead of the January "Living Responsibly with COVID-19" debate; both Assemblies wished their respective experiences and views to be considered which would be achieved through the recommended approach.
- 8.4 In accordance with Rule 4(1)(c), the Propositions have been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications.
- 8.5 In accordance with Rule 4(1)(d), the financial implications to the States of carrying the proposal into effect is set out at paragraphs 7.5 and 7.6.

- 8.6 In accordance with Rule 4(2)(a), the Propositions relate to the duties of the Policy & Resources Committee, which is mandated to develop and implement policies and programmes relating to non-operational matters in an emergency to preserve life, wellbeing and law and order.
- 8.7 In accordance with Rule 4(2)(b), it is confirmed that the Propositions have the unanimous support of the Policy & Resources Committee.

Yours faithfully

P T R Ferbrache
President

H J Soulsby MBE
Vice President

M A J Helyar
J P Le Tocq
D J Mahoney

APPENDIX 1

Terms of reference

1. To create a factual record, limited to the period under review, of:
 - a. the status of the States of Guernsey's policies and practices relating to:
 - i. national risk management; and
 - ii. emergency planning;
 - b. how the key strategic decisions relating to the Bailiwick's response to the COVID-19 pandemic were made,
 - c. the actions of the Civil Contingencies Authority, in the context of the phase of the pandemic at the time and the expert advice and available data; and
 - d. the actions of the Policy & Resources Committee in handling the pandemic, with respect to initiating the development and delivery of business support and its cost management in COVID-19 mitigation.
2. To establish how appropriately the Bailiwick was served by these strategic decisions, considering relevant health and infection metrics and an evaluation of the cost and impact on the community and economy.
3. To draw on the facts and present a conclusion in order that the States of Guernsey can identify any steps necessary to improve preparedness for any future circumstances similar to those arising during the period under review.

Period of Review

To properly establish the context for strategic decision making, the review should consider the period 1st October 2019 – 16th February 2022 inclusive. This captures the period when international attention started to focus on activity in Wuhan through to the cessation of emergency regulations in the Bailiwick.

Commissioning, Support and Publication

The report will be formally commissioned by the Scrutiny Management Committee. It will receive the final report, co-ordinate its consideration by the Committees of the States as necessary and appropriate, and will lay it before the States.

The reviewer will receive full administrative support and impartial advice from officers working in the Office of the Scrutiny Management Committee. Internal Audit will also provide an avenue for the reviewer to direct more operational queries that would not be part of the strategic review but may be raised.

APPENDIX 2

| SCRUTINY MANAGEMENT ACTIVITY TO DATE | | | | |
|--|--|----------------------------|---|--|
| | Committee | Date | Evidence provided by | Topics |
| SCRUTINY MANAGEMENT COMMITTEE HEARINGS | Committee for Health & Social Care | 14 th July 2020 | Deputy Heidi Soulsby, President, Dr Dominic Bishop, Consultant Psychiatrist, Dr Nicola Brink, Director of Public Health Dr Peter Rabey, Medical Director | <ul style="list-style-type: none"> - Guernsey as a small jurisdiction and the implications on managing the pandemic; - Management of Hospital facilities and impact on the provision of care including continuity of wider services (including elective surgery and screening programmes) and impact on waiting lists - Preparedness and activity undertaken at the emergence of the virus; - Testing– policy and on-island arrangements, practical experience and future sustainability and scalability - Care homes – relationship with/ regulatory powers, support/ assistance available, business continuity, pathways for infected residents - Procurement of PPE – supply chain - CCA (NB Deputy Soulsby made clear that she was attending in her capacity as President of the Committee <i>for</i> Health & Social Care and not in her role on the Civil Contingencies Authority) - Mental Health and Wellbeing – demand, continuity of services, community wide wellbeing - Access to data - Future – transition to Phase 6, wearing of face coverings, contact tracing apps, antibody testing |

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| | Committee for Home Affairs | 28 th July 2020 | Deputy Mary Lowe, President Adrian Lewis, Chief Secretary Dave Le Ray, Director of Operations Vicky Lajoie, Acting Administrator, Pop Man Ruari Hardy, Law Enforcement John de Carteret, Prison Jon Le Page, Fire Officer | <ul style="list-style-type: none"> - Operational challenges, impact on business as usual service provision, operating with restricted staff availability, case numbers and breakdown, travel and isolation checks, critical worker arrangements - Population Management – responding to the employment context created by the pandemic - Operational considerations in moving through the phases of lockdown |
| | Committee for Education, Sport & Culture | 28 th July 2020 | Deputy Matthew Fallaize, President, Nick Hynes, Head of Inclusion and Services for Children and Schools; Sophie Roughsedge, Business Change Manager, Transforming Education | <ul style="list-style-type: none"> - Impact on education services, including distance learning arrangements, children with special education need, feedback from parent survey, support for vulnerable children and young people, relationship with Public Health, experiences across different age groups, public examinations, mental health and wellbeing - Viability of local sporting and cultural events - Learning for the future |

