

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 1st NOVEMBER 2022

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[9:30]

The Roll was called and the Dean led the Assembly in Prayer.

COMMUNICATIONS BY THE PRESIDING OFFICER

The Bailiff:

1.1 Welcome to His Excellency the Lieutenant Governor

On behalf of Members I would like to welcome His Excellency the Lieutenant Governor to the Chamber this morning. **[Approbation]** This is his first ordinary sitting of the Assembly so he will come away with a good first impression or a bad first impression depending upon how it goes.

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

2. Appointment of the Bailiff's Consultative Panel

The Bailiff:

The next item on the Order Paper is under F, Appointment of Ministers, Committees and Panels, which is the appointment of Members to the Bailiff's Consultative Panel, to which Members should have found an explanatory note at the end of the Order Paper. There are 5 vacancies on the panel who will join the Chief Minister, the Minister for Treasury and Resources, the chair of the Privileges and Procedures Committee and the chair of the Comité des Connétables, to serve for the next 3 years. The 5 Members will be elected by secret ballot by this Assembly. Nominations are made on the floor of the Chamber and each nomination must be seconded. If more than 5 Members are nominated there will be a secret ballot. The 5 Members who receive the largest number of votes will be elected to the panel. In the ballot, each Member will be able to cast up to 5 votes. I therefore would like to invite nominations for membership of the Bailiff's Consultative Panel.

Deputy R.J. Ward of St. Helier Central:

May I nominate Deputy Kovacs?

The Bailiff:

Deputy Kovacs; is that seconded? **[Seconded]** Are there any other nominations?

Deputy P.M. Bailhache of St. Clement:

May I propose Deputy Ferey of St. Saviour?

The Bailiff:

Deputy Ferey; is that seconded? **[Seconded]**

Deputy M. Tadier of St. Brelade:

I would like to propose Deputy Carolyn Labey.

The Bailiff:

Is that seconded? **[Seconded]**

Male Speaker:

I would like to propose the Constable of St. Helier.

The Bailiff:

The Connétable of St. Helier; is that seconded? **[Seconded]**

Deputy S.G. Luce of Grouville and St. Martin:

I would like to propose Deputy Farnham as a Back-Bench Member.

The Bailiff:

Is Deputy Farnham's nomination seconded? **[Seconded]** Are there any other nominations? Very well, there are 5 nominations, 5 vacancies and I declare that Deputy Kovacs, Deputy Ferey, Deputy Carolyn Labey, the Connétable of St. Helier and Deputy Farnham are appointed to the Bailiff's Consultative Panel. **[Approbation]**

QUESTIONS

3. Written Questions

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter:

I wonder if I could seek your guidance on a matter of procedure. I note from the Order Paper today that the Minister for Infrastructure is due to make a statement about the hospital review but that is due to come after questions without notice to Ministers. I wondered if it would be in order to question Ministers, particularly the Chief Minister, prior to the statement being made given the fact that the report was circulated and embargoed until the Minister for Infrastructure gave his statement.

The Bailiff:

What is it you are asking? You are asking if the Minister can give his statement before questions without notice but after questions with notice presumably?

Deputy L.J. Farnham:

Yes, Sir, I think that would then enable Members to ask questions of the Chief Minister and other Ministers.

The Bailiff:

Obviously that is a matter for Members. Do you wish to make that as a proposition?

Deputy L.J. Farnham:

Yes, please.

The Bailiff:

Is that seconded? **[Seconded]** Does any Member wish to speak on the proposition? If no Member wishes to speak I close the debate. Those in favour of the proposition kindly show. Those against? The proposition is adopted and we will deal firstly therefore with the questions with notice, then we will deal with the Ministerial statement, and then we will move to questions without notice.

3.1 Deputy R.J. Ward of St. Helier Central of the Minister for the Environment regarding active transport (WQ.196/2022)

Question

Will the Minister indicate what additional active travel projects, or other items, have been identified and implemented utilising the additional £1,500,000 funding allocation to the 'Strong start on Active Travel' (TR10) agreed within the amended Carbon Neutral Roadmap?

Answer

Officers have been working to identify a programme of schemes which can be delivered within this funding allocation, alongside identified behavioural change initiatives such as "Beat the Street" and "Love to Ride", which aim to increase walking and cycling across the Island.

To prioritise projects consistent with other policies within the Carbon Neutral Roadmap, officers have undertaken a multi-criteria analysis to ensure that the broader implications of policy options for Jersey's economy and society were considered in the decision-making process. The criteria were carbon abatement, socio-economic, wider environmental, political alignment, affordability and feasibility. The analysis enables consideration of the full impact and trade-offs involved in various options. Alongside this scoring, each project was scored against the Sustainable Transport Policy principles and government common strategic policies resulting in a prioritised list of projects.

An initial tranche of active travel infrastructure schemes will be taken forward which support our safer routes to school programme and encourage greater cycling and walking.

These schemes are at an early stage of development. The exact specification, scope, design and cost is anticipated to be finalised through working with the relevant Parishes and other key stakeholders.

In addition, the active travel funding is delivering two further projects this year:

- St Helier Mobility Plan – to identify how the existing road infrastructure within the St Helier Ring Road can be used to help prioritise cycling and walking across the town, for residents and commuters, and
- La Haule Cycling and Walking Improvements – development of a scheme to address the pinch point near the bottom of La Haule hill and improve the space available for cyclists and pedestrians as set out in the 2020 Active Travel Update.

Throughout 2023 - 2025, the available funding will continue to be allocated on a priority basis as per the scored work programme described above. The active travel portfolio and the delivery of its schemes are the responsibility of the Minister for Infrastructure and I will be working closely with him to achieve the objectives of the Carbon Neutral Roadmap active travel policy.

3.2 Deputy L.V. Feltham of St. Helier Central of the Minister for the Children and Education regarding departmental areas (WQ.197/2022)

Question

Will the Minister advise –

- (a) whether all sections of her department are adequately staffed;
- (b) whether any departmental areas are currently overstaffed and, if any are, outline those areas and the extent of the overstaffing;
- (c) whether any departmental areas are currently understaffed and, if any are, outline those areas and the extent of the understaffing;
- (d) whether staffing levels within Children's Social Care are adequate; and

will she further advise how many vacant posts, if any, there currently are within her department and whether the number of vacancies could increase the risk that services cannot be provided in a safe and timely manner?

Answer

I am grateful to the Deputy for raising this very important challenge that we are facing as a community.

I recognise this challenge and in my 100-day plan I have committed to publishing a Strategic Workforce Plan that describes how I will address this; after publication I will ask officers to support this with a delivery plan setting out how we will implement this plan.

Our total number of vacancies across CYPES is currently 198, which is approximately 8% of the workforce. This is slightly higher than the CYPES annual turnover figure of 6.4%. It is important to note that this higher % is, in part, reflective of new roles as a result of additional investment in some service areas. As an example, CAMHS staffing establishment has increased from 28.58 to 64.58 full time equivalent roles as part of the redesign during the past 12 months.

I am also keenly aware of the additional roles that will be created if my proposals in the Government Plan 2023 – 2026 are approved in December. These roles are critical to the strengthening of our support and services to children. These roles are critical to the ongoing strengthening of our support and services to children and young people however they do exacerbate the recruitment challenge.

For many of these vacancies, the leavers are still in post and working notice. In some cases, it may be necessary to put temporary arrangements in place which will ensure continuity of service and the safety of staff and service users. These arrangements include temporary adjustments to responsibilities and business arrangements along with the use of teaching supply staff in schools and agency social workers and residential care staff.

(a) whether all sections of her department are adequately staffed;

In recent years the need for services across the department providing additional and/or specialist support has increased significantly. This is seen as a marked increase in referrals to services and assessed level and complexity of need. This has been particularly prevalent during and post the global pandemic. This is not an issue unique to Jersey but has also been evident in other jurisdictions.

This has meant a review of staffing and services to put in place services with the accompanying staffing to meet the growth in need and considered as part of the proposed Government Plan.

Education

The Government Plan 2023-26 reflects the identification of unmet needs in the wider education system, in particular for children with additional needs. If approved, much of the investment would

be in our workforce. So, whilst subject to filling current known vacancies we are adequately staffed, this increase in our ambitions further grows our capacity and capability.

Delivery

The breadth and complexity of change, both now and in the future, will require the department to increase capacity and capability to deliver. We currently ensure adequacy through the employment of contingent labour.

- (b) whether any departmental areas are currently overstaffed and, if any are, outline those areas and the extent of the overstaffing;

There are no areas across the department considered as overstaffed.

- (c) whether any departmental areas are currently understaffed and, if any are, outline those areas and the extent of the understaffing;

See table below for details.

Education

Pressures in education continue and we are managing these through the development of enhanced recruitment capabilities and working actively with schools to support their workforce needs. The recruitment challenges, intensified by absence, put schools at a risk of understaffing by utilising any spare capacity. This means that there are risks of partial closures to classes or year groups. Whilst these significant actions may be necessary to ensure continued safe provision in schools, they are very much only considered when all reasonable actions to remain fully open have been taken.

Children's Social Care and Integrated Services and Commissioning

The establishments across Children's Social Care and Integrated Services and Commissioning (which includes Child and Adolescent Mental Health Services (CAMHS) and Family and Community support) have been the subject of review and redesign in recent years.

As a result, there has been additional investment allocated through the Government Plan to support expansion of services to meet rising levels of need. From time-to-time resources are re-aligned to meet need in different areas of services.

There is a significant reform agenda in the area of children’s social care which requires the redesign and strengthening of services in the system supporting children from early intervention to more intensive and specialist support including increasing the range and quantity of homes for children who are in the care of the Minister. It is recognised that there is a significant resource requirement to support the programme with an increase of staffing establishment in some services. The reform programme is set out in the proposed Government plan 2023-2026.

There are currently challenges in recruitment to some roles. In particular those posts which require a professionally qualified and registered social workers and residential childcare officers. These challenges are set out in the table below.

(d) whether staffing levels within Children’s Social Care are adequate; and

will she further advise how many vacant posts, if any, there currently are within her department and whether the number of vacancies could increase the risk that services cannot be provided in a safe and timely manner?

The need for services provided as part of the broad range of social care services has and continues to increase. The new Children and Young People (Jersey) Law 20—sets in statute new duties, responsibilities and powers for the Minister and for those designated as corporate parents that require additionality to current services, these requirements are set out as part of the proposed Government Plan.

The table below sets out the vacancies that CYPES is actively recruiting to and where an appointment has yet to be made. Vacancy figures are as of 7th October, headcount figures are as of 30th September:

Service	Number of Open Vacancies (unfilled roles)	Total positions (headcount) in department	How are open vacancies being covered i.e., still in post, agency cover, supply staff etc
Children’s Social Care	Social work – 40 Residential Homes – 14 Other – 4 Total 58	75 107 15 Total 197	Vacancies made up of a combination of leavers and new roles. They are covered though a combination of agency social workers (35) and residential childcare officers (3), overtime and temporary adjustments to responsibilities and business arrangements.
Education – schools and college	Teachers & Lectures x 31 Teaching Assistants x 50 Other x 19	917 605 329 Total 1,851	Vacancies made up of a combination of leavers, new roles and internal transfers. They are covered though a combination of leavers still in post working notice, supply cover and temporary adjustments to responsibilities and business arrangements.

	<i>Total 100</i>		
Education – central services (Inclusion Early Years SIAS)	17	168	Vacancies made up of a combination of leavers and new roles. They are covered though a combination of leavers working notice, supply cover and temporary adjustments to responsibilities or reorganisation of staff.
Director Generals Office	3	50	Vacancies are covered by agency worker and temporary adjustments to responsibilities.
Family and Community Support	5	45	Vacancies made up of a combination of leavers and new roles. They are covered by agency workers and zero hours contracts.
CAMHS	9	39	Vacancies made up of a combination of leavers and new roles covered by agency workers and though temporary acting up into a role.
Intensive Youth Support	13	19	New service.
Youth Service	Youth Service x 9	60	Vacancies made up of a combination of leavers and new roles covered though temporary adjustments to responsibilities and business arrangements.
Skills	3	28	Still in post working notice.
Total	198	2,457	

I can assure that the safety and well-being of children and young people is the highest priority of staff working in all of our services. Whilst we are facing the staffing pressures detailed here, we would never compromise on the safe provision of our services. For example, when the Covid pandemic hit particularly high level, staffing shortages were particular challenges in many schools. Headteachers were in daily contact with the Department as they planned to the cover arrangements to maintain normal running. On some occasions when all avenues were exhausted (the use of supply/cover staff; internal re-assignment of staff; leadership taking frontline roles etc) it was clear that it was not safe to fully open the school. Whilst always a last resort, the temporary closure of part of classroom or a year group was exactly on the grounds that it would not be safe to fully open without adequate staffing to ensure safety. Such arrangements in schools also required the postponement of non-urgent internal meetings to prioritise the frontline access of children and young people to their schooling. In some

other services in CYPES staffing shortages may lead to postponed appointments, impacting on the timeliness of service delivery.

3.3 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding vacancies (WQ.198/2022)

Question

Further to the response to Written Question 15/2022, in which it was confirmed that, in November 2021, there were 353 vacancies in 14 budget areas within Health and Community Services and which stated that “further work continues to validate these figures with the aim of publishing vacancies in this format on a regular basis”, will the Minister advise –

- (a) how regularly this data will be published and when it will begin;
- (b) the latest vacancy figures for these 14 areas;
- (c) the number of vacancies, from both the 353 cited and the up-to-date figures, that are covered by agency and locum workers or that are new posts yet to be subject to recruitment;
- (d) what special measures, if any, are in place or under consideration to recruit and retain experienced staff in areas of high vacancy rates such as theatre, radiography and adult mental health; and
- (e) what measures, if any, are in place or under consideration to counter any effect on other areas through increased absences provoking excessive cover rates and the production in turn of further high absences; and

will she confirm that the data is not affected by the non-advertising of senior posts?

Answer

- a) The data will be published on a quarterly basis on the second week of the month following the end of that quarter. The the first publication will be January 2023 reflecting data at the end of December 2022.
- b) The vacancy position for these 14 areas at the end of August was:

<u>Budget Area</u>	<u>Vacancy (WTE)</u>
Chief Nurse	8
Medical Director	8
Associate managing director	3
Change Delivery	2
Clinical support services	19
Digital Delivery	0
Group Managing Director	0
Mental Health	61
Non-Clinical Support Services	39
Primary Care and Prevention	0

Social care	45
Medical Services	69
Surgical Services	94
Women's and Children's	27.5
Total	375.5

There are 63 WTE posts currently out to offer and/or with offers accepted. 287 WTE vacant posts are at some stage of the recruitment process, ranging from initiation of job request to pre-employment checks.

- c) Of these vacancies:
- At this time, there are no new posts that are not subject to recruitment. However for some of these posts the recruitment process is yet to commence; and
 - 140 of these vacancies are covered by agency workers (nurses and allied health professionals) or by locum doctors.
- d) For some of the specialist roles a different approach to recruitment is being undertaken:
- For radiographers we have commissioned a social media campaign targeting radiographers in the UK
 - For theatre nurses we have commissioned an international recruitment campaign in India
 - For doctors we have engaged a specialist head-hunter to identify suitable overseas candidates
 - For midwives we have engaged a specialist head-hunter and officers are attending dedicated job fairs

The retention of staff is supported by the ongoing work in response to the Be Heard survey and the ongoing culture, engagement and well being work. It is also envisioned that actions will follow the recommendations made in the Hugo Mascie-Taylor report ([R.117/2022](#)) and the developing workforce plan and workforce strategy. Furthermore, it is envisaged that additional work outside of HCS in relation to key accommodation should also aid both in the recruitment and retention of staff.

- e) It is recognised that the movement of staff from one area to another to cover absence at short notice is unsettling and unsatisfactory for staff, and the department tries to keep it to a minimum; however, it is recognised that on occasion this movement of staff does need to occur.

Several actions have been taken to address this issue:

- There is an agency nurse assigned to each ward, and if redeployment to support another area is required this agency nurse will be the first to be redeployed. They are recruited with that understanding.
- Last minute overtime can now be authorised by the ward manager meaning that in the case of short-term absence they can immediately offer the shifts to substantial staff on the previous shift rather than needing to seek authorisation. The shift will therefore be covered by staff who know the ward and also wish to undertake the shift.
- An additional two agency workers will be recruited (one for the day and one for the night) to ask as "floaters" who can cover any shortfalls across the service.

It should be noted that this reliance on agency workers is expected to decrease as the department recruit to a team of bank staff who will be unallocated to any specific ward, but skilled to cover shortfalls in shift patterns.

This data is not affected by the non-advertising of senior roles.

3.4 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding respective salary bands (WQ.199/2022)

Question

Will the Chair provide a breakdown, by salary band, of the number of Civil Servants within each of the Government departments?

Answer

Department	Grade	Headcount (Non-Zero Hours)	Zero Hour Contracts	FTE
Chief Operating Office	CS03	2	0	2.00
Chief Operating Office	CS04	1	0	1.00
Chief Operating Office	CS05	5	1	5.00
Chief Operating Office	CS06	3	1	3.00
Chief Operating Office	CS07	35	2	33.98
Chief Operating Office	CS08	31	2	31.00
Chief Operating Office	CS09	46	18	45.51
Chief Operating Office	CS10	61	2	58.03
Chief Operating Office	CS11	39	0	38.41
Chief Operating Office	CS12	26	0	25.80
Chief Operating Office	CS13	30	0	28.17
Chief Operating Office	CS14	13	0	13.00
Chief Operating Office	CS15	9	0	9.00
Children, Young People, Education & Skills	CS01	1	0	0.54
Children, Young People, Education & Skills	CS02	1	0	0.41
Children, Young People, Education & Skills	CS03	0	38	0.00
Children, Young People, Education & Skills	CS04	7	10	4.56
Children, Young People, Education & Skills	CS05	41	8	29.17
Children, Young People, Education & Skills	CS06	97	8	75.11

Children, Young People, Education & Skills	CS07	72	4	64.64
Children, Young People, Education & Skills	CS08	89	10	84.01
Children, Young People, Education & Skills	CS09	68	18	55.71
Children, Young People, Education & Skills	CS10	38	0	34.40
Children, Young People, Education & Skills	CS11	35	1	33.67
Children, Young People, Education & Skills	CS12	32	0	29.82
Children, Young People, Education & Skills	CS13	15	2	14.81
Children, Young People, Education & Skills	CS14	18	0	18.00
Children, Young People, Education & Skills	CS15	3	0	3.00
Customer and Local Services	CS04	3	0	2.49
Customer and Local Services	CS05	12	1	10.90
Customer and Local Services	CS06	25	0	21.21
Customer and Local Services	CS07	134	1	128.37
Customer and Local Services	CS08	17	0	17.00
Customer and Local Services	CS09	74	0	70.59
Customer and Local Services	CS10	21	0	18.89
Customer and Local Services	CS11	19	1	18.80
Customer and Local Services	CS12	4	1	3.92
Customer and Local Services	CS13	5	0	4.73
Customer and Local Services	CS14	4	0	4.00
Department for the Economy	CS06	1	0	1.00
Department for the Economy	CS07	3	0	2.20
Department for the Economy	CS09	2	0	2.00
Department for the Economy	CS10	1	0	1.00
Department for the Economy	CS11	5	0	4.60
Department for the Economy	CS12	3	0	2.68
Department for the Economy	CS13	7	0	7.00
Department for the Economy	CS14	2	0	2.00
Department for the Economy	CS15	11	0	10.09
Department of External Relations	CS06	0	0	0.00
Department of External Relations	CS09	0	0	0.00
Department of External Relations	CS11	0	0	0.00

Department of External Relations	CS12	0	0	0.00
Department of External Relations	CS13	0	0	0.00
Department of External Relations	CS14	0	0	0.00
Growth Housing and Environment	CS08	1	0	1.00
Growth Housing and Environment	CS10	1	0	1.00
Growth Housing and Environment	CS11	1	0	1.00
Health and Community Services	CS01	1	3	0.54
Health and Community Services	CS02	1	0	0.65
Health and Community Services	CS03	6	26	5.36
Health and Community Services	CS04	19	7	15.24
Health and Community Services	CS05	120	232	101.41
Health and Community Services	CS06	198	124	181.69
Health and Community Services	CS07	33	6	31.30
Health and Community Services	CS08	68	0	64.74
Health and Community Services	CS09	47	10	44.86
Health and Community Services	CS10	138	26	123.97
Health and Community Services	CS11	100	6	86.57
Health and Community Services	CS12	71	2	69.48
Health and Community Services	CS13	36	5	34.75
Health and Community Services	CS14	16	0	15.81
Health and Community Services	CS15	5	0	5.00
Infrastructure, Housing and Environment	CS02	1	0	0.41
Infrastructure, Housing and Environment	CS04	3	0	2.18
Infrastructure, Housing and Environment	CS05	1	0	1.00
Infrastructure, Housing and Environment	CS06	28	0	24.06
Infrastructure, Housing and Environment	CS07	28	2	25.07
Infrastructure, Housing and Environment	CS08	35	2	34.68
Infrastructure, Housing and Environment	CS09	41	1	39.64
Infrastructure, Housing and Environment	CS10	55	1	54.62
Infrastructure, Housing and Environment	CS11	44	0	42.06
Infrastructure, Housing and Environment	CS12	43	1	41.66
Infrastructure, Housing and Environment	CS13	23	0	22.81
Infrastructure, Housing and Environment	CS14	15	0	14.84
Infrastructure, Housing and Environment	CS15	14	0	14.00
Jersey Car Parks	CS06	1	0	1.00
Jersey Car Parks	CS08	1	0	1.00
Jersey Car Parks	CS09	2	0	2.00

Jersey Car Parks	CS12	1	0	1.00
Jersey Fleet Management	CS07	2	0	1.27
Jersey Fleet Management	CS09	2	0	2.00
Jersey Fleet Management	CS11	1	0	1.00
Jersey Fleet Management	CS12	1	0	1.00
Justice and Home Affairs	CS04	0	1	0.00
Justice and Home Affairs	CS05	9	0	8.31
Justice and Home Affairs	CS06	34	9	31.38
Justice and Home Affairs	CS07	45	3	43.30
Justice and Home Affairs	CS08	29	2	30.50
Justice and Home Affairs	CS09	42	21	39.86
Justice and Home Affairs	CS10	60	0	61.11
Justice and Home Affairs	CS11	18	0	17.76
Justice and Home Affairs	CS12	4	1	3.81
Justice and Home Affairs	CS13	10	0	10.00
Justice and Home Affairs	CS14	2	0	2.00
Justice and Home Affairs	CS15	1	0	1.00
Non-executives and legislature	CS04	1	0	1.00
Non-executives and legislature	CS05	17	0	16.11
Non-executives and legislature	CS06	11	0	8.68
Non-executives and legislature	CS07	23	1	16.09
Non-executives and legislature	CS08	26	0	24.28
Non-executives and legislature	CS09	22	1	20.28
Non-executives and legislature	CS10	11	0	9.76
Non-executives and legislature	CS11	13	1	12.78
Non-executives and legislature	CS12	9	0	9.00
Non-executives and legislature	CS13	6	0	6.00
Non-executives and legislature	CS14	1	0	1.00
Non-executives and legislature	CS15	3	0	3.00
Office of the Chief Executive	CS03	1	0	1.00
Office of the Chief Executive	CS06	4	0	3.41
Office of the Chief Executive	CS07	5	0	4.48
Office of the Chief Executive	CS08	12	0	11.62
Office of the Chief Executive	CS09	2	0	2.00
Office of the Chief Executive	CS10	11	0	10.80
Office of the Chief Executive	CS11	5	0	4.70
Office of the Chief Executive	CS12	19	0	18.64

Office of the Chief Executive	CS13	4	0	4.00
Office of the Chief Executive	CS14	5	0	4.88
Office of the Chief Executive	CS15	3	0	2.50
States Assembly	CS05	4	0	3.14
States Assembly	CS07	2	0	2.00
States Assembly	CS08	3	0	2.50
States Assembly	CS09	10	0	9.68
States Assembly	CS10	1	0	1.00
States Assembly	CS11	11	0	10.35
States Assembly	CS12	5	0	5.00
States Assembly	CS14	2	0	2.00
Strategic Policy, Planning and Perf	ACS06	0	0	0.00
Strategic Policy, Planning and Perf	CS04	0	7	0.00
Strategic Policy, Planning and Perf	CS05	51	152	49.35
Strategic Policy, Planning and Perf	CS06	7	21	6.70
Strategic Policy, Planning and Perf	CS07	17	21	16.01
Strategic Policy, Planning and Perf	CS08	6	0	6.00
Strategic Policy, Planning and Perf	CS09	18	36	17.68
Strategic Policy, Planning and Perf	CS10	19	0	18.81
Strategic Policy, Planning and Perf	CS11	10	0	9.16
Strategic Policy, Planning and Perf	CS12	25	2	23.21
Strategic Policy, Planning and Perf	CS13	21	0	20.49
Strategic Policy, Planning and Perf	CS14	5	0	5.00
Strategic Policy, Planning and Perf	CS15	12	0	12.00
Treasury and Exchequer	CS03	4	0	3.81
Treasury and Exchequer	CS05	26	0	24.51
Treasury and Exchequer	CS06	9	0	9.00
Treasury and Exchequer	CS07	54	1	51.14
Treasury and Exchequer	CS08	20	0	20.00
Treasury and Exchequer	CS09	76	0	72.76
Treasury and Exchequer	CS10	14	0	13.90
Treasury and Exchequer	CS11	35	0	34.81
Treasury and Exchequer	CS12	55	1	55.00
Treasury and Exchequer	CS13	18	0	18.00
Treasury and Exchequer	CS14	4	0	3.81
Treasury and Exchequer	CS15	18	0	18.00

3.5 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding Contract Employments (WQ.200/2022)

Question

Will the Chair provide a breakdown, by salary band, of the number of Civil Servants on full-time, part-time, and zero-hours contracts?

