

Progress made on the commitments in the 2012 Joint Ministerial Council communiqué

Gibraltar

Jobs and Growth

Gibraltar's economy continues to perform strongly. In the June 2013 Budget statement¹ GDP for 2012/13 was forecast to be £1.226bn; a growth rate of 7.8%. Gibraltar is on target to meet or exceed a GDP of £1.65bn by 2015/16. According to HMGoG figures GDP per capita is at £41,138 (US\$64,478), which is among the highest in the world. Financial services, remote gambling, tourism and bunkering² (ship refuelling) continue to drive private sector growth. Unemployment is extremely low compared with the neighbouring Spanish region of the Campo de Gibraltar.

HM Government of Gibraltar (HMGoG) has two main initiatives that are relevant to Jobs and Growth commitments under the JMC. They are:

- the Sheltered Employment Scheme and;
- The Future Jobs Strategy.

The Sheltered Employment Strategy Scheme has been enhanced by increasing the remuneration that is possible for participants from under £500 to £1,000 per month. Additionally, a concerted effort is being made to standardise the approach to terms and conditions for those with a physical or learning disability in order to guarantee fairness among all participants.

HMGoG introduced the Future Jobs Strategy in February 2012³ to support entry into employment and reduce unemployment levels among permanent residents. HMGoG shared key elements of the Strategy with leaders of other Overseas Territories at their meeting in Gibraltar in September 2013. The Strategy is designed to take advantage of the characteristics of Gibraltar's economy, including its relatively small size, high growth rate and the significant proportion of GDP accounted for by public expenditure. Government contractors are required to support the Strategy and HMGoG maintains a list of approved contractors.

The creation of jobs for permanent residents involves localising jobs resulting from economic growth. HMGoG provides labour through a state owned company, Employment Training Company Limited (ETCL), which provides employment placements for a probationary period of one month to assess suitability of the individual, followed by a training period of two months. At the end of the third month the employee transfers to the payroll of the placement provider. Longer periods may be agreed on a case by case basis where the skills required justify this. The Department of Enterprise, Training and Employment monitors the continued employment of the former trainee.

¹ <https://www.gibraltar.gov.gi/press-releases/4610-4422013-summary-of-budget-measures-2013-as-announced-by-the-chief-minister-in-parliament-monday-24th-june-2013>

² <http://www.gibraltarport.com/>

³ <https://www.gibraltar.gov.gi/images/stories/PDF/pressoffice/pressreleases/2012/75-2012.pdf>

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If the partner business fails to comply with the agreement to take on the employee they are required to refund the first three months' pay and related costs to ETCL. ETCL pays the national minimum wage.

In overall terms, a 10% reduction in the number of people dependent on unemployment benefits has been reported.

The Environment and Green Growth

(<https://www.gibraltar.gov.gi/environment/environment>)

In June 2013 HMGoG published a revised Gibraltar Environmental Action & Management Plan ⁴ , which acts as a blueprint for the Government's environmental policy. The plan followed consultation with all HMGoG departments and environmental NGOs. In 2015 progress will be evaluated and a new plan developed to carry Gibraltar forward to 2020.

In this context, the main initiatives that HMGoG has developed are:

- The creation of an artificial reef system aimed at increasing and protecting species. The North West Artificial Reef System was created in an area of British Gibraltar Territorial Waters in July 2013.
- New Regulations are to be introduced on sustainable management of the marine environment.
- the demarcation lines of the Upper Rock Nature Reserve were extended in October 2013 and the amended site is now known as the Gibraltar Nature Reserve⁵
- On 4 November HMGoG published a Command Paper for a Bill to improve the protection given to trees in Gibraltar. The Environmental Protection (Trees) Bill 2013 brings together and improves upon various legal instruments in existing Acts.⁶
- HMGoG's fleet of official vehicles has been renewed with the use of hybrid and electric cars.
- Solar thermal panels on public buildings are planned, with public tenders already awarded.
- Import duty on green items is being reduced.
- Soft loans are being awarded for environmental improvements to private buildings.
- A recycling initiative in respect of cardboard, paper and tins has been introduced.
- Legislation on the energy performance of buildings is being updated.

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https://www.gibraltar.gov.gi/images/stories/PDF/environment/Environmental_Action_&_Management_Plan_2013.pdf

⁵ <https://www.gibraltar.gov.gi/images/stories/PDF/pressoffice/pressreleases/2013/794-2013.pdf>

⁶ <https://www.gibraltar.gov.gi/images/stories/PDF/pressoffice/pressreleases/2013/779-2013.pdf>

Better Government

Developing democratic institutions

Gibraltar is a part of the Council of Europe through the United Kingdom. The European Convention of Human Rights is directly applicable in interpretation of all national legislation and the actions of institutions. The first chapter of the Gibraltar Constitution enshrines almost identical human rights to those contained in the European Convention of Human Rights. The Constitution creates directly enforceable fundamental rights and freedoms.

