

The Chief Pleas Government of Sark

The Colin Kniveton Papers
Produced by the Chief Secretary during his
period of consultancy
November 2012 until February 2013

Proposals for Revised Structure and Membership of Chief Pleas' Committees

A document for consideration, consultation,
discussion and comment

Posted on the Website 14th March 2013

Proposals for Revised Structure and Membership of Chief Pleas' Committees

<i>Contents</i>	<i>Page</i>
Introduction	2
Revised Committee Titles and Main Remits	3
Mandates of Committees	5
Membership and Operation of Committees	6
Conclusion	10
<i>Appendices</i>	
<i>i) Committee Mandates</i>	11
<i>ii) Register of Members' interests</i>	19

Introduction

The Chief Pleas has been established as a government committed to moderation, stability and evolutionary rather than revolutionary change. However, this should not deter it from developing its systems, structures and working practices where opportunities are identified to enhance its effectiveness.

As a result of many factors, the governance of Sark is becoming increasingly complex. The Chief Pleas delivers an increasing range of services through its various committees. In the recent Crowe Report, fundamental changes to the existing committee structure were proposed.

It was recommended that the existing committees be reduced to three, with an overarching committee to ensure that a cohesive approach to Government in Sark was maintained. Given that sixteen committees currently exist, such a significant change may be considered to be too radical. In the light of this, an alternative structure is suggested.

However, in proposing an alternative structure to that previously put forward in the Crowe Report, the fundamental principles identified in that Report and endorsed by the work undertaken in Alderney remain valid. In particular, the requirement to ensure administrative support staff are adding value to government, as opposed to “support for bureaucracy” is quite clear, as is the necessity of reviewing the mandates for the committees in order that focus is balanced between the need to manage short term issues (which is almost exclusively the case at present) to a more balanced portfolio of responsibilities in which a great deal more emphasis is placed upon devising and implementing policies to counter longer term issues such as environmental sustainability, economic growth and infrastructure management.

A recent exercise to review the committee structure in the States of Alderney was completed in 5 months. The objectives of the exercise were said to be: “...to increase efficiency, more rapid decision-making and more openness.” Many of the issues facing Alderney are extremely similar to those facing Sark. The economic consequences arising from a reduction in disposable income across the Channel Islands has seen reductions in the numbers of tourists, construction work and eating out.

These issues are equally applicable in Sark, hence it is considered essential that changes to the existing committee structure are undertaken at the earliest possible time and in conjunction with the proposed changes to the administrative function which are detailed in a separate paper. The evidence to support the case that such changes will bring about significant benefits to Sark is clear and the recommendations should be adopted at the earliest possible opportunity, even if minor adjustments to the new structure are required at a future date.

Revised Committee Titles and Main Remits

The necessity of a co-ordinated approach in discharging the responsibilities of any government cannot be disputed. Therefore, it is essential that a structure exists that enables a “joined-up” approach to be undertaken. For Sark, this is of additional significance in the light of the available resources and the reliance upon unpaid Conseillers to deal with the complexities of government. However, the availability of expertise from other knowledgeable individuals living in Sark or who are connected to Sark in some way is a resource that should be further considered.

In order to deliver a greater deal of co-ordination, the most fundamental recommendation within this paper is that the Chairmen’s Committee that currently meets on an informal basis, has its mandate formalised. In order to avoid uncertainties with regards to point of contact for Government, it is further proposed that the Chairman of this Committee should formally adopt the role of spokesperson for Chief Pleas on all international matters.

In the light of the subjective nature of the topic and the almost limitless number of options that could be put forward in answer to a request for a revised structure, there will almost inevitably be some disagreement with regard to the specific details regarding make-up and mandates. It should be acknowledged that any proposal may need to be revisited at some stage in order that it can evolve and be amended should enhancements be identified. However, if progress is to be made, it may be necessary to advance the project in the knowledge that such a review will be required.

A summary of the main responsibilities of each Committee follows. A more detailed description of the proposed mandates is provided in **Appendix 1**. However, it is acknowledged that some further refinement of precise mandates may be required, following general agreement to the main heads.

From time to time, there may be tensions between differing committees when discussing particular initiatives, e.g a tourism development may create environmental concerns. This situation occurs in all governments and must be dealt with by proper discussion and negotiation.

Chairmen’s Committee -

This will consist of the Chairmen from the other committees and which will be empowered to ensure that the policies progressed by all the committees are consistent and in accordance with the overall policies, as agreed by Chief Pleas and reviewed on an annual basis. The six committees will be represented and the Chairman of the Finance and External Affairs Committee should act as Chair. Given the workload that may arise from the Finance and External Affairs Committee, it is proposed that the nominated Deputy Chairman of this committee should also sit on the Chairman’s Committee.

