

# The Chief Pleas Government of Sark

## The Colin Kniveton Papers

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## Proposals for Revised Administrative Support for Committees of Chief Pleas

A document for consideration, consultation,  
discussion and comment

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# Proposals for Revised Administrative Support

for

## Committees of Chief Pleas

### Introduction

The General Purposes & Advisory Committee has requested a paper setting out how a reshaped administrative support team might function. This paper seeks to set out options for change and further develops the recommendations made in the recent Crowe Report. The paper should be read in conjunction with the proposals for the Structure and Operation of Committees.

This paper will seek to review the high level recommendations contained within the Crowe Report, confirm as to whether they should be endorsed and implemented and provide options as to how a revised structure might appear and operate. At the outset, it must be acknowledged that there appears to be little logic in maintaining a system which does not optimise existing resources and, as noted in Section 16, page 23 of the Crowe Report, provides “support for bureaucracy rather than adding value to the process of government.”

### Current resources

While there appears to be a popular view that Sark does not have any civil servants, there are a number of public servants employed to undertake administrative tasks that would be categorised as civil service occupations in other jurisdictions.

These posts (which are exclusively part-time to varying degrees) include:

Prevot and Deputy Prevot; Procureur and Deputy Procureur; Committee and Assistant Committee Secretaries; Greffier and Deputy Greffier; Registrar; Tax Assessor, Treasurer and Secretary to the Douzaine. The current budget for these administrative positions is circa £70,000 per annum.

These posts are regarded as being administrative in nature, so by definition do not include the non-administrative posts such as Constable, Practice Manager, Harbour Master, Seneschal, Senior and Junior Visitor Officers, Teachers etc. However, in other jurisdictions, many of these would be categorised within a civil service establishment.

There have been views expressed that the inclusion of the Greffier and his Deputy, along with the Prevot and Deputy Prevot within a revised administrative hierarchy would be incorrect, as they are primarily Officers of the Seneschal’s Court and their main functions could not be considered as a part of the administrative support service of the Government. However, an analysis of information previously provided in the preparation of the Crowe Report setting out the contents of these roles indicates a variety of tasks, many of which

appear to be administrative in nature. It should be noted that the Court support staff in Guernsey are classified as civil servants.

Similar issues are apparent when considering the manner in which the Treasurer and the Tax Assessor are appointed. Given the fundamental responsibilities that these senior positions play in the financial well-being of Sark and the crucial role required to advance Government policies and ensure efficient and effective management of Government finances, it is imperative that the posts fall within the an officer structure that adds value to the work of Government and fall within a regime that is answerable through a senior administrator to Chief Pleas, but enables their independence to be maintained.

Irrespective of the arguments for and against such definitions, a noticeable feature of the current administrative system is its lack of cohesion. Unlike a civil service or similar support section, there is no unified reporting structure. While there is no suggestion that individuals are not performing their duties efficiently and effectively, the absence of an overall reporting mechanism makes accurate and consistent assessments difficult.

This piecemeal approach has evolved over time and the manner in which some appointments are made pre-dates the present composition of Chief Pleas. Therefore, although the total requirement for administrative support is not unduly onerous, the current resources are not being utilised in a manner that optimises their effectiveness.

#### Analysis of Current Roles

Given the remote and seasonal variations that are characteristic of some of the positions, it has been difficult to perform accurate assessments. As a result of a day to day presence in the Government Offices, it has been possible to observe the workloads of several staff located in this building. Significant workloads fall consistently upon the Committee Secretary and Assistant Secretary, both of whom currently work beyond their contracted hours. The proposals to reduce the number of committees and meetings will significantly reduce this pressure.

The activities of the Secretaries are in the main focussed on minute taking and servicing the large number of committee meetings that occur each year. Approximately 190 meetings required the presence of a Secretary to record minutes in 2012. In addition to this function, the Secretaries make various administrative arrangements in respect of the organisation of minutes and perform ancillary duties with regard to matters such as the production and issuance of licences and a variety of other items of correspondence.