Additionally, Gibraltar is a part of the EU and EU laws apply in Gibraltar on all matters except for matters related to customs, VAT, fisheries and agricultural policy. All EU legislation on judicial and financial transparency and anti-corruption measures apply and are complied with in Gibraltar. Moreover, since the election of the present Gibraltar administration, Gibraltar leads the EU in compliance with transposition requirements with EU Directives. All EU Directives are now transposed into Gibraltar law BEFORE the expiration of the transposition deadline allowed by the EU Commission.

Given these obligations, Gibraltar's institutions are entirely compliant with EU law and with the principles of the ECHR and Gibraltar's 2006 Constitution.

The present administration has, however, gone further than required by the Constitution, the ECHR and the EU in taking steps to strengthen democratic institutions.

The Chief Minister has acted on a manifesto commitment to hold a meeting of the Gibraltar Parliament every month, although the Constitution only requires that three be held each calendar year and two in an election year. As a result, with the exception of August and the month in which Easter is celebrated, the Opposition now have a chance to table questions for oral and written answer every month of the year. The Hansard of all sessions is also now prepared much more quickly, within days of a meeting. Previously Hansard took up to six months or even longer. Since July 2013 the proceedings of Parliament are transmitted live on television as well as online as part of the present administration's commitment to open up the seat of Gibraltar's democracy to the public.

Additionally, the Chief Minister has instituted a mechanism to appear on television and radio every quarter to answer questions directly from the general public.

The political output of the public broadcaster, the Gibraltar Broadcasting Corporation, has also been transferred by the Chief Minister from the Board of that organisation (which is appointed by the Chief Minister) to an independent statutory authority, the Gibraltar Regulatory Authority, which has been established by Act of Parliament. This ensures the independence of the Broadcasting Corporation from the Government.

The Deputy Chief Minister has led a revolution of the Town Planning mechanisms. Previously meetings of the Development and Planning Commission (DPC) were held in private. Minutes were not published. The public could not attend meetings or address the DPC with their concerns, objections or support for projects. Since the election of the present administration, all meetings of the DPC are held in public and Government projects are all voluntarily submitted for guidance to the DPC. Legislation will shortly be introduced to make the submission of Government projects to the DPC compulsory.

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Apart from the existing and well established Financial Services Commission, Judicial Services Commission and civilian Police Complaints Board, Administrative Ombudsman's Office and Audit Office - which all operate with total independence from the Government - the present administration is establishing the Office of a Financial Services Ombudsman, a Freedom of Information Commissioner to administer a Freedom of Information Act and a free standing Anti-Bribery and Corruption Authority.

Gibraltar constantly strives to maintain high standards in these areas and to develop further the expert base which these bodies hold. Members of such bodies are regularly to be found attending international conferences and courses to enable them to keep up to date with developments and modern practices. They are encouraged to participate fully in the running of international bodies and to contribute to them. A recent example is the planned attendance of our Principal Auditor and his Deputy to the Audit conference being organised for Overseas Territories Auditor Generals and the fact that the Commissioner of Police of the Royal Gibraltar Police presently holds the prestigious presidency of the European Association of Airport and Seaport Police.

Integrity in public life and codes of practice

The seven principles of public life are implicitly embedded in the workings of Gibraltar's institutions. The current administration nonetheless believes that these should be explicitly understood to apply to all aspects of public life. The support of the Hansard Society in the United Kingdom has therefore been sought on the drafting of a tailor-made Ministerial Code of Conduct in line with the UK code to be applicable to Ministers and all Parliamentarians. The Chief Secretary's Office and the Audit Office are working together on the draft and a document will be presented to Cabinet/Parliament for consideration and adoption in the first half of 2014. A similar Code of Conduct for Public Servants will be tabled in parallel over and above a review of the current, rather outdated, General Orders. Implementation of this is also earmarked for the first half of next year.

The existing General Orders cover disciplinary issues and procedures adequately in respect of public servants and a key element of their independence is the fact that the Public Service Commission (PSC) ultimately administers the process and recommendations are made for ratification by the Governor. It must be noted that PSC members are appointed independently by the Specified Appointments Commission whose members are themselves appointed in accordance with section 56(1) of the Constitution by the Governor, acting on the advice and after consultation with the Chief Minister.