Agriculture, Fisheries and Environment -

Encourages the effective utilisation of Sark’s land and sea resources whilst having due regard to the preservation of wildlife and the conservation of the environment.

Commerce & Leisure –

Fosters, promotes and facilitates tourism and other business opportunities, leisure and sporting activities. Seeks diversification of the economy and the creation of a greater number and wider range of employment opportunities primarily, but not exclusively, for the

indigenous work force, through the provision of financial incentives, training and other employment services. Manages the shipping interests of Sark.

Education & Children –

Protects Sark’s children and provides high quality learning and training opportunities so they can develop to their maximum potential and are able to contribute fully to society.

Finance & External Affairs-

Responsibilities include matters regarding internal and external constitutional issues, design of annual budget, contribution of economic and fiscal advice and proposals regarding the allocation of spending between competing Committees, in a manner and at a level that maximises the prosperity and quality of life of all the resident population. Responsibility for co-ordinating all communication and press relations matters.

Health and Home Affairs -

Delivers medical services and any hardship payments. Provides emergency planning, fire and rescue services, liaises with the Guernsey police and customs, prison and communications systems. Issuance of firearms licences.

Infrastructure (or “the Douzaine”)–

Responsibilities include housing, health and safety, planning, building control, waste management, water analysis, regulation of electricity services and mapping. Manages, maintains and develops the highways, harbours, drainage and property infrastructure.

Mandate of Committees

The mandates applicable to each of the new committees have been reviewed to assess how the business of Government can be progressed more effectively. However, it should be stressed that where such decisions are of a policy changing nature, or require a legal framework to enact, a full scrutiny process must always take place within Chief Pleas.

While it has not been possible to anticipate or review every potential activity of each committee, draft mandates for each of the proposed committees have been prepared and are included in **Appendix 1** to this report. It is again stressed that they may not be appropriate or complete in every detail, but should form the basis for implementation and further review in due course.

Furthermore, and to ensure greater transparency and openness within the community, a process of meaningful consultation should be entered into by the relevant committees prior to final decisions being taken on policy issues that are felt to be significant to the community. The use of community stakeholder groups could be considered to assist with these exercises, on the basis of specific mandates agreed by the appropriate committee in such instances. However, this does not require consultation on every issue, as the act of securing election provides Conseillers with a mandate to progress Government business.

The publication of a summary of the minutes of Committee Meetings is also recommended, taking into account such issues as are deemed sensitive, as a further move towards greater transparency in government.

Membership and Operation of Committees

The revised committee structure provides opportunities to review the manner in which committees undertake their work in addition to adopting revised mandates. As has been stated, it is of vital importance to the future attainment of Sark's medium and long term objectives that committees work collectively and are able to make decisions in a timely manner.

In order to achieve the ambitions identified by consultation with the community and set out in **A Vision for Sark**, it is proposed that the first task of a new Chief Pleas would be to elect the Chairmen of the six committees, based upon nominations from all Conseillers. In turn, the Committee Chairmen will meet to discuss how best to populate the six committees.

In so doing, the Chairmen will consider the relevant skills of the individual Conseillers and also any conflicts of interest that individual Conseillers may have as a result of employment or other interests. A "Register of Conseillers' Interests" should be completed by all Conseillers upon election and updated as necessary during their term. A draft Register for consideration is attached as **Appendix 2** to this report. Such Registers are increasingly common place amongst western democracies and give further comfort to the electorate that representatives are complying with the spirit of openness and transparency that is increasingly a mandatory feature of elected governments.

It is suggested that the Chairman's Committee be chaired by the leader of the Finance and External Affairs Committee ("F&EA"). This person would act as the spokesperson for Government and be the point of contact for government to government communications, the principle of which was recognised in the Crowe Report.

The Crowe Report also noted that the existing system provided "support for bureaucracy rather than adding value to the process of government," and drew attention to potential administrative savings resulting from a restructured committee system that could be utilised to fund additional resources that could in turn reduce the workload currently undertaken by Conseillers. This development is considered essential if Conseillers are to dedicate the time to debate the initiatives and policy developments that might emerge from **A Vision for Sark**.

At a recent workshop, confirmation was provided to Conseillers on matters relating to the Chairing and organisation of meetings, to ensure that, as far as is possible, the duration, content and number of meetings held each year is commensurate with the volume and complexity of business to be transacted.

The Crowe Report recognised that a restructuring of the committee system would not, in itself, bring about significant economies. However, a combination of a revised structure, more effective delegation of tasks to officers and Conseillers and more focussed agendas would enable Conseillers to collectively step back from debating minor operational issues and target their energies on progressing larger projects and incepting new policies. Greater use of voluntary expertise would also help share the burden currently experienced by Conseillers.