Answer

Information accurate as of 30/09/2022

Grade	Full time	Part time	Zero Hours	Salary Range
ACSO 6	3	0	0	£21,930.55 - £28,196.42
CS01	0	2	3	£20,499.43 - £22,670.43
CS02	0	3	0	£22,670.43 - £23,269.51
CS03	11	2	64	£23,269.51 - £25,608.71
CS04	18	16	25	£25,608.71 - £28,323.76
CS05	187	100	388	£28,323.76 - £31,329.53
CS06	290	129	160	£31,329.53 - £34,646.77
CS07	382	71	37	£34,646.77 - £39,007.47
CS08	303	26	15	£39,007.47 - £44,218.50
CS09	394	60	97	£44,218.50 - £51,245.45
CS10	355	79	29	£51,245.45 - £56,469.98
CS11	274	61	9	£56,469.98 - £62,905.12
CS12	271	30	8	£62,905.12 - £69,137.80
CS13	151	18	7	£69,137.80 - £79,218.28
CS14	82	4	0	£79,218.28 - £89,580.12
CS15	77	1	0	£89,580.12 - £98,952.50

3.6 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding Government Expenditure (WQ.201/2022)

Question

Will the Chair provide a breakdown of civil servant remuneration, by salary band, as a percentage of Government expenditure?

Answer

Based on 2021 Payroll combined compared to Departmental Net Revenue Expenditure listed in 2021 Annual Report

Grade	Remuneration Departmental Expenditure	as Net	% of Revenue	Salary Range
CS01	0.003%			£20,499.43 - £22,670.43
CS02	0.004%			£22,670.43 - £23,269.51
CS03	0.058%			£23,269.51 - £25,608.71
CS04	0.126%			£25,608.71 - £28,323.76
CS05	1.342%			£28,323.76 - £31,329.53
CS06	1.622%			£31,329.53 - £34,646.77
CS07	1.958%			£34,646.77 - £39,007.47
CS08	1.254%			£39,007.47 - £44,218.50
CS09	2.710%			£44,218.50 - £51,245.45
CS10	2.469%			£51,245.45 - £56,469.98
CS11	2.300%			£56,469.98 - £62,905.12
CS12	2.364%			£62,905.12 - £69,137.80
CS13	1.218%			£69,137.80 - £79,218.28
CS14	0.984%			£79,218.28 - £89,580.12
CS15	0.768%			£89,580.12 - £98,952.50

Payment types included:

Ad Hoc payments and supplement

Basic Pay

Benefits

Business Expenses

Other Time Payments

Overtime

Pension

Shift Allowances

Skill Related Payments

Social Security

Standby Payments

3.7 Deputy T.A. Coles of St. Helier South of the Minister for Health and Social Services regarding cost of all medical sampling not undertaken on Island (WQ.202/2022)

Question

Will the Minister provide the cost of all medical sampling, including shipping costs, but excluding Covid-19 related samples, where it has not been possible for the Pathology Department – or wider Government of Jersey – to undertake the required analysis in the Island over the last five years, broken down by the quarter in which the costs were incurred?

Answer

Note: This response follows the Minister’s interim response tabled on 17 October 2022:

“Additional time is required to collate the information requested; the data is held in such a way that it will need to be reviewed manually to separate Covid-19 related samples as required by the question. It is expected that this will take circa two weeks and so a follow up response will be submitted to the States Greffe on Monday 31 October 2022. “

Please see breakdown of the financial cost of all diagnostic pathology analysis including referrals for second opinions and freight below (excluding covid).

Sum of General Ledger	Column Labels				
Row Labels	Qtr1	Qtr2	Qtr3	Qtr4	
2017	£ 95,921.46	£ 71,415.99	£164,222.30	£138,38	
2018	£ 78,702.93	£208,583.81	£ 96,136.91	£175,73	
2019	£ 166,981.24	£120,505.00	£198,306.18	£143,29	
2020	£ 160,230.27	£ 93,928.64	£138,185.34	£127,66	
2021	£ 174,615.17	£193,770.49	£ 87,322.27	£ 84,37	
2022	£ 329,201.47	£164,171.85	£ 95,464.08		
Grand Total	£ 1,005,652.54	£852,375.78	£779,637.08	£669,44	

If a further information is required, the Minister can provide this.

3.8 Deputy T.A. Coles of St. Helier South of the Chief Minister regarding cost of chemical and microbiological analysis not undertaken on Island (WQ.203/2022)

Question

Will the Minister state the cost of all chemical and microbiological analysis, including shipping costs, where it has not been possible for the Official Analyst, or wider Government of Jersey, to undertake the required analysis on Island over the last five years, broken down by –

- the department or organisation for which the analysis was undertaken; and
- by the quarter in which the costs were incurred?

Answer

Given the level of analysis required by the question, it has regrettably not been possible to provide a full breakdown by quarter for the costs incurred for off-Island testing over the last five years. There are two departments which have incurred off-Island costs for chemical and/or microbiological analysis. The total cost for the Infrastructure, Housing and Environment Department between 2017 and 2022 is £1,103,872. This relates to the Natural Environment and Regulation Directorates. The total cost for Health and Community Services between 2017 and 2022 is £3,503,388. In addition, the total cost for Covid-19 related analysis, which applies from Quarter 3 of 2020 to the present is £4,566,643. It should be noted that this figure excludes shipping costs. Work is ongoing to provide a more detailed breakdown of the information provided in this response. Further detail will be made available to States Members, and published, as an addendum to this answer as soon as is practicable.

3.9 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding patients requiring ophthalmic treatment (WQ.204/2022)

Question

With regard to patients requiring ophthalmic treatment, including simple cataract operations, will the Minister –

- (a) state whether there are currently any delays for such treatment; any instances of operations being indefinitely postponed; and whether there exists a ‘waiting list’ to join the standard waiting list for such treatment;
- (b) if any of the circumstances described in paragraph (a) exist, explain how such a situation has arisen; and
- (c) advise what actions, if any, she either has in place or proposes to put in place to rectify the situation in both the short and long term?

Answer

- (a) There are no instances of any operations being indefinitely postponed, other than corneal transplants which are not performed on island because of a lack of appropriate tissue available. Patients requiring this treatment are being referred off island to receive this treatment in the UK.

When a referral for ophthalmic treatment is received at the General Hospital, they are clinically triaged by the ophthalmology consultants as either, rejected, urgent, soon, or routine. Patients are then added on to the appropriate outpatient waiting list dependant on both clinical priority and sub speciality.

All patients are seen in outpatients by a doctor before they can be listed for ophthalmic treatment or surgery. If a patient requires any other ophthalmic treatment within the outpatient department they are then listed as a follow-up patient to the appropriate clinic, such as retinal, adnexal, glaucoma, IVT, laser, botox, general follow up. If the patient requires a surgical procedure, they are then added to an inpatient waiting list either as urgent, soon, or routine, by both clinical priority and sub speciality.

As of Friday 14 October 2022, the average wait for a clinically triaged routine outpatient is 200 days and the average wait for a clinically triaged routine inpatient is 144 days.

(b) See above.

(c) A substantial financial package has been invested in the ophthalmology department to support the high number of referrals and high throughput of patients. Part of this reduced the outpatient ophthalmology waiting list post Covid in August 2021. The financial package contains funding for the staffing/refurbishment of clinical space and equipment.

There is ongoing recruitment for substantive posts, with a new Doctor starting in November 2022 and interviews taking place in November 2022 for further multidisciplinary appointments.

3.10 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding measures in place to deliver oral health to the community (WQ.205/2022)

Question

Given that 30% of parents recently surveyed gave “expense” as a reason that prevented them from taking their children to the dentist, with 20% claiming it was “too difficult to get an appointment”, will the Minister explain to members what measures are in place to deliver oral health to the community, especially to children and children young people?

Answer

There are a number of schemes which deliver oral health to the community:

- The Dental Department at the Hospital provides free dental treatment for children of primary school age or younger.
- The ‘Jersey Dental Fitness Scheme’ provides subsidised dental treatment to secondary school children and young people in full time education. The scheme is means tested, based on household income, and requires payment of a monthly fee, the amount of which varies depending on an initial assessment of the child’s teeth. The dental treatment is provided by a community dentist.
- The ‘Covid-19 Dental Catch-up Scheme’ was launched in December 2021 by the Minister for Social Security to support secondary school children in families who receive income support to access the dental care they may have missed in during lock down when dental services were disrupted. The scheme closed at the end of September 2022.

- The Pension Plus scheme makes a contribution to the cost of dental, optical and chiropody care of low-income pensioners.

The Health and Community Services Department and Public Health are currently working together to help ensure more timely and equitable access to dental services, and better oral health for Islanders. Activity includes:

- reviewing the schemes described above to ensure they are effective
- developing the information and intelligence needed to produce a comprehensive oral health needs assessment which will inform a longer-term oral health strategy aimed at reducing inequalities
- pending development of the that oral health strategy working to reduce waiting times for appointments in the General Hospital Dental Department, including:
 - a. securing additional administrative support to call patients prior to their appointments to reduce wasted clinical time through non-attendance
 - b. scheduling evening clinics to increase service capacity
 - c. engagement of an additional dentist on a sessional basis to increase service capacity
 - d. commissioning of clinical activity from independent dental practices to enable children to access free dental care more quickly in a community setting
 - e. seeking to recruit additional dentist to work in the Department, and
 - f. provision of daily emergency slots for any child who has toothache (triaged by the dentists).

3.11 Deputy R.S. Kovacs of St. Saviour of the Minister for Housing and Communities regarding St Saviour Hospital site (WQ.206/2022)

Question

In respect of the St. Saviour's Hospital site, will the Minister advise –

- (a) whether any development discussions have taken place with the States of Jersey Development Company, Andium Homes, Dandara or any other companies; and
- (b) if so, detail with which of those Bodies, on what date and for which part of the development?

Answer

In respect of the St. Saviour's Hospital site, I can confirm that since the start of my term of office:

- a. I have had discussions with both States of Jersey Development Company and Andium Homes in respect of the development of the site. I have not had any discussions with non-States' owned developers.
- b. My discussions with States of Jersey Development Company and Andium Homes have taken place relatively informally and within the context of other meetings. I have met neither for the specific purpose of discussing this site, thus it is not possible to reliably provide a schedule. I can confirm that any discussions have been in relation to the entirety of the site that lies to the south of La Route de La Hougue Bie.

There will be announcements made in relation to the site very soon, after which direct and formal dialogue with the SOEs will begin in earnest.

3.12 Deputy R.S. Kovacs of St. Saviour of the Minister for Treasury and Resources regarding Stamp Duty (WQ.207/2022)

Question

Will the Minister provide the following in relation to Stamp Duty –

- (a) how many residential properties have been bought and sold in the last 10 years that were not the purchaser's main residence;
- (b) whether these purchases were for buy-to-let, second homes or holiday homes; and
- (c) whether the purpose of increasing the percentage of Stamp Duty by 3% above the normal rate for residential property on any property purchased for any purpose other than a main residence (as proposed in the new Government plan), is to bring in extra revenue or to change purchasing habits?

Answer

The Government does not hold statistics in respect of parts (a) and (b) of the Deputy's question. Data would be gathered in future if a differential rate were introduced.

The differential rate of Stamp Duty in the Proposed Government Plan 2023-2026 satisfies Amendment 22 to P.90/2021 (draft Government Plan 2022-2025) by the Corporate Services Scrutiny Panel (CSSP).

The Corporate Services Panel's report accompanying Amendment 22 stated that "This amendment seeks to raise reasonable tax revenue from those purchasing "Buy to Let" investment properties, second homes and holiday homes by applying a higher rate of Stamp Duty and Land Transaction Tax (LTT) on this category of property purchase." The Report goes on to say that "The Panel has lodged this amendment mindful of the financial gain and wealth associated with Buy to Let property, holiday home and second home purchases, and the contribution it will make to assist with reducing property demand and re-balancing the market towards owner occupiers and first-time buyers."

In practice the Government expects that the outcome will be hybrid. As stated on Page 33 of the Proposed Government Plan, "Economic analysis has assessed the potential impacts on revenue and

owner-occupation. It is suggested that the measure could modestly increase revenue and stimulate additional purchases by owner-occupiers.”

3.13 Deputy R.S. Kovacs of St. Saviour of the Minister for Infrastructure regarding Aqua Splash renewal (WQ.208/2022)

Question

Given the proposed Government Plan 2023-2026 states that the budget allocated to the AquaSplash facility is £300,000 per year, will the Minister advise what agreement, if any, there is with SERCO for the operation of the AquaSplash, and, for any such agreement, advise –

- (a) when the agreement commenced;
- (b) how much SERCO has paid towards the operation of the facility, annually and in total, since it commenced;
- (c) what the exact nature of the agreement is; and
- (d) what services are provided to the public in return for the invested money?

Answer

- a. when the agreement commenced;

The leisure pool complex on the Waterfront has been operated by Serco (Aquasplash), under a 20-year agreement since 2003. The current contract will expire in July 2023, the cost of a new contract will require additional funding, this has been included in the proposed Government Plan 2023-2026.

- b. how much SERCO has paid towards the operation of the facility, annually and in total, since it commenced;

The Government does not hold information on how much Serco has paid towards the operation of the facility.

However, Serco are paid an annual management fee to run the pool. This management fee payable to Serco is performance based and set (at the start of the contract) to a maximum of £80,000 per annum index linked to (JCOL). The maximum Government of Jersey subsidy is inclusive of any management fee payable to the contractor and the amount of management fee is determined by the extent to which the contractor’s annual financial deficit is less than the Government of Jersey subsidy fixed for that year.

The accounts of organisations that received a grant of over £75,000 from the Government of Jersey are reported annually to the States Assembly. Copies of the grant accounts can be obtained in electronic or hard copy format from the States Assembly Information Centre.

- c. what the exact nature of the agreement is; and

In 2004 the Government took the decision to close Fort Regent swimming pool and to invest in the Waterfront leisure pool complex to ensure the provision of a 6 lane 25 metre pool to cater for swimming clubs and provide access to a public swimming pool for St Helier and the East of the Island. Serco (Aquasplash) are contracted by the Government of Jersey to operate the leisure pool to provide the services outlined below.

d. what services are provided to the public in return for the invested money?

The Aquasplash provides:

- access to a public swimming pool for islanders
- a learn to swim facility
- access for swimming clubs to a 25 metre swimming pool for competitions, particularly when Les Quennevais is not available
- the only wet leisure complex on the Island (Flumes, wave pool etc)

3.14 Deputy R.J. Ward of St. Helier Central of the Minister for Home Affairs regarding current policy on stop and search for children (WQ.209/2022)

Question

Will the Minister advise what the current policy on stop-and-search is in relation to children under the age of 18, and will she further advise –

- (a) what records, if any, are kept of young people being stopped and searched who are under the age of 18; and
- (b) how many children under the age of 18 have been stopped and searched in the last year?

Answer

Stop and search powers are set out in law and the exercise of these statutory powers is governed by Code A of the [Codes of Practice](#). The same strict code applies to the search of juveniles as it does adults. There is no separate policy relating to the stop search of juveniles.

An appropriate adult does not have to be present for a juvenile stop search, however it is regular practice for officers to notify an appropriate adult of the search after it has taken place out of courtesy. People are not however obliged to confirm their identity to Police should the search yield no results, therefore this may not always be possible. Should an arrest follow from a juvenile stop search, an appropriate adult would be notified to attend custody. An appropriate adult would also have to be involved (unless in urgent or exceptional circumstances) should an officer request a further strip search or intimate search of the juvenile in custody if grounds permit as part of the initial stop search. These points are addressed in Code C of the Codes of Practice.

- a) Recording stop searches of juveniles is mandatory. Officers complete an online form as well as a written record which is offered to the subject of the search.

b) The table below shows the number of juveniles that were subject of stop and search powers in 2021 and so far in 2022.

Count of StopCheckDate	StopChe	Date												
Years	objectofsearch	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Grand Total
2021	Drugs	12	4	7	5		4	8		4	8	2	5	59
	Weapons	5	2	21		3		2	1			9	1	44
	Stolen Property	2	2	4	8	6	3	3	7	1			2	38
	Going Equipped	1	1	6			3		2		4	1		18
	Other	2												2
2021 Total		22	9	38	13	9	10	13	10	5	12	14	6	161
2022	Drugs	17	18	16	23	20	11	7	9	6	8			135
	Weapons	7				1		8	7	2				25
	Stolen Property		5		1	1	6		3	3	1			20
	Going Equipped					1	2	1		2				6
	Other					1								1
2022 Total		24	23	16	24	24	19	16	19	13	9			187
Grand Total		46	32	54	37	33	29	29	29	18	21	14	6	348

3.15 Deputy R.J. Ward of St. Helier Central of the Minister for Housing and Communities regarding refurbishment of La Marais (WQ.210/2022)

Question

Further to the answer to Written Question 166/2022, which detailed the number of existing tenants that have faced rental increases due to refurbishment of Le Marais over the last two years, will the Minister provide the total number of residents expected to be moved onto new and higher rent contracts in the coming year across the entire Andium Homes estate, as well as the mean and the median rent increase they face?

Answer

It is not possible to predict how many existing tenants might move and further how many might experience a rent increase as a consequence.

Andium has no refurbishment projects planned for the next year which will require tenants to relocate.

Andium has natural turnover in its rental stock and some new build projects which will be let within the next 12 months, specifically Cyril Le Marquand Court (formerly Ann Court) and Edinburgh House (La Collette Low Rise). These new homes will be let to applicants on the Affordable Housing Gateway list using Andium's Choice Based Lettings process. There are of course existing Andium tenants on the Gateway and some of those tenants may wish to move into these new homes or elsewhere in Andium's portfolio as homes become vacant. That will be their choice, cognisant of any impacts in respect of rent.

3.16 Deputy R.J. Ward of St. Helier Central of the Chief Minister regarding Care of Children Review Panel (WQ.211/2022)

Question

Will the Chief Minister indicate whether she will take action to bring forward Terms of Reference for a public inquiry for the resolution of outstanding complaints against the Government of Jersey, in accordance with Recommendation 17 of the Care of Children in Jersey Review Panel's report 'Redress and Accountability Systems in Jersey' (S.R.22/2021)?

Answer

The most effective mechanism for considering individual complaints of public service maladministration or service failure would be a Public Services Ombudsperson. Work on the Ombudsperson has been prioritised and I anticipate that legislation will be prepared in time to be considered by the States Assembly in 2023.

As stated in the response to the recommendation (S.R.22/2021 Res): "public inquiries are very high cost and should only be instigated where:

- there is no more suitable way to investigate a matter
- legal force is needed to compel people to give evidence
- the matter is of public concern
- the value to public can be justified.

It is not clear that these criteria could be met in relation to individual legacy complaints, as distinct from multiple complaints about a potential systemic failure."

A Public Services Ombudsperson would provide Islanders with a more enduring and effective mechanism through which to address unresolved complaints.

3.17 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding Health Insurance Fund (WQ.212/2022)

Question

Further to Table 43 and the information on page 78 of the Government Plan regarding the Health Insurance Fund, will the Minister –

- (a) provide an explanation of the "transfers in 2021 and 2022" to which reference is made, and of the transfer of £22 million for investment in "health care redesign and digitisation"; and
- (b) further explain what the review of the Jersey Care Model will entail, including whether and how it will consider sustainable funding and the role of the Health Insurance Fund, and stating whether such a review will maintain the principle that the Fund is hypothecated for the dedicated funding of primary care?

Answer

Part (a)

The transfers referred to are:

- 2021 transfer: £6.3m transferred in 2021 from the Health Insurance Fund (HIF) to the consolidated fund for the costs incurred in delivering the Jersey Care Model, the JCM Digital systems work (also referred to as *Jersey Care Model (Capital)* in the Government Plan) and the Digital Care Strategy. This accords with MD-SOSEC-2022-224 ([Health Insurance Fund transfer for Jersey Care Model and Health Digitisation costs for 2021](#))
- 2022 transfer: a transfer to be made at the end of 2022 from the HIF to the consolidated fund. The transfer will cover the costs incurred in delivering the Jersey Care Model, the JCM Digital systems work and the Digital Care Strategy in 2022. Current expenditure is well within the provided budget agreed by the States Assembly. The final year end transfer amount will be set out in the 2022 Jersey Care Model Progress Report to be provided to the Assembly in February 2023.
- £22 million: an anticipated transfer of up to £22 million from the HIF to the consolidated fund in 2023 and 2024 for costs incurred in delivering the Jersey Care Model, the JCM Digital systems work and the Digital Care Strategy in 2023 and 2024.

£'000	2023	2024
Transfer to consolidated fund – Jersey Care Model (Revenue)	(6,100)	(4,100)
Transfer to consolidated fund – Jersey Care Model (Capital)	(1,050)	(400)
Transfer to consolidated fund – Digital Care Strategy (Capital)	(5,300)	(5,305)

Extract from Table 43 of the 2023 Government Plan

Part (b)

The review of the Jersey Care Model is being undertaken by the Minister for Health and Social Services who has described the purpose as being a review of activity to date, including progress and spend, against the original JCM objectives.

As set out in the response to WQ.174/2022, the Minister for Health and Social Services is undertaking a wider health economic review to inform options for sustainable health and care funding and financing in the future. This will include consideration of the role of the Health Insurance Fund. Until the work is completed it would be pre-emptive to commit to the continuation of the Health Insurance Fund, or to commit to the Health Insurance Fund as being dedicated to the funding of primary care in the future.