In any case, and, in an attempt to modernise the role of the PSC, the Public Service Review team will shortly be making recommendations to Cabinet in respect of the participation of individual members in the actual interviewing and other selection aspects of the process. The intention would be to involve relevant senior public officers more closely in the selection procedure within their specialised departments. Greater training for members of the Commission in interviewing techniques and assessment of candidates is also envisaged.

Strengthening the public service

One of the key areas of the ongoing Public Service Review constituted by the current Chief Minister is aimed at achieving more efficient practices in the discharge by the Civil Service and the wider public sector. This is considered by the Government to be essential in delivering both value for money for the taxpayer as well as a modern working environment for those employed in the sector. All staff representative bodies are heavily engaged in the consultation and drafting process and there is unanimous agreement on the need and desirability of such procedures. Draft proposals will go before Cabinet before the end of the year with the aim of partial implementation in the New

Year. This is over and above the general modernisation of current policies and practices which is being undertaken in parallel.

Importantly, changes will include consideration of new working hours which will deliver longer counter opening hours for interaction with the citizen and businesses alongside the development of e-Government services.

The advisory aspects of the work done by the service is an area where the Government is keen to see developments as part of the review so that public servants are better able to advise Ministers.

Improving service delivery, including through e-government

The development of e-government is a key manifesto commitment of the current Administration and much of the planned modernising measures depend on the advancement of this commitment. To this end, the Government has been investing heavily over the last 18 months in infrastructure and expertise. The Government's IT and Logistics Department has grown considerably in its technical staff complement, its procurement of hardware and software systems and in its capacity to contract expert advice from leading consultants.

The launch of "e-Gov" (as the portal will be known) will happen shortly. This initial tranche of e-Government services will enable the public to fill in and submit some forms (tax) online, with others to follow. Government will on that date also be able to receive payments online. All Government forms will immediately be available online to print out and submit by email. All matters related to motor vehicles will immediately be available, from booking MOT appointments (ending lengthy queuing) to booking driving tests, theory tests, checking vehicle details etc. Law enforcement will also benefit with bespoke apps having been developed for officers to be able to check all vehicle insurance details on Android mobile devices.

Much has been achieved already by way of substantial digital interaction by the public with official bodies and services and there is a commitment to complete the process within a further 18 months. The next stage in development involves adoption of a new "chip and pin" identity card which will open many more possibilities for citizens to identify themselves securely to the Government's servers.

It is anticipated that, once complete, the nature of the public's interaction with the Government will have been revolutionised.

As a measure of the importance of e-Government to the Administration, the plans to change the working hours of public employees to more family-friendly arrangements between now and June 2014 hinge on the availability and enhancement of e-government.

Already, all Gibraltar's laws are available online, as well as Bills, Command Papers and every single press release. Additionally the new Government website will include institutional social media accounts.

Perhaps the most exciting development will be the Government's GIS Portal which, with a photographic map of Gibraltar, will allow citizens to report needed repairs by posting photographs on the map which will be reported to the relevant department for the necessary action.

Supporting the development of a programme of secondments and exchanges

Because Gibraltar has traditionally invested heavily in bringing out academic and professional consultants to train public servants at all levels and in all sectors, and has generously funded the attendance of officers at courses and conferences in the UK and elsewhere, the uptake of secondment and exchange programmes has been slow. This has not been helped by the need to replace or cover for officers who are away from their posts so that extended absences are difficult to cover for. However, as needs begin to be systematically identified and with the co-operation of staff representative bodies, it is envisaged that specifically relevant secondments and exchanges with both the UK and OTs could become more frequent. We regularly send officers on visits to counterparts in the UK but this is done very much on an ad hoc basis.

Strengthening public financial management and procurement

Public spending is controlled by the Financial Secretary. Finances are scrutinised by the Audit Office in accordance with the Public Finance (Control and Audit) Act and the Principal Auditor tables his annual report on public finance in Parliament. There are plans to increase the scope of the Principal Auditor's role, particularly in the auditing of government-owned companies.

Gibraltar is subject to EU rules on procurement requiring tendering at an EU level over certain thresholds, just as in the United Kingdom. This ensures that all major capital and recurring expenditure is incurred with a competitive process at the core of spending commitments and thereby seeking to ensure both open and transparent procurement as well as value for money for the taxpayer.