Populating the Committees

In order to ensure that the membership of committees fully reflects both the mandates of the committees and the resources available, it has been requested that the process by which Conseillers are allocated to committees should also be reviewed. Given the absence of any payment for committee membership, it is proper that all Conseillers should be able to undertake a fair proportion of the work necessary to administer the affairs of Sark.

Given the role undertaken by the individual Chairmen, it is suggested that the process of populating the committees would commence by the selection of these positions. Conseillers would then be appointed to the new committees on the following basis:

Agriculture, Fisheries & Environment –	Chair plus 3 Conseillers
Commerce and Leisure -	Chair plus 4 Conseillers
Education & Children -	Chair plus 3 Conseillers
Finance & External Affairs -	Chair plus 4 Conseillers
Health and Home Affairs -	Chair plus 4 Conseillers
Infrastructure/Douzaine -	Chair plus 4 Conseillers

The appointment of Conseillers should take place in accordance with the Register of Conseillers' Interests referred to in **A Vision for Sark**. As was emphasised at the recent workshop, it is essential for the credibility of any administration that its members are not only above reproach but are seen to be above reproach. For example, while some Conseillers may have a detailed knowledge of a particular area of government due to their current employment, they should not be a part of a decision making process that could impact upon such employment. Other "vested interest" issues would be reviewed in accordance with the Register and appointments made that would minimise the necessity of Conseillers being unable to participate in debates on particular topics due to perceived conflicts of interest.

However, in instances where assistance to a committee is available from, for example, public sector employees, such assistance should be fully utilised in order to provide the committee with the information it requires to reach a conclusion on the matter.

Under this arrangement, it can be seen that each Conseiller would sit on a single committee, and that the committees would consist of either four or five members. This will enable individual Conseillers to focus on specific briefs and develop specialisms during their period of office. The recent review of the committee structure on Alderney concluded that it was counter-productive for Members to be sitting on several committees. It encourages a "jack of all trades master than none" situation, and Conseillers cannot devote the time to understanding the background to several areas of Government. It also assists with the process of arranging and administering meetings if there are fewer members per committee.

The use of volunteer resources to assist committees has been referred to previously but no apology is made for returning to the subject again. Sark has access to many sources of expertise and knowledge. It should only be in situations where local assistance is not available that external consultants are recruited. Where local expertise is being co-opted to assist the workings of a committee, the brief should be clear and the appointed committee Conseillers will always be responsible for the overall outcomes. This is not to say that local expertise is always preferable, as there will be issues whereby it is impossible to avoid local bias. In such situations, the recruitment of independent off-Island expertise may cost more, but have a greater value.

Management of Committee Workloads

Irrespective of the structure of the committee system, this issue is crucial in order that Conseillers do not become so embroiled in detail that they are unable to devote the time to the strategic issues that were identified by recent research into the community's wishes.

It is envisaged that most committees would normally meet monthly, with a minimum requirement to hold 8 meetings each year. While it is accepted that operational needs could result in additional meetings or occasional deferrals, the principles reaffirmed at the recent workshop with regards to not holding unnecessary meetings are equally valid. For example, it would be normal for those involved in tourism to be meeting more frequently during the winter months when strategic planning would be expected to occur for the following summer season. It is also acknowledged that seasonal workloads can make meetings in the summer months more difficult to attend, bearing in mind the unpaid nature of the Conseillers' appointments.

The Crowe Report analysed time spent by individual Conseillers as well as the average time spent in committee meetings. Not surprisingly, there were considerable discrepancies. The individual Chairmen need to ensure that a robust system for managing workloads is maintained, in order that a disproportionate amount of work and responsibility relating to preparatory research or implementation of decisions reached by the committee does not fall upon any single committee member, or the Chair, as may be the case at present.

It should be stressed that there is no proposal to move to a "Ministerial" system of government in which the leader has the right to make decisions on behalf of the committee. In Sark, there is a committee system that confers no such rights and the Chair is a spokesperson for the committee and cannot commit the committee to a course of action or a decision unless such a decision has been approved by a majority of those present. Therefore, there is a collective responsibility within committees to share workloads and responsibilities as evenly as possible.

In order to further maximise the focus of Conseillers on strategic issues, there is a need to devolve the administration of agreed policies to individual Conseillers or officers. For example, when a policy decision has been taken on a particular matter, an officer can be given responsibility for determining individual applications of the policy, without the need for the committee to formally debate the matter. It would only be a case in which there were circumstances that had not been foreseen when formulating the policy that an issue would be referred back to the committee.