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|--------------------------------|--|----------------|-----|---|
| ENGAGEMENT WITH SMC | Letter to SMC from HSC re Primary Care during COVID-19 | 23rd July 2020 | n/a | - Summary of arrangements and processes, benefits to the public and final contracts |
|--------------------------------|--|----------------|-----|---|

| PARLIAMENTARY PROCESSES – RULE 11 AND 14 QUESTIONS | | | | |
|---|-------------------|--------------|------------------------------------|--|
| | Questioner | Date | Committee | Topics |
| RULE 11 QUESTIONS | Deputy Gollop | 20 May 2020 | Policy & Resources Committee | Financial assistance for bodies affected by the virus pandemic – support for community, third sector organisations |
| | Deputy Gollop | 20 May 2020 | Committee for Economic Development | Recovery and regeneration strategies – for particularly affected sectors |
| | Deputy Gollop | 17 June 2020 | Committee for Home Affairs | Housing Licences for Key Workers – licensing considerations for those affected by the pandemic |
| | Deputy Gollop | 17 June 2020 | Committee for Health & Social Care | Ability for boards and committees to meet other than virtually – impact of pandemic on the Election |
| | Deputy Queripel | 26 May 2021 | Committee for Health & Social Care | The pandemic, its impact on mental health and vaccinations |

| | | | | |
|--|-----------------|-------------------|---|--|
| | Deputy Queripel | 16 June 2021 | Committee <i>for Health & Social Care</i> | COVID-19 |
| | Deputy St Pier | 8 September 2021 | Civil Contingencies Authority | Civil Contingencies Law |
| | Deputy Gollop | 8 September 2021 | Policy & Resources Committee | Vaccination Certificates |
| | Deputy Queripel | 8 September 2021 | Committee <i>for Health & Social Care</i> | Immune system supplement |
| | Deputy Gollop | 29 September 2021 | Committee <i>for Health & Social Care</i> | Review of mental health and well-being in relation to the COVID-19 pandemic |
| | Deputy Gollop | 29 September 2021 | Committee <i>for Health & Social Care</i> | Unvaccinated persons in the health and social care sector |
| | Deputy Gollop | 29 September 2021 | Committee <i>for Health & Social Care</i> | Transfer of some Civil Contingencies Authority powers to the Committee <i>for Health & Social Care</i> |
| | Deputy St Pier | 29 September 2021 | Policy & Resources Committee | An investigation into potential Civil Contingencies Authority breaches of confidentiality |
| | Deputy Burford | 24 November 2021 | Committee <i>for Education, Sport & Culture</i> | Recent increases in COVID cases in schools |

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| RULE 14 QUESTIONS | Deputy Dorey | 21 May 2020 | Policy & Resources Committee | COVID-19 Pandemic - Initial Economic and Financial Response – necessity of borrowing up to £250 million |
| | Deputy Green | 11 June 2020 | Policy & Resources Committee | COVID-19 Payroll Co-Funding Scheme – how were rates established, comparisons to Jersey and UK, data re uptake, scheme duration |
| | Deputy Merrett | 16 June 2020 | Committee for Home Affairs | Proportionality of COVID-19 regulations – resource availability, incident rates, compliance with COVID restrictions, |
| | Deputy Merrett | 13 July 2020 | Committee for Health & Social Care | Impacts of lockdown on the health and well-being of the community – access to mental health services, arrangements for emerging from lockdown, resources, community need, child protection |
| | Deputy Tindall | 18 August 2020 | States' Trading Supervisory Board | Aurigny Flights for University Students - shareholder guidance given to Aurigny on the operation of flights |
| | Deputy St Pier | 1 December 2020 | Policy & Resources Committee | COVID-19 Response Appeal – donation levels and expenditure |
| | Deputy Murray | 17 February 2021 | Policy & Resources Committee | States of Guernsey Workforce – working from home rates, access for those working from home, furlough, performance management, |
| | Deputy St Pier | 17 March 2021 | Committee for Education, Sport & Culture | Media releases regarding reinstatement of international exams – communications regarding public examinations |
| | Deputy St Pier | 30 March 2021 | Committee for Education, Sport & Culture | Distance Learning during Lockdown – availability of live lessons and steps to address the 'digital divide', wellbeing support, lessons from second lockdown, comparison to grant aided colleges |

