



Government of Grenada

Cabinet Procedures Manual

@ August, 2019

MESSAGE FROM THE PRIME MINISTER

The Government is committed to continue the trajectory of growth and opportunities that we achieved over recent years. To achieve this will require renewed focus on effective decision-making by the Cabinet, which is the primary collective decision-making body in the Government.

The procedures in this Manual will assist us to agree on coherent policies that coordinate the roles of relevant Ministries and agencies. It will help us to implement those policies effectively, jointly with our social and international partners, for the sustainable development of Grenada, Carriacou and Petite Martinique.

While we achieved a lot in the previous term, there are many challenges remaining. In some cases, it will require greater effort to maintain our momentum, with more challenging problems still to address and potentially adverse global trends, such as climate change and more uncertain global economic growth. As the Government has announced in its Medium Term Agenda for 2019 to 2021, we will be focusing on accelerating sustainable and inclusive economic growth, enhancing social capital and citizen well-being and promoting resilient governance.

This Manual builds on long-standing Cabinet practices that have served us well, but also introduces some changes designed to improve the outcomes for the Grenadian people, by ensuring that our policy decisions are not only well-researched, but can and will be implemented to achieve the nation's aspirations.

These procedural changes include:

- a) More strategic Cabinet meetings, with a forward program of meetings, smaller agendas, less time spent on routine issues and more time for in-depth discussion of how to address our nation's major priorities;
- b) A new process for proposed legislation, with Cabinet first considering the policy objectives of proposed legislation before detailed legislative drafting is undertaken, in order to provide Cabinet guidance on legislative priorities and to clarify the major policy objectives of the proposed legislation;
- c) A revised template for Cabinet Submissions that prompts Ministers to include evidence and analysis to support their proposals, so we can be sure to choose the most effective option and can implement it with adequate resources and management;
- d) Preparation of summary implementation plans for complex proposals, to demonstrate to Cabinet that proposals can be implemented in a reasonable time and to make it more likely that our decisions will actually be implemented;
- e) More consultation in preparing policy proposals for Cabinet, to ensure that its decisions are coherent, with all sectors working together to achieve the nation's goals, especially where they require a 'whole of government' approach;
- f) More explicit emphasis on engaging with our local and international partners in developing policy proposals, consistent with the principles and code of conduct in our historic Social Compact which is being broadened;

- g) An effective system for tracking implementation of key Cabinet decisions, with regular reports to alert Cabinet where action is delayed, stalled or requires rethinking; and
- h) A stronger Cabinet Office to better support individual Ministers and their Ministries to comply with Cabinet's procedural requirements and, where necessary, to coordinate implementation of its policy decisions.

I ask all of us, including Cabinet Office personnel, to remember that the Cabinet Office is here to support the procedures in this Manual, which Cabinet has set for itself to further the common interests of the Government and the Nation.

It is important to recognize that the rules in this Manual are being agreed by Cabinet to enable Ministers to perform their Constitutional duties as members of the collective decision-making body of Cabinet, as well as their responsibilities as individual Ministers. An individual Minister may be highly motivated to obtain Cabinet approval for policies and resources that benefit his or her specific Ministry, sector or constituency. However, that Minister is also a member of the Government with collective interests and accountability for the Government's performance. All Ministers bringing forward proposals for our collective consideration owe it to their Cabinet colleagues to provide sound recommendations, backed up by relevant evidence, that take into account the wider interests of the Government and, of course, the nation.

This Manual will be of particular interest to relatively new Ministers. However, given the changes I have outlined above, I ask all Ministers and all public officers involved in preparing proposals and reports for the Cabinet, even those with many years of experience, to review its contents carefully and to comply with Cabinet's requirements.

FORWARD BY THE SECRETARY TO THE CABINET

This Manual is the result of the first comprehensive review of Cabinet procedures for many years, with input from experienced Ministers and Permanent Secretaries. The procedures incorporated here build on the successful operation of the Cabinet system in Grenada and draw on experience with Cabinet government in more than 20 other countries, many of which have government structures similar to Grenada, based on the Westminster system.

As the Prime Minister has emphasized, the Manual includes some key changes in procedures designed to assist the Cabinet to make evidence-informed decisions that can, and will, be implemented.

Permanent Secretaries and other senior Ministry officials need to take careful note of the requirements set out in this Manual, which require them to make greater use of evidence in preparing policy proposals for Cabinet submissions. This includes: evidence showing that the proposal is based on an adequate understanding of the problem being addressed; evidence that the proposed intervention will work in the Grenada context; evidence that it will be cost-effective relative to other options; and evidence that the intervention is feasible given the financial resources and institutional and human capacity available to us. The Manual also requires Ministries to consult more carefully with other Ministries when preparing draft submissions and requires summary implementation plans to be attached to complex submissions.

The Manual places more pressure on the Cabinet Office as well, for example to help the Prime Minister focus Cabinet meetings on major strategic issues, as well as giving members of the Cabinet more time to review submissions before each meeting. My office is also required to provide greater support to Ministries, both in preparing policy proposals and in implementing Cabinet decisions that require coordination across multiple Ministries.

I therefore look forward to the cooperation of Permanent Secretaries, as well as my own staff, to implement these revised procedures agreed by the Cabinet.

Finally, I should emphasize that the Cabinet Office exists to support the collective work of the Cabinet and to support individual Cabinet members. Together with my staff, I pledge to all members of Cabinet that we are committed to support your critical roles under the Constitution of Grenada. As part of that commitment, we are available at any time to discuss the support we can provide to you and the officials in your Ministries.

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1 SOURCES OF CABINET GOVERNMENT

1.1 Constitutional Authority of the Cabinet

The Cabinet consists of the Prime Minister and all other Ministers; it is the collective forum for Ministers to make decisions on questions of government policy and administration. In practice, all significant matters are decided by collective Cabinet decision.

The Cabinet of Grenada is expressly created by the Constitution of Grenada, Statutory Instrument 1973, No. 2155. Section 59(1) of the Constitution declares that,

There shall be a Cabinet of Ministers for Grenada which shall consist of the Prime Minister and the other Ministers.

If the Attorney-General is not a Minister, then the Constitution provides that he or she will be an ex-officio member of the Cabinet.

According to section 59 (3) of the Constitution,

The functions of the Cabinet shall be to advise the Governor-General in the government of Grenada.....

The same section enshrines the principle of collective responsibility:

..... the Cabinet shall be collectively responsible to Parliament for any advice given to the Governor-General by or under the general authority of the Cabinet for all things done by or under the authority of any Minister in the execution of his [or her] office.

The Cabinet's functions are thus very broad. In practice, it is in the Cabinet where major policies are considered before they are announced by the Government, where most draft laws are discussed before they are introduced into the Parliament and where the Government's budget proposals are agreed before they are submitted to the Parliament. Section 4.1 of this Manual provides more detailed guidance on the issues that should be brought to the Cabinet for decision.

The only functions explicitly excluded by Section 59 relate to the appointment and removal of Ministers and Parliamentary Secretaries, assignment of functions to Ministers, authorization of a Minister to act as Prime Minister, dissolution of Parliament and matters relating to the prerogative of mercy under Section 72 of the Constitution.

The power of Cabinet is highlighted in Sub-Section 62(1) of the Constitution, which provides that "the Governor-General shall act in accordance with the advice of the Cabinet or a Minister acting under the general authority of the Cabinet except in cases where he is required by this Constitution or any other law to act in accordance with the advice of any person or authority other than the Cabinet or in his [or her] own deliberate judgment." For example, Section 85 of the Constitution requires the Governor-General to

act in accordance with the advice of the Public Service Commission in making appointments to the positions of Secretary to the Cabinet, Permanent Secretary and head or deputy head of a government department.

The Constitution is therefore clear that, with certain exceptions, the Governor-General shall follow the advice of Cabinet, although Section 108 prevents decisions being challenged in court because that advice was not received or acted upon.

1.2 Separation of Powers

The Cabinet is the executive branch of government and section 59 of the Constitution highlights that the Ministers are 'responsible' in governmental terms. Ministers meet collectively in Cabinet to consider the business of government. They are chosen from amongst the members of the Parliament.

Chapter III of the Constitution sets out the powers and functions of the Parliament; chapter IV (including the provisions referred in section 1.1 above) set out the powers and responsibilities of the executive; and Chapters I and VIII deal with the role of the judiciary in Grenada. Taken together, these provisions establish the link between the 'political executive' (Cabinet) with the Parliament and the distinctly separate role of the Judiciary.

The overall framework is the constitutional monarchy and the branches of government responsible for governing the nation. The organization of the Executive 'Ministry' reflects Grenada's commitment to the constitutional monarchy and ministerial responsibility for the daily administration of government. The concept of elections to Parliament reflects the core principles of democratic representation of and accountability to the people of Grenada. The independent judiciary reinforces the Constitution's commitment to the rule of law. The critical point here is that the Constitution provides the basis for judicial checks on the legality of the exercise of public power in appropriate circumstances, including decisions of the Cabinet.

2 PRINCIPLES OF CABINET GOVERNMENT

2.1 Collective Responsibility

As stated in section 1.1 above, collective responsibility is one of the fundamental pillars of the Constitution of Grenada. All members of the Cabinet are collectively responsible for policy decided in the Cabinet and for the individual acts of other Ministers.

This principle is not affected by the assignment of responsibility for separate portfolios to individual Ministers. Decisions made by a Minister about any matter in his or her portfolio, when it is not within policy already decided by the Cabinet, must always be such as could, without doubt, be defended by the Cabinet.

The Cabinet is therefore much more than a forum for Ministers to discuss their individual responsibilities or a convenient way for the Prime Minister to supervise individual Ministers in their general direction and control of their Ministries. Cabinet is the instrument which reconciles Ministers' individual responsibilities for their portfolios with their collective responsibility for the Government as a whole. Cabinet approves policies and programs and oversees their implementation, and it approves draft legislation to be introduced by the Government into the Parliament for consideration. All Cabinet members share collective responsibility for each of the policies and other decisions agreed by Cabinet and for their implementation by the relevant organs of government.

All major matters of policy, and important matters on which there may be doubt regarding the opinion of other members of the Cabinet, and all subjects on which there is an unresolved difference of opinion between Ministries, should be put before the Cabinet.

Should any Minister disagree with an action taken by a fellow Minister without prior consultation with the Cabinet, the offended Minister should first engage his or her fellow Minister in discussion to secure an amicable settlement of the difference or differences. If no resolution is achieved, he or she is entitled to make representations to the Cabinet and, in that event, the Cabinet will decide whether or not the action should be upheld.

The principle of collective responsibility, common in many Cabinet systems across the world, effectively binds each member of the Cabinet to publicly support and defend the policies of the Government. Once taken, decisions of the Cabinet are binding on all its members. They must take any necessary action to support and facilitate implementation of Cabinet decisions by other Ministers and organizations (see section 2.2 below) and expect the same from their Cabinet colleagues. Thus, it is the responsibility of Ministers to be fully abreast of national policies as well as those specific to their portfolios.

The Government must 'speak with one voice' on major issues, to avoid undermining support for the Government's agenda and to present a united front to citizens, markets and international stakeholders.

The doctrine of collective responsibility thus expects reasonable “unity” within the Government. This means that members support the final consensus decision even if they initially disagreed with it. In a constitutional monarchy, there are three reasons why this is important:

- a) presenting united decisions to the Parliament better assists the requirement of maintaining a majority of votes in the Assembly to support the Government in office;
- b) presenting united decisions to the public sector enables officials to implement decisions, certain that the policy is supported by all Ministers; and
- c) presenting united decisions to the public allows for democratic and political accountability for the government as a whole to the country, rather than an individual Minister making decisions on his or her own.

Ultimately, exactly how collective responsibility applies will depend on the circumstances, including the judgment of the Prime Minister and other members of the Cabinet. Collective responsibility is fundamental and applies especially when there are different political views represented in the Cabinet. Therefore, there is a need for clear rules about collective responsibility in order to ensure stable government.

