

**THE COMMISSION FOR STANDARDS IN PUBLIC LIFE**

**3<sup>rd</sup> MEETING OF 2011**

**MINUTES**

**21 MARCH, 2011**

**CONFERENCE ROOM**

**COMMISSIONS SECRETARIAT**

**PRESENT:** Karin M. Thompson                      Chair  
Nyda Mae Flatley                              Member  
Roy McTaggart                                  Member  
Hedley Robinson                              Member  
Pastor Winston Rose                          Member

**APOLOGIES:** N/A

**SECRETARIAT MEMBERS PRESENT:**

Deborah Bodden                              Manager, Commissions Secretariat  
Josephine Hislop                              Analyst, Commissions Secretariat

**1. Meeting called to order**

The meeting was called to order at 2:35 pm. Pastor Rose opened the meeting with a prayer and the Chair then welcomed all members of the Commission.

**2. Confirmation of Previous Minutes**

The minutes of the previous meeting held on 21 February, 2011 were approved with two typographical corrections.

**3. Outstanding Business**

a. Review of 4<sup>th</sup> draft of SPL Bill

It was confirmed that since the last meeting, the Secretariat has continued on behalf of the Commission to work on its research and recommendations for the draft SPL Bill 2011. The Chair informed the other Commission members of the strides made to date indicating that when the last draft had been submitted by the Legal Department to the Secretariat several pieces of the legislation were no longer presented as the Commission had wished. The Secretariat has now forwarded the draft to the Chairman for her comments and to turn her attention to the contents of the declaration and register. It is anticipated that this draft will be discussed in more detail at the next meeting.

**4. New Business**

a. Lesser Contracts Falling Outside the Remit of the CTC

The Chair discussed the need for the Commission to take an in-depth look at those "lesser" contracts which fall outside of the remit of the CTC i.e. those contracts awarded that have a value of less than CI\$250,000. The Chair stressed that looking at these types of contracts is part of the on-going process in relation to meeting the Commission's constitutional mandate. The main goal of the Commission in

completing this process is to ensure that there is a clear and consistent legal framework for all contracts, whether that be an existing one or the establishment of a new one.

The Chair indicated that she would like the Commission to pay particular attention to:

- viewing the steps and processes for these contracts;
- the membership (including how many members, their qualifications, etc) of those persons who decide which contracts should be awarded;
- the duality in roles between the Chief Officer of the said Ministry/Portfolio and the CTC when dealing with the recommendations of the CTC and whether the Chief Officer is bound to accept the advice of the CTC;
- the possible need to publish the bids to encourage transparency;
- whether the process is detailed enough to deal with these lesser contracts; and
- any checks and balances which are in place for persons who have dealings with these decisions, and whether those checks and balances are sufficient.

Members were all given a copy of Part IX of the Financial Regulations (2008 Revision). This part outlines the process in which these types of contracts are to be awarded. Members were asked to review this process in order to have a more in depth discussion at the next meeting.

It was agreed that the Secretariat would draft a letter to the Government asking that any recommendations, which affect procurement, made by the consultant Keith Luck, (who just completed his review of the Personnel Management and Finance Law (2009 Revision)) be forwarded to the Commission when they are available.

The Auditor General has also indicated that he will be willing to share any information of relevance he finds from his own investigation into procurement with the Commission when his report is finalized.

## **5. Any other business**

### **a. Second Report of the Commission**

The Chair confirmed that the second report of the Commission dated 8<sup>th</sup> February 2011 has been tabled in the Legislative Assembly. His Excellency the Governor and the Honourable Premier each received a courtesy copy of the Commission's report in accordance with its established procedure. The report has been posted on the Commission's website. The Chairman has a meeting scheduled later this week to meet with the Deputy Governor to discuss various aspects of the report and will also be meeting with the Premier in the future to do the same.

### **b. Professor Jowell**

Members were advised that the Secretariat now has tentative dates that Professor Jowell will be available to visit the island and as soon as funds are secured all members will be notified. Members are asked to identify any questions they would want to pose to Professor Jowell which would be submitted prior to his visit so he may appropriately research the questions.

## **6. Items to be discussed at next meeting**

- a. SPL Bill 2011 [Fourth Draft];
- b. Lesser Contracts Falling Outside the Remit of the CTC; and
- c. Questions to be posed to Professor Jowell.

## 7. Action List

- a. The Chairman will review the draft SPL Bill and turn her attention to the contents of the declaration and register.
- b. Members will review Part IX of the Financial Regulations (2008 Revision) detailing the policies on awarding "lesser" contracts;
- c. The Secretariat will research any other issues that might be considered in regards to these contracts which are not listed in the regulations;
- d. Members will identify questions to pose to Professor Jowell;
- e. The Secretariat will source funding for this training; and
- f. The Secretariat will draft a letter for the Chairman asking that any recommendations, which affect procurement, made by the consultant Keith Luck, be forwarded to the Commission when they are available.

## 8. Next meeting

The next meeting of the CSPL will be held on 11 April, 2011 at 2:30 pm in the Commissions Secretariat boardroom.

## 9. Adjournment

The meeting was adjourned at 4:40pm.



**Karin Thompson**  
**CHAIRMAN**  
**COMMISSION FOR STANDARDS IN PUBLIC LIFE**