Brief interviews have been held with the Committee Secretary, the Assistant Committee Secretary, the Treasurer and the Tax Assessor, who have all volunteered information regarding their hours and remuneration. No detailed review of other posts has been undertaken, pending further clarification of the authorisation for definitive action although

information provided during the preparation of the Crowe Report has been further reviewed.

In all instances, it is necessary to align duties with personal job specifications and an accurate assessment of the hours necessary to undertake the work. Other items such as holiday allowances, hours of work, location and reporting structure should be set out. Such information should then be encapsulated within a mutually agreed document and used as the basis for annual reviews. The working, on a regular basis, of hours in excess of the agreed number is not good practice for either party. As such, a time sheet should be kept (for those who are not already doing so) indicating, in broad terms, hours spent at work and a broad analysis of time spent upon particular areas of work.

As public servants, full public disclosure of hours worked and remuneration should be accepted as a way of life. However, personal performance appraisals and other similar information should not be included in such disclosures.

#### Proposals for a Revised Support Division

While recognising that there are sub-divisions between Court and Government appointments, ultimately, it is Chief Pleas that is responsible for the costs incurred of all public servants. In the light of the relatively small number of positions that require resourcing (albeit that many posts are split on a part-time or job-share basis) it is proposed that a single administrative and financial support function, referred to in the Crowe Report as the Public Sector Support Team, be created that meets the requirements of the public services generally and associated division of responsibilities.

It is proposed that there should be three key positions in a revised support team: the Senior Administrator (previously referred to in the Crowe report as Chief Secretary), the Treasurer (or Chief Financial Officer, which could be a more accurate title) and the Assessor/Collector of Taxes.

##### *a) Senior Administrator*

The support team should be overseen by a newly recruited and appropriately experienced civil servant, the Senior Administrator, whose job specification and terms of reference are set out as **Appendix 1** to this paper. This person should take responsibility for all line management aspects of the positions listed below, namely:

The Greffier, Prevot, Procureur des Pauvres, Treasurer, Tax Assessor, Committee Secretary and their assistants or deputies (where applicable).

In this manner, the Senior Administrator can ensure compatibility exists between the terms and conditions of individuals employed to assist the various arms of Sark's democratic and judicial system and provide an experienced overview when dealing with

human resource matters. However, this can be achieved without impinging upon the professional attributes of the positions.

The Senior Administrator will provide the main interface between Conseillers and officers. As a matter of course, the Senior Administrator will attend meetings of the Chairman's Committee and the Finance and External Affairs Committee, providing high level support and advice on all relevant matters, but with a particular emphasis on administrative issues, international affairs and liaison with the States of Guernsey. However, the Senior Administrator will be available to all Conseillers to liaise and offer advice in any way deemed appropriate and subject to ensuring such actions were in keeping with Government policies.

It is appreciated that during the production of the Crowe Report, there were concerns raised with regard to those officers who are appointed by statute. However, an analysis of their roles indicates a predominance of administrative functions which are compatible with other posts appointed by committees of the Chief Pleas. To allow a fragmented approach to continue within an extremely small support team is inefficient and may create inconsistencies between workloads and rates of pay that are unjust, both to the various individuals and to the public who meet the cost of such payments.

By working with the senior representatives of Government, the President and the Seneschal as appropriate, the Senior Administrator can advise upon best practice in all issues regarding human resources and ensure a consistency of approach. Furthermore, he or she can undertake a range of responsibilities in respect of the management of staff that will remove such burdens from the senior political and judicial post holders and liaise with them in order that the effectiveness of all officers is optimised.

The role of the permanent Senior Administrator should not be regarded as being a continuation of the current role of the Temporary Chief Secretary. The Temporary Chief Secretary has been acting in a consultative capacity, reviewing high level strategic issues. No mandate has existed for implementing change as the recommendations in the Crowe Report have yet to be debated within Chief Pleas, other than the appointment of the existing incumbent. The work undertaken by the Temporary Chief Secretary has sought to develop the themes suggested in the Crowe Report, to a stage whereby individual elements can be tabled as specific propositions.

