

**TERMS OF REFERENCE FOR THE CREATION, IMPLEMENTATION AND OPERATION OF A
REMUNERATION PANEL TO MAKE A RECOMMENDATION FOR THE SENESCHAL'S, DEPUTY
SENESCHAL'S AND LIEUTENANT SENESCHAL'S REMUNERATION TO THE FINANCE AND RESOURCES
COMMITTEE**

PURPOSE – The purpose of this Terms of Reference (TOR) is to set out how the remuneration of the Seneschal, Deputy Seneschal and Lieutenant Seneschal's of the Sark judiciary is to be determined. The TOR complies with the requirements of the Reform Law 2008 (as amended) which is the Constitution of Sark. It also adheres to the six good governance principles –

- Independence – separating out the political from the judicial
- Openness and transparency – a way of working where everyone can see how the decision was reached
- Accountability – ensuring those undertaking the task know their role and responsibilities and can be held to account
- Integrity – ensuring those undertaking the task apply their efforts impartially and honestly
- Clarity of purpose – ensuring those undertaking the task take all relevant information into account and do not get distracted by others
- Effectiveness – ensuring those undertaking the task can achieve a successful outcome

CREATING THE PANEL –

- The Panel shall consist of a minimum of three individuals chosen by the Seigneur for their ability to complete the task, demonstrate the six principles of good governance, and with a connection to Sark.
- The Seigneur may be part of the Panel (in addition to the minimum of three members), and where there is a perceived or actual conflict of interest identified by the Panel or the Seigneur, then the Seigneur may only observe the work of the Panel.
- The Panel shall be asked to confirm their commitment to the six principles of good governance on commencement of the task.
- The membership of the Panel will be made public at this time.
- The Panel shall seek out and receive all relevant information relating to the task and use it to make a recommendation.
- The Panel will be provided with administrative support from the Committee Support Team by the Senior Administrator.
- To assist the Panel in their task a group email address may be set up e.g. remuneration.panel@gov.sark.gg for the Panel and others to use.
- The Terms of Reference for the Panel will be posted on the government website under the page titled 'Panels', prior to the Panel commencing their task.

IMPLEMENTATION OF THE PANEL – The Panel once constituted will be asked to meet either virtually (by electronic means) and/or face to face, to identify what information they need to be able to complete the task. The Committee Support Officer allocated to the Panel will endeavour to provide such information and where unable to do so will inform the Panel. The Panel will need to be informed of the timetable for the government Budget Process to be able to feed in their recommendation to the Finance and Resources Committee (F&R) at the appropriate time in 2017 for the 2018 budget deliberations.

OPERATION OF THE PANEL – The Panel will meet as many times as necessary to consider the information available to them to be able to make a recommendation to F&R. If a member of the Panel is unable to complete the task, then they must make this known to the Seigneur, and a new member found to enable the Panel to complete its task.

The recommendation will set out what the Panel has taken into account, what information it asked for but was not available to it (if any) and any other officials or professionals it consulted as part of the process. Each meeting will be minuted and minutes agreed prior to the next meeting. The recommendation will be a unanimous decision of the Panel, and will only be communicated to F&R once this level of agreement has been reached. In the unlikely event the Panel cannot agree a recommendation they will inform F&R in time for the budget process, and seek further clarification so as to be able to complete their task.

DISBANDING THE PANEL – The Seigneur will disband the Panel once it has completed its task and F&R has received the recommendation of the Panel to be included in the budget process. Any group email address used will be taken out of use.

RECORDS – All documentation, minutes and other information used by the Panel will be stored in the government filing system for future reference.

March 2017

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