Collective responsibility means:

- a) An individual Minister has the right and a clear duty to state views at Cabinet meetings for or against any proposal;
- b) In general, Cabinet decisions are made by consensus, and once a decision is taken, each Minister is expected to support the decision in public and in the Parliament; for as long as a Minister remains a member of Cabinet, he or she may not speak in public or in private against a decision of the Cabinet or against an individual decision of another Minister;
- c) A Minister should not speak or vote on any measure debated in the Legislature otherwise than on the lines agreed to by the Cabinet (unless the Prime Minister or Cabinet has decided that a conscience vote will be allowed to Ministers on a specific matter before the Parliament);
- d) A Minister must refrain from making any speech or do any act which may appear to implicate the Government, for what he or she does;
- e) No Minister should commit his or her colleagues to a particular policy or course of action without the authority of Cabinet; and a Minister ought to be wary about expressing personal opinions about future policy except after consultation with the Prime Minister;
- f) If a Minister in good conscience is unable to support a decision taken by the Cabinet, the Minister should seek advice from the Prime Minister on an appropriate course of action, which may in some circumstances include tendering his or her resignation;
- g) Ministers should always respect the confidentiality appropriate to collective decision-making;

- h) Effective decisions about applying the principle of collective responsibility rest ultimately with the Prime Minister; and
- i) An important exception to the principle of collective responsibility is where the law explicitly allocates decision-making power to a specific Minister. But even here, careful judgment should be exercised so that fellow Ministers are able to support the process, as noted below.

In summary, in practical terms:

- a) A Minister must not vote against Government policy;
- b) A Minister must not speak against Government policy;
- c) A Minister should not take a decision on any matter that has financial, legal or policy implications without first referring it to Cabinet;
- d) All Cabinet decisions are decisions of the whole Government;
- e) Decisions reached by the Cabinet are binding on all members of the Government; and
- f) The internal process by which a decision has been taken should never be disclosed.

2.2 Individual Ministerial Responsibility

In addition to the principle of collective responsibility, Ministers are individually responsible in political and legal terms for the implementation of policy and the exercise of relevant statutory powers and functions within their portfolios. They are also responsible for ensuring that there is effective communication with key officials, for the overall performance of the portfolio, and for appropriate professional conduct by Ministers and officials. These responsibilities require understanding of the scope and relevant issues in the portfolio and the ability to state the issues clearly in Cabinet, the Parliament and, when necessary, to the public.

There is an important boundary between routine policy within a Ministry (which Ministers should manage as part of their ordinary duties) and matters which should come to the Cabinet for decision. Section 4.1 below described the matters that should be referred to Cabinet, including for example:

- a) any activities that are likely to be widely controversial or unpopular;
- b) plans for a national public consultation relating to a Minister's portfolio on matters of public interest; and
- c) reports on the likelihood or results of major litigation, and lessons learnt.

A general principle is that Cabinet expects Ministers to manage their own routine matters and not take up Cabinet's time inappropriately. However, the doctrine of collective responsibility requires Ministers to exercise good judgment so that they consult Cabinet colleagues and bring any new or important policy matters for collective decision, in circumstances where they would have themselves regarded it as appropriate to have been consulted. A slightly different test is for a Minister to ask himself or herself whether the Prime Minister would be surprised if the matter was not brought to Cabinet.

The requirement of ‘good judgment’ requires all Ministers to consider carefully the submissions and reports of fellow Cabinet Ministers, so that collective decision-making is efficient and effective.

Ministers are individually responsible to the Parliament for their own activities as Ministers and the activities of public officers in their areas of responsibility.

Some ministerial portfolios are recognized in the Constitution or statutes, and aspects of the responsibilities of individual Ministers may be defined in law.

Ministers should carefully consider not only the boundaries between their individual and collective responsibilities, but also the circumstances in which the carrying out of their roles might be the subject of rules of practice or law that should be considered. For example, when Ministers attend regional or international meetings, they represent and speak for the country, as a whole, within their ministerial responsibility.

Of particular importance are portfolios that deal with the administration of the law. Hence the role of the Minister responsible for police is subject to a clear expectation that the Police Commissioner and the Royal Grenada Police Force will be independent regarding operational matters from the political leaders of the country. It is not appropriate for the Minister for the Police or the Minister for National Security to be involved with or give directions on operational matters of crime enforcement, such as investigation and prosecutorial powers. However, there are circumstances in which the Police Commissioner would be well-advised to ensure that his or her Minister was at least kept informed of significant developments. On broad policy and budget matters, however, the Minister for the Police’s role is not circumscribed.

The general test for all individual Ministers is that they should focus on ensuring that the government’s key policy agenda is well understood, and that steps are being taken to implement it. Also, they should be fully aware of key developments in their portfolios. This requires that Ministers are appropriately briefed on relevant administrative, managerial and operational matters. But there is always a boundary concerning operational decisions that should be respected to avoid intrusion into the responsibilities of the Permanent Secretary of the Ministry – for example a Minister should not decide personal, individual matters, but should set the broad policy under which decisions are made on individual cases and ensure that the system is working effectively.

2.3 Collaboration and Consultation across Government

Many of the major challenges and opportunities facing Grenada require a coordinated approach across the whole Government, or at least across multiple Ministries. The Cabinet has a critical role to play in coordinating both policy development and implementation across the Government. One of the strengths of Cabinet systems around the world is that they bring Ministers together to enable not just collective responsibility, but also collective action on complex problems and opportunities beyond the reach of any one Ministry.

The procedures specified in this Manual therefore aim to maximize cooperation among Ministers and their Ministries, both in developing policies and in implementing them. The procedures require Ministries to consult with other Ministries and agencies potentially affected by their policy proposals, to avoid

unintended undermining of other Government priorities and to take advantage of opportunities to cooperate and reinforce the policies being implemented by another Ministry. The accountability of individual Ministers and their Ministries and departments for their own performance should not be at the expense of coherent policies or coordinated implementation where needed to achieve national priorities.

As spelled out in section 6.1 of this Manual, other relevant Ministries should be consulted in the initial preparation of draft Cabinet submissions, which must then inform the Cabinet what consultation has taken place and the views of other relevant Ministries and agencies.

2.4 Decision-Making Informed by Evidence

The complexity of many of Grenada's challenges and opportunities require careful deliberation based on the best information and advice available to the Cabinet.

For example, Cabinet may require evidence of the need for Government action, to justify the Government's attention and the allocation of resources. Evidence of the scale of the problem and the urgency of the proposed steps to address it may be needed to justify the priority given to it. Evidence may also be needed to understand a problem, to enable the Government to address underlying causes and not just their symptoms.

Cabinet also often requires evidence on what works in what circumstances, to enable it to assess whether the interventions proposed by Ministries are likely to have the desired impact.

Proposed policies and programs must be capable of being implemented. Many Governments find that many of the decisions they take are not implemented. For many proposals to be implemented, necessary funding must be available, systems and procedures established, skilled staff recruited and/or trained, relevant laws must be in place and equipment and supplies procured. Given competing demands on the nation's scarce resources and the need to develop capacity in many fields, implementation planning must begin **before** a proposal is submitted to Cabinet. Ministers proposing new policies and programs and other interventions must convince their colleagues that their proposals can be implemented and that they have analyzed the steps needed to do so.

Successful implementation of many policies requires not only public sector resources, but also changes in the behaviour of other stakeholders, who may be individuals, communities, businesses or other organizations. For example, a program to reduce youth unemployment may require the cooperation of employers in recruiting young workers and the participation of young people themselves to take advantage of the opportunities created. Likewise, a policy to increase private sector development will depend on how potential investors respond to the incentives or other actions taken by the Government. These responses are often hard to predict, depending on many factors such as attitudes, capacities and resources, especially for cross-cutting policies.

The evidence required by Cabinet to support proposals may come from formal evaluations of previous initiatives in Grenada or elsewhere, implementation reports on how public officers or others responded to previous government decisions or direct research into attitudes and capabilities. Evidence of need can

come from government statistics or special surveys, or qualitative case studies, or data collected through management information systems or project monitoring.

In preparing proposals for Cabinet consideration, Ministers also have a special responsibility to assess the evidence and analysis provided by international advisers or donors based on experience elsewhere. Grenada must benefit from international lessons, both positive and negative ones, but it is critical that these be fully analyzed to ensure that they are relevant for a small island nation in the Caribbean, with all its strengths and challenges. The feasibility of proposals needs to be carefully assessed, taking into account local practices, capacities and the environment within which the proposals would be implemented.

In the course of developing this Manual, a survey of recent Cabinet Submissions highlighted that many proposals to Cabinet failed to provide evidence and analysis on all these issues.

2.5 Confidentiality of Cabinet Discussions and Documents

The fifth principle is that the deliberations of the Cabinet, and the documents on which they are based, must be confidential. Cabinet is a forum for Ministers to discuss issues candidly. The frankness of its discussions is facilitated by the strict observance of confidentiality, which minimizes the fear of potential disclosure of the position taken by individual Ministers in discussion of sensitive plans being considered by the Government.

While the governance of Grenada is based on a strong principle of transparency, the high stakes and interests involved in many decisions require the Government to have some private space to determine its priorities, resolve internal differences and question itself before facing public scrutiny and accountability. The confidentiality of Cabinet meetings allows Ministers to discuss a wide variety of matters openly with the full knowledge that they are working towards a collective decision. If the discussions in the Cabinet room were not confidential, and the positions taken by individual members of the Cabinet were publicly known, then it would be much more difficult to maintain collective responsibility for decisions.

The principle of Cabinet confidentiality is similar to the concept of legal professional privilege, which protects the discussions between lawyers and their clients. Cabinets around the world have adopted procedures to protect their capacity to make decisions based on honest advice from advisers and robust, internal discussion of the full range of options before announcing a new policy or submitting draft laws to the Parliament.

The procedures in this Manual also ensure that Cabinet's decisions are not pre-empted by disclosure of options before the meeting. Ministers should refrain from making public statements or commenting on policy proposals that they or other Ministers intend to bring to Cabinet. Similarly, Ministers should not accept invitations to speak or comment publicly on matters outside their Ministerial portfolios without first obtaining clearance from the relevant Minister.

This confidentiality principle extends to the agendas for meetings of Cabinet, the submissions prepared by Ministers and the written conclusions of Cabinet before they are announced. Copies of submissions

are printed by the originating Ministry and should not be disclosed to anyone except in the course of official business to persons who need to know. Drafts of the above documents should also be protected.

Even after a decision is made and announced by the Government, the documents and discussions leading to it remain confidential, unless publication is authorized by Cabinet or the Secretary to the Cabinet. Otherwise there is a risk that Ministers and advisers would be inhibited in future in providing frank opinions and in participating in candid discussion if they thought their contributions would be later made public.

The confidentiality of Cabinet deliberations and documents applies to the whole Cabinet process, including Cabinet sub-committees. The above requirements also extend to all officials attending Cabinet or Committee meetings or required to read Cabinet documents, including staff of the Cabinet Office and Ministries. Subject to other provisions of this Manual, attendance at Cabinet Committee meetings shall be limited in order to safeguard the confidentiality of Cabinet and its deliberations (see section 8.2)

In order to ensure their confidentiality, all Cabinet documents should be handled in accordance with the procedures in section 11 of this Manual. They should only be released to the public or non-government parties with the written permission of the Secretary to the Cabinet, noted in writing on the documents themselves.

Any breaches of this confidentiality principle and any questions regarding its interpretation should be referred to the Secretary to the Cabinet.

2.6 Integrity

Ministers are expected to devote appropriate time to official business, both as members of the executive and as members of the Legislative Assembly. Holding public office is therefore regarded as a full-time occupation.