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| Deputy St Pier | 12 May 2021 | Civil Contingencies Authority | Visit of British Lions' coach – arrangements for, and communications surrounding, a visit by the British Lions' coach |
| Deputy Queripel | 21 May 2021 | Committee <i>for</i> Health & Social Care | COVID-19 – longer term side effects from COVID-19 vaccination, alternative treatments to COVID-19, treatment of non-vaccinated islanders, vaccination availability, side effect monitoring, mortality recording |
| Deputy St Pier | 3 July 2021 | Civil Contingencies Authority | Civil Contingencies Authority Modelling - modelling in place, triggers for a third lockdown, expected mitigation |
| Deputy Queripel | 28 September 2021 | Committee <i>for</i> Education, Sport & Culture | COVID-19 testing of schoolchildren and potential discrimination – application of testing policy in schools |
| Deputy St Pier | 12 October 2021 | Committee <i>for</i> Health & Social Care | COVID-19 Vaccination of 12-15 year olds – considerations in extending COVID-19 vaccinations to 12-15 year olds and decision making process |
| Deputy St Pier | 20 January 2022 | Policy & Resources Committee | Travel Tracker Data – data retention and data sharing policies |
| Deputy Queripel | 3 February 2022 | Committee <i>for</i> Health & Social Care | COVID-19 Death & Vaccine Injuries – data provision |

| PARLIAMENTARY PROCESSES – STATEMENTS (EXCLUDES ROUTINE STATEMENTS) | | | |
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| | Date | Committee | Topics |
| STATEMENTS | 2 March 2020` | Committee <i>for</i> Health & Social Care | Global Coronavirus situation - global situation and the Bailiwick’s preparedness |
| | 18 March 2020 | Policy & Resources Committee | Proposed Initial Economic Response to the COVID-19 Pandemic – immediate support and wider context |
| | 18 March 2020 | Committee <i>for</i> Health & Social Care | Global Coronavirus Situation – cases update, advice to schools, HSC operational arrangements |
| | 20 May 2020 | States’ Trading Supervisory Board | Aurigny Air Services - Flight Cancellations – update on Aurigny announcement |
| | 16 June 2021 | Civil Contingencies Authority | COVID Vaccination Certificates – format to prove vaccination status |
| | 14 July 2021 | Civil Contingencies Authority | Strategic direction in relation to the COVID pandemic – travel rules, testing strategy, vaccination update |
| | 29 September 2021 | Civil Contingencies Authority | Update on Workstreams – alternatives to emergency powers |
| | 2 November 2021 | Policy & Resources Committee | From emergency to living with COVID – alternatives to emergency powers |
| | POLICY LETTERS | 18 March 2020 | Policy & Resources Committee |
| 18 March 2020 | | States’ Assembly & Constitution Committee | Proposed Postponement of the 2020 General Election – postponement of General Election |
| 14 April 2020 | | States’ Assembly & Constitution Committee | Remote attendance at Committee Meetings and extending proxy voting at States’ Meetings – amend the Rules of Procedure to allow remote attendance and proxy voting |
| 29 April 2020 | | Policy & Resources Committee | COVID-19 Pandemic - Funding of Financial Response – delegation for business support |
| 1 July 2020 | | States’ Assembly & Constitution Committee | General Election 2020: Review of the date of the General Election – postponement of General Election to October 2020 |