As such, the Chairmen can concentrate on setting agendas that retain a strong focus on progress towards agreed strategic objectives and avoid a requirement to debate and minute routine operational items at each meeting. More focus should be placed on delegating tasks and receiving the relevant progress reports.

Administrative Support

At present, such support is restricted to the taking of minutes and the undertaking of basic clerical tasks. It is agreed that the requirement for such tasks would be reduced if there were fewer meetings, i.e. it takes less time to administer one three hour meeting as opposed to two one and a half hour meetings.

If the new proposals were adopted, there would be a considerable reduction on the number of evenings or afternoons spent at formal meetings. Such time might be more productively spent by officers on undertaking other duties or research that is currently carried out by the Conseillers.

Including the Chairman's Committee meetings, the proposed restructuring would result in between 70 and 80 meetings each year, as compared with a figure of approaching 200 annually at present. In

future, each Conseiller would attend no more than 12 committee meetings, save for the Chairmen, who could attend up to twice this number, due to the requirement to attend Chairmen's Committee meetings.

An analysis of the Crowe Report indicates that the average Conseiller currently spends 76 hours each year attending committee meetings. Chairs are said to be spending between 10 to 30 hours per week.

By allocating officers to each committee with a more comprehensive role in implementing policies and taking basic decisions that are currently made by Conseillers the burden on elected members could be reduced. While there may be some additional costs incurred as a result of the potential employment of a new administrator, the changes proposed should free up additional resources that should be appraised before any further decisions are made with regard to additional staff.

As previously suggested, by having membership of a single committee, Conseillers would be able to assume a greater degree of knowledge in a specialised area and assume responsibility for delivery of specific aspects of a committee's work, as agreed within the committee. While the Conseiller could look to officers for support and advice, he or she would be required to discharge such activities in an effective manner. In this way, all Conseillers will be able to undertake a role that is appropriate to their experience.

In the light of the potential savings envisaged by the revised structure, it is proposed that officer support to committees could be enhanced from existing resources. While it is appreciated that concerns in respect of the recruitment of additional administrative support are very real, it is envisaged that the appointment of a relatively senior officer, at an annual salary of up to £30,000 would provide each committee with a significant resource and would enable a great deal of work to be absorbed. Further proposals for the organisation of administrative officers will be considered in a separate report.

In addition to providing specific advice and support to the various committees, the senior administrative officer would have responsibility for overseeing a single hierarchy providing administrative and financial support services to all aspects of the Chief Pleas, its Committees and the related services provided by all officers including the Treasurer, Tax Assessor, Greffier and the Procureur des Pauvres.

This overview would include the establishment of processes including recruitment and interview procedures for new staff, advice on the setting of salaries, monitoring of attendance, (hours worked, holidays and sickness etc.) annual performance reviews and salary review.

Conclusion

The roots of much of the content of this paper lie within the research, conclusions and recommendations of the Crowe Report. Having carefully reviewed this document it has been concluded that the outcomes and majority of the recommendations contained within the Crowe Report are valid and, given the revisions to the number and accompanying mandates for the structure of committees, should be adopted in conjunction with the recommendations provided in this paper.

Since the Crowe Report was commissioned, the States of Alderney has embarked upon a similar exercise to review its committee structure. The outcome of this work has subsequently been published and the implementation phase is now ongoing. A review of this work suggests that the underlying motives for Alderney's review and its conclusions, are based upon an extremely similar rationale to the objectives of Sark, namely a desire to increase efficiency in both the time and effort spent in progressing existing committee business by both Conseillers and officers alike and the need to refocus the attentions of the committees on medium and long term issues, as opposed to managing short term operations, in order to deal more effectively with growing economic concerns.

In seeking to set out a detailed mandate for each of the proposed committees, it is recognised that while every effort has been made to anticipate all potential activities that government may be required to undertake, there are circumstances that arise only on an occasional basis. In such instances, reference to the mandates might provide guidance as to which committee should take responsibility, even if such mandates are not always explicit. For the avoidance of doubt, it should be recognised that the Chairman's Committee could act as arbitrator to resolve such situations.

The recent questionnaire has provided evidence of the changes that people in Sark wish to see their elected representatives consider and implement. A more efficient committee structure will enable both Conseillers and officers to manage the time they spend on government business more effectively.

This will enhance the effectiveness of government while providing Conseillers with the time to focus upon those issues which the electorate has identified they should be devoting their time to reviewing and developing new strategies.

It is imperative for the future of Sark that Conseillers are provided with the means to spend more time on strategic thinking and are required to spend less time making and implementing operational decisions. It is only in this manner that the concerns of the electorate may be addressed and the opportunities to bring about the changes suggested in **A Vision for Sark can** be realised.