Accordingly, accepting additional payment of any nature whatsoever always risks exposing a Minister or official to allegations of bribery, corruption, or conflicts of interest. Apart from being bad government, there is a risk of criminal prosecution. This is particularly the case if a payment is, directly or indirectly, for doing anything that could be regarded as part of a person's official responsibility. Accepting significant gifts of any sort, including customary gifts, requires good judgment and should be discussed with the Prime Minister, and recorded and may be subject to retention by the State.

For the same reasons, Ministers must ensure that no actual or reasonably perceived conflict exists (or appears to exist) between their public duty and their private interests. Private interests that could give rise to conflicts could include, for example, a Minister's business interests, a Minister's family's interests, association with non-public bodies, receipt of gifts or fees. Appearances can be as important as reality in conflict of interest issues and must be considered in establishing acceptable behavior.

The Integrity Commission maintains a Register of Ministers' assets and requires Ministers to declare any pecuniary interests, such as shareholding in a private company they control or significant assets they own or control.

If a conflict of interest does arise in the course of Cabinet business, the following possible measures should be considered:

- a) a Minister must declare the conflict, but if it is not serious may still receive information and participate in a decision; or
- b) if the issue is more serious, a Minister must declare a conflict, and withdraw from receiving any information or participating in a decision, including discussing the matter with those who will be involved in the decision making; or
- c) responsibility for a decision or proposal may be transferred to another Minister; or
- d) the Minister may be required to divest himself/herself of the interest that causes the conflict.

Which course of action is appropriate will depend on the particular circumstances, including the nature of the interest involved and the nature of the decision. Thus, a Minister with a sick child is not likely to be perceived as having a conflict of interest in arguing for better health care services in general. But a Minister with a sick child seeking the specific allocation of funds to allow that child to receive an operation would obviously have a conflict of interest. It is not possible to cover all circumstances with examples; broad principles must guide decision-making here. Ultimately, ethical conduct requires consent, acceptance of the issues, and self-enforcement. Also, the law (including the criminal law) stands behind these principles.

In practical terms, Ministers should ensure that any possible conflict of interest is promptly addressed. The Secretary to Cabinet should be kept informed and the Prime Minister advised. If in doubt about the appropriate course of action, Ministers should consult the Prime Minister or the Secretary to Cabinet. Specific procedures regarding a conflict of interest that arises during a Cabinet meeting are described in section 8.4.

There is a somewhat grey boundary between conflicts of interest and corruption. The association between the two means that great care must be taken by Ministers and officials to deal openly with any conflicts of interest.

Cabinet members must comply with the Integrity in Public Life Act (No. 14 of 2007) as amended by Act No.2 of 2008 (Laws of Grenada, vol. 8 cap 150A).

Ministers are also expected to comply with the Ministerial Code, a copy of which is available from the Cabinet Office.

3 KEY ROLES IN THE CABINET SYSTEM

3.1 The Prime Minister and other Ministers

Section 58 of the Constitution provides for the positions of Prime Minister and other Ministers, to be appointed by the Governor-General. The Prime Minister must be a member of the House of Representatives whom the Governor-General believes likely to command the support of the majority of the members of that House.

As the leading Minister of the Government, the Prime Minister presides over Cabinet. He or she leads the Government in the House of Representatives and is the principal spokesperson for Government. The Prime Minister also has residual responsibility for the administration of any department or government property not otherwise specifically provided for.

The Prime Minister chairs Cabinet meetings. Cabinet determines and regulates its own procedures, with support from the Secretary to the Cabinet, but final decisions on procedures rest with the Prime Minister.

Other offices of Minister may be established by Parliament or by the Governor-General, subject to any laws enacted by the Parliament, acting in accordance with the advice of the Prime Minister. Other Ministers must be members of either the House of Representatives or the Senate.

Ministers exercise powers within the Constitution and the law, including:

- a) participating in, and supporting, Cabinet decision-making;
- b) overseeing and directing the public service in the areas of their portfolio responsibilities;
- c) being responsible and accountable to the Parliament; and
- d) making delegated legislation if so empowered by statute.

The responsibility of Ministers in the Parliament for government policy as a whole (collective responsibility) and for their own performance in particular (individual responsibility) is a key part of governmental accountability and is discussed further in sections 2.1 and 2.2 of this Manual.

Section 58 and other sections of the Constitution also specify the circumstances in which the Governor-General may remove the Prime Minister from office and those in which the office of a Minister becomes vacant.

Section 60 of the Constitution provides that the Governor-General, acting in accordance with the advice of the Prime Minister, may assign to any Minister responsibility for any business of the Government, including the administration of any government department. This allocation of responsibilities is set out in the Instrument of Appointment.

The Constitution, in Section 61, also provides for appointment of an acting Prime Minister when the Prime Minister is absent from Grenada or is unable to perform the functions of Prime Minister by reason of

illness. In appointing an acting Prime Minister, the Governor-General is required to follow the advice of the Prime Minister, unless it is impracticable to obtain that advice.

The Constitution also includes provisions for appointment of Parliamentary Secretaries from among the Senators and members of the House of Representatives to assist Ministers in the performance of their duties. Parliamentary Secretaries do not attend meetings of the Cabinet.

All Ministers and Parliamentary Secretaries are required to take both the Oath (or Affirmation) of Allegiance and the Oath/Affirmation of Office, as specified in Schedule 3 of the Constitution.

3.2 Cabinet Committees

From time to time the Cabinet may establish Cabinet sub-committees to work on specific issues or processes. These Cabinet committees often provide a preliminary forum for more detailed consideration and discussion of issues before final decision-making by a full Cabinet meeting.

Cabinet committees derive their power from Cabinet. All Cabinet committee decisions should be reported to Cabinet for confirmation and Cabinet retains the ultimate power of decision, unless the power to make decisions is expressly delegated by Cabinet to a Cabinet Committee. In all other cases, Ministers and public officers must not act on Cabinet committee decisions until they have been confirmed by the Cabinet.

The Cabinet may determine the structure of Cabinet committees and the membership, chair and terms of reference of each Cabinet committee. Generally, these will be ad hoc sub-committees set up for a limited time.

Most of the procedures in this Manual will apply to such committees, their documents and meetings. However, sub-committees will usually operate with less formal meeting procedures and may include members who are not Ministers, for example Parliamentary Secretaries, senior officials or external experts.

The Cabinet conclusion establishing the Cabinet committee will specify the chair of the committee and its membership, as well as its terms of reference. Except where otherwise noted in the relevant Cabinet conclusion, other Ministers may attend meetings of a committee.

The Cabinet Office will provide secretariat support for Cabinet committee meetings (as outlined in the following section for Cabinet meetings), with technical support provided by other organizations where required.

Except where explicitly decided otherwise by Cabinet, the proceedings and documents of Cabinet committees are subject to the confidentiality provisions applying to meetings of the full Cabinet. In most cases ad hoc sub-committees will prepare recommendations to the full Cabinet, which will also be confidential unless approved by Cabinet for publication.

Decisions and recommendations of sub-committees are not subject to the collective responsibility principle and do not bind committee members or other members of Cabinet.

From time to time the Cabinet may also establish standing sub-committees to perform on-going functions on behalf of the Cabinet, in order to reduce the number of proposals being submitted to full Cabinet meetings and to enable Cabinet to focus on more strategic issues.

One such sub-committee is the standing Cabinet committee on Training and Travel, which is responsible for:

- a. developing guidelines and criteria for proposed training and travel by public officers and members of the Government, to ensure that decisions on training and travel reflect national priorities (including decisions on who attends training and on essential travel), represent value for money in utilizing government funds and opportunities provided by international partners) and consider the indirect costs of officials undertaking training or travel;
- b. approving specific training and travel proposals on behalf of the Cabinet where those proposals are consistent with the guidelines agreed by Cabinet;
- c. referring to Cabinet proposals that fall outside the approved guidelines or that raise major national or political issues; and
- d. reporting to Cabinet every 6 months on the approved training and travel and evidence of its benefits for Grenada.

Cabinet committees may also be established from time to time to deal with other routine proposals, to enable the Cabinet to focus on strategic priorities.

3.3 Secretary to the Cabinet and the Cabinet Office

Section 68 of the Constitution establishes the office of Secretary to the Cabinet, in charge of the Cabinet Office which is part of the Office of the Prime Minister. Under Section 85, in appointing the Secretary to the Cabinet, the Governor-General is required to act on the advice of the Public Service Commission.

The Secretary to the Cabinet is Head of the Public Service and reports directly to the Prime Minister.

The Cabinet Office has the principal role in the provision of advice, on a daily basis, to the Prime Minister and the Cabinet on a wide range of complex issues that confront the Government, particularly its policy priorities. The Office plays a central role in coordinating and leading the work of government Ministries and agencies, and other entities as appropriate, to ensure that decision-making takes account of all relevant viewpoints and that advice is as coherent and complete as possible.

Section 68 specifically makes the Secretary to the Cabinet responsible for arranging the business for the Cabinet, for keeping the minutes of its meetings, for conveying its decisions to the appropriate person or authority and for such other functions as the Prime Minister may direct.

The Secretary to the Cabinet and Head of the Public Service is responsible for support to the Cabinet, its Committees and its decision-making processes, including the following functions:

- a) conducting and maintaining the central decision-making procedures and process of the Cabinet;
- b) providing administrative and secretariat support to the Cabinet and its Committees;
- c) preparing draft agendas for the approval of the Prime Minister, as well as a forward program for Cabinet meetings;
- d) providing guidelines and advice to Ministries on the preparation of Cabinet Submissions and reports, especially to ensure they are informed by appropriate evidence;
- e) registering papers submitted for Cabinet consideration;
- f) reviewing documents submitted to Cabinet to ensure they comply with this Manual, including use of standard formats and adequate evidence for Cabinet to make an informed decision, and where necessary advising a Ministry to redraft a submission to meet the requirements of this Manual;
- g) distributing materials for Cabinet and Committee meetings;
- h) attending all Cabinet and Cabinet committee meetings to facilitate and record impartially the decisions taken;
- i) distributing Cabinet decisions to Ministries;
- j) advice on Ministers' conduct, public duty and potential conflicts of interests;
- k) coordinating, monitoring and reporting on the implementation of Cabinet decisions;
- l) preparing summary reports of Ministry performance, especially on the implementation of Cabinet decisions;
- m) supervising rules on the handling of Cabinet documents;
- n) maintaining the official archive of Cabinet documents including decisions and submissions;
- o) establishing specific procedures, standard formats and quality standards for Cabinet submissions and reports;
- p) supporting Ministries to comply with the procedures contained herein, including through support for Cabinet Liaison Officers (see below) and specific capacity building activities;

- q) providing briefing and advice to the Chairs of Cabinet and Committees on the handling of matters submitted to Cabinet;
- r) communicating with the Office of the Governor-General to initiate the appointment of Ministers and Parliamentary Secretaries and the relevant instruments when appointments are revoked;
- s) updating the Cabinet Manual to reflect changes in practice and emerging issues; and
- t) other functions that the Prime Minister may assign from time to time.

The Cabinet Office is also responsible for supporting the strategic role of Cabinet in defining the medium-term priorities of the Government and supporting and tracking implementation of those priorities and other decisions of the Cabinet, and reporting to Cabinet on the progress in implementing its decisions.

Working closely with the Ministry of Finance, the Cabinet Office is the center of excellence for policy development and corporate planning, providing guidelines, templates and training for Ministry staff.

Specific strategy and policy functions of the Cabinet Office include:

- a) advising the Prime Minister and the Cabinet on the Government's Medium Term Agenda, including review of development plans and political statements, coordinating input from the Ministry of Finance and other Ministries, risk analysis and preparation of drafts;
- b) reviewing the content of draft Cabinet submissions to ensure compliance with Cabinet rules on the use of evidence, analysis of options and implementation plans, as well as consultation with other Ministries;
- c) where necessary assisting Ministries to prepare specific policy submissions and providing policy advice to the Prime Minister on submissions;
- d) coordinating the content for Cabinet Retreats; and
- e) supporting Ministries to undertake corporate planning consistent with the Government's national priorities (such as those highlighted in the Government's Medium Term Agenda).