Promoting systems for fair and transparent recruitment and continuous professional development in the public service

All recruitment and selection procedures in respect of the Civil Service are administered and monitored by the Public Service Commission (PSC) and recommendations ratified by the Governor. The PSC is a statutory body established by the Constitution. Line managers and heads of departments are required to report on internal candidates for promotion and an interview process is held. In respect of senior positions, candidates are required to either submit a statement in response to a relevant task set or to prepare a presentation for delivery to the interviewing and selection panel. All new entrants into the Civil Service have to undergo a vetting process which involves a key input from the Royal Gibraltar Police. The relevant recommendations envisaged for reviewing the role and work of the PSC have already been outlined above.

Continuous Professional Development is financed either by funds allocated annually to individual departments for internal priorities to be set or from a central government vote which individual officers or their heads of department can request to access. Traditionally, the Chief Secretary's Office has had the final say on such requests as well as taking decisions on collective training initiatives often through established local or UK providers, including Higher Education institutions like the Universities of Durham, Sheffield, Sheffield Hallam or Kingston. In this respect, we have successfully established the awarding of nursing qualifications through Kingston University just as a large number of public officers and private sector employees have pursued and continue to pursue Postgraduate Leadership and Management courses at various levels all the way up to Masters. There are plans to extend and diversify this type of work with UK institutions in an attempt to meet a Government commitment of establishing a university in Gibraltar, probably by bringing together all these parallel initiatives. In terms of priorities for Public Service training, one possible

recommendation might entail setting up a panel to assist the Chief Secretary's Office and which could be made up of representatives from the Human Resources Department, the Employment and Training Board, the Department of Education and the Financial Secretary's Office. Input from staff representative bodies could be incorporated in order to render the process more inclusive and transparent.

Adopting a framework for public finances, and monitoring and taking action to mitigate fiscal risks and ensure that liabilities are sustainable.

The Gibraltar economy has been performing strongly since financial year 1988/9 when Gibraltar last borrowed to repay recurrent expenditure. Borrowing limits are already constrained by the provisions of the Public Finance (Borrowing Powers) Act. In the past 20 months the present administration has given effect to its commitment to start to halve the level of gross debt which had risen to £520m. The Chief Minister told Parliament at the Budget in June 2013 that the liability had already been reduced by over a quarter, and that HMGoG was on course to achieve a halving of the liability as envisaged in the administration's manifesto commitment. Net debt will also be reduced considerably. The administration has also created sinking funds to ensure that relevant net debt liabilities are provided for and can be set-off against the sums available to repay them in calculating net debt. Available cash reserves have been increased from £2m at the end of the previous administration's last financial year to £85m, and projected to continue to steadily increase further.

Building Stronger and Healthier Communities

In sport, the Gibraltar Football Association⁷ was admitted as a full member of UEFA in May 2013. Gibraltar will now play in European international tournaments. Gibraltar played its first international friendly match against Slovakia on 19 November 2013 and secured a 0 – 0 draw.

The Government actively encourages the participation of local sporting and cultural associations at international competitions and forums. Indeed, active support is offered to associations wishing to join international sporting federations.

⁷ <http://www.gibraltarfifa.com/>

Health

(<http://www.gha.gi/>)

In the field of health the following are the main initiatives being developed:

- closer engagement of health NGOs and the planning of strategies together, including in relation to Alzheimer and dementia, MS and hearing impairment groups;
- The Gibraltar Health Authority is introducing provision for IVF treatment;
- Allied health professionals are being regulated;
- The diabetes service has been expanded;
- Day surgery capacity has been increase;
- Medical laboratory reporting is being digitalised;
- Nurse and paramedic prescribing are being introduced in order to reduce pressure on primary health services and improve emergency medicine;
- Medical record facilities are being improved.

Education

(<https://www.gibraltar.gov.gi/education-a-training>)

Over and above the very generous Higher Education funding provision in place, the following recent developments in this field are worth noting:

- For prospective medical students who are eligible for Government scholarships, the possibilities of training in universities in the following countries are actively being explored: Ireland, Poland, the Czech Republic and Malta.
- Stronger ties with Kingston and St Georges Universities in the UK to support degrees in Nursing and in Paramedic Studies. These are primarily taught locally and in partnership with both Universities respectively. The first year of midwifery degrees may also be read locally.
- Professional development courses at Diploma and Masters Level are being actively supported for teachers, again with partner Universities.

Funding for research degrees becomes immediately available for local students on a full-time basis or through distance learning. There are also 15 week Internships in Washington D.C. for local students. Interns are placed at private sector companies and public sector organisations in Washington. They also attend classes and lectures on sustainable development, entrepreneurship, innovation, global trade, e-commerce, commercial trade, water management and green technologies. This initiative is in partnership with 'The Washington Center', an independent, non-profit organisation based in Washington DC.