It has been the experience of many small jurisdictions that re-organisational exercises of this relative magnitude are daunting tasks to commence and there is often a desire to ensure that every detail is agreed prior to agreement to proceed being reached. In reality, it would be most unusual if every detail was dealt with correctly first time. Furthermore, it may be the case that imperfections may only become apparent over a period of time. Therefore, it is essential that progress is not delayed unnecessarily and that the process commences, in the knowledge that certain refinements to the way forward may be required at a later date.

Appendix 1

Committee Mandates

Chairman's Committee

- Promoting the development and review of the projects contained within **A Vision for Sark** through Committees to ensure appropriate responses to strategic issues which confront Sark, including any population control or migration measures considered necessary.
- Fulfilling the role of the Chief Pleas as an employer of staff, including: -
 - (a) Developing corporate human resource policy including remuneration, terms and conditions of employment, compliance with legislation and good practice;
 - (b) Providing human resource services and advice to Committees as appropriate;
 - (c) Determining the remuneration and conditions of all public service staff.
- The provision of corporate research programmes and the maintenance of corporate statistics including responsibility for population data.
- The co-ordination of activities within the Committees of Chief Pleas through the allocation of responsibilities and functions and the co-ordination of action to enable the implementation of agreed policies, including action taken through the establishment of cross-committee working groups.
- The co-ordination of non –operational matters in the event of an emergency, to preserve life and the well-being of the community and the preservation of law and order.
- Requiring a Committee to examine and report to the Chairman's Committee on any matter which falls within the mandate of such a Committee.
- Receiving and commenting as appropriate on all proposals and reports which are to be placed before Chief Pleas by Committees (other than any Committees established by Chief Pleas for the purposes of scrutiny).
- The preparation of the Agenda for meetings of Chief Pleas.
- The prioritisation of the Chief Pleas' legislative programme.
- To examine and report to Chief Pleas or to require a Committee (other than any Committees established by Chief Pleas for purposes of scrutiny) to examine and report to Chief Pleas or to the Chairman's Committee, on any matter which falls outside the mandate of any Committee.
- To exercise the powers and duties conferred on it by extant legislation.
- To be accountable to Chief Pleas for the management and safeguarding of public funds and other resources entrusted to the Committee.

Agriculture Fisheries & Environment

- Promoting the interests of the agriculture, horticultural and sea-fisheries economies;
- Helping to create a sustainable food and farming supply chain serving the market and the environment to enhance self-sufficiency within Sark where possible;
- Safeguarding the living marine resources within Sark's waters and managing, where appropriate, their exploitation in a sustainable manner;
- To advise Chief Pleas on matters relating to environmental policy including transport, energy and waste policy and policy for the conservation, enhancement and sustainable development of the natural and physical environment of Sark in accordance with the strategic economic, fiscal, environmental and social policies of Chief Pleas;
- To devise policy on environmental monitoring and to be responsible for: -
 - (i) The protection of the physical environment from activities that might otherwise compromise the well-being of the community;
 - (ii) The conservation and enhancement of the natural and semi-natural environment;
 - (iii) Spatial/land use policy to enable the sustainable management of transport, energy resources, waste disposal and natural resources in accordance with the strategic policies of Chief Pleas;
 - (iv) The management of the natural and semi-natural environment of Sark including sites of nature conservation importance, cliff paths, beaches, headlands, and other public areas;
 - (v) The promotion and coordination of environmental issues and initiatives;
 - (vi) All necessary permissions and advice with regard to planting and felling of trees.
- To contribute to the achievement of strategic objectives by developing and implementing policies and legislation, as approved by Chief Pleas, for the provision of services in accordance with this mandate.
- To exercise the powers and duties conferred on it by extant legislation.
- To be accountable to Chief Pleas for the management and safeguarding of public funds and other resources entrusted to the Committee.

Commerce and Leisure

- To advise Chief Pleas on matters relating to the creation of a sustainable and diversified economy through the promotion and development of commerce and industry that operates in accordance with the strategic, economic, social and environmental policies of Chief Pleas.
- To advise Chief Pleas on matters relating to vehicular transport, including privately operated public transport in Sark.
- To assume responsibility for: -
 - (i) Promoting the interests of all sectors of the economy including: -
 - exporters of manufactured goods
 - non-regulated e-business services
 - visitor economy (i.e. tourism, business and visiting friends or family)
 - construction industry
 - retail sector
 - (ii) Creating an awareness of and fostering the image of Sark as a location for business, commerce and tourism;
 - (iii) The promotion, provision and regulation of sea links to and from Sark including liaison with other jurisdictions;
 - (iv) The strategic approach to, and the regulation of utilities;
 - (v) Promoting good employment practices and policies, good industrial relations and health and safety at work;
 - (vi) Consumer advice and protection and trading standards;
 - (vii) The promotion of all sports and recreational activities;
 - (viii) The promotion of arts and crafts;
 - (ix) The promotion and maintenance of historical and archaeological sites;
 - (x) The operation of the Sark Visitor Centre;
 - (xi) The licensing of all vehicles and relevant boats.
- To contribute to the achievement of strategic objectives by developing and implementing policies and legislation, as approved by Chief Pleas, for the provision of services in accordance with this mandate.
- To exercise the powers and duties conferred on it by extant legislation.
- To be accountable to Chief Pleas for the management and safeguarding of public funds and other resources entrusted to the Committee.