The Cabinet Office is also responsible for development and supervision of a monitoring system to support and track the implementation of the Medium Term Agenda and other national planning decisions. This includes developing performance indicators on policy implementation, specifying formats for reporting implementation of decisions and national priorities, collecting performance data from Ministries, arranging surveys of users and potential beneficiaries, compiling and analyzing implementation reports and dashboards for Cabinet, the Parliament and the public, commissioning major evaluations and providing guidelines and training for Ministries on monitoring and evaluation.

In performing these monitoring functions, the Cabinet Office's role is not just to track and report on Ministry performance, but also to provide pro-active support to Ministries to develop effective policies and to implement the decisions of the Cabinet. The Office works cooperatively with Ministries to support the Cabinet's priorities, in some cases by convening committees or task forces established by the Cabinet

to coordinate the development of complex policy proposals or to coordinate implementation and/or implementation where necessary to achieve effective coordination of complex policies. The Cabinet Office also has responsibility for the following functions:

- a) Leadership development and management for the leadership level of the Public Service;
- b) Succession planning;
- c) Digital Transformation Agenda; and
- d) Centers of Government co-ordination.

As Head of the Public Service, the Secretary to the Cabinet is responsible for coordinating Government business with Permanent Secretaries.

3.4 Cabinet Liaison Officers in Ministries

The effective functioning of the overall Cabinet process depends not just on the Ministers that belong to Cabinet and the Cabinet Office, but also the support provided by line Ministries in preparing policy proposals, implementing decisions and reporting on implementation. In order to facilitate this, each Permanent Secretary shall, with the concurrence of his or her Minister, nominate an appropriate senior public officer to liaise with the Cabinet Office and other organizations on Cabinet matters.

These Cabinet Liaison Officers (CLOs) support Permanent Secretaries and other senior officials in their Ministry. They receive training and ongoing support from the Cabinet Office, to ensure each Ministry is able to comply with the collective requirements of the Cabinets, including:

- a) assisting their Ministries (including relevant departments and agencies) to prepare Cabinet submissions that are consistent with this Manual, including assistance in meeting the requirements for evidence;
- b) assisting their Ministries to comply with the guidelines, formats and criteria issued by the Cabinet Office;
- c) registering confidential Cabinet documents and arranging appropriate distribution within their Ministries;
- d) assisting their Ministries to submit Cabinet documents in a timely manner;
- e) coordinating with other Ministries to ensure that their Ministry's views and comments are considered in submissions being prepared by other Ministries;
- f) coordinating Ministry briefings to their Minister on Cabinet agenda items; and
- g) helping to compile reports on the implementation of Cabinet decisions.

3.5 Other Public Officers

The public service is the administrative part of the executive branch of government, and the relationship between Ministers and their Permanent Secretary and other officials is crucial to successful government. As with all important relationships, effectiveness requires mutual understanding of, and reciprocal respect for, relevant roles in the business of government. This should be achieved by regular consultation between a Minister and his or her Permanent Secretary and other senior officials.

The Minister's primary role, together with Cabinet, is to make policy decisions within his/her responsibilities and the applicable legislative framework. The Permanent Secretary and other officials are then obliged to implement such policy decisions and administer the relevant laws.

Ministers do not employ public officers directly, as clarified below. This establishes and protects the core professional relationship between Ministers and public officers, and protects them from personal obligations and liability. Public officers are required by their terms of employment, professional ethics and codes of conduct, and the law, to deliver effective and lawful service to the government of Grenada, and, also, to the public. In particular, public officers are required to act under the authority of lawful Ministerial or Cabinet decisions and requirements of the Public Service legislation. Ministers, in turn, are expected to act lawfully, and to give clear and reasonable direction and instruction in a manner that respects the legal status and professional role of the public service.

While it is the duty of a public officer to implement government policy, this should be balanced against another key professional obligation, namely, to offer the best possible advice about policy proposals or other matters. Always, this is done 'with respect'. On occasions, such advice might not be what a Minister would like to hear, especially if it seems contrary to what the Minister seeks to achieve. The common requirement for this obligation in Parliamentary systems is that public officers should offer 'free and frank' professional advice, and then abide by whatever the Minister or Cabinet decides, consistent with the law.

The purpose is obviously to enable Ministerial and Cabinet decisions to be taken on the basis of the best professional advice available. Public officials may understandably be nervous about this particular obligation. It is the reciprocal obligation of a Minister to create and sustain conditions of respect that allow such advice to be given, and in particular to ensure that if it is given, it is heard and carefully considered, and that no reprisal action is taken against public officers who give 'free and frank' professional advice.

A Minister is authorized under his or her inherent jurisdiction to engage consultants to provide further professional advice, in addition to that given by his or her officials. However, for the purposes of good governance and efficiency the channels of communication and demarcation of areas of advice should be well understood between the Minister, officials and consultants. Ultimately, the consultant could be required to work alongside officials to support the Minister.

If a Ministerial or Cabinet decision is still made contrary to the free and frank advice given by a public officer, the public service is expected to implement such decisions appropriately and fully. However, if a

decision or action is unlawful, the universal obligation is to obey the law and not the Minister. If this happens, officials should seek appropriate advice from the Attorney General.

All Ministerial action or decision-making is subject to review by the Courts, and the law ultimately provides a number of ways to make Ministers accountable for any unlawful actions they are responsible for, including impeachment, dismissal from office, or investigation by independent authorities.

Public officers must be politically neutral in their professional work, and also in such aspects of their private lives as may affect the perception that they are able to serve the Government of the day. They must act in such a way that they and their Ministry maintain the confidence of the Minister and the public.

Ministers should take care to ensure that they do not involve public officers in political activities because that is contrary to the law and could involve the public officer being disciplined or dismissed.

If a public officer chooses to be politically active then he or she should be advised to resign from the public service.

4 ISSUES FOR CABINET APPROVAL

4.1 Matters Requiring Cabinet Approval

Ministers must put before the Cabinet all significant matters of policy, including particularly matters that will or could affect other Ministers or Ministries.

The collective responsibility of Cabinet members and the interdependencies between the work of many Ministries demand that many issues be decided by Cabinet as a whole. A Minister who acts unilaterally without regard to wider implications for the Government and other Ministries risks undermining the coherence and collaboration of Government, as highlighted in section 2.3 above. At the same time, Cabinet's agenda should not be clogged with routine matters, denying it the time to focus on the major strategic issues facing the nation. A balanced approach is therefore required, with the Secretary to the Cabinet providing advice to the Prime Minister on the agenda for each Cabinet meeting and on matters that are best handled by other means, such as correspondence between Ministers.

Considering this need for balance and judgement, the matters requiring Cabinet's approval include:

- a) any significant policy proposal (either a new policy or a significant amendment to existing policy);
- b) government budget decisions and any proposal that has major financial implications outside of the approved Budget;
- c) any proposal in which other Ministries will have an immediate or direct interest;
- d) politically sensitive issues;
- e) proposed legislation including substantial amendments;
- f) proposals to enter into international treaties or agreements or matters that might affect Grenada's international obligations or relations in any significant way;
- g) major reform proposals, including those that seek to change the structure or functions of Ministries, departments or agencies;
- h) any other matters in respect of which the Constitution and other laws vest responsibility in the Cabinet; and
- i) any other matter on which the Prime Minister or the Cabinet decides that collective consideration is required.

As mentioned in section 3.2, proposals for training and travel should not be submitted for consideration by full Cabinet but should be referred to the Standing Cabinet Sub-Committee on Training and Travel.

The Prime Minister or the Cabinet may, from time to time, direct that other issues should be referred to a sub-committee or should be decided by individual Ministers (possibly based on criteria agreed by Cabinet), and therefore not submitted for consideration by full Cabinet.

If any Minister disagrees with an action that has been taken or a view expressed publicly by another Minister without prior Cabinet discussion, the first Minister may request that the matter be discussed by the Cabinet.

If a Minister is in doubt whether an item requires approval by the Cabinet, he or she should seek advice from the Secretary to the Cabinet, who will consult with the Prime Minister if required. Even where a law requires that an individual Minister make a decision, the matter must be brought before the Cabinet; the decision is taken by the Minister in the Cabinet.

4.2 Proposals involving Legislation

As mentioned in the previous sub-section, proposals that will (or might) involve legislation must be submitted to be considered and approved by Cabinet unless only minor, technical amendments are proposed.

Where a Ministry considers it necessary to propose major amendments to existing legislation or to introduce new legislation, that Ministry must, by way of a submission to the Cabinet, seek the approval of Cabinet for the main features of the legislation and the underlying policy. This 'policy submission' should be prepared and considered by the Cabinet before detailed drafting begins on the proposed legislation.

A Cabinet submission proposing new legislation or legislative amendments shall be in the same format as other submissions (see section 5.2 below). It shall explain why legislation is necessary, what options have been considered (including any non-legislative options), the likely impact of the proposed legislation and financial implications. The submission should also meet the other requirements for a Cabinet submission set out in section 5.2 and Annex 1. The submission, if approved by the Cabinet, will form the basis of the drafting instructions for the Bill.

A Ministry proposing legislation that may impact the responsibilities, activities or operations of other Ministries or agencies of Government has an obligation to consult with those Ministries or agencies prior to submitting its proposals to Cabinet.

Cabinet may require a Ministry proposing legislation to hold consultations with persons or organizations external to the Government, including employers, unions, community groups, women, the disabled and special interest groups prior to reaching a decision on the legislative proposal (see section 6.2 below).

If Cabinet agrees to a recommendation to introduce legislation, the responsible Ministry shall then prepare formal drafting instructions to the Ministry of Legal Affairs (specifically to the Attorney General) consistent with the policy submission and Cabinet's decision to enable the proposed legislation to the

drafted. To avoid wasted effort, bills shall not be drafted before Cabinet's consideration of the policy issues, except where the Minister for Legal Affairs has agreed that urgent amendments are required.

The Cabinet Office and the Ministry of Legal Affairs will provide detailed guidance to Ministries on the preparation of legislative proposals and legislative drafting instructions.

In some cases, where a draft Bill has been prepared in accordance with the policy decisions of the Cabinet, the responsible Minister and the Minister for Legal Affairs may agree to submit the Bill to the Parliament without further consideration by Cabinet. However, where significant policy issues have arisen during drafting or during consultation on the Bill, or where Cabinet has so directed, the draft Bill shall be submitted for explicit Cabinet approval before introduction into the Parliament.

4.3 Budget Proposals

Sections 75 and 76 of the Grenada Constitution establish the basic principle that the democratically elected Parliament must approve all taxation and customs and the spending plans of the Government.

Section 77 of the Constitution requires the Minister for Finance to lay before the House of Representatives each year the estimates of revenue and expenditure for the following year, and the Constitution goes on to prescribe the process for Parliamentary consideration and approval of appropriations.

The Constitution gives the Minister for Finance primary responsibility for bringing together the many individual initiatives into an overall budget for the Government, which is considered first by the Cabinet for approval for submission to the Parliament.

Proposals being submitted to Cabinet as part of the budget process will be governed by procedures issued separately by the Ministry of Finance in consultation with the Secretary to the Cabinet. These procedures shall include the standard format to be used for budget proposals.

5 PREPARATION OF CABINET SUBMISSIONS

5.1 Forward Program of Cabinet Business

When a Minister wishes to prepare a Cabinet submission, the Cabinet Liaison Officer should first notify the Cabinet Office of the subject and expected submission date, as well as any reasons for urgent consideration. This will assist the Cabinet Office in preparing a Forward Program of Cabinet Business for consideration by the Prime Minister to assist in planning future Cabinet meetings. The program will be based on the Government's Medium Term Agenda and other priorities, where necessary highlighting the major policy and legislative initiatives that will be needed if the Government is to fulfil its agenda.