These are decisions to be made by the Assembly on completion of the funding work being undertaken by the Minister.

3.18 Deputy L.V. Feltham of St. Helier Central of the Minister for Infrastructure regarding increased risk to pedestrians (WQ.213/2022)

Question

“Will the Minister outline what measures, if any, have been taken by his department to assess whether there is any increased risk to pedestrians, road users and residents of St. John's Road following the closure of Old St. John's Road to through traffic?”

Answer

Old St John's Road is a parish by-road and the decision to make it 'Access to Premises Only' would have been made by the Parish Roads Committee who are the legal authority for the by-road. The Department is not aware whether a road safety audit was undertaken to consider the wider impact, but notes from the parish notice it is a trial to whose success or otherwise is to be reviewed in January 2023, which will give the opportunity for such matters to be considered. Under the Road Traffic (Jersey) Law 1956, the Parish has the powers to implement temporary traffic changes for such purposes under Article 68.

In terms of the data held by the Department, our past traffic surveys suggest that most of the traffic using Old St John's Road was likely to be local traffic accessing or departing premises, with only a small amount of through traffic that might be displaced onto St John's Road and proportionally not enough to significantly increase flows or nuisance.

The Department has arranged for an updated traffic survey on St John's Road which will enable a review into how the numbers might have changed, if there is anything significant the Department will report this to the Parish so that the Roads Committee can take account of this in their review.

3.19 Deputy L.V. Feltham of St. Helier Central of the Minister for the Environment regarding St. Helier residents have access to infrastructure (WQ.214/2022)

Question

“Will the Minister explain –

- (a) what work, if any, is being undertaken to ensure that St. Helier residents have access to infrastructure that will meet the needs of the growing population in Town given the planned housing developments in central St. Helier and surrounding areas;
- (b) what assessments, if any, are being undertaken in respect of the parking available for new residents in St Helier; and
- (c) what work is being undertaken to ensure that children living in St. Helier in homes without a parking space will not be disadvantaged compared to children living in homes with access to parking spaces?”

Answer

- (a) Extensive work was undertaken as part of the preparation of the bridging Island Plan to examine the island's infrastructure requirements, including those required to meet the needs

of a growing Town population: this is set out in the [Infrastructure Capacity Study Report 2020](#).

This work sought to inform the bridging Island Plan's near-term response to infrastructure requirements, where they had land-use planning implications.

The plan also recognises, however, that further work is required to be undertaken to develop a long-term infrastructure roadmap for Jersey: this is reflected in a strategic proposal set out in the plan (Strategic Proposal 5). The roadmap will build on the Infrastructure Capacity Study to inform short- and long-term strategic policymaking and help to understand the costs and consequences for the environment, economy and wider society of key future infrastructure choices.

- (b) The bridging Island Plan requires, under the auspices of Policy TT4: provision of off-street parking, that development that has the potential to generate vehicular movements and a requirement for car and other forms of parking will be supported only where it provides an appropriate level of accessible, secure and convenient off-street motor vehicle parking.

In order to make walking and cycling more attractive, especially for travelling to school and commuting, Policy TT2 of the bridging Island Plan requires that development proposals must demonstrate that provision for walking and cycling has been prioritised in the design of proposals and will be supported where it provides accessible, secure and convenient on-site cycle parking.

The Minister for the Environment is currently reviewing the planning guidance that sets parking standards for different parts of the island, including the Town of St Helier. These revised standards will be the subject of consultation before adoption.

The development of a Parking Plan is one of the rapid plans to be delivered as part of the Sustainable Transport Policy. Part of this workstream includes the development of a parking provision model of supply and demand for parking in St Helier. This will provide a model to help show how different demand and supply levels based on policy decisions and future developments would affect parking provision within the town.

- (c) The answer, set out at (b), describes the work being undertaken to address the provision of parking space in St Helier, both in relation to new development and wider public parking provision.

I am not aware of any work being undertaken to examine any correlation between the life chances of children living in homes with access to parking spaces relative to those living in homes without.

What is clear is that 81% of children and young people in Jersey do not meet the World Health Organisation's guidelines for physical activity¹; and that the proportion of children categorised as overweight and obese in Jersey is 25% in Year R; and 31% in Year 6².

As set out in the Sustainable Transport Policy, being physically active reduces the risk of many preventable diseases and benefits our mental health and wellbeing. Those children who walk or cycle to school in Jersey are much more likely to achieve recommended physical activity guidelines.

3.20 Deputy R.J. Ward of St. Helier Central of the Chief Minister regarding digital register of all property (WQ.215/2022)

Question

¹ Jersey Opinion and Lifestyle Survey (JOLS) and Jersey Annual Social Survey (JASS)

² [Child Measurement 2021-2022.pdf \(gov.je\)](#)

“Will the Chief Minister provide an update on the progress of any actions taken following the Ministerial Decision entitled ‘Digital Register of all Property (including ownership)’ (MD-C-2022-0007)?”

Answer

Further to the approval of Ministerial Decision MD-C-2022-0007, which was signed in February 2022, a feasibility and scoping study into the establishment of a digital register of all commercial and residential property, and landlords and tenants, was commissioned in June 2022.

A draft of the feasibility and scoping report was received on 26th September 2022 for quality assurance and fact-checking, including with the range of internal stakeholders who inputted into the report. Once this is complete, it will be considered by Ministers, and provided to relevant Scrutiny Panels.

3.21 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding schedule for advertising of vacancies (WQ.216/2022)

Question

“Further to her response to [Written Question 198/2022](#), will the Minister advise –

- (a) why the schedule for advising of vacancies (published in the second week following the end of quarter) will not be in place until January 2023;
- (b) what the vacancy figures are for September 2022 or, if this is not possible to provide, why she is unable to do so;
- (c) whether it is her assessment that the current vacancy rate of approximately 15% is acceptable and, if not, what options, if any, she has discussed with the Chief Minister and the States Employment Board to address the challenges of recruitment and retention; and
- (d) whether she will publish the number of Full Time Equivalent roles required by each of the 14 General Hospital staffing groups in order that vacancy numbers can be readily understood?”

Answer

- a) Currently, the high-level vacancy figures are produced on a monthly basis using data from the finance systems. To produce the schedule referenced in the question, further analysis and work is needed, including manual collation from various systems, to ensure the data is reliable and accurate, hence the start date of January 2023. I will investigate to see if this work can be brought forward and would like to offer the questioner the opportunity to meet with Minister for the Environment and my officers to discuss this further.
- b) The vacancy figures for September have just been published and the vacancy factor remains at 15% across HCS. Out of an establishment of 2591 posts, there are 400 WTE vacancies.
- c) The vacancy rate is unacceptable; however, given the current market for health and social care staff globally, it is understandable and will be challenging to reduce.

The Chief Minister and Chair of the States Employment Board are aware of the vacancy situation and the challenges HCS face, especially as part of discussions on the turnaround

plan for HCS. Officers have commissioned several different approaches and channels to recruit to HCS, these include:

- Recruiting several clinical fellows (medics) from overseas and working with a specialist overseas medical staffing recruiter (Remedium) to fill hard to fill speciality consultant posts.
- Commissioning NHS Professional to undertake international recruitment in India to fill theatre nurse vacancies. Four candidates are lined up to start, and work will continue to increase the intake on a regular basis.
- Working with Penna to create a social media campaign aimed at Radiographers in the UK and coastal universities. The campaign is aligned to the EVP model and will target people who have shown an interest in radiography.
- Greater attendance at job fairs in the UK, recently resulting in officers identifying 6 candidates for interview.
- Commissioning a specialist head-hunter on midwifery recruitment.
- Working with Andium homes on key worker accommodation, most recently resulting in the Government securing half of one of their newly refurbished tower blocks, with an option to take on the whole of the final tower block next Spring. This key worker accommodation is to be shared between HCS and CYPES.
- Reviewing recruitment and retention processes.
- As part of the Mental Health Community redesign work, there is a focus on introducing new roles which will be more attractive to candidates.
- Continuing the work of an internal HCS recruitment and retention group who are reviewing internal processes and their efficacy.

d) The funded establishment WTE, WTE in post and vacant WTE numbers for each care group at the end of September are shown below

Budget area	Total WTE	WTE in post	Vacant WTE
Chief Nurse	74	68	10
Medical Director	121	113	14
Associate Managing Director	75	72	3
Change Delivery	26	24	4
Clinical Support Services	125	106	19
Digital Delivery (this budget area is no longer in use)	0	0	0
Group Managing Director	15	15	0
Medical Services	515	446	69

Surgical Services	512	412	99
Mental Health	321	250	71
Social Care	206	179	27
Women's and Children's	167	137	30
Non-Clinical Support Services	406	358	48
Primary Care and Prevention	28	127	6

3.22 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding new digital telecare system (WQ.217/2022)

Question

“Given that the Minister wishes to increase the use of the new digital telecare system supplied by Airtel-Vodafone to allow many people who might otherwise require hospitalisation to be treated at home, will she agree to continue the subsidy of the cost of the Community Alarm System to maintain the monthly charge at £10.50 instead of doubling the cost to £21 as proposed by the previous Minister; and if not, why not?”

Answer

Note: For the Oral Question referenced below, please see OQ.68/2022 asked by Deputy G. P. Southern of St. Helier Central on this topic, which can be found in Hansard for the States Sitting held on Monday 25 April 2022 ([see link to Hansard here](#)).

Following on from my predecessor's response to an Oral Question on this same topic, I can confirm that since my appointment the financial situation for users of telecare remains the same.

For individuals who require the system as part of their care package, their use is fully funded by Government of Jersey.

For those individuals that choose to use the system there is a cost which is set to increase, and for those already using the system there is a subsidy in place to mitigate the impact of said increase; the first year remains at its present rate of £10.50, in a year's time (shall we just the cost will raise to £14, and by 1 July 2025 it will be £21).

My intention is not to change the direction of travel and that by 2025 the subsidy will cease. This means there will be two tiers of users of the telecare system, which has been the case previously. These being those who choose to pay to use the service, and those who rightly receive the service for free as part of their care package.

3.23 Deputy R.J. Ward of St. Helier Central of the Minister for Children and Education regarding school meals (WQ.218/2022)

Question

“Following the announcement of a proposed £1.6 million funding for school meals across States primary schools, will the Minister state the anticipated delivery dates for the commencement of serving hot meals to children in each of the States schools where meals are not currently served?”

Answer

A phased implementation plan for the roll-out is being developed, this will see the current provision increase from approximately 500 meals a day to 4000, this is a substantial increase.

The reason for the phased implementation is to allow for the development of a suitable commercial kitchen and for building works to take place in schools, 10 of which require planning permission.

The proposed implementation plan sees five schools onboarded during 2023 and the remaining throughout 2024.

An incremental approach in the on-boarding of schools is necessary to ensure that the methodology used in the preparation of meals and delivery process is sustainable and successful.

The project team are currently looking at an upscale model to meet the 4000 school meal requirement, assessing the current methodology and making recommendations to ensure delivery. Once this has been completed more detail on the roll-out can be shared.

3.24 Deputy R.J. Ward of St. Helier Central of the Minister for the Environment regarding use of renewable diesel (WQ.219/2022)

Question

“In relation to renewable diesel fuel, will the Minister advise -

- (a) whether he will be supporting the increased use of renewable diesel (of any brand) in any way in Jersey either in the next year or subsequent years of his term;
- (b) if not, what he assesses to be the obstacles to promoting renewable diesel of any brand; and
- (c) whether he has considered the claims made by Rubis in respect of renewable diesel on their website and, if so, what assessment he has made of those claims?”

Answer

(a) In line with the Carbon Neutral Roadmap policies TR3 on supporting transition fuels and TR3b to investigate the potential for renewable content petrol and diesel for Jersey, I believe that renewable fuels do have a role to play in the transition to net zero. These fuels enable customers to reduce emissions from their fossil fuel use by choosing to use an alternative product.

Due to current energy market uncertainty and price volatility, further work is required to assess the best option for implementation of these policies.

(b) See answer (a) above.

(c) There are three key aspects of renewable diesel that my officers consider in terms of the environmental credentials of these products. These are:

- That they are made 100% from renewable non-fossil fuel materials
- That they are not made from crops that would otherwise be used as a food source
- That the broader sustainability credentials of the product and its supply chain can be ascertained

While the first two items are relatively easy to verify, establishing the required standards and providing proof of the broader sustainability credentials of the product and fully understanding the supply chain is more difficult.

Controversy particularly comes from the use of palm oil and the biodiversity impact of palm plantations in rainforests. The percentage of palm oil used in a product and where it is sourced from, as well as if it is virgin palm oil or pulp, must be considered. The key thing around this is that the supplier knows where its palm oil comes from. Manufacturers are currently working on products without any palm oil content and this is likely to come in the next 5-10 years. The certification processes around this supply chain are developing (for example, the Roundtable on Sustainable Palm Oil) and we will support local suppliers in following the highest standards as they develop.

3.25 Deputy M.R. Scott of St. Brelade of the Minister for the Environment regarding St. Brelade's Bay improvement plan (WQ.220/2022)

Question

“With respect to the St. Brelade's Bay Improvement Plan, which the Bridging Island proposed should be completed by December 2023, will the Minister state –

- (a) whether it is still anticipated to meet this deadline and, if not, by what date the Improvement Plan will be completed; and
- (b) when the specific terms of the workstream for the Plan will be defined and specific financial provision for the work identified?”

Answer

- (a) It is anticipated that the St. Brelade's Bay Improvement Plan will be completed by December 2023.
- (b) It is anticipated that the scope of the workstream to deliver the improvement plan will be defined, together with the resources required to deliver it, during the first part of 2023, to enable the workstream to be completed by the end of the year.

3.26 Deputy G.P. Southern of St. Helier Central of the Chief Minister regarding reducing income inequality (WQ.221/2022)

Question

“Will the Chief Minister –

- (a) explain why the goal of reducing income inequality was not explicitly included in the proposed Common Strategic Policy;
- (b) state whether this aim will nevertheless be treated as a basis for policy work and, if not, explain why not; and
- (c) advise whether, as part of any such policy work, the Government is considering an extension to the Health Access Scheme to cover further groups, by age or disability, in order to reduce health inequality and, if not, explain why not?"

Answer

The shared ambition of Ministers is for Jersey to be a place where everyone can thrive.

The Common Strategic Policy identifies seven interlinked priorities designed to ensure Ministers focus and take decisions that have regard to Jersey as a place to live, a place of work, a place to grow old with dignity, and a place to take pride in and protect. The seven priorities for change are –

- housing and cost of living
- economy and skills
- children and families
- ageing population
- health and well-being
- environment
- community

While, of course, income inequality is one of the measures we will monitor, our focus is to encourage a prosperous and sustainable economy which supports long- and real-terms income and earnings growth; and to provide more support to improve quality and standard of life, especially during this once-in-a-generation cost of living crisis.

This requires a range of careful, costed, and sustainable measures.

Our actions in this respect are already clear – including by increasing the minimum wage to £10.50 per hour and giving targeted support to Islanders in the mini-budget. We are also developing measures that will give direct help, such as with sanitary products and school meals, recognising that almost all of us are impacted by inflation.

A specific policy objective around income inequality as a distributional measure would require a narrow focus on changes to household income across the income spectrum (and which could wrongly be achieved by reducing the incomes those at the higher or even middle end of the scale).

The Health Access Scheme also serves as a useful example of a targeted, effective scheme to support vulnerable groups that has no impact on income inequality.

The introduction of the Health Access Scheme provides subsidised GP services to adults and free GP surgery visits for low-income children. This ensures that parents can take children to get medical advice promptly, reducing possible anxiety among parents and supporting early intervention and positive health outcomes for children, minimising the impact of ill health on their schooling and general development. In this way, the Health Access Scheme acts to improve the wellbeing of local families. However, the existence of the Health Access Scheme is not registered or recorded in any measure of income inequality.

It should be noted, as previously confirmed, that the Minister for Social Security in her ministerial plan for 2023 has confirmed that there will be a review of the operation of HAS in 2023.

3.27 Deputy R.S. Kovacs of St. Saviour of the Minister for Treasury and Resources regarding Income Tax receipts (WQ.222/2022)

Question

“With reference to the States of Jersey 2021 Annual Report and Accounts, which indicate 2021 Income Tax receipts of £643 million, will the Minister provide further explanation of the £95 million increase in personal income tax, including specific details as to the categories, or income bands, from which this additional revenue was raised?”

Answer

The accounts for personal income tax are calculated on an accrual basis, meaning that tax is recognised in the year in which the income is earned or arises. As tax returns have not been submitted at the time the accounts are prepared, the accrual is calculated by reference to the most recent forecast prepared by the Income Forecasting Group.

The IFG forecast is calculated by applying the likely average effective tax rate to the forecast taxable income. Forecast taxable income is generated by applying economic variables, such as inflation and interest rates, to Revenue Jersey data.

During 2021, the IFG revised their forecasts to ensure they were updated with the latest information and economic assumptions provided by the Fiscal Policy Panel.

Forecast period	IFG forecast revenue
Spring 2021	£503m
Summer 2021	£511m
January 2022	£526m

The personal income tax figure in the accounts also includes prior year assessments and adjustments, which totalled £32m during 2021. This is combined with the IFG’s forecast to reach £558m, as stated in the 2021 Accounts.

The recognition of £32 million of income relating to 2020 assessments in 2021 inflates the change between the income of the two years to £95 million on an accounting basis. The movement in assessments is lower, with a change of £35 million from 2020 to 2021 in the latest IFG forecast, which equates to approximately 7%.

Further information on the forecasting method and the economic assumptions are available in the IFG's papers.

[Spring & Summer, 2021](#)

[Spring & Summer, 2022](#)

3.28 Deputy T.A. Coles of St. Helier South of the Minister for Health and Social Services regarding Chief Allied Health Professional (WQ.223/2022)

Question

In relation to Allied Health Professionals, will the Minister explain –

- (a) the role of the Chief Allied Health Professional;
- (b) who is considered to be an Allied Health Professional;
- (c) how are they regulated; and
- (d) what minimum qualification level is required?

Answer

- (a) The Chief of Allied Health Professions is accountable for leading the delivery of strategic, clinical and professional management of allied health professionals within Health & Community Services.
- (b) The following are considered to be allied health professionals:
 - Physiotherapists
 - Occupational therapists
 - Speech & language therapists
 - Dietetics
 - Podiatrists
 - Practitioner psychologists
 - Biomedical scientists
 - Orthoptists
 - Radiographers
 - Hearing aid dispensers; and
 - Operating department practitioners.
- (c) Allied health professionals are professionally regulated through the Health and Care Professions Council (HCPC).
- (d) Depending on the allied health profession, different education and training programmes are required to ensure HCPC proficiency standards are met.

The HCPC normally expects that the following threshold entry routes to the HCPC register:

A bachelor honours degree for:

- Physiotherapists

- Occupational therapists
- Speech & language therapists
- Dietetics
- Podiatrists
- Biomedical scientists
- Physiologists
- Orthoptists; and
- Radiographers

A diploma of higher education for:

- **Operating department practitioners**

And a professional doctorate for:

- **Clinical and counselling psychologists.**

3.29 Deputy S.Y. Mézec of St. Helier South of the Minister for the Environment regarding prevent inappropriate developments taking place (WQ.224/2022)

Question

Will the Minister indicate what plans, if any, he has to strengthen planning protections on Jersey's coastline to prevent inappropriate developments taking place which take land which is currently developed for a public use (such as hotels or hospitality venues) into a site for private use (such as private residences)?

Answer

As Minister I recognise that there is considerable public concern about the way in which hotels and hospitality venues located in prime coastal locations have been – and may in the future be – developed for private residential development.

Decisions about the management of development around Jersey's coastline are guided by the Island Plan. The bridging Island Plan, which was only approved by the States Assembly in March 2022, provides a strengthened planning policy regime to protect the island's coastline.

The robustness and effectiveness of this policy regime will be monitored and assessed over the bridging Island Plan period. I intend to take a proactive role in canvassing views from all stakeholders with the aim of ensuring that the Island Plan (and other relevant policy tools) work to ensure the preservation and enhancement of the greatest possible “public good” in relation to our coastline. However, it will ultimately be a matter for the Assembly to determine whether the policy requires strengthening as part of the next Island Plan Review.

It is important to recognise that the planning system represents a qualified interference in the enjoyment of private property to safeguard public interests. Most hotels and hospitality venues represent private interests.

The need to apply for planning permission to change the use of a hotel or hospitality venue to other forms of development is prescribed by planning legislation, and the acceptability of any such proposal is assessed against the planning policy regime set by the Island Plan. This seeks to ensure that wider public interests – such as, for example, the character of the coast, biodiversity and heritage – are protected so that the public can continue to enjoy them.

With specific regard to public access to any private land, the bridging Island Plan contains a policy provision which seeks to ensure that development which would result in the loss, or prevent the use,

of any part of the existing footpath network or other rights of way will not be supported unless alternative routes are provided that are similar or better in quality.

In the case of hospitality venues – described as daytime and evening economy uses in the bridging Island Plan – a proposed change of use is subject to an additional policy test in the Island Plan and will only be supported where there is no market demand for the site's continued use; or where the proposed alternative use is of overriding community benefit.

However, I recognise that the situation regarding the conversion of hotels is not as restrictive as it is with hospitality venues. There are good reasons for this policy distinction, but it is nevertheless something that I intend to investigate further to ensure that we are striking the right balance between the rights of hotel owners and the strong public desire to be able to continue to access and enjoy the island's coastline.

3.30 Deputy S.Y. Mézec of St. Helier South of the Chair of the Privileges and Procedures Committee regarding forward proposals to require government ministers (WQ.225/2022)

Question

Will the Chair consider bringing forward proposals to require Ministers to give statements during States Assembly sittings when the terms of a proposition agreed by the Assembly will not be met (for example, a clear deadline being missed) so that Members are officially advised that their decision will not be implemented and given the opportunity to ask questions to hold that Minister to account?

Answer

PPC has previously discussed how to ensure better compliance, principally on the part of Ministers, with States decisions. It might be helpful if I provide a little more detail on those discussions and the outcome but to directly answer Deputy Mézec's question, I would be very happy for PPC to consider this matter and bring forward any proposals deemed necessary.

In 2021, PPC discussed what sanctions could be applied to Ministers for failing to implement a States decision. The present position is that, procedurally, there are no special rules requiring Ministers to implement the requests made of them by the Assembly (although there is a political imperative on Ministers to heed those requests). Options available to Members include:

- Using questions to ask for an explanation of delay or to press for action;
- Bringing a further proposition to require action;
- In the case of legislation, bringing the legislation directly to the Assembly, although this is only feasible if the change to the law required is relatively modest in scope;
- Publicising the non-compliance with a States decision in the media;
- Bringing a proposition of censure, although this has no formal repercussions;
- Bringing a proposition of no confidence, which would require a Minister to resign if it were adopted by the States.

During its discussions, PPC noted that there is no track of decisions of the States to show what Ministers have been asked to do and what progress towards implementation have been made. On that basis PPC had started to explore the idea of a States' decision log, which would be backdated to 2018 and published, which would require departments to provide progress updates every quarter. The intention behind this would be to make it easier for Members and the media to question Ministers about the implementation and to scrutinise the reasons given for any delay. Where Ministers had decided not to implement a decision, the reasons would need to be stated publicly and Members would have the information they need to question Ministers on this, both in scrutiny and in the Assembly.