Education and Children

- To advise Chief Pleas on matters relating to the provision of Education (including vocational and industrial training);
- To advise Chief Pleas on any issues relating to Youth Organisations;
- To assume responsibility for: -
 - (i) The provision of statutory education and training;
 - (ii) Providing assistance for students taking courses of education and training not provided directly by the Committee;
- To provide Youth employment and careers advice;
- To provide support services for children with learning and communication difficulties, behavioural difficulties and sensory impairment;
- To advise Chief Pleas on policies relating to Lifelong Learning.
- To contribute to the achievement of strategic objectives by developing and implementing policies and legislation, as approved by Chief Pleas, for the provision of services in accordance with this mandate.
- To exercise the powers and duties conferred on it by extant legislation.
- To be accountable to Chief Pleas for the management and safeguarding of public funds and other resources entrusted to the Committee.

Finance & External Affairs

- To advise Chief Pleas on matters relating to Sark's constitutional position including its relationships with the United Kingdom, European Union and the other Crown Dependencies, and international relations.
- To formulate and implement economic, fiscal, human resource, environmental and social strategic and corporate policies to meet objectives agreed by Chief Pleas or the Chairman's Committee.
- To be responsible for: -
 - (i) Representing Sark and negotiating on international matters;
 - (ii) Considering international agreements in which Sark has an interest or is invited to acquiesce and making appropriate recommendations thereon;
 - (iii) The relationship with the States of Guernsey and States of Alderney;
 - (iv) The provision, on behalf of Sark, of hospitality to appropriate visiting persons and organizations;
 - (v) Advising Chief Pleas on matters relating to the allocation and administration of all resources;
 - (vi) The regulation of Sark's financial affairs;
 - (vii) The raising of Chief Pleas income and control of financial resources;
 - (viii) The systems for the assessment and collection of all taxes due on individuals, corporate bodies and properties;
 - (ix) The administration of controls over the import and export of goods and the collection of all import and excise duties;
 - (x) Examining and submitting annually to Chief Pleas the budget estimates of income and expenditure on capital and revenue account, to submit recommendations on how such expenditure should be financed and, after audit, to submit the annual accounts to the Chief Pleas;
 - (xi) Receiving and commenting as appropriate on the resource implications associated with all proposals and reports which are to be placed before Chief Pleas by Committees;
 - (xii) Financial and related functions including the Chief Pleas payroll and the provision of advice and corporate services to Committees;
 - (xiii) The management of financial assets including cash and other investments and associated financial activities;
 - (xiv) Authorising Committees to make such loans or grants to registered charitable bodies and similar organisations and upon such terms that the Finance & External Affairs Committee may approve;
 - (xv) Maintaining a register of property ownership for the purpose of assessing and collecting relevant taxes;
 - (xvi) Providing corporate property services and advice to Committees or agencies and administering any land and properties owned or leased by Chief Pleas;
 - (xvii) Providing corporate procurement services and advice to Committees;
 - (xviii) Internal audit, risk management and insurance of Chief Pleas' activities and resources;

(xix) The development of corporate policies concerning the Chief Pleas use of information and communication technology and the provision, administration and security of the Chief Pleas ICT network;

(xx) The shareholders' functions and duties in respect of any trading companies or Chief Pleas owned entities;

(xxi) The provision of resources for the offices of the Seneschal's Court appointees and for the function of the Seneschal's Court;

(xxii) Reviewing the remuneration attaching to the posts of Court officials and submitting to the Chairman's Committee for sanction of any adjustments which, in its opinion, are necessary;

- To contribute to the achievement of strategic and corporate objectives by developing and implementing policies and legislation, as approved by Chief Pleas, for the provision of services in accordance with this mandate.
- To exercise the powers and duties conferred on it by extant legislation.
- To be accountable to Chief Pleas for the management and safeguarding of public funds and other resources entrusted to the Committee.