The Forward Program is essentially a rolling 12-month calendar of Cabinet meetings, showing when key policy and legislative proposals will be considered. The first three months are detailed, with an outline of the business for the remaining nine months. The program will incorporate the process for Cabinet consideration of budget proposals and include the deadlines for finalization of the Government's legislation program for each sitting of the Parliament.

Individual Ministers are required to inform the Secretary to the Cabinet in advance of the dates on which they plan to submit specific proposals. They are then assigned agenda 'slots' for specific Cabinet meetings, depending on the priority of the proposal within the Government's overall policy agenda.

The Forward Program will be updated every three months following a request to all Ministries for information on forthcoming submissions.

To ensure Ministers are committed to the process, the draft Forward Program will be discussed and finalized by the Cabinet. Once approved, changes to the Program during the first three months will require the Prime Minister's authorization, based on a recommendation by the Secretary to the Cabinet.

The latest version of the program is available to Cabinet members from the Cabinet Office through their Cabinet Liaison Officers.

The box below summarizes the Forward Program steps.

The Forward Program procedure enables better-informed decision-making by creating more time and space for in-depth consideration of policy proposals. It also provides Cabinet with visibility of its future work program and the means to exercise better control and oversight, rather than simply reacting to proposals submitted by Ministries. Where possible the Cabinet Office will propose consideration of related proposals at the same meeting, for example proposals from different Ministries affecting the same sector or addressing broad strategic priorities. This helps the Cabinet to consider proposals more efficiently and strategically.

FORWARD PROGRAM OF CABINET BUSINESS

- Step 1: The Cabinet Office reviews strategic documents, such as throne speeches and budget speeches, to identify priorities of the Government and contacts the relevant Ministries to alert them of the need to bring the relevant submissions to Cabinet and to get an indication of when they intend to make those submissions.
- Step 2: Cabinet Office issues a 12-month calendar showing expected dates of Cabinet meetings and major deadlines (eg Budget process) and requests Ministries to specify when they will submit other draft policy and legislative proposals
- Step 3: Ministries submit bids for dates on which they intend to submit draft proposals, based on their business plans, together with an assessment of the urgency and importance of each proposal
- Step 4: Cabinet Office assesses bids, negotiates with Ministries to avoid clashes and prepares Forward Program calendar for the consideration of the Prime Minister and the Cabinet
- Step 5: Approved Forward Program is issued by the Cabinet Office, notifying Ministries of their agenda slots during the first three months
- Step 6: Cabinet Office uses the approved calendar to create the agenda for each Cabinet meeting and follows up with Ministries to ensure items are submitted on time
- Step 7: Cabinet Office rolls the program forward every three months (back to step 1).

5.2 Use of Submission Template

All proposals submitted for consideration by the Cabinet must be presented in the standard 'Cabinet submission' format in annex 1. This standard format enables Cabinet members to quickly understand what is being recommended and to ensure that proposals include information on the benefits of the proposal, whom it affects, financial and legal implications, relevance to and consistency with broad national policies and how the decisions would be communicated and implemented. The Ministry's Cabinet Liaison Officer should coordinate the drafting of the submission within the Ministry and advise on compliance with Cabinet's requirements.

The purpose of the Cabinet submission is to provide all Ministers with accessible information to facilitate informed discussion and decision-making by the Cabinet. While supporting documentation of greater detail and length can be attached, the Cabinet submission itself must stand alone, providing the critical information needed to enable Ministers to understand and consider the proposal.

Submissions not using the standard format shall not be accepted by the Cabinet Office.

All headings in the template must be included, with a brief note if the Ministry believes that some of the template is not applicable to the specific proposal. When preparing submissions Ministries do not have the option of ignoring some elements of the template that may be difficult to complete or may not support

the proposal being put forward. If information is not available, then this should be stated, with the reasons why, and how the information might be obtained if Cabinet regards it as critical in making its decisions.

Cabinet submissions to be considered by Cabinet must be signed by the relevant Minister and the Permanent Secretary, and should:

- a) be as short as possible, using appendices for essential detailed information;
- b) be written in plain, non-technical language, and not to assume that the reader has expert knowledge;
- c) contain clear recommendations to enable decisions to be easily and logically assessed;
- d) report on consultation with relevant Ministries and/or relevant external stakeholders (see section 5.3 below); and
- e) allow Cabinet to make a meaningful choice, by summarizing the assessment of at least 3 options with evidence of strengths and weaknesses.

The standard template, which may be updated from time to time based on feedback from Ministers, prompts Ministers to address the following issues in preparing submissions:

- a) the decision requested from Cabinet, with the recommendations drafted consistently with the style of Cabinet conclusions;
- b) previous Cabinet decisions on the same or related subject;
- c) how the proposed action will advance the strategic directions of the Government;
- d) evidence of need, for example how the location of proposed activities will be justified (if relevant);
- e) evidence that the proposed intervention will work (including how key stakeholders will respond, for example by participating in a program, responding to incentives to invest or complying with a proposed regulation);
- f) expected economic, social and environmental impacts of the proposal;
- g) likely impact on specific groups, for example women or specific industries or regions;
- h) the estimated cost and where the funds will come from and whether the Ministry of Finance and Economic Development has been consulted and has agreed;
- i) legal implications, including whether legislation is required and whether the Ministry of Legal Affairs has been consulted;
- j) the potential impact on other sectors or Ministries;

- k) which other Ministries have been consulted, and whether they agree with the recommendations;
- l) the result of any consultation with external stakeholders (see section 6.2 below);
- h) assessment of any implementation risks;
- m) how implementation and impact will be monitored and evaluated, with clear accountability, milestones and targets; and
- n) how the decision will be communicated and identification of potential opposition.

Except for budget proposals (see section 4.2 above), all Cabinet submissions are to comply with the standard format and be no more than five pages long. A modified version of the standard format shall be used for matters submitted for information only.

The Cabinet Office shall provide more detailed guidelines for Ministries through Permanent Secretaries on the preparation of draft Cabinet submissions.

5.3 Implementation Plans

For complex proposals involving substantial implementation steps, the Ministry should prepare a 1-2 page summary implementation plan, using the standard format in annex 2. The purpose of this requirement is to demonstrate to the Cabinet that the Ministry has analyzed the steps necessary to implement the proposal, that the proposal is technically feasible and that the proposed timetable is realistic.

Ministries should consult the Cabinet Office if they are uncertain whether a specific proposal requires an implementation plan to be attached to the submission.

The plan should identify those implementation steps that depend on other Ministries or external stakeholders, as well as highlighting any implementation steps that have a high risk of not being completed on time.

Ministries are advised to provide accurate estimates for the time required for each step. If the recommendations in the submission are approved by the Cabinet, then the submitted plan will form the basis of subsequent monitoring of the Ministry's implementation performance (see section 10 below).

Similarly, it is in the interests of the Ministry to highlight any specific risks, especially risks involving other agencies or outside stakeholders. Highlighting such risks at this stage enables the Cabinet to take early steps to ensure the cooperation of other agencies or take other steps to manage the risks. Failure to identify key risks in the summary plan will make it harder for the Ministry to avoid criticism if implementation does not go to plan.

The implementation plan should be attached to the draft submission when sent to the Cabinet Office (see section 6.1) and the final submission (see section 7.1).

6 CONSULTATION ON DRAFT SUBMISSIONS

6.1 Consulting other Ministries and the Cabinet Office

Given the potential implications of many proposals for other Ministries and sectors, all Cabinet submissions that involve complex policy proposals should be circulated in draft form to affected Ministries and the Cabinet Office before finalization and submission for Cabinet. This consultation process should be arranged through the respective Cabinet Liaison Officers.

Circulation of the draft submission to other relevant Ministries should take place prior to finalizing it with the Minister's signature. The submission template (Annex 1) requires the originating Ministry to list the other Ministries consulted and to summarize whether each consulted Ministry supports the recommendations, with short written comments from other Ministries included in an attachment to the submission where they oppose the recommendations or where significant issues are raised.

The Ministry of Finance, the Ministry of Legal Affairs and the Department of Public Administration shall review the financial, legal and human resource implications of draft proposals, respectively, before a submission is formally submitted and circulated. And any other Ministry likely to be affected by a proposal must also be consulted before a submission is finalized and submitted.

It is not enough to simply list Ministries and agencies with whom the proposal has been discussed. The originating Ministry must circulate the draft submission to relevant Ministries and agencies and provide sufficient opportunity for them to comment on the likely impact of the proposal on their operations or on their sector. Specific views of other Ministries must be recorded, including whether those Ministries agreed with the recommendations in the submission.

Many proposed policies, especially those focused on economic and social development, require a 'whole of government' approach, either at a policy level or in implementation, or both. For example, a school nutrition policy requires cooperation between education and health authorities. More broadly, development of Grenada's marine resources requires coordination of fisheries, tourism and transport policies, as well as appropriate investment incentives, management of runoff from land-based agriculture that may affect reefs and the development of human capital to make the most of the country's natural resources.

There are often technical or operational issues affecting another Ministry's programs or sector where the relevant Minister may not be sufficiently aware of the details to raise them in the Cabinet discussion. Circulation of draft submissions provides greater opportunity for Ministers to be briefed by their Ministries on the potential policy, technical or operational implications of another Ministry's proposal before the Cabinet discussion.

Consultation between relevant Ministries before a submission is signed by the Minister and submitted to Cabinet also provides an opportunity to settle any factual disagreements between Ministries before the proposal is circulated to the Cabinet members. Cabinet decision-making is an ideal mechanism to expose

and resolve issues of policy and priority, but it is not so well-suited to resolve differences between Ministries on factual or technical issues.

Given that the major purpose of this consultation is to iron out technical and operational issues affecting other Ministries and to resolve any factual disagreements between Ministries before the submission is circulated to the Cabinet, it is not essential that other Ministers are personally involved in this consultation process. However, all comments provided by Ministries should be recorded whether they are provided on the authority of the Minister or on the authority of the Permanent Secretary. Any comments provided by a Ministry without the authority of the relevant Minister, especially where they focus on technical or operational issues, shall not in any way limit that Minister's flexibility in raising other issues in the subsequent Cabinet discussion.

To avoid adding unnecessary bureaucratic delays, especially where other Ministries fail to respond quickly to draft submissions, other Ministries should be given a strict limit of 5 working days to provide comments on a draft submission. Cabinet Liaison Officers should give priority to meeting these consultation requirements within this deadline. Any undue delay by a Ministry in providing comments shall be referred by the originating Ministry to the Secretary to the Cabinet, to ensure that Cabinet consideration is not unnecessarily delayed or stalled. If necessary, the Secretary to the Cabinet may report persistent problems to the Prime Minister as the Chair of the Cabinet.

6.2 Consulting External Stakeholders

When preparing major proposals for Cabinet, Ministers are encouraged to seek information from external stakeholders, such as industry or community groups likely to be affected, as highlighted in the Social Compact. It is also important to obtain evidence on current problems through consultation or research, such as opinion polls or user surveys. This is an important part of preparing an evidence-informed proposal for the Cabinet.

However, this should not be done in a way that might breach Cabinet confidentiality by publicly disclosing proposals being considered for Cabinet. Prior consultation on a Cabinet proposal should not lead to Cabinet's decision being pre-empted or colleagues being 'stampeded' by building up external support for a specific option.

Confidentiality and the primacy of Cabinet as the decision-making body will be preserved if external consultation prior to initial Cabinet consideration is focused on problem identification and situation analysis, rather than seeking views on specific proposed solutions or options. For potentially controversial proposals, a Minister may decide to bring forward an initial Cabinet submission with options, seeking Cabinet agreement to then consult the public or specific external stakeholders on those options. For major proposals that are complex and politically sensitive, the Cabinet may agree to publication of a discussion paper that analyses a problem and outlines options to promote public discussion prior to a final Cabinet decision. Another alternative is to hold public hearings or workshops on a problem to explore possible solutions.