The tracker is a work in progress, partly due to PPC's workload before the election. In that regard I will make sure that an item is placed on a future PPC agenda in order to continue our discussions on this matter and the Deputy's suggestion of requiring Ministers to make a Statement in the States will be included in those discussions.

3.31 Deputy S.Y. Mézec of St. Helier South of the Minister for Infrastructure regarding resurface St. Saviour's Road (WQ.226/2022)

Question

Would the Minister indicate what plans, if any, exist to resurface the south end of St Saviour's Road?

Answer

The south end of St Saviour's Road is currently in the resurfacing programme for 2024. The Highway Asset Management (HAM) section of Operations and Transport has identified the need to resurface/reconstruct this section of road since at least 2018 when other sections of St Saviour's Road were resurfaced.

Utility activities shorten the life of resurfaced roads. Once a road is resurfaced utility activity is embargoed for up to 5 years to protect the road and prolong its life.

HAM have been aware of planned developments on this section of road, such as the former Anne Street Brewery site and the former Mayfair Hotel development site since 2018 and have therefore delayed resurfacing until these developments have been completed. It is hoped that further delays to resurfacing this section of the road, while developments are completed will not be required.

3.32 The Connétable of St. Lawrence of the Chief Minister regarding dual site for the hospital (WQ.227/2022)

Question

Further to the Chief Minister's recent statements in favour of a dual site for the hospital, will she –

- (a) clarify whether, at the time of making them, evaluations had been undertaken in respect of the following –
 - (i) the additional annual staffing requirements for a dual site, compared to the agreed single Overdale site;

- (ii) the additional annual running costs for a dual site, compared to the agreed single Overdale site;
- (b) irrespective of the response to (a), provide the following –
- (i) the total additional annual staffing requirements for a dual site, compared to the agreed single Overdale site;
 - (ii) the total additional annual running costs for a dual site, compared to the agreed single Overdale site including depreciation;
- (c) provide details of what engagement there has been with staff and clinicians regarding the desirability, or not, of operations on a dual site; and
- (d) provide details of appropriate assumptions for the following –
- (i) the current annual staffing cost to run the General Hospital;
 - (ii) the current number of staff employed at the General Hospital; and
 - (iii) the current annual running costs of the General Hospital, to include all ancillary sites?

Answer

- (a) As I emphasised as part of my work as the Chair of the Future Hospital Review Panel, the Outline Business Case for the single-site scheme at Overdale lacks information on the future revenue consequences of the proposed new health care facilities. As a result, there is no detailed information on facilities management operational costs, nor is there detailed information on workforce costs.

Therefore, any meaningful comparison of operational costs between a dual-site and the existing single-site proposal is very challenging. In addition, it would not be realistic to develop a detailed operational costs analysis as part of the 100-day plan. As the Minister for Infrastructure has outlined to the Scrutiny Liaison Committee, the output of the review being undertaken on the project will not explore the options in this level of detail but will provide an options analysis from which a new direction of travel may be established for the project.

However, if any new direction of travel is agreed, the scope of the project and new business cases will need to be developed, incorporating more detailed information on future revenue costs.

- (b) See response to question (a)
- (c) As part of the review, meetings have taken place with senior clinicians and operational managers and the Health Workers Panel. Acknowledgements of stakeholders engaged in the review process will be published as part of the review.
- (d)
- (i) the current annual staffing cost to run the General Hospital;
£143 million (excludes Mental Health & Social Care) (2022 forecast)
 - (ii) the current number of staff employed at the General Hospital; and
1785 full time equivalent (excludes Mental Health & Social Care)

(iii) the current annual running costs of the General Hospital, to include all ancillary sites?

The below table shows the total forecast expenditure for the Health and Community Services Department for 2022 (excluding income) which represents the annual gross costs for all services from all sites:

Staff Expenditure	£172 million
Non-Staff Expenditure	£99 million
Total Running Costs	£271 million

Within the above total costs, the below summary shows staff and non-staff estates and non-clinical support costs for the Health and Community Services Department across all sites.

Staff Expenditure	£20.7 million
Non-Staff Expenditure	£10.7 million
Total	£30.4 million

This excludes costs not wholly attributable to clinical services reported within service delivery departments, such as executive, governance and administration staff, and non-clinical consumables, such as telephones, stationery, postage, mileage

3.33 Deputy M. Tadier of St. Brelade of the Minister for Treasury and Resources regarding barcodes on stamps (WQ.228/2022)

Question

Would the Minister, as shareholder representative, indicate if there are any plans for Jersey Post to follow the Royal Mail in introducing barcodes on stamps and whether a surcharge for non-barcode stamps is anticipated?

Answer

I have been advised by Jersey Post that they have no current plans to introduce barcodes on stamps for outbound mail and accordingly there would be no surcharge for non-barcode stamps.

3.34 Deputy L.V. Feltham of St. Helier Central of the Minister for the Environment regarding reduce the sea lettuce (WQ.229/2022)

Question

Will the Minister detail what work, if any, is being undertaken to reduce the sea lettuce on our shoreline (particularly in St. Aubin's Bay) next summer and in future years?

Answer

The quantity of nitrates entering St Aubin's Bay both from land run-off and from the waste-water treatment works (WWTW) at Bellozanne impacts the growth of the nuisance weed, sea lettuce. The Government of Jersey has recognised the importance of reducing levels of nitrates for some time, particularly given that the bay receives run-off from a large proportion of the island.

Relevant stakeholders, including potato and dairy farmers and officers from Jersey Water and Natural Environment, have worked closely together for some time to reduce levels of nitrates in water across the island. This includes streams and groundwater entering the bay, and by default the quality of water being treated by the WWTW. Their collaborative work has been very successful and average nitrate levels in streams and groundwater have reduced by one-third during the past 20 years (the annual average level of nitrates in streams is currently less than 50 mg/l).

The new WWTW is currently being built and will be fully operational by the end of 2023. The new facility will result in lower levels of total nitrogen entering the bay and increased volumes of treatment during storm conditions leading to less shock loading of total nitrogen. These improvements will help limit the annual volume of this nuisance weed. A discharge permit issued under the Water Pollution (Jersey) Law 2000 will ensure that levels of potential pollutants (including total nitrogen) entering the Bay are regulated.

The excessive growth of sea lettuce in St Aubin's Bay is highly complex. Multiple factors contribute to its growth, including bay topography, land reclamation, sea temperatures, nutrient inputs and more.

Natural Environmental officers undertake regular monitoring of St Aubin's Bay in line with the EU Water Framework Directive (WFD). This work gathers base line data to assess the chemical and ecological status of the bay. In 2015, following the collection of 3 years of data, the water quality of St Aubin's Bay was classified as 'moderate' according to the classification of the WFD. This was driven by the outcome of the opportunistic sea lettuce and the level of dissolved available inorganic nitrogen, both of which are indicators of nutrient enrichment. This classification is currently being updated.

Additional nutrient monitoring of the surf (inshore) zone of St Aubin's commenced in 2014. This will lead to a better understanding of the source and distribution of nutrients across the bay and identify the conditions responsible for the variation in the growth of sea lettuce. Over time, the data collected will be used to assess the impact of the expected decrease in nutrient loadings from the new WWTW and from the work of the Action for Cleaner Water group tackling land-based sources.

The IHE Operations & Transport directorate responsible for removal and disposal of sea lettuce along the amenity beach areas of St Aubin's Bay has increased the amount harvested, and disposed of 5,416 tonnes of green seaweed directly to suitable farm land this year. This provides the landowners with a source of organic fertiliser thereby reducing the amount of additional chemicals being used by the industry.

It remains that sea lettuce will always be present and that it will vary in quantity from year to year.

3.35 Deputy R.S. Kovacs of St. Saviour of the Minister for Treasury and Resources regarding Income Tax paid by companies (WQ.230/2022)

Question

Given that the States of Jersey 2021 Annual Report and Accounts indicate that the income from Companies Tax decreased by £34 Million in 2021 when compared with the previous year, will the Minister provide more detailed statistics advising the reason for this decrease including by sector of operation or business size; and would the Minister further advise whether it is his intention to review the levels of Income Tax paid by Companies, noting the low proportion of revenue in terms of the annual total tax-take?

Answer

The information which is currently available to Minister for the Environment can be found at Page 18 of report on the revised income forecast presented to the States Assembly in Report R 134/2022

[r.134-2022.pdf \(gov.je\)](#) :-

“2021 outturn from Revenue Jersey

The aggregate outturn for 2021 was in line with the IFG forecast. Tax from financial services was hit strongly, primarily due to the impact of the reduction in the bank rate which fell in March 2020 from 0.75 to 0.1 and remained at that level for the remainder of the year. Tax outturn for financial services fell from £81m to £59m between 2020 and 2021. This includes a £1m downwards revision to 2020 outturn. Note that corporate income tax is paid one year in arrears, so tax in 2020 relates to profits in 2019.

Tax from property activities (property development and rental profits) fell by £0.8m in 2020, while tax from large corporate retailers (LCRs) remained relatively stable with small growth of around £0.2m despite lockdown restrictions impacting trade.

Tax from utilities grew by just over £½m, whereas tax from all other sectors fell by around £1m.

Overall corporate income tax fell by 19% between 2020 and 2021, nearly all of which was due to falls in tax from financial services, assumed to be largely due to the impact of lower interest rates on financial services profits.”

I note, however, that increases are forecast in future years, as follows;

Corporate Income Tax							
(GBP millions)	2020 Outturn	2021 Outturn	2022 Forecast	2023 Forecast	2024 Forecast	2025 Forecast	2026 Forecast
Spring 2022 forecast	121	98	111	131	165	165	162
Impact of tax outturn	-2	-1	-1	-1	-0	-0	-1
Growth assumptions - FS		0	0	+0	+6	+15	+21
Growth assumptions – non-FS		0	-0	-0	+1	+1	+1
Summer 2022 forecast	120	98	110	131	171	181	184
Variance	-2	-1	-1	0	+6	+16	+22

Some columns may not sum due to rounding. Grey background is previous forecast and outturn.

The Government is considering the impact of the international OECD two pillar tax project on the very largest global multinational groups of entities with operations in Jersey. However, even in the event that Jersey’s corporate tax regime changes for these very large multinational groups, the corporate tax position of all but these large in-scope companies operating in Jersey will remain unchanged. I have no plans to go beyond this at this time. Plans for major tax review are set out in the proposed Government Plan 2023 - 2025.

3.36 Deputy R.S. Kovacs of St. Saviour of the Minister for Treasury and Resources regarding new hospital expenditure (WQ.231/2022)

Question

Will the Minister provide full details of expenditure on the Our Hospital Project to date, including purchase of land or property; and will the Minister give a breakdown of any costs, fees and charges that are still accruing on a daily, weekly, and monthly basis?

Answer

The expenditure for the Our Hospital Project to date is summarised in the table

Cost Categories (£m)	2019	2020	2021	2022	Inception to Date Actuals
Design & Professional Fees	0.3	3.2	3.4	2.5	9.4
PCSA Costs	-	6.2	20.7	7.3	34.1
Re-provision of Services from Overdale	-	-	1.7	2.8	4.5
Sub Total	0.3	9.4	25.8	12.5	48.1
GoJ Team Costs	0.2	1.2	1.4	0.9	3.7
Land Acquisition / Re-provision Costs	-	-	25.0	0.0	25.0
Total incl. Other Costs	0.5	10.6	52.2	13.5	76.8

below:

* PCSA - Preconstruction Services Costs

In terms of continuing costs as at the 18th of October 2022, the GoJ Project Team is continuing with approximately £55,000 costs per month until further notice.

Expenditure on external professional services fees for the delivery of the hospital design is largely on hold with limited continuing expenditure in support of the 100-day review into the Our Hospital project. When the outcome of the review is agreed then further work will be done by the GoJ Project Team in determining how best to deliver the outcomes which will naturally include professional fees. With respect to professional fees, due to the scope and scale of the Government of Jersey’s capital delivery programme, it should be noted that for any large scale project the Government of Jersey would routinely buy in specialist project resource.

Other ongoing costs relate to enabling works at the former Les Quennevais School. These will provide modern, fit-for-purpose healthcare facilities. These works are progressing as planned and are expected to cost approximately £9.5m by the end of 2022.

3.37 Deputy M.B. Andrews of St. Helier North of the Minister for Treasury and Resources regarding Contract Employees (WQ.232/2022)

Question

Will the Minister advise the total amount of tax payable on the property income of High Net Worth Individuals since 2018?

Answer

It is assumed that the reference to “High Net Worth Individuals” in this question relates to those individuals who have come to Jersey since 2005 by obtaining “entitled status” under Regulation 2(1)(e) of the Control of Housing and Work (Residential and Employment Status) (Jersey) Regulations 2013, and its predecessors who have access to preferential tax rates as a result.

The income tax arising on property income receivable by High Net Worth Individuals was as follows.

- 2018: £420k
- 2019: £407k
- 2020: £375k

The above figures have been calculated using the annual effective rate of income tax applied to the total rental income receivable for each taxpayer. Any income tax arising that is relievable under the articles of a double taxation treaty has been excluded.

Taxpayer data relating to 2021 will not be available until after the first quarter of 2023.

3.38 Deputy M.B. Andrews of St. Helier North of the Minister for Treasury and Resources regarding interest rates on the hospital bonds (WQ.233/2022)

Question

Would the Minister indicate, at this present time, the potential coupon payment rate of the previously proposed Our Hospital Public Rated Sterling Bonds, as outlined in the Debt Framework (R.68/2022)?

Answer

The coupon on public rated sterling bonds is determined by two main factors: the underlying UK Gilt rate to which a credit spread, reflecting the risk profile of the issuer, is added. The value of both components not only change daily but are subject to intra-day movements reflecting underlying market conditions and risk sentiment.

However, purely for comparative purposes and using the Gilt rate at market close (5pm UK) on Monday 24th October, the Minister would indicate bond coupon rates of 5.00% (20 years) and 4.625% (40 years). Actual pricing would be subject to market appetite on the day of issue.

The recent volatility experienced in financial markets and the subsequent impacts on long-term interest rates mean that the funding strategy for Our Hospital as set out in the Debt Framework

(R.68/2022), or P.80/2021: Our Hospital – Budget, Financing and Land Assembly would need careful review before committing to any borrowing.

3.39 Deputy M.B. Andrews of St. Helier North of the Minister for Treasury and Resources regarding Personal Income Tax (WQ.234/2022)

Question

Will the Minister provide, as a percentage of overall personal income tax, the amount that the top ten percent of non-marginal income taxpayers have contributed per annum since 2012?

Answer

Broadly speaking, the top 10% of personal-income-taxpayers are those taxpayers (including married couples and civil partners) whose income is taxed at the standard rate of 20% (ie they do not benefit from Marginal Relief).

Percentage of Personal Income Tax Paid by the 10% of Taxpayers with the Highest Income									
	Year Of Assessment								
	2012	2013	2014	2015	2016	2017	2018	2019	2020
Percentage	45%	45%	46%	45%	46%	46%	45%	46%	45%

3.40 The Connétable of Grouville of St. Helier North of the Minister for Economic Development, Tourism, Sport and Culture regarding funding for Jersey Opera House (WQ.235/2022)

Question

Given that the draft Government Plan 2023-2026 includes £11.7 million of funding allocated to the Jersey Opera House, will the Minister provide –

- (a) a detailed breakdown of the schedule of works to be carried out based on this figure, together with the proposed timeframe of each itemised piece of work; and
- (b) a schedule of all proposed on-going maintenance on completion of the above works, detailing the future funding provision to ensure annual maintenance rather than periodic high repair costs?

Answer

a)

A detailed breakdown of the scope of works for the renovation project is included in the below annex.

Following the allocation in the proposed Government plan of £11.7m towards the renovation of the Jersey Opera House we have now assembled a project Board to oversee the delivery of this important renovation project.

The project Board is chaired by a senior officer from the Economy Department and also includes representatives from Jersey Property Holdings and the project management firm who are to deliver the renovation works.

I have asked this project Board to provide Minister for the Environment with a detailed project timeline against the scope of works by the end of the year.

b)

We are currently working on a new legal structure operating model for the Jersey Opera House company. Within this operating model we will factor in a fully costed maintenance fund to ensure that the pressure of maintaining the building is removed from those in charge of the arts programme.

Annex

GROUND FLOOR INTERNALS

- 1 Auditorium, Foyer & Corridors Replace auditorium and front of house carpeting
- 2.1 Auditorium Remove, reupholster and refix auditorium seats
- 2.2 Auditorium MEP Clean duct under auditorium seating
- 3 Auditorium DDA Adapt row G seats to make easily removeable
- 4.1 Auditorium DDA Change seat designs/adapt for DDA
- 4.2 Auditorium MEP Move and reinstate sound desk
- 5 Auditorium DDA Adapt seats
- 6.1 Stage repoint part of granite, rigging edge protection, repaint floor
- 6.2 Stage MEP Remove and refix MEP equipment
- 7.1 Stage check stage fire curtain, input required Fire Consultant
- 7.2 Stage MEP JF&R report required to check if existing drencher compliant
- 8.1 Circulation areas/ramps DDA colours, add signage, handrails, replace doors with vision panels
- 8.2 Circulation areas/ramps MEP emergency lighting in connection
- 9 Berni suite make good water ingress to external walls , redecorate
- 10.1 Berni suite DDA adapt bar to create lower portion of counter
- 10.2 Berni suite MEP Remove, refix and adapt MEP equipment
- 11.1 Male WC replace 3 nr damaged urinals IPS system
- 11.2 Male WC MEP replace above with cisternmiser and pipework modifications
- 12.1 Corridor relocate fire doors to ramp
- 12.2 Corridor MEP Upgrade emergency lighting, alarms etc, electromagnetic door hold open
- 13.1 Lower Stalls Bar concrete repairs to studio soffit above
- 13.2 Lower Stalls Bar MEP remove and refix MEP installations for above
- 14 Lower Stall Bar DDA redecorate contrasting columns
- 15.1 Lower Stalls Bar / Box Office Counter DDA adapt bar to create lower portion of counter, increase space

- 15.2 Lower Stalls Bar / Box Office Counter MEP in connection with above
- 16 Lower Stalls Bar / Box DDA repeat decal
- 17 Stage Dock replace faulty full height stage door for fire rated door, reuse track
- 18.1 Laundry / Wardrobe Service Room DDA swap washer/drier position, change sink
- 18.2 Laundry / Wardrobe Service Room MEP in connection with above
- 19.1 Review Stage Loadings survey and report required
- 19.2 Review Stage Loadings MEP remove and refix to enable above
- 20.1 Basement Orchestra Pit repair concrete degradation and tanking
- 20.2 Basement Orchestra Pit MEP remove and refix MEP equipment re above
- 21.1 Basement Orchestra Pit install pit pumps
- 21.2 Basement Orchestra Pit MEP pumps (specialist work)
- 22.1 Basement Orchestra Pit DDA stair lift (previously removed) and screed
- 22.2 Basement Orchestra Pit MEP stair lift
- 23.1 Scenery Dock install platform lift (see below), adapt existing stair location etc
- 23.2 Scenery Dock MEP lift
- 24 Basement make good fire stopping to stage door DB13 and generally

FIRST FLOOR INTERNALS

- 25.1 Circle OH! Bar structural concrete soffit repairs, reinstate ceilings
- 25.2 Circle OH! Bar MEP remove and refix equipment in connection with above
- 26 Circle OH! Bar DDA add hazard warning/manifestation to glazed balustrading
- 27 Circle OH! Bar / Foyer DDA decals to mirrors
- 28 Replace external glazed canopy to circle foyer
- 29 Circle foyer improve heating and new ventilation system
- 30 Dressing Room 3 / Green Room MEP no electrics reinstate power
- 31 Dressing Room 3 / Green Room MEP no ventilation only extract provide new mechanical ventilation
- 32.1 Dressing Room 3 / Green Room new toilet and shower
- 32.2 Dressing Room 3 / Green Room MEP sanitary, supplies, wastes etc to above item
- 33 Chorus Dressing Room make good water damage from roof
- 34 Chorus Dressing Room MEP replace smoke detectors/review extract ventilation

SECOND FLOOR INTERNALS

- 35 Dressing Room 4 Riser MEP fire stopping to ducts through compartments
- 36.1 Dressing Room 4 Riser review lightning conductor and water ingress from roof
- 36.2 Dressing Room 4 Riser MEP remove and refix to allow remedials to above
- 37 Dressing Room 4 make good stone wall/boxing due to water ingress

- 38.1 Dressing Room 4 / Disabled WC DDA replace sanitaryware and vinyl
- 38.2 Dressing Room 4 / Disabled WC MEP incl install secondary lower level shower head
- 39.1 Green Room Kitchen / Old Living DDA lower part of kitchen counter
- 39.2 Green Room Kitchen / Old Living MEP refix MEP equipment to enable above
- 40 Green Room Kitchen / Old Living
- 41 Studio MEP repair ductwork and services
- 42.1 Studio repair roof following water ingress
- 42.2 Studio MEP remove and refix MEP to enable above
- 43 Studio superficial repairs to protective floor matting to sprung floor
- 44 Studio DDA decals to mirrors at knee height
- 45 Rehearsal Room DDA decals to mirrors at knee height
- 46 Rehearsal Room Make good decorations following water ingress

THIRD FLOOR INTERNALS

- 47 Plant room new tanking membrane, hazard demarcation
- 48 Plant room MEP only one pump working; replace 8 pump heads
- 49 Plant room make good internals following water ingress
- 50 Plant room review blockwork/fire stopping to wall to riser cupboard
- 51 Plant room Roof Health & Safety, exposed insulation over joists, investigate decking over
- 52 Plant room remediate damp issues/rot to timbers
- 53 Chandelier / Dome investigate and add new structural ring beam supports
- 54.1 Chandelier / Dome remove ply flooring to inspect structure (levels dip)
- 54.2 Chandelier / Dome MEP remove & refix MEP equipment to enable above
- 55 Chandelier / Dome permanent handrail supports to dome enclosure
- 56 Third Floor / Upper Circle Bar make good water ingress to roof over electrical corridor
- 57 Third Floor Escape Staircase, make good internal walls due to water ingress

EXTERNALS

- 58 Gloucester Street Elevations repair cracks to painted render walls
- 59 Gloucester Street Canopy repair cracks to underside of canopy soffit
- 60 Gloucester Street Elevations repair cracks to painted render walls
- 61.1 Gloucester Street Foyer Entrance Doors DDA replace defective external refuge point; signage
- 61.2 Gloucester Street Foyer Entrance Doors DDA MEP (incl doorbell not working)
- 62.1 Gloucester Street Foyer Entrance Doors DDA, make good
- 62.2 Gloucester Street Foyer Entrance Doors DDA MEP automatic door openers/closers
- 63.1 Gloucester Street Box Office Doors DDA, new doors to alternative access, handrails, signage

- 63.2 Gloucester Street Box Office Doors MEP push pad door automation to 1 nr double doors
- 64 Gloucester Street External Lightning MEP replace uplighters
- 65 Gloucester Street remove rusted fixings, make good render, redecorate
- 66 Gloucester Street Canopy
- 67 Gloucester Street scaffold, further inspections, repair, redecorate
- 68.1 External Windows make good panes, beads and single glazing, redecorate
- 68.2 External Windows
- 69 First & Second Floor Glazing Gloucester Street elevation, replace rusting frames, new safety glass
- 70 Fourth Floor repair cracks to render/parapet wall
- 71 Second Floor Studio & Office Roofs, make good, possible new insulation
- 72 Second Floor leanto slate roof (over Rehearsal Studio) Investigate and repair valley
- 73 External Seaton Place façade, repair cracking and redecorate
- 74 Provide new edge protection to roof to improve roof access, plus rooflight guards
- 75 Existing emergency escape door (West elevation Gloucester Street), damp remedials, new ACO
- 76 External Car Parking lines DDA liaise with Parish for designated disabled drop off/pick up
- 77 External Signage DDA Patriotic Street car park sign indicating shortest route
- 78 External Seating DDA tipup perching seats