Health and Home Affairs

- To advise Chief Pleas on matters relating to the mental, physical and social well-being of the people of Sark, including:
 - (i) Promoting, protecting and improving personal, environmental and public health;
 - (ii) Arranging facilities for preventing or diagnosing and treating illness, disease and disability;
 - (iii) Caring for the sick, old, infirm and those with disabilities;
 - (iv) Considering measures with regards to a range of social services to all age groups including ensuring the welfare and protection of children, young people and their families and ensuring that the best interests of the child shall be a primary consideration;
 - (v) Liaising with the Guernsey Health and Social Services Department where applicable or advisable;
- To advise Chief Pleas on all matters relating to broadcasting and communication services.
- To advise Chief Pleas on all matters relating to gambling.
- To advise Chief Pleas on policies relating to firearms matters.
- To be responsible for:-
 - (i) The provision of appropriate levels of assistance, financial or other, to those adjudged in need, in accordance with policies and legislation, as approved by Chief Pleas;
 - (ii) All matters relating to the liaison with Guernsey Home Department in respect of the policing of Sark;
 - (iii) All matters relating to the liaison with Guernsey Home Department in respect of Customs and Immigration issues;
 - (iv) All matters relating to the effective and efficient control and administration of the Prison;
 - (v) All matters relating to the Fire and Rescue Service, including fire fighting, fire safety, rescue and salvage;
 - (vi) All matters relating to the Sark Ambulance Service;
 - (vii) Water testing;
 - (viii) The development, testing and maintenance of emergency response plans;
 - (ix) The Electoral Roll;
 - (x) To administer the issuance of firearms licences and to liaise with the Guernsey Home Department on firearms matters;
- To contribute to the achievement of strategic and corporate objectives by developing and implementing policies and legislation, as approved by Chief Pleas, for the provision of services in accordance with this mandate.
- To exercise the powers and duties conferred on it by extant legislation.
- To be accountable to Chief Pleas for the management and safeguarding of public funds and other resources entrusted to the Committee.

Infrastructure/Douzaine

- To advise Chief Pleas on matters relating to the management of publicly owned infrastructure and the provision of public services to meet the strategic and corporate objectives of Chief Pleas including: -
 - (i) Creux and Maseline harbours, Greve de la Ville and Havre Gosselin;
 - (ii) All moorings within Sark waters;
 - (iii) The roads and green lanes infrastructure;
 - (iv) The waste and drainage infrastructure;
 - (v) Maritime affairs.
- To advise Chief Pleas on all matters relating to Planning Systems in respect of buildings or other structures and, in conjunction with the Agricultural and Environment Committee, on land use.
- To be responsible for: -
 - (i) The provision and maintenance of facilities and services in respect of Creux and Maseline harbours;
 - (ii) Maritime safety in Sark waters and liaison with Guernsey with regards to maritime safety information;
 - (iii) The provision and management of a direct workforce (Public Works) to undertake the following duties:
 - a. The maintenance of the structure and surfaces of the road network;
 - b. The maintenance of the footpaths and green lanes;
 - c. Road cleaning;
 - d. Drainage issues relating to roads and footpaths;
 - e. The management, collection, treatment and disposal of solid and wastewater from household, industrial and commercial properties;
 - f. The maintenance of public buildings, facilities and other structures;
 - g. The maintenance of all publicly owned equipment and machinery;
 - (iv) The management of environmental emergencies, control of essential commodities and receivership of wrecks;
 - (v) The provision of corporate engineering and architectural services.
 - (vi) The provision of an integrated land use planning system including the processing of all development applications of all kinds (planning, building control, protected buildings and protected sites);
- To contribute to the achievement of strategic and corporate objectives by developing and implementing policies and legislation, as approved by Chief Pleas, for the provision of services in accordance with this mandate.
- To exercise the powers and duties conferred on it by extant legislation.
- To be accountable to Chief Pleas for the management and safeguarding of public funds and other resources entrusted to the Committee.

Appendix 2

REGISTER OF CONSEILLERS' INTERESTS RULES

CONTENTS

1. Purpose

2. Definitions

3. The Register

4. Interests to be registered

5. When and how a relevant interest must be registered

6. Inspection of the Register

7. Commencement

Form A Registration of Interests

Form B De-registration of Interests

REGISTER OF CONSEILLERS' INTERESTS RULES

Purpose

The purpose of these Rules is to place a duty on Conseillers to identify interests which should be registered in order to inform Conseillers and the public of any circumstances arising from them which could reasonably be regarded as bearing upon the way in which any Conseillers may carry out his/her duties.

Definitions

1. In these Rules the following definitions apply –

“material debate” means a debate in Chief Pleas, or in the Committee of Chief Pleas to which the Conseiller belongs, in which a relevant interest of the Conseiller in question could reasonably be regarded as bearing upon the main issue or a main issue;

“Conseiller” means a properly elected member of Chief Pleas;

“private sources” means any source which is not paid for from public funds;

“Register” means the Register of Conseillers' Interests established pursuant to the Vision for Sark document as debated in Chief Pleas at its sitting held on *****2013;

“Registrar of Conseillers' Interests” means the Greffier or, in his absence, the Deputy Greffier; and

“relevant interest” has the meaning given to it in Rule 6.