In summary, while widespread consultation and participation is encouraged for many major proposals, Ministers should seek Cabinet's agreement in advance if there is any risk that Cabinet's decision-making might be pre-empted.

7 SUBMITTING CABINET SUBMISSIONS

7.1 Deadlines

The Prime Minister may impose and enforce deadlines for submitting and circulating Cabinet papers.

Ministers may lodge Cabinet submissions at any time consistent with the approved Forward Program of Cabinet Business (see section 5.1). However, submissions not received by the Cabinet Office prior to 4pm on the Tuesday prior to the Cabinet meeting on the following Monday will normally be held over for a following meeting, unless the Prime Minister agrees that a decision is urgent for unavoidable reasons. This provides time for submissions to be reviewed, for the Cabinet Office to advise the Prime Minister on the proposed Agenda and for papers to be circulated well in advance of the meeting. (See section 8.1 below on preparing the Cabinet agenda for each meeting.)

Submissions must be lodged with 21 copies (subject to amendment as the e-Cabinet system is rolled out).

The agenda papers for each Monday Cabinet meeting will be circulated on Thursday, in time for other Ministers to review them and, where necessary, seek technical briefing from their own Ministry before the weekend. Given the requirement for circulation of draft submissions in subsection 6.1 above, key Ministries will already have been alerted to major incoming submissions and should already be preparing any expert advice required by their Minister for the Cabinet discussion.

Any late papers must be approved specifically by the Prime Minister, through the Secretary to the Cabinet, in written application by or verbal discussion with the Minister concerned.

7.2 Review by the Cabinet Office

On behalf of the Cabinet, the Cabinet Office shall review all submitted proposals before they are listed on the agenda for a Cabinet meeting, to confirm that they comply with these rules and procedures. In practice this step does not take much time where the Cabinet Office has already examined the draft submission and, if necessary, discussed any required amendments with the originating Ministry.

The Secretary to the Cabinet is authorized to return any submission that is incomplete, that has not met the requirements in this Manual or that has failed to consider adequately key issues or options.

As part of this process, the Cabinet Office is responsible for checking the format and clarity of the submission, as well as reviewing the policy content to ensure that key issues are adequately addressed, that the proposal is consistent with and adequately linked to the Government's strategic priorities and that the evidence put forward shows that the proposal can be effectively implemented to achieve its objectives.

8 CABINET MEETINGS

8.1 Meeting Agendas

Cabinet meetings are convened and presided over by the Prime Minister or, in the absence of the Prime Minister, by the Minister appointed as the Acting Prime Minister.

Any Minister can request the Prime Minister to call a special meeting of the Cabinet to consider an urgent issue.

Cabinet agendas must be approved by the Prime Minister for circulation before Cabinet meetings. (In relation to Cabinet committees, the Chair of the committee approves agendas and papers for circulation.)

The Prime Minister has the authority, in the absence of the relevant Minister, to direct a Ministry, through the Secretary to the Cabinet, to submit a Cabinet paper where necessary.

If a Minister requests Cabinet discussion of a matter within another Minister's area of responsibility, the matter should first be discussed with the responsible Minister and then approved by the Prime Minister with a direction as to which Ministry should submit the Cabinet paper.

A draft agenda for each normal weekly Cabinet meeting is prepared by the Secretary to the Cabinet, taking into account the Forward Program of Cabinet Business and the submissions that have already been received by the Cabinet Office, or are expected to be received by the Cabinet Office prior to the deadline for submissions in 7.1.

Submissions are not automatically listed on the agenda for the next Cabinet meeting, for example where more than one submission is being prepared on related subjects that should be considered together. The Prime Minister's desire to make Cabinet meetings more strategic may lead to grouping a number of submissions on related subjects, based on the Forward Program of Cabinet Business compiled by the Cabinet Office using information provided by Ministries (see section 5.1).

Submissions may also be held over for a later meeting if significant technical issues have been raised by other Ministries or if not all relevant Ministries have been consulted. This is to ensure that, when it comes to consider a submission, Cabinet has all the relevant information on the table to make an informed decision and that any factual disputes have been resolved. (This does not, however, imply that disagreements between Ministries on policy issues or priorities need to be resolved before submissions are discussed. Resolving such issues is, after all, a major role of the Cabinet.)

Submissions received after the deadline and any submissions that fail to meet the requirements in this Manual will not be included on the agenda for the next meeting, unless approved by the Prime Minister because of the genuine urgency of the issue.

To assist the Prime Minister's decisions on the agenda, the standard template for Cabinet Submissions requires Ministers to highlight the reasons for any urgency in making the decision and any related submissions being prepared (see section 5.2 above and annex 1).

In general, the agenda for a regular Cabinet meeting shall include (in the following order):

- a) Any issues to be raised by the Chair of the meeting;
- b) Confirmation of draft conclusions from the previous Cabinet meeting;
- c) Consideration of circulated submissions submitted by Ministers;
- d) Reports on Ministers' international travel or other significant events;
- e) Reports on implementation of Cabinet decisions; and
- f) Any other business (which is normally restricted to items for information only; proposals for Cabinet decision should be submitted as written submissions using the standard template).

This agenda order gives priority to substantial proposals on which Ministers have submitted written submissions and minimizes the time to be spent on reviewing the previous meeting or discussing issues not covered by submissions. As described in section 9.2, the Secretary to the Cabinet will have already circulated the draft conclusions from the previous Cabinet meeting.

After the agenda for a meeting is approved, the Secretary to the Cabinet shall circulate it to all members along with the papers relating to each item to be discussed. As noted in section 7.1, this should occur on Thursday for a Monday Cabinet meeting. As the e-Cabinet system is introduced, Ministers will be able access the Cabinet papers through the Government Electronic Filing System using the Government of Grenada Single Sign on from Office 365. Cabinet members will be advised by the Cabinet Office as further steps are taken to fully introduce the e-Cabinet system.

After the agenda and related documents are finalized, no item can be added to the agenda without the approval of the Chair. All requests for late additions to the agenda must be submitted to the Prime Minister through the Secretary to the Cabinet.

A Minister who wishes to raise a matter orally in Cabinet, because of great urgency or particular confidentiality, should inform the Prime Minister as early as possible through the Secretary of the Cabinet. In this regard Ministers should note that Cabinet requires substantial policy issues and other complex recommendations to be put forward in a written submission using the template described in section 5.2 and attached in annex 1.

The Prime Minister may call an emergency meeting of the Cabinet at any time by informing the Secretary to the Cabinet. When an emergency Cabinet meeting is called, the Cabinet Office shall inform Cabinet members of the time, venue and agenda for the meeting as quickly as possible, by phone or text message. The agenda for emergency meetings will generally be restricted to major, urgent issues that cannot wait until the next regular Cabinet meeting. Normal Cabinet business is not usually included on the agenda for

emergency meetings. See section 12.1 of this Manual for further information on the role of Cabinet during national emergencies.

The procedures in this section also apply to meetings of Cabinet committees (with references to the Prime Minister applying to the committee Chair).

8.2 Attendance

Membership of the Cabinet is an important responsibility of Ministers, which should take precedence over all other duties.

Attendance at meetings of the Cabinet (and relevant Cabinet committees) is therefore mandatory for all Cabinet members except where travel or other duties have been previously approved by the Prime Minister. If a member is unable to attend a Cabinet meeting for any reason, the Secretary to the Cabinet must be informed immediately and the Chair's permission obtained.

Absent Ministers may be represented by the acting Minister or by another designee, as agreed with the Prime Minister through the Secretary to the Cabinet. Unless urgent, all significant items for which the absent Minister is responsible shall be deferred to a subsequent meeting.

Ministers unable to attend a Cabinet meeting have a responsibility to brief the acting Minister or other delegate on matters to be considered in their absence and to indicate any views on proposals, so that the acting Minister can participate fully in the deliberation and Cabinet or the Committee can reach a firm decision. This avoids wasting other Ministers' time when issues have to be reopened when the absent Minister returns.

No meeting of the Cabinet shall proceed unless a quorum of more than 50% of its members is present.

In addition to Cabinet members, meetings shall be attended by the Secretary to the Cabinet who is responsible for secretariat and administrative support to the Cabinet.

Ministry officials and other individuals shall not be present for Cabinet discussions except with the explicit permission of the Prime Minister. If a Minister wishes to have a Ministry official or other individual present for the Cabinet's discussion of a particular agenda item, the Minister shall notify the Secretary to the Cabinet who will seek the permission of the Prime Minister. This notification must be submitted by 9am on the Wednesday prior to a Monday Cabinet meeting (to enable the Prime Minister to be approached at the same time as the meeting agenda is finalized and to give the official time to prepare).

Where the Prime Minister agrees, an official or other individual will be present for discussion of a specific agenda item to provide briefing to the Cabinet on technical issues and/or to answer questions on such issues. They shall not participate in Cabinet's deliberation and should only be present for the relevant agenda item. They will normally withdraw from the Cabinet room before Cabinet makes its decision on the recommendations.

Officials who are invited to attend a Cabinet meeting should observe the established protocols and hierarchy of their departments. For example, a head of division should allow the head of department to

speak first on a divisional issue and should not speak contrary to the head of department. The same applies to a deputy director.

Officials present at Cabinet meetings are subject to the confidentiality restrictions outlined in section 2.5.

8.3 Cabinet Etiquette

Cabinet meetings should be a reflection of the discipline, order and respect that is normally expected of other meetings. Cabinet is at the pinnacle of decision-making by the Executive and, for that reason, the standards expected of its members should be more exacting.

The Chair should always be respected and should always be addressed unless it is clear that the meeting does not require it. The Chair keeps order at the meeting, introduces each agenda item, directs discussion, and summarizes decisions.

In general, decisions are made by consensus as determined by the Chair. It is common for matters on which there is significant difference of opinion within Cabinet to be deferred until further information is provided and/or until consensus is reached.

Cabinet members shall:

- a) be punctual at all times and on all occasions;
- b) ensure that messages are not sent to them during meetings unless absolutely unavoidable, in order to not disturb the proceedings of Cabinet and its committees;
- c) not use mobile phones during Cabinet meetings;
- d) come to meetings fully briefed and well prepared; if a Cabinet member wishes to make use of statistics, reports or other information, this information should be submitted to the Cabinet Office for circulation to other Cabinet members prior to the deadlines set in Section 7.1.
- e) comply with the seating plan determined by the Prime Minister; if a member is unsure of the seating arrangements, then clarification may be sought from the Secretary to the Cabinet;
- f) avoid 'side conversations' and passing notes to others present, which can be distracting and may arouse suspicion of collusion; if a member has to provide a note to another participant then he or she should get up and take it to the intended recipient;
- g) not waste the meeting's time by asking a question that has already been asked;
- h) stay alert at all times during meetings; sleep should be avoided as it may suggest a lack of interest or respect; and

- i) come prepared to attend the entire meeting; as noted in section 8.2 Cabinet meetings take precedence over all other meetings or activities and members should leave only when the meeting is adjourned, unless it is absolutely necessary and the prior approval of the Chair has been obtained.

The proposing Minister will normally be invited to make a short presentation, focusing on:

- Urgency of the proposal;
- Key elements of the proposal;
- Any significant policy, fiscal, legal or human resource impacts; and
- Substantive comments from other Ministries.

Any PowerPoint presentations should be provided to the Secretariat before the meeting to enable them to be loaded and be available without wasting the time of other Ministers. Ministries should ensure that PowerPoint presentations are short, focused, and comply with any guidelines issued by the Cabinet Office from time to time.

Members may request permission from the Chair to speak on any matter but should keep their remarks short and focus on whether they agree or disagree with the submission and why. Members should not introduce any topic unrelated to the scheduled agenda item.

No member should speak without acknowledgement from the Chair. Only members of the Cabinet may participate in its deliberations.

The Chair will determine and summarize the consensus reached on each decision at the conclusion of the respective discussion.