GENERAL ITEMS

- 79 Fire Doors, replace all existing, add intumescent strips
- 80 Doors DDA adjust resistance, change handles throughout, signage, contrasting colours
- 81.1 Front Public Passenger Lift remove existing stairlift, make good walls, localised redecoration
- 81.2 Front Public Passenger Lift MEP
- 82.1 Front Public Passenger Lift DDA extend shaft up to third floor, remove stair lift, make good
- 82.2 Front Public Passenger Lift DDA MEP, extend existing travel, adapt car
- 83.1 Rear Stage Passenger Lift replacement DDA, builders work
- 83.2 Rear Stage Passenger Lift replacement DDA MEP
- 84 Circulation Doors, adjust door closers to reduce resistance
- 85 Circulation Lobbies/Corridors Signage DDA update throughout, replace missing hooks etc
- 86 Bars & Box Office Counters DDA replacement laminates, spray rails
- 87.1 Disabled Accessible Toilets DDA replace back panels, handrails, vinyl flooring, adjust fittings heights
- 87.2 Disabled Accessible Toilets MEP
- 88 Acoustic Booth DDA MEP
- 89 Rooftop Handrails, low level parapet upstands only
- 90 Asbestos Report

OTHER MEP ITEMS

- 91 Clean/update/refurb HVAC to all areas
- 92 Supply and extract ventilation to back of house & under stage
- 93 Replace Dx system serving Opera House AHU plant
- 94 Replace Dx system serving common areas
- 95 End of life boiler replacement
- 96 Make radiators LST
- 97 Update Trend control systems
- 98 Clean LTHW heating system
- 99 Replace water services pipework
- 104 Remove and replace water tank to accessible roof area
- 105 Legionella works to some water services pipework
- 106 Replace broken extract fans
- 107 Replace broken disabled access alarms DDA
- 108 Replace lighting control system
- 109 Replace lighting which is broken or not standard
- 110 Replace electrical cables
- 111 Replace electrical switchgear
- 112 Enlarge incoming JEC supply to suit Gas boiler replacement
- 113 Remedial works to power following electrical testing
- 114 Provide power/containment/data to suit new AV/stage systems
- 115 Replace door security
- 116 Replace stage sliding door motors
- 117 Replace studio lamps
- 118 Fire stopping in connection with MEP services
- 119 Box Office / Stalls Bar DDA induction loops front of house and dressing rooms
- 120 External Stage Door / Seaton Place replace intercom
- 121 Lighting replace throughout with LED, reduce switch heights
- 122 Auditorium Dress Circle create fire refuge point
- 123 Auditorium Upper Circle create fire refuge point
- 124 Laundry / Wardrobe Service Room replace ventilation system
- 125 Switches and sockets DDA contrasting plates
- 126 Studio DDA extra lighting
- 127 Back of House risers add collars and dampers
- 128 Clean all drainage traps

- 129 Provide dehumidifier to piano store
- 130 Supply & extract ventilation system under stage for H&S compliance
- 131 Works to caretakers flat (to be surveyed)
- 132 Perimeter heating in glass dining area & first floor foyer replace
- 133 Replace curtain drenching system behind stage
- 134 Remove and reinstate roof plant above studio
- 135 Remedial works to existing fire alarm system

OTHER ITEMS NOT ON ARCHITECT'S INITIAL SCHEDULE

- 136 Redecorate auditorium allowance
- 137 Survey and Report for fire compartmentation
- 139 DDA original scope provisional sum
- 140 Basement floor various including finishes (amber) and door upgrades (red) total £14,687
- 141 Ground floor various including finishes (amber) and door upgrades (red) total £64,247
- 142 First floor various including finishes (amber) and door upgrades (red) total £25,056
- 143 Second floor various including finishes (amber) and door upgrades (red) total £40,231
- 144 Third floor various including door upgrades, cracks, roof repairs (red) total £20,504
- 145 Stairwells various including finishes (amber) total £3,075
- 146 MEP original scope lighting items 109 and 135
- 147 Provisional sum increased allowance for wall and roof repairs since 2019 survey

3.41 Deputy C.S. Alves of St. Helier Central of the Minister for Social Security regarding gluten free vouchers (WQ.236/2022)

Question

In respect of gluten free vouchers, will the Minister provide details of the following –

- (a) the date when they were first introduced;
- (b) at what value they were set;
- (c) how this value was decided; and
- (d) whether any consideration been given to increasing this value; and, if so, by how much and when?

Answer

- (a) The Gluten Free Voucher Scheme was established in 1990 following States Assembly approval of *Gluten-Free Foods: Financial Assistance* (P.155/1990).
- (b) £10 per week
- (c) An estimation of the amount of food containing wheat which might be consumed and the price difference between ordinary foods and special foods manufactured to exclude gluten
- (d) The value of these vouchers has since been increased to £14.00 per week. The scheme will be reviewed next year.

3.42 Deputy C.S. Alves of St. Helier Central of the Chair of the States Employment Board regarding contracts to carry out work for the Government (WQ.237/2022)

Question

Will the Chair advise what checks, if any, are undertaken to ascertain if companies who are issued contracts to carry out work for the Government of Jersey are paying their employees the living wage?

Answer

It is a requirement of the Government of Jersey that companies who are contracted pay their employees the living wage.

Contracts are owned by Departments, and as such, the accountability for due diligence across contracts sits with Departments. Departments are required to undertake regular due diligence on their suppliers, including wages. This information is not currently held centrally, however the Commercial Services Directorate is in the process of implementing measures which will facilitate future monitoring and support in this regard.

3.43 Deputy C.S. Alves of St. Helier Central of the Chair of the Comité des Connétables regarding children, younger adults and those from minority communities and election participation. (WQ.238/2022)

Question

In relation to children, younger adults and those from minority communities, will the Chair advise what work and initiatives, if any, the parishes have undertaken to raise awareness and encourage attendance at parish meetings, and to encourage these groups to take part in elections?

Answer

At this early stage of the States term, the Comité has not yet discussed new initiatives to encourage younger Parishioners or those from minority groups to attend Parish Assemblies.

The Connétables continue to work with schools to assist in incorporating parochial and political subjects in their curriculum. This can include visits to the Parish Hall and assistance with school elections using the ballot box. We are also supportive of initiatives by the States Greffe to offer school attendances in the States Chamber.

Parish Assemblies are advertised on the respective Parish websites; these have been specifically developed to allow the user to select a preferred language of English, Portuguese or Polish and also have an Accessibility Menu. Parishioners can subscribe to be notified by email of news and events when these are added to the sites. Several Parishes also have social media accounts or send a flyer to advertise meetings. Further development of websites and the use of social media platforms will be considered to reach out to all parishioners including those in groups which may be under represented such as younger adults and from minority communities. Parish Assemblies are also advertised on the online Jersey Gazette.

Any person who is 16 years of age and who meets the residence criteria is eligible to register as an elector and to exercise their right to attend and vote at the Parish Assembly. The annual canvas of electors takes place each autumn to ensure persons are registered and Parishes are also proactive in ensuring those who contact the Parish, for example for a change of address or apply for a provisional licence, also register.

Whilst the Connétables encourage all to attend it is ultimately a decision for the individual as to how he or she chooses to participate in parish affairs. Where the business conducted consists of straightforward 'housekeeping' matters it is fair to say that the number attending is usually a small proportion though it may be higher for the annual meetings where the rates are determined or if a contentious issue is on the agenda.

3.44 Deputy S.Y. Mézec of St. Helier South of the Chief Minister regarding breakdown on new hospital spend (WQ.239/2022)

Question

Will the Minister provide the most up to date figures for how much has been spent on each project to deliver a new hospital since 2011, broken down by how much was spent on consultants versus what was spent on in-house staff costs; and will the Minister further provide the costs which have been incurred as a result of the current pause in the Our Hospital Project?

Answer

The total expenditure on previous (2011 – 2018) Hospital schemes was approximately £47m with approximately £25m spent on outside agencies.

The current expenditure on Our Hospital is £76.8m with £43.5m related to design, professional fees and consultants.

For Our Hospital there continue to be limited external costs associated with the project and with the review. Continuing costs for the Government of Jersey Project Team are approximately £55k per month pending the outcome of the review. Direct costs related to the Our Hospital Review have not yet been fully collated but are expected to be less than £30k.

3.45 Deputy R.S. Kovacs of St. Saviour of the Minister for Treasury and Resources regarding Governments revenue (WQ.240/2022)

Question

In respect of the Government's revenue forecasts for each year from 2023 to 2026, will the Minister –

- (a) provide a detailed breakdown of the total including any reserve funds left after considering the budget allocations in the proposed Government Plan 2023-2026; and
- (b) identify all lines of forecast income or estimated taxes to be collected, separately highlighting any areas of considered overachievement that have been included and the level of inflation (as a percentage) that was used in those calculations?

Answer

- (a) provide a detailed breakdown of the total including any reserve funds left after considering the budget allocations in the proposed Government Plan 2023-2026; and

The forecast balance in the Consolidated Fund across the Government Plan period is set out on page 74 of the Government Plan (reproduced below).

Consolidated Fund					
2022		2023	2024	2025	2026
Forecast	£'000	Estimate	Estimate	Estimate	Estimate
122,298	Opening Balance	59,050	14,730	5,591	50
	Operating Surplus/(Deficit)				
982,848	Revenue	1,072,468	1,163,254	1,192,950	1,233,625
(937,730)	Net Revenue Expenditure	(996,344)	(1,099,366)	(1,131,958)	(1,152,181)
45,118		76,124	63,888	60,992	81,444
	Other Movements in Fund Balances				
13,000	Prior Year Basis Tax Debt Receipts	11,000	11,000	12,500	12,500
54,000	Release of unspent Capital Allocations	-	-	-	-
23,000	Release of unspent Covid-19 Allocations	-	-	-	-
90,000		11,000	11,000	12,500	12,500
	Capital and Other Projects Expenditure				
(125,310)	Capital and other projects expenditure	(140,515)	(88,353)	(72,028)	(61,703)
(125,310)		(140,515)	(88,353)	(72,028)	(61,703)
	Capital Financing Transfers In				
2,985	Criminal Offences Confiscation Fund	1,811	777	-	-
4,700	Health Insurance Fund	6,350	5,705	-	-
11,320	Strategic Reserve - Capital Repayment	1,000	336	-	-
989	Charitable Funds	-	-	-	-
19,994		9,161	6,818	-	-
	Fund Transfers In/(Out)				
3,000	Jersey Innovation Fund	-	-	-	-
(20,000)	Technology Accelerator Fund	-	-	-	-
(1,244)	Insurance Fund	-	-	-	-
(4,400)	Climate Emergency Fund	(4,400)	(4,400)	(4,400)	(4,400)
-	Strategic Reserve - Pension Refinancing Repayment	(1,790)	(2,192)	(2,605)	(3,028)
8,300	Health Insurance Fund	6,100	4,100	-	-
(19,600)	Fiscal Stimulus Fund	-	-	-	-
5,700	Loans Fund	-	-	-	-
(28,244)		(90)	(2,492)	(7,005)	(7,428)
(64,806)	Borrowing Drawdown/(Repayment)	-	-	-	-
59,050	Closing Balance	14,730	5,591	50	24,863

Table 37: Consolidated Fund

This includes the forecasted total revenue to be received into the Consolidated Fund, and the budget allocations for both revenue and capital expenditure from the fund, as well as transfers into and out of the Consolidated Fund. The closing balance reflects the estimated remaining amount held in the fund at the end of each forecasted year.

Under Article 9 of the Public Finances Law: "The Council of Ministers must not lodge a government plan that shows a negative balance in the Consolidated Fund at the end of any of the financial years covered by the plan." and the balance left in 2023 will be used to fund capital expenditure in 2024 and 2025.

- (b) identify all lines of forecast income or estimated taxes to be collected, separately highlighting any areas of considered overachievement that have been included and the level of inflation (as a percentage) that was used in those calculations?

The estimate for total States Income is broken down in the General Revenue Income section of the [Proposed Government Plan](#) within table 2, on page 26 (reproduced below). This is based upon the latest forecast from the Income Forecasting Group, produced in Summer 2022. A link to the latest Income Forecasting Group report is found [here](#).

Total States Income				
	2023	2024	2025	2026
£'000	Estimate	Estimate	Estimate	Estimate
Income Taxes	751,000	826,000	866,000	900,000
Goods and Services Tax (GST)	108,200	110,630	112,530	114,300
Impôts Duties	79,088	81,257	82,837	83,570
Stamp Duty	56,927	57,571	59,879	62,945
General Tax Revenue - IFG Summer 22	995,215	1,075,458	1,121,246	1,160,815
Other Income				
- Parish Rates	15,555	16,161	16,598	16,996
- Dividend Income	9,669	10,157	10,716	11,113
- Income from Andium Homes and Housing Trusts	29,156	29,702	30,210	30,618
- Other Non-dividend Income	7,776	7,779	10,183	10,086
States Income - IFG Summer 22	1,057,371	1,139,257	1,188,953	1,229,628
Additional Income Measures				
- Mini Budget	(19,850)	(19,100)	(19,100)	(19,100)
- Increased Collections: Domestic Compliance	14,000	15,500	15,500	15,500
- One-off Dividend Income	20,000	20,000	-	-
- Budget Measures	947	947	947	947
- Future Tax Measures	-	6,650	6,650	6,650
States Income after Income Measures	1,072,468	1,163,254	1,192,950	1,233,625
States Income - IFG Spring 21 Revised Forecast	974,924	1,022,524	1,066,916	1,066,916
<i>General Tax Revenue - IFG Forecast Variation %</i>	<i>8.5%</i>	<i>11.4%</i>	<i>11.4%</i>	<i>15.3%</i>

Table 2: Total States Income

Details of the assumptions used in producing the income forecasts are provided in the latest Income Forecasting Group report, which uses the independent Fiscal Policy Panel (FPP) economic assumptions published in their [Medium Term Report - July 2022](#), reproduced below. The inflation (RPI) assumptions are also included on page 5 of the Income Forecasting Group – Summer 2022 Forecast.

July 2022 Forecast

<i>% change unless otherwise specified</i>	2020	2021	2022	2023	2024	2025	Trend 2026+
Real GVA	-8.7	5.4	4.1	8.6	1.3	0.1	0.5
RPI	1.3	2.7	7.7	6.7	3.9	2.7	2.4
RPIY	1.2	2.7	6.2	5.2	3.7	2.7	2.4
Nominal GVA	-7.2	8.2	10.5	14.1	4.9	2.8	2.9
Gross operating surplus (including rental)	-15.5	11.0	16.5	24.3	5.6	2.5	2.9
<i>Financial services profits</i>	-18.1	19.5	26.2	42.3	6.2	1.6	3.2
Compensation of employees (CoE)	-1.8	6.1	5.8	5.4	4.3	3.2	2.9
<i>Financial services CoE</i>	0.3	3.6	6.1	5.1	4.1	3.1	3.4
<i>Non-finance CoE</i>	-0.1	8.0	6.7	5.5	4.3	3.1	2.7
Employment	-2.4	3.0	0.7	0.6	0.5	0.3	0.1
Average earnings	1.1	3.3	5.3	4.9	3.8	2.9	2.8
Interest rates (%)	0.2	0.1	1.2	2.5	2.7	2.7	2.6*
House prices	6.1	16.0	6.0	5.0	4.0	3.0	2.9
Housing transactions	-3.8	15.1	3.5	3.0	2.5	2.5	4.0

*Trend interest rates represent market expectations for 2026

The Income Forecasting Group, produce a forecast range using higher and lower adjustments to the FPP economic assumptions, this is set out in section 5 of the IFG report. The forecast used in the Government Plan is the central scenario.

3.46 Deputy R.S. Kovacs of St. Saviour of the Minister for Treasury and Resources regarding GST (WQ.241/2022)

Question

Noting that GST de minimis will be lowered from £135 to £60 on the 1st July 2023, will the Minister –

- whilst outlining the inflation rate percentage used in calculations, provide the estimated amount to be collected from GST in each year between 2023 to 2026 at the existing £135 de minimis level and the proposed £60 level and the difference in revenue between these; and
- provide confirmation that this difference has been factored into the proposed Government Plan 2023 to 2026 budget and, if so, advise what inflation rate percentage was used in those calculations?

Answer

It is prudently estimated that the reduction of the GST de minimis level from £135 to £60 will generate additional GST revenues of approximately £1.1m per annum. The estimated revenue impact of this measure was prepared for Government Plan 2022 to 2025.

The following table outlines the estimated GST revenue over the period 2023-2026 with GST de minimis levels of £135 and £60.

GST de minimis level	Estimated GST revenue (£'000)			
	2023	2024	2025	2026
£135	107,100	109,530	111,430	113,200
£60	108,200	110,630	112,530	114,300

The impact of the reduction of the GST de minimis, and its subsequent postponement to 1 July 2023, has been factored into the proposed Government Plan 2023 to 2026 (please see page 27 for more detail).

The analysis on which these estimates are based uses historical Customs data on the value and volume of unaccompanied personal consignments. An explicit assumption on the rate of inflation has not been made.

3.47 Deputy R.S. Kovacs of St. Saviour of the Minister for Social Security regarding Community Cost Bonus (WQ.242/2022)

Question

Will the Minister advise the following in relation to the Community Cost Bonus –

- (a) the current yearly estimated total cost of the Bonus for 2023-2026, including the pre-Mini-Budget numbers of eligible households and the new additional 14,000 eligible through the Mini-Budget, as amended;
- (b) the total number of eligible households per year since the Bonus was introduced (including when it was previously titled the Food Cost Bonus) and the number of approved applicants from each of the schemes;
- (c) how many applications has the Department received so far this year, how many of that total have been approved and how many of those were received and approved since 2nd August 2022 to present?
- (d) the amount spent on advertising this campaign to date and the amount allocated this year for any further advertising?

Answer

- a) The estimated total cost of the Community Costs Bonus for 2022 (inclusive of the amended mini-budget measures) is £6.5million. This figure is based on actual and expected spend for the 2022 Bonus.

The current regulations expire at the end of 2022. The Minister will be bringing forward proposals in 2023 to replace the CCB, however it is too early to estimate the total costs of any new benefit.

- b) The department does not hold data on the total number of eligible households per year since the Bonus was introduced. The estimate of a potential maximum of 14,000 households for 2022 came from a combination of current data supplied by Revenue Jersey and Customer and Local Services.

The number of approved applications since the Bonus first launched are as follows:

Payment Year	Count/Claim Households	Total Amount	Average Amount (Standard Rate)
2008	2144	£107,200.00	£50.00
2009	1737	£260,550.00	£150.00
2010	1347	£206,899.20	£153.60
2011	1415	£273,604.40	£193.36
2012	1392	£303,957.12	£218.36
2013	1404	£310,255.92	£220.98
2014	1306	£296,396.70	£226.95

2015	1263	£286,637.85	£226.95
2016	1153	£261,673.35	£226.95
2017	1128	£255,999.60	£226.95
2018	1123	£254,864.85	£226.95
2019	1096	£248,737.20	£226.95
2020	919	£237,331.75	£258.25
2021	931	£240,430.75	£258.25

Please see notes below:

Payment year is best described as the calendar year in which applications opened and aligns best with the years described in the legislation. Since 2014, the benefit was open for applications from October until the end of June the following year, with the majority of payments being made in October. These household claims would be made based on tax liability in the previous calendar year. For example, applications for the 2021 CCB payment year were open from 1st October 2021 to 30th June 2022, in respect of liability in the 2020 tax year. The rate described in legislation [for 2021 is £258.25](#).

For earlier years in the benefit, applications were opened earlier in the year, however this did not allow sufficient time for a consistent assessment of liability on the same tax year, the tax assessment deadline traditionally being the end of May and so many people would be assessed on the year before (i.e. 2007 liability for application in early 2009).

Count Claim Households details how many households were attributed to the payment year and the total amount is the amount paid in respect of these claims. Accounting figures are published in terms of money paid out in the calendar year and will also be subject to accruals and accounting adjustments. The totals in the above table therefore differ from year end accounting totals.

- c) In respect of the Community Costs Bonus for 2022, Customer and Local Services has received over 3300 applications to date; the exact number increases daily. Of these, over 800 have been approved and paid, all of those were received (and approved) since the scheme opened on 1st September 2022.
- d) Not all elements of the advertising campaign (which was launched as part of the mini-budget) have required the use of the additional budget. However, to date £10,550 of a total budget of £11,500 has been spent on the advertising campaign. It is expected that the full value of the allocated budget will be used for the campaign.

3.48 Deputy M. Tadier of St. Brelade of the Chair of the States Employment Board regarding cost of living wage adjustment (WQ.243/2022)

Question

Will the Chair indicate if funds have been put aside to be able to give States of Jersey Employees a full cost-of-living wage adjustment, and if not, why not?

Answer

The Government Plan 2023-2026 includes assumptions for inflation (including cost of living wage inflation) in the Reserve for centrally held items, based on economic assumptions for inflation provided by the Fiscal Policy Panel.

This Government Plan has been prepared in a time of ongoing economic uncertainty, and the Council of Ministers continues to monitor the situation. This is specifically referred to in the Government Plan on page 39. States of Jersey Employees will also benefit from the wider measures to support the cost-of-living in the mini budget and government plan such as the changes to Tax Allowances.

Any changes to salaries, including the consideration of cost-of-living adjustments, is subject to a negotiated outcome with trade unions.

3.49 Deputy A. Howell of St. John, St. Lawrence and Trinity of the Minister for Health and Social Services regarding Care Model (WQ.244/2022)

Question

Given that the implementation of the Jersey Care Model has been paused pending a review, will the Minister explain the need for funding (an anticipated £22 million) between 2023 – 2024 from the Health Insurance Fund and provide details of the proposed expenditure, broken down by subject area with costs, dates for completion and details of how this expenditure will be monitored?

Answer

The Jersey Care Model has been paused pending completion of a review by the Minister for Health and Social Services. The Minister intends to publish the findings of that review shortly. At that point the Minister will advise the Assembly as to whether she is proposing to amend the Government Plan to adjust the total HIF monies invested in health care redesign and digitisation in 2023 and 2024.

As set out in the draft Government Plan 2023 - 2026, £22 million was agreed as part of previous States Assembly decisions for 2023 and 2024, pending the outcome of the Minister's review and any associated adjustments.

3.50 Deputy A. Howell of St. John, St. Lawrence and Trinity of the Minister for Health and Social Services regarding Digital Care Strategy (WQ.245/2022)

Question

Will the Minister specify how much has been spent on Health Information Technology systems since 2011, broken down by project, indicating which ones have been completed and what have they achieved, as well as identifying any which failed to achieve their objectives; will the Minister further specify, in regard to the Digital Care Strategy, what exactly monies transferred from the Health Insurance Fund have been used for?

Answer

Due to the complexity of the question and the ten plus years of data requested, additional time is required to respond. The Minister will provide a complete response on Monday 7 November 2022.

3.51 Deputy A. Howell of St. John, St. Lawrence and Trinity of the Minister for Health and Social Services regarding money from the HIF being used for Digital projects (WQ.246/2022)

Question

In relation to the Health Insurance Fund (HIF), will the Minister explain why –

- (a) Digital projects and the Jersey Care Model are being funded from the HIF rather than receiving funding from either the Government's overall expenditure or the Health budget; and
- (b) HIF is not being used to increase the co-payment for GP consultations (as set up under the Health Insurance Law 1967 to meet at least half the cost) such payments having been frozen for the last decade?

