

Monday 20 April 2020

**Citizens not receiving the service they should expect from
planning and building control enforcement**
Comptroller and Auditor General issues latest report

Comptroller and Auditor General (C&AG), Lynn Pamment, has today (20 April 2020) published a report on ***Use of Enforcement Powers***.

The report focusses on the use of enforcement powers across a number of Government functions, including planning and building control, trading standards, environmental health and environmental protection. It reviews the effectiveness of arrangements for engagement with citizens and for monitoring compliance and determining whether and what enforcement action is taken.

The work was undertaken and the report was prepared before the Coronavirus pandemic, therefore it does not reference or consider its impacts.

Lynn Pamment concluded that there has been an inadequate focus on delivering high quality services consistently, including monitoring performance on and implementing structured improvement in enforcement activities. She also found limited use of Key Performance Indicators for enforcement activities. In the case of planning and building control the C&AG concluded that performance on enforcement has been poor and that there has been no structured approach to the implementation of previous external recommendations for improvement.

The C&AG has recommended that all regulatory functions establish mechanisms for capturing feedback from service users; set targets for responding to enquiries; and monitor and manage performance against those targets. She has also recommended that regulatory functions monitor and manage the success of improvement initiatives against those desired outcomes.

For some services, including planning and building control, the C&AG has recommended the introduction of structured arrangements to identify, record and manage conflicts of interest.

Lynn Pamment said:

“Regulatory functions are an important area of interaction between the Government of Jersey and citizens. Decisions and the enforcement of decisions can have a significant impact on individuals and organisations.

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“There needs to be a stronger and consistent focus on engaging with individuals and organisations about the nature of regulatory activities and the enforcement powers available to the Government of Jersey. Enhancing communication and engagement should reduce the subsequent need to use enforcement powers.

“For planning and building control there is substantial underperformance against target, demonstrating that citizens have not been receiving the service that they should expect.

“In order to demonstrate the objectivity of enforcement decisions, there need to be more explicit processes to manage conflicts of interest and clear, published policies for the exercise of discretion.

“The Government has responded positively to this report and I look forward to seeing real progress in the near future.”

The Use of Enforcement Powers report is available on the Jersey Audit Office’s website at:

<https://www.jerseyauditoffice.je/wp-content/uploads/2020/04/CAG-Report-Use-of-Enforcement-Powers-20.04.2020.pdf>

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Notes to Editors:

- The Office of Comptroller and Auditor General (‘C&AG’) was established in 2005 and operates under the Comptroller and Auditor General (Jersey) Law 2014.
- The remit of the C&AG includes the audit of financial statements, corporate governance, internal control and wider consideration of public funds, often expressed as ‘value for money’.
- Lynn Pamment took up the Office of C&AG on 1 January 2020 for a fixed term of seven years. Following the introduction of the Comptroller and Auditor General (Jersey) Law 2014 the term of office is now fixed at seven years and is non-renewable.
- **The C&AG has updated her 2020 Audit Plan in the light of the Government’s Coronavirus response:**
“The Coronavirus pandemic has presented unprecedented challenges for us all, including its effect on our everyday lives. The unparalleled nature and scale of the fiscal measures being taken in response to Coronavirus reinforce the need for strong public financial management.

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“Equally strong public accountability for the resources used in fighting the pandemic, through high quality financial reporting, will also be essential to making their overall impact on public sector finances fully transparent.

“This revised plan sets out how I intend to deliver the responsibilities of the Comptroller and Auditor General (C&AG) under the Comptroller and Auditor General (Jersey) Law 2014 (‘the 2014 Law’). This will include looking at Government preparedness for the pandemic, the spending on the direct health response and also the spending on measures to protect businesses and individuals from the economic impact.”

- The 2020 Audit Plan can be found at:
<https://www.jerseyauditoffice.je/wp-content/uploads/2020/04/JAO-Audit-Plan-2020-April-2020-update.pdf>
- The Office of Comptroller & Auditor General is known as the ‘Jersey Audit Office’.
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Comptroller and Auditor General’s Policy regarding issue of reports and contact with the media:

- Press releases will be published by the Jersey Audit Office to accompany the publication of each report
- Embargo times, where set, will be at 0001 hours on the day of publication - for press releases, reports and all other information pertaining to the publication date
- Other press releases/ statements may be made on an occasional basis and not necessarily dependent upon the publication of a report. They will be subject to the same embargoes where set
- With any report issued, the opportunity is available for members of the press to request factual clarification, by email, of points contained therein
- Any comments made additional to any reports, will be included within any press release(s) as issued by the Jersey Audit Office, in the form of a quotation by the C&AG. These comments will be available for publication; but there will not be any supplementary live or pre-recorded interviews offered or undertaken by either Lynn Pamment or the staff of the Jersey Audit Office
- The C&AG is prepared, on an occasional basis, to provide articles for publication in the local media, following a specific request and consideration of the relevant topic
- All public information, including press releases and reports, are accessible on the Jersey Audit Office website at **www.jerseyauditoffice.je**