The Cabinet Office is responsible for servicing all Cabinet and Sub-Committee meetings. Their duties include:

- a) notifying Cabinet members of the date, time and location of meetings;
- b) preparing the room;
- c) arranging refreshments;
- d) taking notes of the meetings; and
- e) carrying urgent messages to Cabinet members during meetings.

8.4 Declaring Conflicts of Interest

If during a Cabinet meeting any scheduled or unscheduled item raises issues where a Minister has, or could be perceived to have, a conflict of interest, the Minister should notify the Chair, declare the conflict, and leave the meeting room for the duration of deliberations on that agenda item.

In this context, conflict of interest can be broadly defined as a situation where a Minister and/or an immediate family member could benefit as private individuals as a result of a decision taken by the Cabinet. This could occur, for example, where a Minister or close family member is a shareholder of a company that stands to gain from a decision by the Cabinet.

The Secretary to the Cabinet shall note the Minister's declaration and include it in the records of the meeting. Further guidance on what constitutes a conflict of interest in the Cabinet context may be sought from the Cabinet Office or the Attorney General's Office.

9 CABINET CONCLUSIONS

9.1 Preparation

The Secretary to the Cabinet is responsible for ensuring appropriate drafting of the Cabinet's decisions for approval by the Chair of the meeting and then circulation to relevant Ministers and officials.

The process of preparing Cabinet conclusions aims to:

- a) provide written decisions focused on the action to be taken, with clear accountability and timelines and milestones where appropriate;
- b) facilitate rapid implementation by circulating conclusions to implementing departments and agencies as soon as possible after the Cabinet meeting at which they were discussed; and
- c) avoid wasting time in Cabinet meetings reviewing the wording of conclusions reached at the previous meeting.

A separate written Cabinet conclusion shall be issued by the Secretary to the Cabinet for each submission or other agenda item discussed. This short document records the decisions reached for the guidance of those who must implement those decisions. The conclusion should avoid recording the opinions expressed by particular Ministers or the reasons discussed for the decision in meeting.

Cabinet conclusions must include:

- a) specific actions which Cabinet has agreed will be undertaken;
- b) the Ministry (or Ministries or other agencies) responsible for undertaking or supervising implementation;
- c) any special timing or reporting requirements set by the Cabinet;
- d) reference to the submission on which the conclusion is based; and
- e) sufficient guidance for implementation, especially if the decision was made without submission or if the Cabinet agreed on a different approach to that recommended in the submission.

If there is any doubt about the decision that was reached, the Secretary to the Cabinet shall consult with the Prime Minister and/or relevant Ministers before signing the conclusion.

Cabinet conclusions reflect the collective decisions of the meetings and are binding on all members, even when they did not attend the Cabinet meeting. It is therefore important that all conclusions are circulated to all Ministers.

Separate from the conclusions, the Cabinet Office prepares draft minutes for each Cabinet meeting summarizing the discussions.

9.2 Confirmation and Circulation to Implementing Agencies

The draft conclusions and minutes from each meeting are circulated to each member of Cabinet prior to the next Cabinet meeting, to enable them to be confirmed at that subsequent meeting.

The confirmation process does not normally allow Ministers to reopen the substantive discussion at the previous meeting or to introduce new information. The purpose is to confirm that the draft conclusion accurately reflects Cabinet's decision and provides enough detail to allow implementation to commence. Only in exceptional circumstances will the actual decision be revised.

Consistent with the Secretary to the Cabinet's role specified in the Constitution, the signed Cabinet conclusions are circulated within 48 hours after the next meeting where they are confirmed. These are the official record of Cabinet's agreement. Relevant Ministries, departments and agencies shall commence implementation immediately, subject to any timetable included in the decisions themselves.

9.3 Advance Conclusions for Urgent Decisions

In exceptional cases where urgent action is required, ahead of Cabinet's formal confirmation of the minutes at the next week's meeting, the Secretary to the Cabinet may, at the direction of the Chair of Cabinet, issue an 'advance conclusion' to authorize immediate commencement of implementation. This formal process ensures that the authority to act quickly is highlighted and accurate, especially where a decision is not only urgent but also sensitive or complex.

10 IMPLEMENTATION REPORTING

Cabinet decisions must be adhered to and implemented by all Ministers and public officers, subject to decisions being amended or rescinded at a subsequent Cabinet meeting.

The Secretary to the Cabinet will keep a record of Cabinet decisions that call for action by a Minister or public officer, and their deadlines. The Secretary may remind those responsible for implementation to take action and may report to the Prime Minister where action does not occur as required. However, officials are expected to 'self-enforce' such obligation and deadlines, and to advise their Minister and the Secretary to the Cabinet if there are any problems in meeting the obligations.

Ministers are responsible for instructing their Ministries to implement the confirmed (or advance) conclusions of the Cabinet and informing subordinate agencies about decisions affecting them. If several Ministries are involved, the conclusion should indicate which Ministry or public agency is in charge of ensuring the decision is implemented (the 'responsible Ministry').

As noted in section 5.3, for complex proposals the Ministry should complete a summary implementation plan when preparing the Cabinet submission, using the standard format in annex 2. This plan will form the basis of subsequent implementation reports unless amended explicitly by the Cabinet.

Using the standard reporting template in annex 3, Ministries shall report every quarter through their Permanent Secretaries on the implementation of decisions for which they are responsible. The Cabinet may require more frequent reporting for urgent decisions.

Such reports shall indicate the progress of implementation, including whether they are 'on track' relative to the submitted implementation plan. They should provide an explanation if any action has not been completed by the due date. Based on the Ministry reports, the Cabinet Office will prepare consolidated reports for Cabinet, in liaison with the relevant Ministries. These reports will highlight priority decisions that are delayed or stalled.

As explained in section 7.2 above, the Cabinet Office plays the key role in this process, not only tracking the implementation of Cabinet conclusions and the Government's broader agenda, but also providing support to Ministries having difficulties with implementation, especially where addressing those problems involves other Ministries or matters beyond the capacity of the responsible Ministry.

The Cabinet Office may convene meetings with the relevant Ministries on the implementation of high priority decisions.

11 MANAGEMENT OF CABINET DOCUMENTS

11.1 Principles

The Cabinet Office is responsible for designing and enforcing measures to ensure the confidentiality and proper handling of documents within the Cabinet system. The Cabinet Office may issue detailed instructions periodically for this purpose and works closely with the Cabinet Liaison Officer in each Ministry to ensure compliance.

These instructions shall be based on the following principles:

Need to know

Documents submitted to and discussed by the Cabinet may not be disclosed except to those with a legitimate need to know. Both electronic and paper documents should be classified according to who may receive and view them.

Traceability

A common reference numbering system applies to all documents within the Cabinet system. All access to Cabinet documents should be authorized, with a written record kept of all Cabinet documents received or sent, which must be available for periodic inspection by the Cabinet Office. The Cabinet Office provides training to Cabinet Liaison Officers on how to manage Cabinet documents.

11.2 Distribution and Storage of Cabinet Documents within Ministries

Each Ministry's Permanent Secretary is responsible for ensuring the secure receipt, handling, distribution and storage of Cabinet documents. With support from the Ministry's Cabinet Liaison Officer, the Permanent Secretary shall ensure that relevant extracts or summaries of decisions and other documents are circulated to those Ministry officials responsible for implementation, consistent with the need-to-know principle.

The Cabinet Office will provide guidance to Ministries as the e-Cabinet system is progressively introduced.

Reporting to the Permanent Secretary, the Cabinet Liaison Officer shall manage access to such documents and maintain the records specified in section 11.1. All Cabinet documents, especially submissions and conclusions, should be stored in locked cabinets when not in use.

For each Cabinet document, a record must be kept of all officials within the Ministry and any other individuals who have had access to the document, with the date and signature of the person concerned. The covering folder should include a notice regarding the confidential nature of Cabinet documents and the penalties for unauthorized disclosure.

Apart from the original copying of draft submissions and final submission, Cabinet documents shall not be copied without the written authority of the Permanent Secretary, based on the need to know principle.

The Permanent Secretary is responsible for ensuring accurate records are maintained of access to and copying of Cabinet documents and complying with any detailed guidance issued by the Cabinet Office from time to time regarding management of Cabinet documents.

11.3 Disposal of Cabinet Documents

Following each Cabinet meeting, Ministers leave their copies of Cabinet documents in the Cabinet Room. These are collected and destroyed by the designated officer.

All disposal of Cabinet documents, whether by the Cabinet Office or by Ministries, must be recorded and retained with the other records referred to in section 11.1 for periodic inspection by the Cabinet Office.

12 GUIDANCE ON OTHER ISSUES

12.1 Continuity of Cabinet Government

The Cabinet plays an important role in Grenada's disaster arrangements and planning to ensure that Government operations can continue during a crisis.

The Cabinet Office is responsible for preparation of a Continuity of Government Plan for Cabinet operations, which includes:

- a) Processes for issuing alerts and activation of emergency Cabinet arrangements;
- b) Maintenance of up-to-date contact lists for all key Government positions, with alternate contacts for critical positions;
- c) Arrangements for maintaining communications between Cabinet members and other senior Government officials during an emergency;
- d) Clear authority and delegations to allow the Cabinet Office to continue functioning;
- e) Redundancy and multiskilling of Cabinet Office staffing to facilitate continuity;
- f) Protection of Cabinet documents and systems, including secure off-site backups and retrieval procedures;
- g) Clear procedures for convening and managing Cabinet meetings in an emergency; and
- h) Suitable alternative venues for Cabinet meetings under various emergency scenarios.

Based on a Continuity of Government Plan being developed for the Government as a whole, the Cabinet Office will provide additional guidance on Cabinet procedures and processes to be followed during an emergency.

12.2 The Executive and the Administration of Justice

Respect for the rule of law is embedded in Grenada's Constitution, including the establishment of the independent judiciary. It is the responsibility of the courts to determine disputes brought before them, in accordance with the law.

It is important for the effective functioning of any system of government that each branch of government recognizes the importance of the separation of public powers between the executive, legislative and judicial branches, and supports the role that each must play. With regards to the relationship between the executive and judicial branches, it is particularly important that actions of the Executive, including the Cabinet, do not undermine, or appear to undermine, the independent administration of justice. This affects the way Ministers interact with all parts of the justice system, from decisions to investigate or prosecute individuals, through to the operation of the courts and the status of judges and of their judgments.

Under the common law, the courts can exercise “judicial review” of executive government decisions (or refusal to take decisions) to determine whether the decision or refusal is unlawful or invalid. Most executive government decisions are able to be the subject of judicial review.

The courts are usually concerned with the process of decision-making rather than the outcome or merits of the decision. The overriding concept of fairness to all affected parties is critical.

The grounds for challenge under the law of judicial review can be broadly divided into:

- a) illegality (e.g. acting outside the scope of the power; getting the law wrong, taking into account irrelevant considerations or failing to take into account relevant considerations; being motivated by an improper purpose, or acting under an invalid delegation); and
- b) unfairness or procedural impropriety (e.g. breach of natural justice, bias, failure to honour legitimate expectations, lack of consultation); and, sometimes unreasonableness (in the sense that ‘no reasonable decision-maker in these circumstances could possibly make this decision’).

If a Minister is acting under the authority of a statute that vests the decision in the individual Minister, it must be clear on the record that the Minister personally took the appropriate decision. Ministers and officials should prepare Cabinet papers carefully to reflect this. They should also assume that the papers they prepare may be made available by normal discovery of documents in any court process. Where Ministers are required by statute to make individual decisions, it may be appropriate for the Minister simply to consult Cabinet colleagues on the issues and for any such consultation to be ‘noted’ as opposed to any actual decision from the Cabinet.

Members of Cabinet and public officials are required to seek guidance from the Ministry for Legal Affairs on all matters relating to the administration of justice, and to refer to any guidelines issued by the Ministry of Legal Affairs from time to time. This guidance may cover:

- a) the relationship between the Executive and Judicial branches of government;
- b) judicial review of Ministerial decisions;
- c) the role of Government law officers;
- d) the independence of criminal prosecution processes from any suggestion of political control or influence;
- e) Ministerial comment on court processes and judicial decisions; and
- f) procedures to be followed where a Minister is the subject of legal proceedings.

