

MINUTES
#8 MEETING OF THE COMMISSION FOR STANDARDS IN PUBLIC LIFE
22 NOVEMBER, 2010
CONFERENCE ROOM
COMMISSIONS SECRETARIAT

PRESENT:	Karin M. Thompson	Chair
	Nyda Mae Flatley	Member
	Roy McTaggart	Member
	Hedley Robinson	Member
	Pastor Winston Rose	Member
	Deborah Bodden	Manager, Commissions Secretariat
	Laura Jackson	Analyst, Commissions Secretariat

APOLOGIES: N/A

1. Meeting called to order

The meeting was called to order at 2:45 pm. Pastor Rose opened the meeting with a prayer followed by a welcome to all members of the Commission by the Chairman.

2. Confirmation of Previous Minutes

The minutes of the previous meeting held on 1 November, 2010 were approved.

3. Outstanding Business

a. Commission Website

- i. The Chair confirmed that she had viewed the Commission's website and approved its content so that the site may go live to the public as soon as possible.
- ii. The Secretariat forwarded this request to Computer Services and is currently awaiting notification of the date whereby the site will go live.

b. Policy and Procedures Manual

The Chair discussed the contents of the policy and procedures manual with the other members and asked them to raise any questions they might have or to address any items to be changed/amended noting that several sections of the manual would remain in draft form until receipt of the second drafting of the SPL Bill 2010.

c. Draft SPL Bill

The Commission would like to record its appreciation for Mr. Simamba's (Legal Drafting Department) assistance with the draft SPL Bill to date. It is hoped a draft copy of the SPL Bill will be received prior to the next meeting. The Commission will then present the Bill to Mr. Ebanks, the Deputy Governor for

discussion at Cabinet to gain approval to table the draft legislation at the next available sitting of the Legislative Assembly.

4. New Business

a. CSPL Training Opportunities

- i. Following discussions from the last meeting regarding the generous offer of the Governor's Office to assist the Commission in obtaining training opportunities, the members asked the Manager of the Secretariat for guidance. The following was agreed:
 - a. facilitating training on island so that all members (including Secretariat staff) could attend would prove most valuable in reaching the CSPL's long term goals.
 - b. the time frame within which all members would be available to attend a two day workshop would be May or June 2011.
 - c. the main focus of the Commission would be to garner training that addressed how the CSPL might deal with its complaints procedures under the guidance of its Constitutional remit prior to the implementation of the SPL Bill 2010.
 - d. an additional training opportunity may include areas covering the tendering and procurement process and related areas which may be viewed as falling within the scope of "uncharted territory" upon which the members are about to embark.
 - e. the Manager will research training opportunities and report back at the next meeting including looking at similar operating bodies from other applicable jurisdictions (i.e. the Trinidad Integrity Committee as opposed to the UK due to the fact that the UK does not have a matching counterpart in the UK for dealing with complaints).

b. Commission's Complaint Process

- i. The Commission continues to discuss the need to create a complaints process which is appropriate to the Cayman Islands while fulfilling the mandate of the Commission under the Constitution.
- ii. The Manager suggested that thought could be given to contracting Professor Jeffrey Jowell to write the complaints procedure on behalf of the CSPL or at minimum provide guidance on the establishment of such a procedure.

c. Government Procurement Systems (WTO /EU)

- i. A general discussion took place on the World Trade Organization's agreement on government procurement and the European Union's regulations in order to contextualize the larger procurement regulatory framework out of which most government procurement processes operate.

5. Any other business

a. The Tendering Processes and the CTC

- i. The Commission discussed the need, as part of its mandate, to review appointment procedures for statutory boards which would include the appointment and the composition and qualification of the members who make up the CTC.
- ii. The CSPL confirmed its intention to look very closely at the CTC's role as an advisory body in the following ways:

- a. to ensure that its practices meet the standards set out in the law and offer the best value for money in these negotiations;
 - b. what checks and balances are in place once contracts have been awarded for public tender by the CTC;
 - c. the duality that may exist between the role of the CTC as a recommendation making body charged with providing information/advice to the Government on contracts put out to public tender and the Minister of Finance who is charged constitutionally with ensuring best practices for all government expenditure on services and to whom the Chair of the CTC reports;
 - d. the relationship between the blanket powers conferred on the Minister of Finance constitutionally and the guidelines given to the CTC on the regulations surrounding the bidding process in sections 37 and 40 of the Public Service Management and Finance (Amendment) (No. 2) Law 2009;
 - e. whether any amendments need to be made to the PSML to clarify these dual roles and blanket powers; and
 - f. the strengths and weaknesses of the procurement system;
 - g. the possibility of promotion of greater transparency in government systems.
- iii. The CSPL as a whole will be meeting with the CTC Chair Mr. Dunn at which time they will put forward to him any questions or areas in which they need clarification.
 - iv. The Commission believes strongly that the concept of transparency in government has merit but there is a delicate balance and will keep this in mind during the receipt of information.

6. Items to be discussed at next meeting

- i. Review of 2nd draft of the SPL Bill 2010
- ii. Review of CSPL Policy and Procedures Manual 2010
- iii. CSPL Training opportunities
- iv. Possible contracting of legal services

7. Action List

The Commission needs to give thought to contracting Professor Jowell to provide them with legal advice and in what specific areas they would request assistance.

The Secretariat has been tasked with completing the following items:

- i. Follow up with Computer Services regarding the go live date of the website.
- ii. Updating the Commission's draft Policy and Procedures Manual (PPM) following the receipt of the second draft of the SPL Bill 2010.
- iii. Researching potential opportunities for CSPL training.

8. Next meeting

The next meeting of the CSPL will be held on 13 December, 2010 at 2:30 pm in the Governor's Office Conference Room as the Commissions Secretariat boardroom has been previously booked.

9. Adjournment

The meeting was adjourned at 6:00pm.



Karin Thompson
CHAIR
COMMISSION FOR STANDARDS IN PUBLIC LIFE