The emphasis for the successor to the current incumbent should be on implementation of the recommendations approved by Chief Pleas that will see the various proposals become a reality. As such, a more operational approach will be required, with a much greater interaction with the administrative staff, to bring about a cohesive and effective public sector support team, putting in place the line management and reporting systems, appointment and appraisal procedures and generally ensuring that the proposals put forward in this paper and the Crowe Report are brought into being in a

manner that encapsulates all the best working practices and ethos of a modern public sector organisation.

By revising the workload and structure of the committees, it is anticipated that no further additional administrative appointments will be necessary at this time. However, this situation will have to be further analysed when the outcome of Chief Pleas deliberations on the proposals to progress **A Vision for Sark** and the revised committee structure are known.

*b) Treasurer/Chief Financial Officer*

Sark is currently able to draw upon the experience of a qualified and experienced chartered accountant. However, these skills are significantly under-utilised and the role is capable of being considerably enhanced. As the complexity of financial management issues increases, more guidance and input from the Treasurer/CFO will be required and this will necessitate a reappraisal of standard hours.

Through the proposed Finance and External Affairs Committee, the Treasurer/CFO will play a key role in overseeing the preparation of the annual budget and will work with the Assessor in bringing forward proposals for the establishment of overall income and expenditure estimates and agreeing budget headings for the various committees.

During the year, the Treasurer/CFO will monitor spending on all capital and revenue items and ensure any adverse variances are reported promptly to the appropriate body. The Treasurer/CFO will monitor and advise upon investment performance and undertake a range of advisory services as set out in a detailed role description attached at **Appendix 2**.

This role will include providing advice and comment on financial matters to other committees as and when appropriate, and the Treasurer will comment on behalf of the proposed Financial and External Affairs Committee or the reformatted Chairman's Committee on any matter containing financial implications.

*c) Tax Assessor*

The Sark Tax Assessor, like other principal officers, is currently appointed by authority granted under the terms of the Direct Taxes Law. Schedule 2 of the Direct Taxes Law sets out principles of independence that were designed to ensure fairness and impartiality. The Assessor receives an honorarium as opposed to a salary, although the significance of this is unclear. In other jurisdictions, the Tax Assessor is able to work fairly and impartially while acting as a civil servant and advising government accordingly. Either approach should not deter the officer from working closely with his or her senior colleagues to enhance the control of fiscal and financial systems and maximise financial management performance.

A job description for this post is included as **Appendix 3**. There are two clear roles for the Office of the Tax Assessor to perform. The first relates to the appropriateness of current tax legislation and the interpretation of such and the second relates to the operation of the system and the effectiveness of the manner in which tax receipts are collected.

It is laudable that the current Assessor has made a number of enhancements to the administration and collection of taxes. This process should be encouraged to develop further in order that the Assessor is able to compile and maintain a complete set of records. Irrespective of the proposed changes to the Douzanne, it is the Assessor's office that should maintain all records regarding information relevant to the collection of tax revenues. If the Government is to progress policies for the resolution of current issues in Sark, it must ideally be able to call upon the expertise of the Assessor to assist in the shaping of appropriate fiscal policies.

However, given the likelihood of attracting suitable candidates to work in such a small jurisdiction and the experience of the current incumbent, consideration should be given to engaging external assistance by means of specialist tax consultants for fiscal reviews of a one-off nature, enabling the Tax Assessor to adopt a liaison role, as opposed to undertaking such duties as a designated element of his statutory role.

#### Other Senior Roles

In addition to the changes to the above positions, a more detailed review of the Committee Secretary and Assistant Secretary should be undertaken should the proposed changes to the Committee Structure (see "Proposals for Revised Structure and Make-Up of Committees") be implemented. While it would be premature to undertake such an exercise prior to the committee review proceeding, some initial discussions have taken place.