12.3 Managing Transition of Government

The Secretary to the Cabinet plays a critical role during the transition to a new Government following an election, when the previous Ministers are in ‘caretaker’ mode. The caretaker arrangements allow for the normal business of government to continue, but without important or unusual decisions to be made. For example, pensions and salaries need to be paid and hospitals and schools need to continue operation,

including purchase of essential supplies, but Ministers and Cabinet are not to sign major contracts or start implementing new policies or programs.

The caretaker arrangements apply even when a Government is re-elected. During the period before an election Ministers (and the Cabinet) continue in their posts while the election campaign continues, but with limitations on the decisions they can take as Ministers. And following re-election of the same party, there is usually a turnover in Ministerial positions (including where previous Ministers have retired or not been re-elected), requiring clear procedures and processes to enable the normal business of government to continue until the new Ministers take office.

The caretaker arrangements also become relevant if a Government loses its majority in the House of Representatives or where an individual Minister is replaced mid-term.

Following consultation with the Prime Minister, the Secretary of the Cabinet will issue detailed supplementary procedures to be followed during caretaker periods, including:

- a) Circumstances when caretaker arrangements apply to Ministers;
- b) Guidance on decisions a caretaker Minister can make, and those they should not make;
- c) Processes for seeking advice on Ministerial powers during a caretaker period;
- d) Rules for contact between Permanent Secretaries (and other senior officials) and Opposition politicians during an election period to facilitate possible transition of power (for example on cost estimates of Opposition proposals; feasibility of implementation; and possible administrative changes);
- e) Preparation of briefing material during the election period for possible incoming Ministers;
- f) Return of Government assets (e.g. motor vehicles) held by former Ministers;
- g) Procedures for appointment of new Ministers and assignment of responsibilities;
- h) Possible restructuring of Ministries to reflect the priorities of a new or re-elected Government; and
- i) Role of Permanent Secretaries during transition.

GOVERNMENT OF GRENADA

CABINET SUBMISSION

[TITLE OF SUBMISSION]

Submission by the Minister of: _____

Date submitted: _____

Note: Maximum 5 pages.

<p>1. Recommendations:</p> <p>Notes (all notes to be deleted and replaced with text):</p> <ul style="list-style-type: none">a) This comes first so that Ministers have a clear idea of what they are being asked to agree to.b) Clear recommendations of the action the Minister wants Cabinet to agree to.c) Wording of recommendations should be consistent with the style of Cabinet Conclusions.
<p>2. Purpose and brief description:</p> <p>Notes:</p> <ul style="list-style-type: none">a) The nature of the proposal: e.g. new policy; development project; proposed new law.b) Brief summary of goals/objectives expected to be achieved.c) Summarize previous Cabinet consideration of the issues (with details of Cabinet meetings and documents).d) No more than 100 words, describing the key features of the proposed action.
<p>3. Strategic relevance and urgency:</p> <p>Notes:</p> <ul style="list-style-type: none">a) How the proposal would contribute to Government priorities, including the Government's Medium-Term Agenda?b) Any specific deadlines or urgency to make decision (with reasons).
<p>4. Expected benefits and target beneficiaries</p> <p>Notes:</p> <ul style="list-style-type: none">a) What groups/communities/organisations are expected to benefit.b) How they will benefit.
<p>5. Other likely impacts:</p> <p>Notes:</p> <ul style="list-style-type: none">a) Analysis of broader social, economic and environmental impact of proposed action.b) Groups that are expected to be adversely affected or who may criticise the decision.c) Expected impact on women, socially disadvantaged and other priority groups.
<p>6. Evidence that proposed intervention is needed and will work</p> <p>Notes:</p> <ul style="list-style-type: none">a) Evidence/analysis that recommended action is needed (including evidence to justify location, if relevant).b) Analysis of evidence on underlying problem(s), to ensure intervention addresses causes, not symptoms.c) Assumptions about how people or organisations will change their behaviour as a result of government intervention (e.g. whether investors will respond to incentives; whether regulations are likely to be enforced).d) Assessment of evidence of implementation of any similar interventions in Grenada or elsewhere.
<p>7. Other options considered:</p> <p>Notes:</p> <ul style="list-style-type: none">a) Summary of other options considered and reasons why recommended option was chosen.

8. Consultation across government: Other Ministries consulted on draft submission: <i>Note: list all Ministries consulted.</i> Agreement (<i>Note: tick box that applies</i>): <input type="checkbox"/> Consulted Ministries all agreed with recommendations <input type="checkbox"/> No agreement (<i>Note: attach in Annex A up to 100 words from each Ministry summarising views</i>)	
9. Financial implications: <i>Note: tick all boxes that apply.</i> a) Cost estimates: <input type="checkbox"/> Detailed estimates: _____ <i>Note: attach table in Annex B with estimates for each financial year and total cost.</i> <input type="checkbox"/> Indicative estimates: _____ <i>Note: provide available cost estimates.</i> <input type="checkbox"/> Estimates agreed with Ministry of Finance, Economic Development, Energy and Foreign Trade (MoF). b) Government: <input type="checkbox"/> Already in budget; <input type="checkbox"/> agreed with MoF; <input type="checkbox"/> agreed in principle*; <input type="checkbox"/> opposed. c) Donor(s): <input type="checkbox"/> Donor(s) identified: [specify] _____ <input type="checkbox"/> Funding agreed; <input type="checkbox"/> Agreed in principle*; <input type="checkbox"/> Discussed; <input type="checkbox"/> Not yet consulted. <i>* Agreement in principle by MoF or donor means commitment to fund, with level of funding to be determined.</i>	
10. Legal implications: <i>Note: tick all boxes that apply.</i> <input type="checkbox"/> Legislation proposed <i>Note: do not submit draft law unless policy already approved.</i> <input type="checkbox"/> Other legal issues (explain) <i>Note: e.g. interpretation of law; contracting; legal dispute or litigation.</i> <input type="checkbox"/> MoLA consulted; <input type="checkbox"/> MoLA supports recommendations; <input type="checkbox"/> MoLA does not support recommendations.	
11. Implementation risks and monitoring: <i>Notes:</i> a) Summarise how proposal would be implemented (including summary of consultation with proposed implementers). b) Assessment of major implementation risks or assumptions, and how they will be managed. c) Attach draft implementation plan in prescribed format (Annex C), outlining implementation steps, monitoring milestones/targets and risks.	
12. External consultation and communication: <i>Notes:</i> a) Summarise results of any external consultation undertaken already (note section 6.2 of Cabinet Manual). b) Explain how the decision will be announced and communicated to relevant stakeholders. c) Outline future consultation plans (e.g. workshops on policy options or implementation details with relevant stakeholders).	

Annexes:

Annex A: Summary of comments from consulted ministries;

Annex B: Financial estimates table;

Annex C: Draft implementation plan;

Annex D: List other annexes here. The main body of this submission must stand alone and contain all the relevant information and evidence needed by Cabinet to make a decision. Annexes should only be provided for background information, especially for ministry staff and other advisers.

Signed:

Minister of

Date: __/__/20__

Signed:

Permanent Secretary, Ministry of

Date: __/__/20__.

IMPLEMENTATION PLAN TEMPLATE

Short Title of Proposed Policy/Program/Project: _____ Cabinet Decision #: _____ *[to be added by Cabinet Office]*
Ministry: _____ Date plan is submitted to Cabinet Office: __/__/20__

Signed: _____ Name/Position: _____

No ¹	PROGRESS INDICATOR/ MILESTONE ²	ACCOUNTABLE OFFICER ³	COMMENCMENT DATE ⁴	COMPLETION DATE ⁴	RISK ASSESSMENT ⁵	COMMENTS ⁶
1						
2						
3						
4						
5						
6						
7						
8						

Annex 2: Template for Implementation Plan

Instructions/Notes:

1. Add more rows if necessary.
2. List all critical implementation steps, including, where relevant: (a) confirmation of financing (indicate source and current status); (b) communication of decision and/or stakeholder consultation; (c) drafting and passage of necessary legislation; (d) other approvals required; (e) negotiation of partnership agreements or contracts; (f) establishment of agencies; (g) obtaining premises; (h) establishing new positions; (i) recruitment of staff (with estimate of numbers); (j) change management plan; (k) training of staff (estimate numbers and duration); and (l) purchase of plant and equipment. Where possible milestones should also include output targets (eg: number of clinics operational; kilometres of road completed; number of licences issued).
3. The accountable officer is the person responsible for achievement of this milestone, which may include another Ministry or agency.
4. Commencement and completion dates are the estimated dates for this milestone, to be submitted to the Cabinet with the proposal. These dates will form the basis of subsequent implementation reports.
5. Risk analysis column should indicate high (H), medium (M) or low risk (L) based on both the likelihood that the milestone will not be achieved and the likely impact if it is not achieved. Reasons for high risk assessments should be included in Remarks.
6. Cells in the comments column will expand if necessary to include relevant information (but keep short).

QUARTERLY IMPLEMENTATION REPORT TEMPLATE

Short Title of Proposed Policy/Program/Project: _____

Cabinet Decision #: _____ *[to be added by Cabinet Office]*

Ministry: _____

Date of Cabinet Decision: __/__/20__

Signed: _____ Name/Position: _____

Date report is submitted to Cabinet Office: __/__/20__

No	PROGRESS INDICATOR/ MILESTONE ¹	ACCOUNTABLE OFFICER ²	AGREED COMMENCEMENT DATE ³	AGREED COMPLETION DATE ³	RISK ASSESSMENT ⁴	IMPLEMENTATION PROGRESS ⁵	REASONS/COMMENTS ⁶
1							
2							
3							
4							
5							
6							
7							
8							

OVERALL PROGRESS ON IMPLEMENTATION⁷:

- ☐ completed or on target; or
☐ is delayed or requires attention; or
☐ has stalled or targets will not be achieved, requiring substantial review by Cabinet.

Annex 3: Template for Implementation Reports

Instructions/Notes:

1. Unless Cabinet has agreed to amendments, the milestones should be unchanged from the implementation plan submitted to Cabinet. The first five columns (shaded) should be copied from the Implementation Plan as submitted to (or amended by) Cabinet, unless there has been a change of accountable officer or a change in the risk assessment, as noted in 2 or 4 below.
2. If there has been a change in the accountable officer, the new officer should be printed in **bold**.
3. The commencement and completion dates are the dates for this milestone as submitted to the Cabinet with the proposal (or as amended by Cabinet), which form the basis of implementation reports using this template. Any changes to either dates should be noted in the Reasons/Comments column.
4. Update and highlight in **bold** if the risk assessment has changed since the previous report. Risk analysis column should indicate high (H), medium (M) or low risk (L) based on the likelihood that the milestone will not be achieved and the likely impact if it is not achieved. Reasons for changed risk assessments should be included in Reasons/Comments.
5. Implementation column should summarise the progress on each milestone since last quarter. Highlight in **bold** any changes from previous quarterly reports. Possible progress should be summarized in a single word or phrase, which is highlighted in green where the milestone has been completed or is on target (eg **completed** or **expected to be completed on time**), in yellow if the milestone is delayed or requires attention (eg **delayed by 3 months** or **requires recontracting**) and in red if the milestone is stalled or requires substantial review by Cabinet (eg **funds not available** or **unable to recruit staff**).
6. The 'Reasons/Comments' column should **briefly** summarize the reasons for any delay or failure to implement the milestone, with a summary of the recommended remedial action. If Cabinet has already decided not to proceed with the milestone, then this be noted here (with a reference to the relevant Cabinet Conclusion).
7. At the bottom of the table, the responsible Ministry should provide an assessment of the overall progress in implementing the Cabinet decision, by selecting the relevant 'traffic light' colour code.