Answer

- a) The decision to fund the Jersey Care Model (JCM) and associated digital projects from the Health Insurance Fund (HIF) was taken by States Assembly. This included adoption of JCM funding proposal (P.114/2020), the Government Plan 2021-24 (P130/2020) and amendments to the HIF.
- b) Matters relating to the co-payment do not fall to Minister for Health and Social Services. Further queries regarding co-payment should be directed to the Minister for Social Security.

3.52 Deputy R.J. Ward of St. Helier Central of the Minister for Health and Social Services regarding policy for those travelling off island treatment (WQ.247/2022)

Question

Will the Minister advise –

- (a) the current policy for those travelling out of the Island for medical treatment with regards to accompaniment by a family member or support person; and
- (b) the cost of off-Island travel for the years 2020 and 2021?

Answer

- (a) For a patient to be accompanied one of the following must be applicable

- Under the age of 18
- Over the age of 75
- Medical reason authorised by their consultant e.g., severe epilepsy, neurological deficit

- Cancer patients for Planning Day and radiotherapy/chemotherapy treatment only.

(b) HCS Off Island Patient Travel Expenditure:

Spend Type	2020	2021
Air Fares	648,938	734,158
Hotels	207,378	325,745
Other Travel	40,735	9,652
Taxis	203,189	164,645
Grand Total	1,100,240	1,234,200

Additional Information

As discussed with the Deputy at their meeting with the Minister and her officers on 5 August 2022, the Minister is exploring changes to the existing policy and has instructed officers to explore the financial implications of any changes.

The Minister recognises that compassion is needed when it comes to travel arrangements for off island treatment, and that we must recognise that patients will require different levels of support and that it may not be appropriate to assume what this may be using a pre-set criterion, such as the age of the patient.

In the immediate future, the Minister has asked officers to ensure efforts are made to support requests from patients for a travel companion that would fall outside the existing policy.

In the longer term, the Minister is considering a permanent change to policy. The change would be to remove all requirements placed on travel companions so as to allow any and all Islanders travelling off island for treatment to have one individual accompany them for support. Such a policy change would incur a cost to the taxpayer and, as such, would require a proposal in the next Government Plan once the relevant data has been collected and business case prepared before it is then considered by the Minister, Council of Ministers, the Health and Social Services Scrutiny Panel, and the States Assembly as part of the Government Plan process.

3.53 Deputy R.J. Ward of St. Helier Central of the Minister for Children and Education regarding free school meals (WQ.248/2022)

Question

In the event that the school meals programme is extended to all States funded schools, will the Minister advise –

- (a) the anticipated percentage of children who will receive free school meals; and
- (b) the income from charging for the meals from those children who are not eligible to receive them for free?

Answer

- (a) The programme aims to offer a free school meal to all primary school children who are in receipt of, or eligible for, Jersey Premium. The percentage of eligible children varies from school to school, but on average across all schools we anticipate 28% of children will be eligible to receive free school meals.
- (b) Currently paid for meals are charged at £2.50 per day and all income received is re-invested in the programme by the charitable provider. A non-disclosure agreement prevents any further information being released.

3.54 Deputy R.J. Ward of St. Helier Central of the Minister for Children and Education regarding date school meals served to children in St. Helier primary schools (WQ.249/2022)

Question

Will the Minister indicate the specific date school meals will start being served to children in each of the St. Helier States-funded primary schools?

Answer

Further to the answer to [WQ218/2022](#) the project team are currently looking at an upscale model to meet the 4000 school meal requirement, assessing the current methodology and making recommendations to ensure delivery. Once this has been completed more detail on the roll-out, including a timeline for St Helier provided schools can be shared.

3.55 Deputy L.V. Feltham of St. Helier Central of the Minister for Economic Development, Tourism, Sport and Culture regarding Opera House restoration project (WQ.250/2022)

Question

In relation to the Opera House, will the Minister –

- (a) provide details of any needs and/or requirements analysis that has been undertaken in order to determine the scope of the Opera House restoration project; and
- (b) outline the extent to which such analysis considered the following -
 - (i) the size and population of the Island;
 - (ii) the technical and accommodation requirements of local community performing arts organisations (including educational organisations such as dance and theatre schools);
 - (iii) the type of professional touring productions that are able to travel to the Island;

- (iv) the technical and accommodation requirements of professional performing arts organisations that are resident in Jersey; and
- (v) whether there were alternative options presented and what assessment he has undertaken to ensure that the proposal will provide the best value for money in terms of affordability and fitness for purpose?

Answer

- a) The building project to renovate the grade II listed Opera House Building is being managed by a professional project manager and integrated design team from a firm selected in 2021 after an open tender process. The analysis and scope of works undertaken by the project manager underpinned the business case submitted by the Economy Department to the Treasury and the funding allocated to the project is in response to this business case.
- b) In March 2021, anticipating a need to review the Jersey Opera House operating model and legal structure to ensure that it was able to meet the needs of the local performing arts sector and continue to be the flagship cultural venue for Jersey, I commissioned a report by an arts development expert into the performing arts venue landscape in Jersey.

This review included consideration of both the size and cultural needs of Jersey's population, its arts ecosystem as a small island and the technical requirements of a modern, progressive theatre which can accommodate touring shows as well as cater to local amateur and professional productions.

As a part of this review we consulted the other arts venues and major arts organisations as well as a number of key stakeholders from across the performing arts sector in Jersey.

The output of the review was a report entitled [*'The Performing Arts Ecosystem of Jersey: Situation Analysis and Options Appraisal for the Jersey Opera House'*](#). This report was published earlier this month and contains a series of options and recommendations for Government to consider in relation to how we develop the new operating model and legal structures.

Alongside this work I have also asked for a number of other items of work to be completed:

- A consultation exercise with a group of local art sector professionals aimed at better understanding the needs and aspirations of the sector – in both the community / amateur and professional sectors
- A review by a theatre design company to ensure that the latest thinking in theatre technical and operational design is incorporated into the renovated Opera House
- A review of theatre operating models, taking in 14 different successful theatres from other parts of the world to understand the best operating model for a theatre of this size in a place like Jersey.

These items of work are currently underway and will feed into the redesign of the operating model. I believe this work will put us in the best place possible to set up a new operating structure that will enable us to get the best from the Jersey Opera House for now and for future generations.

3.56 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding centralized health and care data (WQ.251/2022)

Question

Will the Minister indicate what progress has been made, specifying costs and staff involved; in the following projects –

- a) access to centralised health and care data via an Electronic Patient Record (EPR);
- b) the first quarter 2023 target of producing an Electronic Document Management System (EDMS);
- c) the Electronic Administration Prescribing and Medication Administration (EPMA) system;
- d) the Vendor Neutral Archive (VNA) targeted for delivery to radiology in the first quarter of 2022;
- e) the Health/ Jersey Demographic Service, including any outstanding Freedom of Information issues; and
- f) the My mHealth digital app, providing support to Islanders at home, to help with their long-term condition management?

Answer

Additional time is required to collate the data requested with which to provide a complete response. The Minister will provide a follow up response on Monday 7 November 2022.

4. Oral Questions

4.1 Deputy L.V. Feltham of St. Helier Central of the Minister for Children and Education regarding barriers to children with sight problems (OQ.108/2022):

Will the Minister advise whether she is aware of any barriers to children with sight problems obtaining the early diagnosis and support which is required to ensure that their educational and social development is not affected by undetected or untreated sight issues?

Deputy I. Gardiner of St. Helier North (The Minister for Children and Education):

Thank you for the Deputy's question. I have checked with the visual impairment team in my department and I am not aware of any barriers within my remit. The diagnosis of the sight problems rest with the Minister for Health and Social Services. Once a diagnosis is confirmed and communicated to C.Y.P.E.S. (Children, Young People, Education and Skills) visual impairment team they will make contact with the school, nursery, home or college regardless of age - it is open for all ages - and usually complete an initial visit to identify any support required within 3 weeks during term time. Any work carried out in schools, nursery, at homes is documented and sent to both home, school or nursery or any other childcare arrangement so that everyone has consistent information how to move forward. The visual impairment team work very closely with Orthoptic Department at the hospital and have an excellent relationship, from what I have been told.

4.1.1 Deputy L.V. Feltham:

Currently EYECAN run a voucher scheme for children requiring glasses and visits to the opticians. Would the Minister commit to working with the other Ministers that she mentioned to ensure that children who may have difficulty affording eyewear can obtain them as and when they need them, so that they do not have impaired vision during their educational classes?

Deputy I. Gardiner:

Thank you for Deputy Feltham's suggestion.

[9:45]

Yes, EYECAN is a charity that currently offers £90 vouchers towards children's glasses, for children under 8, and will offer more support if the families need and if they apply directly to the charity. I

will commit also to work with the Minister for Social Security because the financial help for glasses would come through the Minister for Social Security.

4.1.2 Deputy R.J. Ward:

Is the Minister confident that there are mechanisms in place for teaching staff and teaching assistants, who work so closely with young people, if they do spot something that might be a problem with eyesight? I know as a parent myself it can be difficult to spot it and you might miss it.

Deputy I. Gardiner:

First, from what I know, and I am happy to have other conversations, that referrals made directly to the orthoptic service team by health visitors or school nurse and teachers can raise it with the school nurse. Also what is really important to emphasise, the Orthoptic Department run a visual screening service in both public and private schools where the eye test is offered for all reception-age children. The Orthoptic Department also offers an early year test for every child in Mont a L'Abbé, which is undertaken in the school with the support of the visual impairment team. If it is something that the Deputy is aware about specifics I will be welcoming any conversation.

4.1.3 Deputy R.J. Ward:

The Minister mentioned school nurses. Can I just check that there are school nurses in every school and that they have access to ... it is a genuine question because I do not know.

Deputy I. Gardiner:

Yes, I had a meeting a couple of weeks ago, I think, with the Family Nursing and I have confirmed there are school nurses in each school. We have raised that it would be helpful if school nurses will communicate direct with the parents, and I have been reassured this will be raised back.

4.1.4 Deputy G.P. Southern of St. Helier Central:

Once again we find ourselves dependent on charitable funds in order to deliver a particular service. Does the Minister not consider that she should be sharing with her colleagues, especially the income support colleagues, who might be able to use special payments as a means of delivering the cost of tests and the costs of subsequent eyewear?

Deputy I. Gardiner:

What it is important to emphasise is that the support is coming not just from this charity. It is also coming from Social Security. I am unsure about the restrictions and application for this process and I will be happy to work with the Minister for Social Security to explore this further.

4.1.5 Deputy G.P. Southern:

It is my understanding that certainly in the past this special payments fund has been used for medical purposes. Surely this would count as a medical purpose. Does she not consider that?

Deputy I. Gardiner:

I think that is a question for the Minister for Social Security and I need to have a conversation with the Minister to explore this further.

4.1.6 Deputy L.V. Feltham:

Is there any provision within the Government Plan that the Minister considers could be used to provide support for children whose educational career may be impacted by poor vision?

Deputy I. Gardiner:

I need to look into this and to work with the Minister for Health and Social Services and Minister for Social Security on this.

4.2 Deputy G.P. Southern of the Minister for Health and Social Services regarding funding of primary care services (OQ.104/2022):

Will the Minister outline any plans under consideration for the funding of primary care services; advise what, if any, discussions on funding have occurred between the Ministers responsible for the services and representatives of G.P.s (general practitioners) and pharmacists; whether a survey of public opinion around such funding is currently being conducted, if that the survey conforms to the highest standards of objectivity and when the results will be published?

Deputy K. Wilson of St. Clement (The Minister for Health and Social Services):

Thank you to the Deputy for his question. As set out in my answer to Written Question 174, the Government Plan commits Minister for the Environment to bringing forward options for new healthcare funding system with a view to any new system being operational by 2025. I can confirm to the Assembly that this work has started. We are going to contract specialists in health economics to support us to estimate the future total of healthcare expenditure in Jersey, including out-of-pocket expenditure incurred by Islanders and to support us to examine future funding options. This could include funding via taxation, compulsory insurance, user pays, or any combination of these routes. In determining these options we will consider fairness and how to incentivise the use of preventative services. We will be consulting Ministers and all providers in early 2023. We are also conducting a survey to help us better understand the public's attitude to health funding. The survey is due to be distributed in late October but is slightly delayed as we have had some additional advice from the chief statistician on the design of the questions to ensure objectivity. As already committed, I will ensure the Deputy and his Scrutiny Panel are sent a copy of the survey before it is distributed. It is anticipated that the results of the survey will be available in January 2023 and these results will help inform consultation with the providers.

4.2.1 Deputy G.P. Southern:

The question arises then what negotiations or what consultations are going on currently today? Not in 2 years' time when you have come to some sort of conclusion about what is the way forward, but now when G.P.s and pharmacists do not understand what is likely to happen next, have been insulted by the sums involved; the £20.28 that has been in place for 10 years and reflects how low we consider the G.P.s to be. Will the Minister state what progress she is making and what conversations she will have or has had with G.P.s and pharmacists delivering the primary care system, which so far appears to have been stymied?

Deputy K. Wilson:

What I can assure the Deputy is that I have met with members of the primary care body and I have also met with members of the pharmaceutical body. We also have a piece of work ongoing around the primary care strategy, which involves these key stakeholders. What I will be able to do is bring back to the Assembly the outputs of that. But what I can assure Deputy is that there are conversations ongoing. I just want to pick up the point about who we speak with and I think the important thing here is that we have to engage the public in understanding their attitudes to a health funding model before we can go and talk to the people who will be the recipients of that. That is the position, that we are taking on this issue.

4.2.2 Deputy S.Y. Mézec of St. Helier South:

Does the Minister recall a previous survey that looked into public views on the funding of primary care which showed at the time that there was majority support from patients for maintaining a fee to see the G.P., which was used as justification at the time for maintaining a fee, but when you scratched beneath the surface you discovered that those who supported maintaining it were those who could afford it, and those who opposed it, with those who could not afford it. Therefore the presentation of that survey result led to flawed conclusions. Will she guarantee us that such a survey this time round will not do so?

Deputy K. Wilson:

Thank you to the Deputy for his question again. What I would like to assure the Assembly is that this is a new Government, a new Council of Ministers, with a new and refreshed approach to the way we do things. The first piece of engagement work, as I alluded to in my Written Question earlier this year, was that we do want to support a better understanding of the implications of the costing and funding models for healthcare going forward. As I have said before, the objectivity that we need in the survey results hopefully will address some of those issues and anomalies that the Deputy has highlighted in order for us to get the right information.

4.2.3 Deputy S.Y. Mézec:

It may be a new Government but it is one whose Ministers are seldom able to give us any clarity about what is tangibly going to happen to any of these policies and instead simply says they are reviewing, reviewing and reviewing everything. Will the Minister attempt now to give us some clarity on what she believes is the direction of travel that ought to be pursued to make primary care more accessible for those who need it?

Deputy K. Wilson:

What I will not be forced into or rushed into is making any snap decisions about how we do things. As the Deputy will appreciate with, I think it is 107 days in, we need to understand the evidence base for how these things are, but I appreciate there is evidence there that is really important to incorporate as part of the review. I can absolutely assure him that action will be delivered on this very quickly.

4.2.4 Deputy R.J. Ward:

Will the Minister commit to ensuring that any public consultation is inclusive of all of our communities? By that I mean not just different languages but different abilities, those who are perhaps with learning disabilities, those who are at the bottom of the income scale, who absolutely do not engage in these surveys.

Deputy K. Wilson:

We are hoping to circulate about 3,500 survey questionnaires across the Island. But what I will guarantee is that we will make sure that those surveys will be representative of all of our communities. They will be written and communicated in a way that is inclusive and able to capture the views of all people with all needs across the Island.

4.2.5 Deputy R.J. Ward:

I ask the Minister to be aware that literacy issues are not just those that are linked to the English language but they are linked to all languages that are spoken and used on this Island. Just sending a leaflet in another language is often not enough to engage people in a consultation.

Deputy K. Wilson:

We will be putting a communications framework around this, I can assure the Deputy. We will make sure that we reach out to every single citizen, as far as we possibly can. Clearly it will be people's choice to engage with us, with the method by which we involve and support participation will be very different to what he has experienced previously.

4.2.6 Deputy C.S. Alves of St. Helier Central:

Is the Minister able to inform the Assembly how much is spent on primary healthcare and how this compares to other O.E.C.D. (Organisation for Economic Co-operation and Development) countries?

Deputy K. Wilson:

The detail around this does not rest with my portfolio but I would be happy to work with my colleague, the Minister for Social Security, to bring forward that detail.

4.2.7 Deputy C.S. Alves:

Will the Minister come back to the Assembly with that information then, please?

Deputy K. Wilson:

Yes, I can confirm I will.

4.2.8 Deputy L.V. Feltham:

In her initial answer the Minister referred to potential for compulsory insurance as being one of the potential funding mechanisms. Does that mean that the Government is currently looking at privatising other areas of the health service that are currently being run by government?

Deputy K. Wilson:

I think the Deputy raises a very interesting question but what I can assure you is that our focus around sustainable healthcare funding relates purely and solely to the way in which we currently fund our health system. We need to be able to look at all options to make sure that this funding mechanism is sustainable. The details of which I clearly want to bring back to the Assembly in due course.

4.2.9 Deputy P.M. Bailhache:

Is the Minister aware that officials conducting this review have not responded to requests from the primary care body for a meeting and will she encourage those officials to do so?

Deputy K. Wilson:

Thank you to the Deputy for the question. I was not aware but I do know that there were and are a number of meetings held with primary care colleagues, and have been present at some of those myself. But I will take the question that the Deputy has raised and seek further information on that and address that directly.

[10:00]

4.2.10 Deputy G.P. Southern:

Can the Minister confirm that she has had no more than one meeting with G.P.s and will she give a date - that is not a quick reaction but a considered reaction - by which she will come back to the House and state how primary care will be continued from now onwards in the short term and the medium term, not necessarily in the long term.

Deputy K. Wilson:

What I want to outline is that this is the first phase of a piece of work to develop the proposals going forward. The second phase will take place in quarter 3 of 2023. What I am proposing to do is to bring updates along the way to the Assembly to let them know where we are in relation to the development of these proposals so that the Assembly is kept informed fully of the progress that we are making.

4.3 Deputy M.B. Andrews of St. Helier North of the Minister for Infrastructure regarding costs of renovating and maintaining States-owned buildings (OQ.101/2022):

Will the Minister advise how the expected costs of renovating and maintaining States-owned buildings are appraised and, in particular, whether such costs are determined as a percentage of the individual property value or in relation to the value of the whole States estate?

Deputy T. Binet of St. Saviour (The Minister for Infrastructure):

I would like to thank Deputy Andrews for his question. The maintenance and upkeep of the estate is based on its use and the operational requirements of the function of the building, not its value or the value of the estate. The priority is to ensure the best endeavours are undertaken to make the building safe to occupy and to operate. In the past, where maintenance is set within individual departments,

it has been very easy to divert some of the elements to other uses, projects or resources and this has resulted in an overall decline in an ageing estate. This approach was exacerbated by the fact that in the last 5 years the budget has fallen by about £3.5 million per annum under savings and targeted measures, which in real terms is a 45 per cent drop on the current 2021 budget of £7.6 million. The shortfall will be addressed over the coming year by undertaking a full condition survey of the estate, then targeting and prioritising the resultant works with the budget.

4.3.1 Deputy M.B. Andrews:

Does the Minister believe that data trends should be established to provide data on the renovation costs as a percentage of the overall estate value?

Deputy T. Binet:

I believe that is going to be part of what is undertaken with the property review over the coming 12 months. We have been granted £600,000 for that.

4.3.2 Deputy M. Tadier:

When I speak to constituents and the wider public they say to Minister for the Environment that the States continually let their own properties run into the ground, do not invest in them, and therefore they find an excuse to ultimately sell them off. Does the Minister accept that this practice needs to change under this leadership and that the Opera House is a good case in point where we have seen a building with a tenant, where the landlord is Property Holdings, and it has been under-invested for decades, only to now be in a situation where it is shut, we are being told, for the next 2 years?

Deputy T. Binet:

As the Minister for Health and Social Services said, this is a new Government and I think we can expect a new approach. We will be looking at the property survey that will be undertaken, and I am sure that we will be taking hopefully a more proactive approach to dealing with our property matters.

4.3.3 Deputy M. Tadier:

It is a new Government, does the new approach mean that when the report comes back and finds we have so many properties that we cannot afford to do up that the automatic approach will not be to sell off the family silver but it will be looked to replacing the money from those decades of under-investment to make sure that we have a portfolio that is fit for purpose?

Deputy T. Binet:

I do not think it is wise for Minister for the Environment to pre-empt what will happen over the coming years other than to say that a constructive approach will be taken. We have yet to undertake the survey so I think it is a little bit early in the day to commit to anything.

4.3.4 Deputy G.P. Southern:

Will the Minister accept that the easiest way to save on any budget is to cut back on maintenance, and we saw this with our own housing stock for the past 2 decades which was left to rot and has now cost a fortune to repair? Is it not the case and will he assure Members, will he guarantee to Members, that a philosophy which lets ... well done, Philip, you just put Minister for the Environment off there gurning at me.

The Bailiff:

Please through the Chair. No: "Well done, Philip"; that is not parliamentary language, Deputy.

Deputy G.P. Southern:

Is it not the case that under his leadership this philosophy of letting things go will be stopped?

Deputy T. Binet:

I do not think once again that it is appropriate for Minister for the Environment to give any absolute guarantees. I think I have been in office for some 16 weeks. We need to take a full appraisal of the property portfolio and start making some sensible decisions about them over the coming years.

4.3.5 Deputy G.P. Southern:

Is the Minister saying that he will let maintenance budgets slip and slide and will put up with buildings that are rotting.

Deputy T. Binet:

I do not recall making that statement. The plain answer to that is no.

4.3.6 Deputy R.J. Ward:

Let Minister for the Environment give the Minister another chance. Can the Minister guarantee to this Assembly and to the people of Jersey that States money will not be spent just to appoint where something is saleable and then sold to a private enterprise so that they can make money where the States should be keeping its assets?

Deputy T. Binet:

At the risk of repeating myself for the third time, the answer is no; I am not giving any guarantees of any description other than to say that I guarantee I will use my very best endeavours to treat the estate properly.

4.3.7 Deputy R.J. Ward:

Would the Minister accept the spending of States money to bring properties up to a standard and then selling them to private enterprise?

Deputy T. Binet:

Sorry, could I ask that question to be repeated because I do not think I quite understood it?

Deputy R.J. Ward:

Sorry, I will work on my diction. Does the Minister accept the spending of States money on the repair of States-owned properties that could then be sold to private enterprise?

Deputy T. Binet:

Perhaps I am being a trifle ignorant but I do not quite understand the question. I am awfully sorry.

The Bailiff:

No, I do not think we can keep doing this. As I understand it, the question that is being posed is: is the Minister accepting of a possibility where public money will be spent to bring properties up to standard and then they will be sold to private enterprise? Is that the essence of the question?

Deputy T. Binet:

Fairly obviously that has to be a distinct possibility but not a guaranteed fact.

4.4 Deputy C.D. Curtis of St. Helier Central of the Minister for Social Security regarding teaching assistants (OQ.103/2022):

Will the Minister advise whether she is aware of the difficulties faced by teaching assistants in schools whose contracts of employment are for less than 35 hours per week and who are, therefore, unable to claim income support (should it become necessary) while they remain in post; and, if so, is she prepared to consider introducing an exemption under the income support scheme for these essential workers?