If implemented, the revised committee structure should significantly reduce the administrative time spent in attending meetings and taking minutes. It is proposed that committee chairmen should be encouraged to discuss with the new Senior Administrator and the Committee Secretary opportunities to delegate more routine administrative functions to the officers, e.g. preparation of correspondence, research and drafting of papers, administration of tendering exercises and review of the effectiveness of the current central filing system.

As a part of the new support structure, greater consistency should be developed as to the manner each committee undertakes its activities. At present, committees adopt a range of working practices that have evolved on an ad hoc basis. By developing a set of guidelines that would see officers routinely taking responsibility for activities such as the preparation of agendas, preparing responses to correspondence, maintenance of central filing systems

and data bases for various licence holders, a more cohesive and ultimately effective support staff could evolve, ensuring full compliance with all relevant data protection legislation.

It is hoped that workshops similar to that held on the 12<sup>th</sup> January will be repeated with agendas that will provide further thoughts as to how a greater degree of delegation can be undertaken by committee chairmen and a clearer distinction between policy making and policy administration can be reached.

Discussions with the Secretary and Assistant Secretary indicate that a detailed review of job specifications (and associated terms and conditions) and administrative procedures would be welcome. A clear mandate should be drawn up for the benefit of all parties.

With regard to other positions of public office, namely the Greffier, the Prevot, the Procureur des Pauvres and their respective deputies, the view of the Crowe Report is endorsed in that the permanent Senior Administrator should be tasked with the requirement to undertake a review of the respective roles and to advise upon any appropriate changes. There appear to be no insurmountable reasons as to why a single appointment and management structure could not be implemented, pending the outcome of a further review of activities and remuneration of the relevant positions with necessary legislative changes.

The outcome of debate regarding the structure of committees will have a potential impact upon the positions referred to in the previous paragraph. However, it is considered essential that authorisation is provided by Chief Pleas to undertake a more detailed review of these positions as a part of a wider exercise to ensure consistency of workloads and to bring about a situation whereby all positions of public office identified within the Crowe Report are harmonised within a single management structure. However, it should be emphasised that in the absence of a full-time senior administrator, progress towards these objectives is likely to be uncertain.

### Summary and Conclusions

In summarising recommendations for revised administrative support, it should be confirmed that this paper endorses the comments contained within the Crowe Report in respect of the restructuring of an administration and support service to the Committees of Chief Pleas.

However, while further endorsing the need to appoint a Senior Administrator, it is recommended that any further administrative appointments are not considered until such time as a restructuring of the current Committee system is undertaken and a view can be taken on the extent to which savings in workloads can be realised through a more effective system of transacting Committee business.

As a further priority, it is recommended that the positions of firstly, the Treasurer and secondly, the Tax Assessor are given priority in terms of any necessary amendments to job

specifications, standard hours, remuneration, process of appointment and reporting guidelines, to ensure that in conjunction with the Chief Secretary, these three posts form the basis for a modern and progressive public sector administrative organisation.

It is imperative that a specific mandate is provided to the new Senior Administrator by Chief Pleas to conduct a thorough review of all the posts that could be encompassed within the single administrative structure that is envisaged. When such a mandate is provided, the work relating to the creation of a more cost effective administrative support team can be further developed, following the initial stage, namely, the appointment of the Senior Administrator and review of roles of the Treasurer. However, there is a necessity opportunity to progress the commencement of the new structure immediately, as a failure to act swiftly will result in the loss of momentum generated in recent months.