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| | 2 July 2020 | Policy & Resources Committee | Revive and Thrive: Our Recovery Strategy for Guernsey Together – approach towards recovery |
| | 18 August 2020 | Committee <i>for</i> Health & Social Care | Developing the legislative framework necessary for vaccination against SARS-COV-2: The virus causing COVID-19 – agreement of voluntary vaccination programme and associated legislative changes |
| | 18 August 2020 | Committee <i>for the</i> Environment & Infrastructure | Modification of requirements relating to Planning Tribunals where there are restrictions in relation to travel to and from the Bailiwick under the Civil Contingencies Law – amendment to legislation |
| | 18 August 2020 | Civil Contingencies Authority | Exit from Lockdown - A framework for lifting the Covid-19 Restrictions in the Bailiwick of Guernsey – note the Framework |
| | 24 March 2021 | Policy & Resources Committee | Government Work Plan – stage 1 - recovery |
| | 21 July 2021 | Policy & Resources Committee | Government Work Plan 2021 – 2025 - recovery |
| | 24 November 2021 | States’ Assembly & Constitution Committee | Hybrid meetings – changes to rules |
| | 15 December 2021 | States’ Assembly & Constitution Committee | Hybrid meetings |
| | 26 January 2021 | Policy & Resources Committee, Committee for Health & Social Care and the Committee for Home Affairs | Living Responsibly with COVID |
| REGULATIONS | 14 April 2020 | Civil Contingencies Authority | 11 sets of Emergency Regulations - States Meeting on 14 April, 2020 (Billet d'État VII & Urgent Propositions) - States of Guernsey (gov.gg) |
| | 22 April 2020 | Civil Contingencies Authority | 2 sets of Emergency Regulations States Meeting on 22 April 2020 (Billet d'Etat X & Urgent Propositions) - States of Guernsey (gov.gg) |
| | 29 April 2020 | Civil Contingencies Authority | 1 set of Emergency Regulations CHttpHandler.ashx (gov.gg) |
| | 20 May 2020 | Civil Contingencies Authority | 2 sets of Emergency Regulations States Meeting on 20 May & 3 June 2020 (Billets d'Etat XI, XII & Urgent Propositions) - States of Guernsey (gov.gg) |

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| 17 June 2020 | Civil Contingencies Authority | 2 sets of Emergency Regulations States Meeting on 17 & 24 June and 1 July 2020 (Billets d'Etat XIII & XIV and Urgent Propositions) - States of Guernsey (gov.gg) |
| 15 July 2020 | Civil Contingencies Authority | 1 set of Emergency Regulations - States Meeting on 15 & 22 July 2020 (Billet d'État XV - States Accounts) - States of Guernsey (gov.gg) |
| 18 August 2020 | Civil Contingencies Authority | 2 sets of Emergency Regulations - States Meeting on 18 August 2020 (Billet XVI, XVII & XVIII) - States of Guernsey (gov.gg) |
| 4 November 2020 | Civil Contingencies Authority | 5 sets of Emergency Regulations - States Meeting on 4 November 2020 (Billets d'État XXIII & XXIV) - States of Guernsey (gov.gg) |
| 16 December 2020 | Civil Contingencies Authority | 2 sets of Emergency Regulations States Meeting on 16 December 2020 (Billet d'État XXVIII) - States of Guernsey (gov.gg) |
| 1 February 2021 | Civil Contingencies Authority | 8 sets of Emergency Regulations States Meeting on 1 February, 2021 (postponed from 27 January 2021, Billets d'Etat II, III & IV) - States of Guernsey (gov.gg) |
| 24 February 2021 | Civil Contingencies Authority | 2 sets of Emergency Regulations - States Meeting on 24 February 2021 (Billets d'Etat V & VII) - States of Guernsey (gov.gg) |
| 24 March 2021 | Civil Contingencies Authority | 4 sets of Emergency Regulations - States Meeting on 24 March 2021 (Billet d'Etat VIII) - States of Guernsey (gov.gg) |
| 26 May 2021 | Civil Contingencies Authority | 2 sets of Emergency Regulations - States Meeting on 26 May 2021 (Billets d'État XI & XII) - States of Guernsey (gov.gg) |
| 14 July 2021 | Civil Contingencies Authority | 8 sets of Emergency Regulations - States Meeting on 14 July 2021 (Billet d'État XIV & XVI) - States of Guernsey (gov.gg) |
| 8 September 2021 | Civil Contingencies Authority | 2 sets of Emergency Regulations - States Meeting on 8 September 2021 (Billet d'État XVII) - States of Guernsey (gov.gg) |
| 2 November 2021 | Civil Contingencies Authority | 1 set of Emergency Regulations - States Meeting on 2 November 2021 (Billet d'État XXI) - States of Guernsey (gov.gg) |
| 24 November 2021 | Civil Contingencies Authority | 1 set of Emergency Regulations - States Meeting on 24 November 2021 (Billets d'État XXIII & XXIV) - States of Guernsey (gov.gg) |
| 15 December 2021 | Civil Contingencies Authority | 1 set of Emergency Regulations - States Meeting on 15 December 2021 (Billet d'État XXV) - States of Guernsey (gov.gg) |
| 26 January 2022 | Civil Contingencies Authority | 1 set of Emergency Regulations - States Meeting on 26th January 2022 (Billets d'Etat I, II & III) - States of Guernsey (gov.gg) |

APPENDIX 3