Deputy E. Millar of St. John, St. Lawrence and Trinity (The Minister for Social Security):

I thank the Deputy for her question. I can reassure Members that it is simply not the case that teaching assistants are unable to claim income support because their contracts are for less than 35 hours a week. The income support system supports people who are both out of work and in work, including those who are working part-time. One of the basic conditions of our income support system is that working-age claimants who can and are able to work should have a job working full-time hours, if they can, or be actively looking for work. The income support scheme already has rules for people who are not expected to work full-time because of a health condition or their caring responsibilities. It allows individual circumstances to be taken into account and I do not currently have plans to change the work requirements under the scheme. In particular, I have no plans to create special rules for teaching assistants because there may be many other similar roles who would demand similar exemptions. I do believe, having discussed with the Minister for Education, that there is some considerable misunderstanding around the role of teaching assistants and the availability of income support. I have asked for a briefing to be given to the Population and Skills Ministerial Group in early course so that this can be properly understood and any actions necessary taken.

4.4.1 Deputy C.D. Curtis:

Is the Minister aware that headteachers in schools around the Island are complaining that they are losing teaching assistants because the teaching assistants cannot claim income support due to their termly contracts and for working less than 35 hours a week? This is brought up to us frequently. There are 42 teaching assistant vacancies at the moment; it is a serious problem. If there is a misunderstanding here, would the Minister undertake to write to each school explaining the situation in detail to clear up this misunderstanding?

Deputy E. Millar:

The Back to Work team have gone directly to headteachers and offered them a direct contact with a senior manager in Back to Work. Headteachers are already aware that they can raise any issue where this is an issue. I believe there have been very few cases raised with the team. I would also suggest it is a matter for the teaching assistant to discuss their own position with Customer and Local Services. As I understand it, some teaching assistants may be asked to work more hours typically as their children are older and they are able to work. There are guidelines but each case is considered individually. I believe that out of hundreds of teaching assistants a small percentage are getting income support and within that a small number are affected by the requirement to look for more hours of work. The requirement to look for more hours typically will arise during the summer holiday period. We do not ask teaching assistants to look for additional work during Christmas and Easter but they will be expected, where they can and taking their own caring responsibilities into account, to do additional work during the summer holidays where they can. They will be asked to meet with employment advisers, they may be offered training. There is usually a lot of work available for teaching assistants during the summer holidays with the Youth Service or with after schools and activity clubs. This requirement does not prevent people receiving income support, which continues to be payable.

4.4.2 Deputy G.P. Southern:

Yes, this is workable if the rules say it is workable. That is the attitude that seems to be taken by the Minister for Social Security. A far simpler solution is just take the pressure off. There are teaching assistants out there worried because they are rushing around trying to find a second job ...

Deputy M.R. Scott of St. Brelade:

Point of order, Sir. This does not seem to be a question.

The Bailiff:

A point of order has been raised, Deputy Southern. The Deputy is entitled to raise a point of order. What is your point of order?

Deputy M.R. Scott:

It does not seem to be a supplementary question that we are hearing. We are hearing a statement.

The Bailiff:

Quite often for a question to be intelligible certain prefatory remarks need to be made, and it is a matter for judgment from the Chair as to whether or not there are sufficient prefatory remarks or not. But you are quite right to observe that this is a time for questions and not for statements. Sometimes statements need to be made in order to pose the appropriate question. But you are right in principle.

Deputy M. Tadier:

May I raise a point of order? This kind of thing will happen time and time again. At what point, because we are an Assembly of philosophers it seems, does a question become a question? I know it cannot be answered now but maybe P.P.C. (Privileges and Procedures Committee) could look at that. It may not be until the very last word that you know whether something is a question and it may be a very good question for all we know.

The Bailiff:

I am sorry, but you knew perfectly well that that was not a point of order. That is an abuse of process to stand up and simply make a point and then say it should be referred to P.P.C. A point of order is an order for a decision by the Chair and not a decision by P.P.C., as I am sure you know. So the answer is that was not a valid point of order. Deputy Southern, if you would like to carry on but perhaps we could get to a question.

Deputy G.P. Southern:

My next breath indeed, were it not knocked out of Minister for the Environment by the knife in my back, was to do exactly that. Who are running around looking for second incomes and who are worried about the ability to look after their children and to do a job who are doing, all right, less than 35 hours a week, why does the Minister not just take the pressure off on this?

[10:15]

It is 40-odd teaching assistants who are driven wild by the fact that they are treated one way by Social Security and another by Education. Will she please take the pressure off?

The Bailiff:

That was the question.

Deputy E. Millar:

I have just said that I have asked for a briefing to be given to the Population and Skills Ministerial Group to consider this very issue. I can only suggest that if there are teaching assistants in that level of stress that they talk to the Back to Work team at C.L.S. (Customer and Local Services) to explain the situation. We are not forcing people into work who simply cannot work. If people have younger children they will not be forced into work if they are caring for young children. If the child is 15 or 16 and it is during the summer holidays, then I think it is a reasonable expectation on the taxpayer who are funding the benefits that they will be asked to produce extra hours if their contract is such that they are not paid during that time.

Deputy G.P. Southern:

I think that answer is unsatisfactory. The fact is that many workers feel that they are being bullied back into doing more work than they comfortably can.

The Bailiff:

No, I am sorry, Deputy, that is a statement; that is not a question. I am sorry, Deputy Tadier, this is not a general discussion forum, this is something that is directed through the Chair on all occasions and perhaps Members could remember ...

Deputy M. Tadier:

I have just come back from a conference on the abuse and the suppression of parliamentarians to be able to speak freely in their own Assembly. If Deputy Southern puts: "Does the Minister not agree?" at the end of that, as he well knows, that is the question.

The Bailiff:

I beg your pardon? Was that a speech, Deputy? Was that a question? Was that a point of order? What part of Standing Orders did that fit in? I can assure you it fits within none, and this is an abuse of your position as a Deputy simply to stand up and express your views and interject in an improper way. Please refrain from doing so.

Deputy M. Tadier:

I will raise a point of order and the point of order is, at what point does it become an oppression of States Members' privileges to be able to do their jobs that they are in here to do if we do not wait a few seconds ... we have wasted more time with these interruptions than we have with a basic courtesy of letting Members finish their questions.

The Bailiff:

What is the point of order you wish a ruling from the Chair on?

Deputy M. Tadier:

My point of order is: at what point do we decide when we do not allow questions? Because often I have heard the Chair call on somebody and say very politely: "The question is?" or: "Does the Minister agree?" You have done that on many occasions.

The Bailiff:

I have.

Deputy M. Tadier:

I was trying to do that subtly to my colleague saying: "That is the question" and I just want to try and get this back to some semblance of ...

The Bailiff:

What is the point of order on which you wish a ruling from the Chair?

Deputy M. Tadier:

The point of order is, it was a question from Deputy Southern, was it not? He just forgot to put the: "Does the Minister not agree" at the end.

The Bailiff:

It was not a question, in my judgment. If he had put those words, it might have been, but these interjections are not helpful and they are not the way an Assembly should proceed. They should proceed in accordance with Standing Orders because it is by abiding by Standing Orders that everyone gets a fair opportunity to participate in questions, answers and debate. If we just decide to go off on a course of our own ignoring Standing Orders, then there will be chaos in the Assembly, and that is simply to be avoided. So let us try and keep Standing Orders in mind, please. Deputy, I will give you the opportunity to pose that question.

Deputy G.P. Southern:

I am perfectly content to obey your ruling, thank you.

The Bailiff:

Thank you very much indeed.

4.4.3 Deputy R.J. Ward:

Does the Minister understand that teaching assistants working full-time in term time are doing an incredibly stressful job, and without the holiday breaks they are burning out? That is one of the reasons T.A.s (Teaching Assistants) are leaving the profession.

Deputy E. Millar:

As I said, I have asked for a briefing to the Population and Skills Ministerial Group where all these points will be considered. Many people work fairly long hours without the advantage of a very long summer break.

Deputy R.J. Ward:

Can I ask the Minister ... in fact, no, I do not have a supplementary.

4.4.4 Deputy R.S. Kovacs of St. Saviour:

Is the Minister aware that the income support calculates for the term-time employment which addresses mostly to teachers? The salary that way, although it is term time, is spread across the whole year. The Back to Work requires them to find additional work ongoing, not just within the summer or holiday term, and that is where the pressure is. Would the Minister agree to look into that?

Deputy E. Millar:

Again, I have asked for this matter to be brought to the Population and Skills Ministerial Group. I will also be conducting a review of benefits which will look at all these aspects. I am not quite sure if the Deputy's question was extending to teachers who are paid over the summer time, or teaching assistants, some of whom I believe are paid for the summer months and some who are not paid for the summer months. So there are clearly a number of issues that need to be properly considered and we will be doing that in due course.

4.4.5 Deputy R.S. Kovacs:

Yes, I was mentioning teachers but it is the teaching assistants which are not paid over summer months, but the calculation of the salary is still spread over the full year; their requirement is still along the year, not just for the summer holidays. Obviously when they work full hours within the year they are not able to do so. Does the Minister agree to look into that process?

Deputy E. Millar:

I think I have just said that. Thank you.

4.4.6 Deputy L.V. Feltham:

From her previous answers, the Minister seems to be suggesting that this is not an issue that can be resolved by her as the Minister for Social Security. With that in mind, and considering that these people are working in a very critical position that are keeping our schools running, does she think it is the role of their employer to perhaps improve their pay and conditions so that they are less reliant on social security?

Deputy E. Millar:

No, that is not what I am saying. The social security system supports people who need support with their income. There may be teaching assistants who do not need support because of their personal circumstances; there may be some who do. The income support system is aimed at working fairly. There are numerous people who work part-time who get income support who will also be asked to do more work where they can to make up their hours to full-time. That is fair to everybody who claims income support, and it is fair to the taxpayer who funds it.

4.4.7 Deputy L.V. Feltham:

Given the Minister's comments today, would she undertake to meet with some teaching assistants so that she can understand their views and also their workload and why they require their summer break?

Deputy E. Millar:

I am very happy to meet with teaching assistants if that would be helpful. However, I am somewhat confused that we are talking about teaching assistants who are working full-time and part-time and the need for summer breaks. But I am very happy to meet with teaching assistants and hear from them if that would be helpful.

4.4.8 Deputy C.S. Alves:

The Minister has mentioned caring responsibilities, and I am assuming that this includes childcare, and that people in this situation, teaching assistants, would often be asked to look for more hours during the summer break. If they have childcare responsibilities, can the Minister inform us up until what age would this be seen as a responsibility for these individuals working as T.A.s, as often the income support system subsidises childcare. Does the Minister not agree that if these individuals are asked to look for more hours during the summer break, which is often not a break, then income support would then have to subsidise the childcare which negates the whole point and probably makes it more expensive to the system?

Deputy E. Millar:

I am afraid I do not know the age at which children are considered not to need support from their parents. However, the income support system does take into account caring responsibilities, and where someone's caring responsibilities allows them to work they will be asked to do so where that is feasible. It allows individual circumstances to be taken into account. If someone's circumstances of childcare needs, for example, a child of 16 may not need regular input and care from a parent, a child of 16 with special needs or disabilities may need more assistance from a parent, the income support scheme allows all of these things to be taken into account. I say again, if teaching assistants are struggling with this, then I can only recommend that they talk to the team at Back to Work and Customer and Local Services who will give them the full information of what they can and cannot claim for and what is expected of them.

4.4.9 Deputy C.D. Curtis:

Does the Minister agree that the system is failing in this case and appreciate the urgency in this situation?

Deputy E. Millar:

Again, I have asked for a briefing to the Population and Skills Ministerial Group which will happen in November. It is being taken seriously but I believe the information that I have is that in the number of teaching assistants as a whole, we are talking about a very small number of people who have issues with Back to Work and C.L.S. and income support.

4.5 Deputy M. Tadier of the Minister for Economic Development, Tourism, Sport and Culture regarding the Opera House (OQ.111/2022):

Will the Minister confirm how long he expects the Opera House to remain closed and will he undertake to bring forward the completion of the necessary works to ensure reopening by January 2024?

Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Economic Development, Tourism, Sport and Culture):

I thank the Deputy for his question. I would like to see the Opera House opened as soon as possible and I will be pushing for it to reopen to events obviously in 2024. It is important to note that the revised opening date in the proposed Government Plan reflects a significantly expanded programme

of works which has been enabled by the allocation of a budget sufficient to deliver the full schedule of works required by this unique building. We plan on tackling all of the more serious long-term structural issues with the Opera House. If we do not do that, these things will only come back to bite us later, as we know, and as the Deputy referred to earlier in this session. This is a much bigger project than the one proposed prior to the Government Plan and the timeline reflects the extent of the work we are now able to undertake.

4.5.1 Deputy M. Tadier:

The list of works that the Minister has provided in answer to my colleague Deputy Feltham is, I admit, quite extensive. It does include some very big projects work but also some minutiae I could not help noticing, like the doorbell on the front needs to be fixed. Is it possible that any of this work at all could be brought forward so that some or all of the Opera House could be used during the next 2 years where it is due to remain shut, I believe, until quarter 4, we are told under the current plans of 2024.

Deputy K.F. Morel:

I will be maintaining pressure on the project team to ensure they work as efficiently as possible. Where there are opportunities to bring forward the opening date, we will take them, but it is an extensive list of work that is to be undertaken. Much of it is structural, not all of it is very small. In fact, through the work that we have done already we have seen problems with concrete in various areas of the building that needs to be rectified; that takes time. I think to underestimate the possibility that more discoveries are made during the course of the next 2 years would be to underestimate the difficulties of dealing with heritage buildings in this way. So I will maintain pressure on the team but I can make no promises about opening it early.

4.5.2 Deputy R.J. Ward:

When does the Minister envisage the staff at the Opera House being able to book acts for the future as many of them were booked a year or so in advance, particularly the sort of acts or performances, one might say, that we want to attract to Jersey.

Deputy K.F. Morel:

With the aim to reopen at the end of 2024, then that will be when performances begin again at the Opera House. But what I will say is, in the interim it is the intention - it is my intention - that the Opera House, the company element of the Opera House as opposed to the actual building of the Opera House, will put on a programme around the Island using the many venues that the Island has. So there is no reason why the Opera House cannot be putting on performances and delivering a programme for Islanders in the intervening 2 years.

4.5.3 Deputy R.J. Ward:

Does the Minister accept that a certainty on when acts can perform is one of the key points to booking, particularly the perhaps, one might say, bigger names to Jersey so we become a centre of performance and that certainty of date is the key factor?

Deputy K.F. Morel:

The Deputy is absolutely right. He is also right in the earlier part of his question where he mentioned that sometimes acts need to be booked a year in advance; that is absolutely correct. So providing the certainty to the new leadership of the Opera House will be very important and we will be doing that. But as I said, in the interim, I will also expect that leadership to be providing a programme of events that the Island can enjoy.

[10:30]

4.5.4 Connétable A.S. Crowcroft of St. Helier:

How confident is the Minister that the sum allocated in the Government Plan for this work will be sufficient to see it through? Can he reassure the Assembly and the public that we will not see the same disappointing end to a very prestigious project and opening as happened last time round?

Deputy K.F. Morel:

I am not entirely sure what the Constable is referring to when he says ... the last part of his question where he talked about the prestigious opening not happening. I do not quite understand that.

The Connétable of St. Helier:

Could I clarify?

Deputy K.F. Morel:

If he does not mind, that would be helpful.

The Bailiff:

Well, all right, untypically.

The Connétable of St. Helier:

Yes, I apologise to the Minister for not being clear. I was one of many Islanders who were thrilled at the investment by the States the last time the Opera House was refurbished and opened to great acclaim, and so many of us have been disappointed that that was not sustainable. So can he reassure us that this is not going to happen this time around and that the new Opera House with all the investment will continue to flourish for years to come?

Deputy K.F. Morel:

Thank you for the clarification, Connétable. Yes, I can assure the Constable that that is the case. It has been my stated intention from the beginning of this project, even when I was Assistant Minister in the last Assembly, that we cannot have a situation where the Opera House does not have the funding to maintain itself over the years. We are in this situation precisely because consecutive governments have failed to provide the necessary funding to allow the Opera House Board to maintain the building itself. That cannot be the case going forward, and I have made it clear to officers that I expect the future plans of the Opera House to include a funding mechanism which allows for suitable maintenance over time so we do not end up in this situation again.

4.5.5 Deputy M. Tadier:

I thank the Minister and Members for their interest as well. It seems to Minister for the Environment that this is in a theme of what we have already been speaking about. Does the Minister agree that in fact we should be putting money aside every year in the budget for buildings like the Opera House to deal with depreciation? So even though money has been allocated now, and it seems like a lot of money, but that is very little when we look at it year on year as to what should have been invested. So does he agree that in order to not find ourselves in this situation again we should be putting aside money and a fund specifically for the maintenance of our buildings, whether that comes through Property Holdings or not?

Deputy K.F. Morel:

That is certainly what I will be doing with the Opera House. On the face of it, without being the Minister for Infrastructure - I am not the Minister for Infrastructure, neither am I the Minister for Treasury and Resources - but on the face of it everything that the Deputy just suggested seems to Minister for the Environment to make common sense.

4.6 Deputy R.J. Ward of the Minister for Economic Development, Tourism, Sport and Culture regarding financial security of Jersey Bulls football and Jersey Rugby Club (OQ.106/2022):

Will the Minister advise what assessment, if any, has been made of the financial security and adequacy of facilities of Jersey Bulls F.C. (Football Club) and Jersey Rugby Club; and whether there are contingencies in place should any potential issues arise?

Deputy K.F. Morel:

The Deputy has asked for this to be answered by Minister for the Environment in person, which is absolutely fine, but I would suggest that my Assistant Minister, Deputy Stephenson, answers it as she knows the subject more in depth than I do.

The Bailiff:

Well I am afraid that on the list it is directed to you, Minister, and you are required to answer it. We cannot chop and change around the Order Paper, I am afraid.

Deputy R.J. Ward:

Can I just make a point? I was not aware you could do that; I thought questions had to go to a Minister. Just to say.

The Bailiff:

No, it is possible to ask someone with Ministerial responsibility for it who is not necessarily the Minister but, Minister, if you would deal with it.

Deputy K.F. Morel (The Minister for Economic Development, Tourism, Sport and Culture):

Absolutely. As noted in the answer to Written Question 178, the former Assistant Minister for Economic Development, Tourism, Sport and Culture met with Jersey Bulls earlier this year and requested details on their longer-term vision for the club. This enables the Government to consider future support, including a long-term lease of government land by Jersey Bulls or any investment of taxpayers' money on the project. Officers and the Assistant Minister are still awaiting receipt of this information but stand ready to assist Jersey Bulls on the development of their long-term vision. In the short term, new spectator improvements and fencing works were completed this summer at Springfield Stadium. This project which involved around £1.2 million of spending now allows Jersey Bulls Football Club to progress through the leagues. It is recognised that both the Bulls and the Reds are an important part of the sports landscape in Jersey and adds huge value to the community. As the Minister, and on behalf of the Assistant Minister, I can say that we celebrate their ongoing success as they move up through the ranks and wish them all the best for their seasons.

4.6.1 Deputy R.J. Ward:

Jersey Bulls are self-funding in some way; can I ask the Minister whether there is support for an additional hospitality facility on the site of Springfield for Jersey Bulls so that it can extend their income and extend the level of hospitality that they offer on match day in particular?

Deputy K.F. Morel:

I am personally unsure whether there is anything with regard specifically to hospitality but I can say that the long-term vision for the club means that there is a 5 to 10-year plan. If that is developed then we will be able to identify how we can best help and how we can enable them to provide the sustainable funding that they need going forward, whether that involves hospitality or not.

4.6.2 Connétable D. Johnson of St. Mary:

In the Minister's reply he makes reference to the Jersey Reds. Just for clarification, the question refers to Jersey R.F.C. (Rugby Football Club). I just wish to make the distinction, there is a distinction between Jersey R.F.C. which is an amateur-based section of the club and Jersey Reds which is entirely professional. I interpret the question ...

The Bailiff:

Connétable, that does not sound anything like a question.

The Connétable of St. Mary:

I will come to the question now. So will you please ...

The Bailiff:

Yes, when I used the words “prefatory remarks” and “preamble”, I was conscious that I might be giving a lot of licence to people to make short speeches, and that is not my intention, nor will it be my practice, but please do ask your question.

The Connétable of St. Mary:

I apologise, my point was to seek clarification that he would not be giving facilities to Jersey Reds as such, given that they are a professional club and that the question relates to Jersey R.F.C., the amateur side.

Deputy K.F. Morel:

I believe the Constable is absolutely correct, it does refer to Jersey R.F.C. in the question, so I would have to make sure that the answer pertains to that but right at this moment, I am unable to do so.

4.6.3 Deputy S.Y. Mézec:

As a Jersey Bulls seasons ticket holder, could I impress upon the Ministers the importance of ensuring that there are adequate catering and commercial spaces available at Springfield Stadium when those matches are occurring? Could I impress upon him the importance that there could be for going to meet with those involved in running that team to discuss ideas with them and endeavour to find out what the Government can do to help support them so that they get those commercial opportunities to make the club more financially viable?

Deputy K.F. Morel:

Again, that does sound like a lot of sense. I can understand why catering facilities are important, particularly from not just a financial income perspective but also from keeping the crowds happy during cold winter nights when they are watching some fantastic football, so I am happy to do that.

4.6.4 Deputy M. Tadier:

Does the Minister agree that it is important to safeguard the future of both clubs and that there is a paradox in that when either team become more successful, the cost of them participating in the sport also goes up perhaps, shall we say, exponentially? I am not sure if it is the correct use of the term. Does he think that, therefore, in order to stop a situation whereby we find ourselves then having to approach the Government for bailouts all the time, that we need to look at a formal relationship and what level of government funding in the long term that they can expect with a mutual service level agreement from that?

Deputy K.F. Morel:

It is a really interesting question and it is one that I think as our sports teams - not just football or rugby - but as our sports teams improve and become increasingly professionalised, and even the amateur area kind of become more and more involved and their expenses increase, I think we do have to find a way of understanding what level we want the Government to fund that. Some of these decisions are taken by clubs entirely as private decisions. It can be suggested that it was a private decision; therefore, the consequences of those private decisions should fall upon the clubs themselves. Or do we as an Island want to support that ongoing kind of professionalisation, but that does come with a cost. I agree technically it is probably not an exponential increase in costs but it is certainly a sharp increase in costs as these clubs rise through the leagues. So I think we need as an Island to discuss what do we want, how much do we want to support this?

4.6.5 Deputy M. Tadier:

If it happens that the Government is repeatedly giving money to these clubs, which I think personally is a very good investment, I have seen the tourism and the interest locally that it generates, does there then become a question at what point we consider being shareholders in those potentially very successful clubs?

Deputy K.F. Morel:

Again, a very valid question. It would also depend upon the status of those clubs in terms of the legal entity. You can only be shareholders in certain types of entities. Clubs and associations may not be the case, so again there are so many technical elements to this but I think those sorts of questions we do need to ask ourselves. We have seen this with the Jersey Reds how, as they have gone up through the leagues it does, in such a small place with such a small catchment area of fans, become very difficult to sustain financing. So, yes, the Island does need to think about how we best want to deal with that.

4.6.6 Deputy R.J. Ward:

I have changed my rugby one because of my mistake in the question. Thank you to the Constable for pointing that out. Can I ask the Minister is he aware that Jersey Bulls are 100 per cent responsible for the cost of airfares, travel and accommodation for visiting teams? That is one of the huge costs that they have just to put those games on and be part of a league.

