

**MINUTES OF THE MEETING OF THE CHIEF OFFICER GROUP,  
HELD ON TUESDAY 9 SEPTEMBER 2014 AT 10.00 AM  
IN THE KING ORRY ROOM, CABINET OFFICE, GOVERNMENT OFFICE**

- Present:** Mr W Greenhow, Chief Secretary, Cabinet Office  
Prof R Barr, Chief Executive, Department of Education and Children  
Mr C Corlett, Chief Executive, Department of Economic Development  
Mr M Charters, Chief Executive, Department of Health and Social Care  
Mr M Kelly, Chief Executive, Department of Home Affairs  
Mr N Black, Chief Executive, Department of Infrastructure  
Dr M Couch, Chief Financial Officer, Treasury  
Mr J Callister, Chief Officer, Office of Human Resources, Cabinet Office
- In attendance** Mr D Davies, Director of Change and Reform, CO  
Mrs A Martin, Chief Operating Officer, Attorney General's Chambers  
Ms C Hunter, Head of Communications, CO  
Ms J D Hetherington, Assistant to the Chief Secretary, CO
- Apologies** Mr R Lole, Chief Executive, Department of Environment, Food and Agriculture

**087/14 "PARLIAMENTARY QUESTIONS – AN ANALYSIS OF COSTS" PRESENTATION**

**Ms K Hemsley, Head of Economic Affairs, Cabinet Office joined the meeting for this item**

The Group received a presentation from the Head of Economic Affairs entitled "*Parliamentary Questions – An Analysis of Costs*".

The Group noted that a data gathering exercise had taken place over a 5 month period from 1 November 2013 – 31 March 2014, during which 422 Parliamentary Questions (PQs) had been answered by Government. It was noted that an analysis of written and oral questions had been carried out and that both Tynwald and House of Keys questions had been included in the study. It was further noted that the response rate from Departmental staff who were collecting the data had been extremely high at 98%.

Following consideration and detailed discussion, the Group agreed:

- a) To support the continuation of the data gathering exercise for a further 3 month period (October – December 2014);
- b) That "opportunity costs" should be calculated (e.g. if doctors spend time away from clinical work in order to prepare Departmental responses to PQs); and
- c) The results of the exercise should be brought back to the Chief Officer Group in due course.

**The Head of Economic Affairs left the meeting**

**088/14 MINUTES OF THE MEETINGS OF 24 JUNE 2014 AND 8 JULY 2014**

Having been previously circulated, the minutes of the meetings of 24 June 2014 and 8 July 2014 were agreed and signed by the Chief Secretary.

## **089/14 MATTERS ARISING**

There were no matters arising from the minutes of 24 June 2014. The following matters arose from the minutes of 8 July 2014:

### **a) Central Health and Safety Service**

Minute 082/14

The Executive Director, OHR advised that the Civil Service Commission had considered and endorsed the provision of a Central Health and Safety Service.

### **b) "Have Your Say" Employee Engagement Survey**

Minute 084/14

It was noted that the employee engagement work was now in a further planning and development stage and would be brought back to the Group during October 2014 with a clear action plan.

## **090/14 OHR UPDATE**

The Executive Director, OHR provided an update in terms of ongoing pay negotiations and the potential financial implications for Departments.

There was a broad discussion regarding the numerous processes associated with the pay negotiations of different employment groups.

Following discussion, it was agreed that the Group should be provided with a breakdown of the budgetary implications of staff pay awards on a 6-monthly review basis. It was also agreed that following the Group's consideration of these figures, Council would be advised in order to inform its policy of funding pay awards from existing budgets.

## **091/14 CHANGE AND REFORM UPDATE**

The Group received a presentation from the Director of Change and Reform entitled "*Investigating Fused Regulators*". During the presentation, it was agreed that the principles of regulation should:

- a) use a risk assessment framework to determine the powers necessary and to assist in allocating appropriate enforcement resources;
- b) be clear, with regulators available to provide support and advice on compliance;
- c) consider the customer - minimise the time taken to comply through effective management, supported by efficient processes, including appropriate use of IT and improve information sharing; and
- d) encourage economic progress but also impose penalties which cover the cost of any breach.

Following discussion, it was agreed that during Quarter 4 of 2014 there should be consultation with Isle of Man Government stakeholders in regard to using the principles to develop and publishing a Regulators' Code.

The Group agreed that for a 5 year period (commencing Q1, 2015) a Regulation Review Framework would be developed based on the principles in the Regulators'

Code and a review of existing regulations. It was also agreed that the *"Investigating Fused Regulators"* presentation should be circulated to regulators.

During discussion, it was acknowledged that a regulator's proximity and competency in relation to their relevant industry was essential and should not be underestimated.

**092/14 DRAFT POLICY ON THE MANAGEMENT OF PERSONS WHO AS ENQUIRERS OR COMPLAINANTS ARE UNREASONABLY PERSISTENT, VEXATIOUS OR EXHIBIT UNREASONABLE BEHAVIOURS**

*COG paper 014/14*

The Group considered a paper which included the *"Draft policy on the management of persons who as enquirers or complainants are unreasonable persistent, vexatious or exhibit unreasonable behaviours"*.

The Executive Director, OHR provided further detail and the Group noted that the draft policy:

- a) applies across Departments, Boards and Offices, but does not take precedence where an entity has its own specific policy and procedure to deal with such matters;
- b) provides a level of protection for individuals who become the focus of unreasonable enquiries or requests for information or who are the subject of multiple or vexatious complaints, or are caught up in the process of dealing with such enquiries or complaints;
- c) seeks to take a proportionate approach to dealing with such matters by way of maintaining an individual's right to receive a response to a reasonable enquiry or request for information, or to have their legitimate complaints dealt with fairly and objectively while restricting the amount of time allocated to dealing with such matters or restricting or terminating contact with the Department, Board or Office concerned where because of persistence, or unacceptable behaviour contact is restricted or terminated; and
- d) provides an appeals process when access is subject to restriction or has been terminated.

Following detailed consideration and discussion, the Group endorsed the draft policy. The Group also recommended that the draft policy should be submitted to the Council of Ministers for consideration and a recommendation that the draft policy should be subject to a public consultation process, in accordance with the provisions of the Isle of Man Government's Code of Practice on Consultation.

**093/14 TYNWALD POLICY DECISIONS REPORT**

*COG paper 015/14*

The Group considered a paper which included the Tynwald Policy Decisions Report 2014. The Report listed all Tynwald policy decisions and recommendations of Tynwald Committees to be actioned by Government.

Following consideration, it was agreed that the Report should be submitted to the next Council of Ministers' meeting for consideration, with a recommendation that it should be laid before the October 2014 sitting of Tynwald.

During further discussion, it was agreed that Departments should action all outstanding matters, which would be reviewed by the Group on a quarterly basis.

## **094/14 ACCOUNTING OFFICER MEMO**

The Group considered a memo which had been previously circulated by the Chief Financial Officer. The Group noted that the designation of an Accounting Officer was tied directly to Treasury's statutory duty to supervise and control all matters relating to the financial affairs of the Government. It was further noted that Treasury needed assurance:

- that the competencies expected of an Accounting Officer were assessed in the Chief Officer recruitment process;
- that each new Accounting Officer ensured that they had sufficient understanding of their responsibilities and of Treasury's expectations; and
- that each Accounting Officer would be reminded periodically of their responsibilities and, where appropriate, would receive training in respect of those responsibilities.

The Group noted a proposed Financial Directive (FD2) which provided a framework of compliance standards. It was further noted that the Accounting Officer's personal responsibility for organisational adherence to these standards was emphasised through their accountability to Tynwald via the Public Accounts Committee, in addition to their performance as an employee.

During discussion, the Chief Financial Officer clarified that a coherent Departmental policy with radiated delegations was fully acceptable.

Following discussion, it was agreed that Chief Officers should feedback any further comments or suggestions to the Chief Financial Officer, and an amended version of the memo would be circulated to the Group prior to its submission to Council.

## **095/14 CAPITAL ESTIMATES**

*COG paper 011/14*

The Group considered a paper submitted by the Chief Financial Officer which detailed the latest financial projections to be considered in setting the Capital Programme for the period 2015/16 to 2019/20, and to determine the inclusion of schemes put forward at Stage 1 of the Budget Process. The Group noted that the paper would form the basis of the report to be presented to the Council of Ministers.

During discussion, the Group noted the demands on the capital reserves meant that effective prioritisation of the programme to strategic aims was more important than ever. The Group also agreed that the current process for allocating budgets to Capital Programmes did not support collaborative, cross-Departmental working practices.

Following discussion, it was agreed that the Group should develop an improved approach to setting Capital Estimates to be based on budgetary allocations being made to areas of policy priority.

It was then agreed that an appropriate scoring formula (marked against Government's three strategic directives and the Agenda for Change) should be developed for this purpose which would be circulated to the Group. It was further agreed that three working groups would be formed on the basis of alignment to the Council of Ministers' Sub-Committees, to progress this work and report back to the Group in due course.

## 096/14 ANY OTHER BUSINESS

### a) Chief Minister's October 2014 statement to Tynwald

The Chief Secretary briefed the Group in regard to the Chief Minister's proposed October 2014 statement to Tynwald. Following discussion, Chief Officers agreed to submit salient Departmental information to the Cabinet Office by Friday 12 September 2014.

### b) Emergency Planning Strategic Group

It was noted that the Isle of Man Government's Emergency Plan was near completion and would be presented (at the Manx Museum) in October 2014.

### c) Proposed Changes to Public Transport and Parking Provision

The Department of Infrastructure's Chief Executive provided an update in regard to the public consultation: "[\*Proposed Changes to Public Transport and Parking Provision\*](#)", which had closed on 31 July 2014.

The Group noted that the majority of respondents were in favour of free car parking and as a result, the Department was considering a number of options to meet its £300K budget deficit. The Group discussed a number of options and the proportionality of each approach. Following discussion, it was agreed that the Executive Director, OHR and the Director of Change and Reform would consider the options in more detail and report back to the Group in due course.



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Chief Secretary

24/9/14

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Date