## Appendix 1 – Job Description: Senior Administrator

### Job purpose:

1. Supporting the work of the committees of the Chief Pleas in the exercise of their functions and duties, with particular regard to those committees that have the following objectives –
  - to promote the interests of Sark within the States of Guernsey and with other external governments and organisations;
  - to develop effective and harmonious relationships with other jurisdictions and organisations, with particular regard to the States of Guernsey and the Ministry of Justice;
  - ensuring that all proposed policy initiatives are properly researched, analysed and assessed;
  - leading development of Committee strategy and business planning in the context of established policy and priorities, with particular reference to the actions proposed within ***A Vision for Sark***;
  - principally through undertaking research, preparing briefing documents and assisting with arrangements to support the relevant Conseillers and officers.
2. Managing and developing the public sector support team in order that it undertakes its duties in supporting the work of the committees of Chief Pleas in an effective and efficient manner.
3. Representing Chief Pleas in a wide range of settings, locally, and, where appropriate, internationally. This will include consulting and negotiating, providing answers to questions and explanations in relation to Government policy and actions and, in doing so, promoting Sark and its interests. This will include:
  - influencing, persuading and negotiating with representatives of Guernsey, HM Government, the other Crown Dependencies and any other relevant international bodies, within the terms of Sark's constitutional and other relationships;
  - identifying effective mechanisms to ensure that Sark's interests are properly promoted and defended in Guernsey, the UK, and elsewhere, through the development of external relationships;

## **Main Duties and Key Accountabilities**

- To oversee all managerial and other aspects of the management of the public sector support team, implementing change where appropriate and ensuring that all legislative and administrative processes relating to the process of government in Sark is undertaken in an effective and efficient manner.
- To support Chief Pleas overseas visits and dignitaries visiting Sark by assisting with the preparation and practical arrangements for politicians and/or officers. This includes assisting the facilitation of briefing packs, research, travel and hospitality arrangements for missions and visits such as Parliamentary Groups or Crown Dependencies.
- To contribute to and assist in development of the ongoing communication strategy, developing relations with the States of Guernsey, UK Government and beyond.
- Undertaking research and prepare and review briefing papers as required by appropriate politicians.
- To act as point of contact in answering a variety of enquiries from politicians, committees and members of the public regarding the public sector support team's functions, in the form of counter enquiries, letters, e-mails, and telephone queries.
- To monitor information, identifying issues which are relevant to Sark.
- To implement and oversee an Annual Performance and Development Review for public sector support team staff and contributing proactively to the development of the team, and to undertake training as required.
- To demonstrate and explain practices and procedures to new members of staff and assist with mentoring of any work experience students.

## **Reporting Framework**

The job holder reports to the Chairman of the General Purposes and Advisory Committee, or its successor. Consideration should also be given as to any responsibilities that the postholder should have to the High Bailiff.

## **Knowledge and Skills**

The post holder should be possession of the following knowledge, skills and experience:

- Excellent organisational, planning and time management skills;
- A strong background in management, with a proven track record in personnel management, preferably in the public sector;
- Well-developed communication and interpersonal skills and the ability to work as part of a larger team;
- Strong customer focus - maintaining attention to detail and ability to work to tight deadlines;

- The ability to use own initiative;
- Computer literate with a good working knowledge of Microsoft Office and databases;
- An ability to exercise discretion, adaptability and flexibility;
- Tact and confidence in dealing with all levels of people;
- An interest in current affairs, including EU and international politics.

## Appendix 2 – Job Description: Treasurer/Chief Financial Officer

### Job Purpose

1. Providing financial, fiscal and economic advice to the Finance and Commerce Committee (“the Committee”) (or its successor) and Chief Pleas; and
2. Providing support to the leadership, and setting recommendations for the strategic direction of the financial management of Sark, maintaining its capability to respond effectively to changing circumstances and developments/shifts in government policies as determined by the Senior Administrator.
3. Ensuring the timely production of all statutory accounts, estimates and other financial information in a manner consistent with approved accounting standards.
4. Providing advice with regards to matters relating to investments, insurances and other financial matters.

### Main Duties and Key Accountabilities:

The Treasurer, as the senior financial officer within Chief Pleas, will provide strategic leadership and direction to the Committee and Chief Pleas which is progressive, confident, visible and consistent. This will include:

- senior financial adviser to the Chairman’s Committee;
- leading Chief Pleas’ fiscal and economic relationships;
- leading all internal debates with regards to annual budgets and other financial matters;

The Treasurer will have accountability for advising upon the overall effectiveness of the Committee in accordance with its mandate, through the effective management of resources. This should include:

- delivering effective programmes and services in accordance with Chief Pleas’ strategic aims and supporting operational plans;
- ensuring effective staff learning, development and succession management;
- ensuring effective liaison with external auditors including compliance with the provisions of any future requirements regarding Corporate Governance Principles and annual Statement of Internal Control requirements.