The Register

2. The Registrar of Members' Interests shall establish the Register in electronic form to be kept in the office of the Greffier.
3. A printed copy of the Register shall be available in the office of the Greffier, updated at the beginning of each month.
4. The Register shall contain one section for each Conseillers and be divided into sub-sections corresponding to the categories of relevant interests established in Rule 6.

Interests to be registered

5. The relevant interests of Conseillers shall be entered in the Register as provided in Rules 7 to 11.
6. (1) A relevant interest for the purpose of these Rules is any past interest (existing at any time from 12 months before the Conseiller's election) or present interest which may affect, or reasonably be perceived as affecting, a Conseiller's judgment on the way in which he/she may carry out his/her duties, and includes in particular:
- (i) a legal or equitable interest in any of the following –
 - (a) land or buildings, except the Conseiller's principal private residence;
 - (b) shares or stock held in any company whose shares or stock are publicly quoted on a recognised stock exchange;
 - (c) shares or stock held in any company other than one within (b) above; where any asset to which such a company may be entitled is or represents a right, interest or circumstance which is itself a relevant interest, details of that asset and of its value shall be declared;
 - (d) a legal right, including a deposit or loan of money or money's worth, of more than £10,000 in value save where the reason for which the right in question has come into existence is of an immediate family or personal nature (including inheritance), it has not been created with a view to profit and any interest earned is at normal commercial rates.
 - (ii) a directorship, consultancy, proprietorial or managerial role whether paid or not in, or in relation to, any business or professional undertaking (other than one wholly supported by public funds);
 - (iii) sponsorship in money or money's worth from a trade union, professional society, political grouping or party, registered charity, person or persons other than the Conseiller's immediate family, or from a cultural or religious source, or a consultancy with any of the foregoing whether paid or not;
 - (iv) gifts and benefits in kind from private sources of more than a total of £250 in value in any calendar year, or in any individual case of more than £50 in value, with the name and address of the donor, and the capacity in which the gift or benefit has been given, but excluding:
 - (a) all inheritances;
 - (b) gifts or benefits received from the Conseiller's immediate family;
 - and (c) attendance at functions in the course of governmental or official parliamentary sponsored duties;

- (2) The sums mentioned in Rule 6(1)(iv) shall be amended in accordance with a document laid before Chief Pleas by the Registrar of Conseillers' Interests to reflect changes in the Retail Price Index for the preceding twelve months.

When and how a relevant interest must be registered

7. (a) A relevant interest becomes registrable when it is acquired, or comes into existence, or when in the case of Rule 6(1)(iv) the threshold is reached.
- (b) A Conseiller having a registrable relevant interest must register it, unless there is good reason to the contrary, either within one month of the date on which it becomes registrable, or before any material debate in Chief Pleas or any Committee to which the Conseiller belongs if that is sooner.
8. (a) A relevant interest shall be registered by the Conseiller giving to the Registrar a notification in Form A annexed to these Rules.
- (b) The notes in Form A are for ease of reference only and do not affect the interpretation of Rule 6.
9. The Registrar of Conseillers' Interests shall initial and date such a notification and shall cause it to be entered in the Register as soon as possible.
10. A Conseiller who has registered a relevant interest shall, if it ceases to be a relevant interest, notify the Registrar by giving him a notification in Form B annexed to these Rules.
11. The Conseiller submitting Form A or Form B shall sign and date it and the Registrar of Conseillers' Interests shall initial and date such a notification and shall cause it to be entered in the Register as soon as possible.

Inspection of the Register

12. The printed copy of the Register referred to in Rule 3 shall be available for inspection in the office of the Greffier during normal hours.
13. Any person giving the Registrar of Conseillers' Interests 24 hours written notice, shall be entitled to see a printed copy of the Register updated to the day of inspection, and to receive that copy, or any part of it, on payment of a copying charge.

Commencement

14. These Rules shall come into effect on *****2013.

FORM A

NAME OF MEMBER:

(i)(a) land, buildings etc.

(i)(b) quoted companies

(i)(c) unquoted companies and company assets themselves relevant

(i)(d) legal rights of more than £10,000 in value

(ii) directorships etc

(iii) sponsorships and consultancies

(iv) gifts and benefits in kind from private sources

FORM B

NAME OF MEMBER:

Interest

Date registered

Date interest ceased to be relevant

Signed (by Conseiller): Dated:

Initialled (by Registrar): Dated: