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Senator J Le Fondré
Chief Minister
Government of Jersey

29 October 2020

Dear Chief Minister

In the light of recent media reports regarding my appointment as a non-executive director (NED) of New River, a UK real estate company, I want to remind and reassure you of the steps I have taken to ensure that this position does not conflict with my role as the Chief Executive of Jersey's public service.

I was approached by executive headhunters on behalf of New River in autumn 2019 and was asked to consider becoming a non-executive director of the company. As you will recall, we discussed the opportunity and I expressed interest in pursuing the position, as I could see some real benefit for my current role in serving the Island's interests.

In early 2020, you and I had some further discussions once it was clear that New River were keen to put me into a formal process, which we agreed. However, this was naturally delayed due to both organisations dealing with the Covid pandemic. It was only restarted in mid-summer and I was finally appointed as a non-executive director at the beginning of September.

As you know, many chief executives, both in the public and private sector, hold outside roles in addition to their core job. Senior leaders take on additional roles for several reasons – to widen or deepen their experience and knowledge, to expand their network of contacts and to make a positive contribution in a field which interests them.

Indeed, it is particularly pertinent that this matter has come to the fore on the day that the Government announced that we are supporting the Women in Leadership Network (I WILL) with Board apprenticeships to support more women from the public service into leadership positions through their involvement with public and private boards.

Such roles are often seen as creating advantage for the organisation where the individual works. As you know, NED roles vary as to their time commitments over the year and the pro-rata remuneration for the NED role is not usually a material consideration, given CEOs are already well paid for their day jobs.

Since 2016, for instance, I have been on the programme board that is overseeing the refurbishment of Buckingham Palace, for Her Majesty The Queen. This requires four half days of

my time a year to attend formal meetings, and involves work in my own time, which is all unpaid. Both you and the previous Chief Minister have been aware of this role and approved my continuing in the position. It has been uncontroversial, helped the Island's profile and has not affected my day job in the slightest.

In relation to the New River position, I was interested because I have worked in property investment and development in one form or another throughout my career. In particular, I have experience of and interest in retail development. The opportunity from New River enables me to utilise their expertise, research and contacts to better understand the future of retail centres, the impact of online shopping and the regeneration of town centres. All of this will enable me to bring more expertise and intelligence to benefit the future economic regeneration and recovery of the Island and, in particular, its retail heart in St Helier.

From the outset, I made clear to you, and to New River, that I would not consider a NED role which impinged on my responsibilities and performance as the Chief Executive of the Government of Jersey. You in turn were clear that there should be no personal financial benefit from such a role and the time commitment should not be extensive. As I hope I have assured you:

- this role entails four board half-days per year, and one strategy day. There will be some additional involvement in half-year and full-year results meetings. At present, all meetings are being conducted virtually, although at some point they will be held in person. Most of the work of a NED is in preparation for meetings, which I would do in my own time, in evenings and weekends. As you know, I already spend a significant amount of my own personal time in doing Government work as well. This will not be impacted by the NED role.
- New River has no operational business interests in Jersey, and therefore I do not believe this poses a conflict of interest for me in my Government role. Should this change, then of course I will reflect on whether a conflict might arise and discuss it with you, in order to be able to resolve it appropriately. I made it clear from the outset that if New River had any operational business interests in Jersey I could not and would not take up the post.
- you will have seen from the media coverage that they have focused on the remuneration for the role. However, this does not reflect the true position. I had already discussed with the New River Board that I did not wish to receive a salary, as I am already well paid for my position in Jersey. Instead, I have agreed with New River that I will be part of their salary sacrifice scheme and that they will distribute the money paid for the role to a range of charities that I will nominate including a number in Jersey. This will be fully disclosed in the New River accounts and in the Government's annual report. New River will cover any expenses for meetings, so there will be no cost to the Government of Jersey. By donating the salary for the role, I can make a significant financial contribution to the voluntary and community sector which I have worked with or supported for almost 40 years.

At every step, I have undertaken to ensure that I have protected my duties and responsibilities to the Government of Jersey, and that my accepting this appointment is appropriate under the States of Jersey employment rules.

It is disappointing how the media and some commentators have chosen to present and misrepresent the facts of my appointment. I do however recognise that I should have formalised in writing the final position and your approval in relation to my appointment before the announcement to the Stock Exchange. For that I apologise. Unfortunately, this was not done for a number of overlapping circumstances, both personal and related to Government priorities. In addition, I also recognise that the Deputy Chief Minister did express some reservations and concerns as to how the appointment might be received among some quarters in Jersey.

I can understand some of the questions that have been raised in the media today, and I recognise that such criticisms have unfortunately been a theme of my tenure in this post. Nonetheless, I want it to be very clear that I will receive no personal advantage from this appointment.

I do believe, though, that it is important that public servants are able to learn from the wider expertise and experience across a range of organisations, both on and off-Island, to support Jersey. I also believe that there are some quarters in the Island who will see this role more positively. For instance, senior business leaders will recognise the value that NEDs bring to their own businesses and the value that they themselves gain as NEDs that they bring back to their organisations.

What is most disappointing is how the news of my appointment has been reported and commented on without the full facts.

As a public servant I have always accepted that public scrutiny goes beyond my professional expertise. I am accountable to you, the Council of Ministers and ultimately Islanders. I hope that you and other Ministers and those close to the COVID-19 response will attest not just to my commitment to the Island but also, my integrity as a public servant and my absolute resolution to do the best for Islanders. Sometimes this is at personal cost, often I have limited right of reply to such commentators and the right to correct the facts is lost.

My record as a public servant for nearly 40 years both in the UK and now here, has always been about the place I serve. Those people in Jersey public life who have questioned my integrity and commitment to the Island and public service, do not know me. I hope that having the full facts, they reflect on their comments and avoid politicising the civil service, which I am proud to lead. The suggestion that I have given anything less than my maximum commitment to Jersey during this difficult time, or will do in the future, is simply wrong.

Kind regards



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