The Treasurer will be accountable for the drafting and maintenance of such Financial Regulations as are agreed from time to time by Chief Pleas. This should include:

- leading Chief Pleas’ financial planning and budgetary management systems;
- ensuring that funds are properly managed, financial records are accurately kept and financial probity is maintained;

- safeguarding the Government's assets and reserves, ensuring that independent checks are maintained in respect of cash balances, investments, equipment and property;
- ensuring that budget limits are respected across the Committees;
- intervening as necessary, to secure change, and seek resolution of differences relating to financial matters when they arise within and across Government, and;
- ensuring the effective management of business that has financial implications for submission to Chief Pleas.

The Treasurer will perform such other duties appropriate to the role as required by the Committee, or at the request of the Senior Administrator, in relation to any corporate matters appertaining to the good governance of Sark.

### **Knowledge and Skills**

The postholder will possess:

- A relevant accounting or professional qualification or demonstrate progress towards attainment of such.
- Evidence of Continuing Career Development.
- At least 3 years' experience in a relevant financial management role.
- An understanding of strategic leadership and management methods and the ability to apply the appropriate method /style to a diverse range of situations across a diverse Public Service organisation.

In addition, the ideal candidate should be able to demonstrate an awareness of:

- leadership and change management;
- leading, motivating and developing a small team to achieve key objectives;
- influencing, persuading and negotiating;
- working in a political environment;
- managing at the political interface;
- negotiating commercial /other agreements;
- managing and controlling significant budgets;
- promoting relationships between an organisation and its community;
- effective public /media relations.

## **Reporting framework**

The postholder will report to the Senior Administrator. However, there will be a requirement to liaise directly with the Committee and on occasions, Chief Pleas, with regard to financial matters.

## Appendix 3 – Job Description: Tax Assessor

### **Job purpose:**

1. Providing fiscal advice to the Finance and Commerce (“the Committee”) (or its successor) and Chief Pleas.
2. Ensuring the timely preparation of assessments and collection of all tax liabilities due in a manner consistent with approved taxation and accounting standards..
3. To liaise, where appropriate, with independent consultants regarding the preparation of revised fiscal policies, including the calculation of financial estimates and the impact of relevant legislative changes.

### **Main Duties and Key Accountabilities:**

The Tax Assessor will provide input to the Committee and Chief Pleas which is progressive, confident, visible and consistent. This will include:

- assisting the Treasurer in respect of Chief Pleas’ fiscal and economic relationships;
- ensuring the timely preparation of all tax assessments;
- ensuring the timely collection of all tax monies due;
- maintaining the administrative records appertaining to all matters relating to the assessment and payment of tax monies; and
- contributing significantly to all internal debates with regards to annual budgets with particular regard to income generation;

The Tax Assessor will have accountability for advising upon the overall effectiveness of all aspects of the taxation function. This will include:

- delivering effective programmes and services in accordance with Chief Pleas’ strategic aims and supporting operational plans;
- ensuring effective staff learning, development and succession management; and
- ensuring effective liaison with the Treasurer in any matters relating to the external auditors and any internal audit requirements as may be prescribed by the Treasurer.

### **Knowledge and Skills**

The postholder should ideally possess:

- 3 years’ experience in a relevant taxation or similar administrative role.

- An analytical and methodical approach to the role and the ability to apply the appropriate method /style to a diverse range of situations.

### **Reporting framework**

The postholder will formally report to the Senior Administrator for line management purposes. However, there will be a requirement to maintain an independent approach to confidential issues and to liaise directly with the Committee and on occasions, Chief Pleas, with regard to fiscal matters.