Deputy K.F. Morel:

I am sure that is the case. As I said, the thing that I find interesting is that the decision to go into those leagues was a private decision made by the club itself as a private club. Therefore, how much the public purse should be responsible for that is the question we have to decide. These are private decisions and they are ending up with public consequences. So, if we want to support, that is fine, but as an Island I think we need to have that debate openly.

Deputy S.Y. Mézec:

Could I just point out with this question, I have just noticed that it is slightly amended to the one which I submitted? It has included some extra words in it which I am not sure reflect what I wanted to ask. But can I ask it as it is on the Order Paper anyway and we might deal with it in supplementaries?

The Bailiff:

Well I think if you ask it as it is on the Order Paper. If you need to delve deeper with a supplementary, then perhaps that is the way to do it.

4.7 Deputy S.Y. Mézec of the Minister for Children and Education regarding third improvement notice issued against Greenfields (OQ.112/2022):

Yes, I just wanted to make that clear. Following the third improvement notice issued against Greenfields in the space of a year, will the Minister indicate whether she is reconsidering the previously accepted recommendation made by the Independent Children's Homes Association, that the facility should be closed as a secure home and repurposed as a family therapeutic centre?

Deputy I. Gardiner:

Before I answer this question, I would like to check with the Deputy. I have delegated responsibility for Greenfields and for Children's Services to my Assistant Minister, Connétable Vibert. Would Deputy Mézec be content that this answer be provided by the Connétable, although I accept I remain ultimately responsible.

Deputy S.Y. Mézec:

I am afraid I would not. Having been in her position before, I think there are elements that the whole Council of Ministers would need to consider with this. So it would not fall to an Assistant Minister, I would like it to be the Minister.

The Bailiff:

Very well, thank you. If I can just clarify the position, is that generally speaking anyone with Ministerial responsibility can answer a question unless the questioner specifies it must be answered by the Minister. In this case that has been specified, but that would be the default position.

Deputy I. Gardiner (The Minister for Children and Education):

No problem, I will try to answer with as many details as possible because I have delegated full responsibilities. I would like to start my answer that I have found 2 reports, one from 2019 which followed the independent review of Greenfields. The previous Council of Ministers agreed to retain Greenfields as a small secure children's home, as the Deputy probably will know following his time in office of the previous Government at that time. The review mentioned by Deputy Mézec, if I understand it correctly, it is made by the Independent Children's Home Association and was a review of all Island children's homes, including to date a review in August 2020 of Greenfields, secure children's homes. So 10 specific recommendations were made for the future operation of the home as a secure home. So recommendation 3 of the report talked of a repurposing of the home, describing this as a resource centre with a potential of 8 beds with outreach and multi-agency support. Further, in response to recommendation 24 of the need to retain secure care, the Government response was: "The secure children's home will be developed into a resource centre serving both the needs of the children and young people in a secure and non-secure setting with a therapeutic and trauma-informed operating model."

[10:45]

I am supportive of the need to provide therapeutic care, and I am also aware that we need to find a solution of a small amount of secure provision if it will be required on the Island.

4.7.1 Deputy S.Y. Mézec:

The Minister referred in her answer to the decision made in 2019 when I was the Minister for Children and Housing. I should clarify that that position was taken by the Council of Ministers against what I had asked them to accept; I wanted this full recommendation accepted. So can the Minister confirm from her answer, which sounds like she is accepting the part of the recommendation which suggests having a centre set up to provide therapeutic support for children and their families, can she confirm whether that is with the aim of it being delivered at Greenfields, which is what the recommendation originally got at, and when she said about the possibility of maintaining some secure unit provision, would that be at Greenfields or would that be somewhere else?

Deputy I. Gardiner:

I thank the Deputy for his clarification; I was not aware. Part of my strategy is really to prevent children recurring and going to secure care. It is to provide to build alternatives in the community and intensive support in the community. So the therapeutic children's home is part of the strategy as an intensive support service for young people. I am sure the Deputy is aware that we have in the Government Plan ring-fenced funds to acquire the residential therapeutic home. Also, as the Deputy suggested, we are just looking where and how it will be provided. I found planning applications to different redevelopments that were withdrawn, so from my perspective the work is underway. We need to find the way to provide this as quickly as possible.

The Bailiff:

A final supplementary, I suppose, Deputy.

Deputy I. Gardiner:

Is a final supplementary allowed if there were no supplementary questions?

The Bailiff:

One moment. Yes, I am sorry to give and then take away, Deputy, but the reality of it is, that the Minister is quite correct, the normal process is that if there had been no other Members asking supplementary questions, there is no supplementary question for you to come back with. That has been the practice, I now recall very clearly. [Laughter]

4.8 Deputy M.R. Scott of the Chief Minister regarding establishment of an international culture centre (OQ.102/2022):

In view of the different options open to government in responding to the Diversity Forum: Legacy Report (R.64/2022) in the current economic climate, will the Chief Minister explain why the Government proposes to incur £300,000 in expenditure and additional related running costs for the establishment of an International Cultural Centre?

Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter (The Chief Minister):

I thank Deputy Scott for the question. Jersey has benefited greatly from welcoming different cultures into our community. People moving to the Island have ensured our economic prosperity and brought new cuisines, new traditions and new perspectives in the Island. We are a more vibrant and thriving Island as a consequence. Now the establishment of an International Cultural Centre is an important initiative to formally recognise those contributions, to bring Islanders together, to provide the space for all of our Island cultures to flourish and unite, and to enhance and increase public engagement in the Island and throughout all communities. I have set up a steering group led by the Minister for Children and Education which includes States Members and representatives from across Jersey's communities to develop final proposals for the International Cultural Centre. This funding will enable the group to develop that centre which will provide information about services in Jersey, improve access to those services across the community to celebrate Jersey's cultural identities. It will also bring Islanders together by raising awareness of our different cultures.

4.8.1 Deputy M.R. Scott:

Could the Chief Minister please provide a definition of success, how she proposes to measure success specifically, and whether she has investigated opportunities for private funding in this area?

Deputy K.L. Moore:

So the Better Life Index identified Jersey's civic engagement as being very low, and I think it is exactly that measure that will demonstrate the success of this project or not. I sincerely hope that we will see a significant increase to our position in the Better Life Index, and particularly across the gamut of measures there, but in particular in relation to civic engagement. No, we have not looked at, so far, private investment in this particular project in its early stages.

4.8.2 The Connétable of St. Helier:

A dozen States Members were in the Town Hall on Saturday evening for Diwali, including the questioner. Does the Chief Minister believe that the cultural centre, which I fully support, should be in the Island's capital, and will she take the opportunity to talk to the Parish about whether we could be of assistance in providing such a location?

Deputy K.L. Moore:

It would always be a pleasure to discuss such matters with the Constable and with the Parish of St. Helier, of course, as the home to a third of our Island's population. It is the natural home and, as I am sure the Constable is aware, the current location for the centre, certainly in its initial period, will be in the library which I think is a fantastic site right in the heart of St. Helier.

4.8.3 Deputy M. Tadier:

I hope the Chief Minister will agree with Minister for the Environment with the sentiment of Oscar Wilde who says: “A cynic is somebody who knows the price of everything, but the value of nothing” and that in fact this is good investment here, and it cannot necessarily be valued in economic terms only. But I do have a concern, and it may be that the Chief Minister can respond to this specifically, that there seem to be lots of groups being set up, either the Diversity Forum, we can look at Women in Politics, we can look at the International Cultural Centre. It seems perhaps from an outside point of view that the distinction between what is political and what is civic is not always that clear. Can she assure us that when money is being invested into any groups, especially when there are politicians who seem to be leading it, that it is not simply seen as another area by which pet projects can be pursued, but there is a democratic and civil society direction there?

Deputy K.L. Moore:

So particularly in our small community I think there is often a blend between both political and civic. Of course, the Better Life Index I referred to earlier identifies civic engagement in very much a political sense in terms of Islanders’ political engagement through the ballot box. That is one of their key indicators. But this group is in its early phases and just this week I have made a suggestion that a leader of a local arts group might be an excellent person to join the steering group to bring a greater cultural and artistic element to the group and its work as it moves forward and embraces all aspects of our Island’s cultures.

4.8.4 Deputy M. Tadier:

There is a risk, I think, that needs to be avoided and obviated is that there is also a risk in setting up these groups which may well be at their heart to promote diversity and creating a new form of elitism where we see certain types of people recurringly taking control of these groups which are also very active on social media and in mainstream media. How will the Chief Minister ensure that that does not happen and that truly these groups ... and I would include groups like Women in Politics in that which I feel in the past have been ...

The Bailiff:

Can we just have a question?

Deputy M. Tadier:

I will leave it there. How will she ensure how those groups are truly diverse and not politically-led but led by the groups they seek to represent?

Deputy K.L. Moore:

Thank you for your interest, Deputy. I think really the aspiration of this independent group is to be an umbrella for all of those organisations. We have talked about it in the terms of it being a cultural compass and that is because it is going to be there to point people in that right direction, to bring those groups together, and to help them unite in their various purposes.

4.8.5 Deputy C.S. Alves:

Can the Chief Minister provide us with some feedback on how she feels about the recommendations in the Diversity Forum: Legacy Report, whether she accepts all of them and which ones she would be making her priority?

Deputy K.L. Moore:

So, one of the items that we will identify when we are able to publish our Article 30A report, which will address the issues of political responsibilities in various directions, will I hope identify our acceptance of some of the recommendations in the Diversity Forum’s report, that being that we see the need for some political direction in terms of social mobility and equalities. I hope that we will be able to identify a Minister with those responsibilities, also one for disabilities, and equally to value

the importance of family-friendly policies and the importance that that has in bringing greater diversity to different spheres of life.

4.8.6 Deputy C.S. Alves:

When will the Chief Minister be publishing this, please?

Deputy K.L. Moore:

I had hoped that that would have taken place last week, so I hope that it will be coming to Assembly Members imminently.

4.8.7 Deputy L.M.C. Doublet of St. Saviour:

I just wanted to ask the Chief Minister, as someone who was previously a member of the Diversity Forum and contributed to some of the achievements within the report that is in the question today, does she continue to support the work of the Diversity Forum going forward?

Deputy K.L. Moore:

Yes, as a former member I was quite disappointed not to continue as a member of the Diversity Forum and I certainly support its continuing work. Just looking around at this Assembly now, I think we have moved a long way in terms of the diversity of membership here today. Of course, there is always more to do and I look forward to seeing greater achievements in this area as we progress through our 4 years in office.

4.8.8 Deputy M.R. Scott:

Could the Chief Minister please name which or any other jurisdictions she has looked at that have an International Cultural Centre in line with her vision and how their success has been identified?

Deputy K.L. Moore:

This idea came solely from the Legacy Report and I think greater minds than mine helped to contribute to it in the presentation that we have before us. So this has been a locally-generated piece of work, particularly in response to that Better Life Index that I referred to. I think it is an appropriate and inclusive way of addressing the issue and our aspirations for the Island.

4.9 The Connétable of St. Helier of the Minister for the Environment regarding town cramming (OQ.110/2022):

Will the Minister indicate whether he thinks that the Government can fairly be described as pursuing a policy of “town cramming” in St. Helier and, if not, why not?

Deputy J. Renouf of St. Brelade (The Minister for the Environment):

I thank the Deputy for his question.

The Bailiff:

The Connétable, in fact.

Deputy J. Renouf:

The Connétable, I do beg your pardon.

The Bailiff:

No, through the Chair: “I apologise to the Connétable.”

Deputy J. Renouf:

I apologise to the Connétable. Not a good start, let us see if I can do better.

The Bailiff:

Let us draw a line and start this one over again, shall we, Minister? Off we go, yes.

Deputy J. Renouf:

The Connétable will perhaps not be surprised to hear that I do not agree that this Government is pursuing a policy of town cramming in St. Helier. However, I do think he raises an important issue and this is one to which we must remain alert. It is worth remembering that the bridging Island Plan sets policies that mandates significantly stronger requirements for open space in town. While the plan aims to concentrate development in the Island's built-up areas, particularly St. Helier, it also makes very clear that the development of town needs to take place in a manner which makes it a better place in which to live, work and visit. In this regard there are some specific policies to deal with the provision of open space. To give one example, policy C18 ensures that developments of 5 to 10 homes "are required to provide appropriate communal space for play on-site where possible or otherwise make a contribution to the provision of new or enhanced space for play within 5 minutes' safe walking distance or 500 metres from the site."

[11:00]

So the plan seeks to support the town to grow in a way which enhances and complements its character and identity where people have a good living environment, with access to open spaces and community facilities such that it becomes a place of choice to live for people of all incomes and backgrounds.

4.9.1 The Connétable of St. Helier:

I am grateful to the Minister for that answer. He will know that there is a proposal to extend the Millennium Town Park, which was part of my manifesto when I was re-elected in June, and he will not be surprised to know that I want to see that happen. He has also said that pocket parks are possible but would the Minister not agree that the north of town needs a large public park, the sort of place a child can get out of breath in or indeed a person of my age, but rather than park users being put cheek-by-jowl, which is currently the case during the summer in the Town Park, that the generous provision of public green space is the essential quid pro quo of expecting the north of town in particular to take hundreds of new homes?

Deputy J. Renouf:

I thank the Connétable for that supplementary. I think the provision of open space in the town, and in particular the north of town, is particularly important. I note that the Assembly has expressed a view on this and would like to safeguard that site in the north of town for an extension, provided that education facilities can also be provided for appropriately. My strong hope and preference is that we are able to find an alternative site for schools and we are able to extend the park, but I am mindful of the constraints that are in previous decisions of this Assembly.

4.9.2 Deputy R.J. Ward:

Can the Minister for the Environment tell us how many homes are planned to be built within a radius of, let us say, 300 metres of Millennium Park?

Deputy J. Renouf:

No, I regret I cannot provide that. I am sure that if we are given a little bit of notice, we could find the answer to that question. I am aware that there are considerable numbers of homes being built in the area to which he refers.

4.9.3 Deputy R.J. Ward:

I can inform the Minister that it is 976 homes are planned, and I have used 300 metres as a pretty quite wide estimate; it could be 200 metres. Therefore, is the original question of town cramming, particularly the north of St. Helier cramming, not absolutely accurate because that is cramming homes into a very small area?

Deputy J. Renouf:

It is interesting to look at issues of town cramming. Density is of course a very important measure of what might be called cramming. It is not the only one and we need to look at the built form and the way that buildings relate to the environment, which is why open spaces are so important. Areas like Belgravia and Mayfair in London are well built-up and have high densities but are considered reasonable places to live and probably would not be described as crammed. It is important that we look at the whole picture. You can draw circles around areas and have high densities, you can expand those areas to include open areas and have lower densities, so in general terms St. Helier is not a crammed location. This work was done as preparation for the bridging Island Plan. Comparisons with other equivalent sorts of buildings, the provision of open space is considered to be good in St. Helier with the exception of play areas, and that is why I quoted that quote from the bridging Island Plan in answer to the Connétable's original question. We are mindful of the need to particularly improve access to facilities for children's play.

4.9.4 Deputy S.Y. Mézec:

There can surely be no doubt that 976 homes within a few hundred metres is cramming when there are currently no guarantees in place about extra green space or places in schools. So what will the Minister be doing to give us those cast-iron and set-in-stone guarantees as soon as possible that school places will be guaranteed for the children who will live in those homes within walking distance and a large amount of open green space provided for those people, many of whom will have no outdoor space at all as part of their homes.

Deputy J. Renouf:

With respect to the Deputy, I feel that it is not entirely within my power to provide all those assurances. These are decisions that will be made by the Council of Ministers and then with the Assembly to decide. In terms of what I do have within my power, it is to make sure that future planning applications fit within the planning framework that we have established which balances, attempts to balance, the tension between, on the one hand wanting to make sure that we sustainably develop land in the areas where the facilities are best located, and on the other hand preserves open spaces. Those 2 measures are both strongly supported in the Island Plan, and my job will be to ensure that that tension is managed in such a way as to make sure that the quality of life at those areas of town is preserved.

4.9.5 Deputy S.Y. Mézec:

The Minister referred to future planning applications but those 976 homes are current applications. They are ones that are already dealt with under the current rules and, as things currently stand without intervention, will go ahead. So is the Minister really saying that at this point he cannot say anything to give hope to people who either live in that area or will live in that area, that any guarantees can be given about school places for their children for traffic management so that they are not constantly breathing toxic fumes as they are walking down the streets in their areas, and that they will have access to open green space. Because it sounds like there are no assurances whatsoever and that is extremely disappointing, is it not?

Deputy J. Renouf:

I can assure, as I have just mentioned, that I will be attempting to ensure that the policies in the Island Plan are followed to make sure that we do maintain access to open spaces. I have also expressed in my answer to the Connétable my strong desire to see the Millennium Town Park extended if at all possible. Beyond that I think I am at the limits of my powers.

4.9.6 Deputy G.P. Southern:

Could the Minister inform Members what direct input he will have with the Minister for Children and Education in the decisions made as to how many places are found in this particular north of town area?

Deputy J. Renouf:

I assume the question to be referring to the number of school places that might be provided in an area close to the north of town. I would say that that is likely to be a very live debate involving, not just Ministers, but the public and all interested parties. I would hope that the Minister for Children and Education will take my views into account and be listening to them, as she would with other Members of the Council of Ministers and the Assembly.

4.9.7 Deputy G.P. Southern:

The question - and it was a question - was what direct input will the Minister have into that debate?

Deputy J. Renouf:

I am slightly at a loss as to know what he expects Minister for the Environment to do. Do I propose a proposition to my colleague on the Council of Ministers? This is an area of debate. It is likely to be an area of discussion as we look at the various options. The Minister published last week some paper on the question of school places that is likely to lead to considerable debate, and I will be taking a full part in that.

4.9.8 Deputy L.V. Feltham:

From his answers, the Minister is indicating that he does not feel that there is town cramming happening in St. Helier according to his definition of town cramming. Could he inform the Assembly what his definition of town cramming would be?

Deputy J. Renouf:

Yes, we have policies in the Island Plan that set definitions of hyper-cramming and super-cramming. From memory, the hyper-cramming is something like 450 units per hectare and super-cramming is 150 units, but I would have to get back to the Deputy to confirm that. So, the Island Plan says that in the cases of proposals that come above those thresholds, there has to be justification provided that would be considered by the Planning Committee or whoever was considering those applications. So we do have policies in place to try and avoid that, and I would expect those policies to be followed by whoever was the decision-maker in terms of planning applications that came forward.

4.9.9 Deputy L.V. Feltham:

The Minister further referred to a comparative being Mayfair and Belgravia. Could he inform the Assembly why he thinks that is an appropriate comparison? If indeed he does, would he undertake perhaps to walk around St. Helier Central with myself and my St. Helier Central colleagues?

Deputy J. Renouf:

I spent some time last week cycling around that area to try and appraise myself more of the conditions there. I accept fully that it is a dense development area at the moment and there is plenty of building going on to add to it. The question of the comparison was to make a very specific point which is that density is not necessarily the only method of judging quality and access to open spaces. It is possible to develop in a dense way that also is an acceptable and good way in terms of providing an environment that is a pleasant one and an open one with sufficient open spaces. Building form and building density are related but they are not exactly the same.

4.9.10 The Connétable of St. Helier:

Would the Minister not agree with Minister for the Environment that the calculation of open space to which he refers in the Island Plan is fundamentally flawed because it calculated every square foot of open space, including all manner of small pocket parks and other little corners in the town? It did not take into account the number of large parks to which I referred in my original supplementary in which a person can get out of breath.

Deputy J. Renouf:

I am not sure the comparison is exactly correct, or the point is exactly correct. The qualification criteria also did not include beaches, for example, which are of course available in Jersey and not in many other jurisdictions, so we may have gained in one area and lost in another, so to speak. But the point is about the comparative nature, so I would have to check to be absolutely sure, but I am assuming that the criteria chosen were in order to enable accurate comparison on a similar basis with similar places. So on that basis it would have been a valid comparison to make.

4.10 Deputy L.V. Feltham of the Minister for Infrastructure regarding concessionary Bus Pass Scheme (OQ.109/2022):

Would the Minister indicate whether he would consider extending the AvanchiAccess concessionary bus pass scheme for Jersey residents with a prescribed long-term disability to people whose disability does not prevent them from driving and, if not, why not?

Deputy T. Binet (The Minister for Infrastructure):

I would like to thank the Deputy for her question. The concessionary bus scheme is for people with a disability and its specific purpose is to support those unable to drive on the grounds that their disability would preclude them from holding a driving licence. The primary purpose is not to provide free subsidised transport, rather its intent is to provide this group of people with limited options the ability to move around the Island. Any extension to the criteria would obviously have financial implications. However, as a point of principle, I would be very happy to work with the Minister for Social Security who is responsible for disability to consider such an extension.

4.10.1 Deputy L.V. Feltham:

Could the Minister expand on what financial implications he would envisage if the bus pass was made available to the people I refer to in my question?

Deputy T. Binet:

That would depend entirely on the demand and at this point in time I have not any access to information that would suggest what that might be.

4.10.2 Deputy M. Tadier:

In a similar vein, would the Minister ensure that all concessionary passes, whether they be the Avanchi pay-as-you-go, the throughfares, or the disabled pass as we are talking about, are much more proactively marketed so that everybody who has got an access to them knows they are. To be fair, I think the disabled bus pass is fairly well advertised but the AvanchiCard is not necessarily, and that provides great savings.

Deputy T. Binet:

I am certainly happy to look at that.

4.10.3 Deputy M. Tadier:

At the same time, would he consider a generic card, so that when somebody presents their card coming on to the bus they do not have to be identified as one particular group or another?

[11:15]

It could be a generic card to somebody with a disability which may not be visible, does not have to, if you like, have that shown to the public which could be considered an issue of privacy and data protection.

Deputy T. Binet:

That sounds like a perfectly reasonable suggestion and, yes, I am happy to look at that too.

4.10.4 Deputy L.V. Feltham:

While some people with disabilities may be able to drive, it may well be more appropriate or more inclusive for them to be able to get into town on the bus. So, given that, would the Minister be prepared to look again at whether these people could have access to the concessionary card?

Deputy T. Binet:

I think that might have been covered under the original question, but in the event that it is not, I would certainly be happy to look at that, too.

4.11 Deputy R.J. Ward of the Minister for the Environment regarding monitoring of air quality (OQ.107/2022):

Will the Minister advise what monitoring of air quality, if any, is currently being undertaken in St. Helier and around Island schools?

Deputy J. Renouf (The Minister for the Environment):

I thank the Deputy for the question. Let Minister for the Environment start by saying that I am very aware of the importance of air quality in terms of public health and the quality of life. I also recognise that urban areas, particularly St. Helier, are where air quality is generally likely to be poorest, while air pollution around schools is a particular concern because of its potential impact on growing bodies with the consequent lifelong potential health effects. Air quality is currently monitored at fixed locations throughout the Island by units that provide on the one hand continuous monitoring as well as, on the other hand, diffusion tubes that record longer-term trends. The vast majority of this monitoring takes place in town. Air pollution monitoring falls into 2 main categories: nitrogen dioxide and particulate matter. The continuous monitoring station for nitrogen dioxide has been in place at the central market since January 2008. In November of 2021 the unit was relocated to Beresford Street. In addition, non-automatic diffusion tube samplers are used for monitoring long-term nitrogen dioxide levels at 22 sites across the Island. Of these, 18 are in St. Helier with 2 sited at schools outside St. Helier at St. Saviour and Les Quennevais. These record total monthly nitrogen dioxide levels. These diffusion tubes do not provide peak concentrations but rather cumulative data to give an indication of general air quality in the area and provide an opportunity to make longer-term comparisons. In terms of particulates, there are 2 continuous analysers at Beresford Street and Howard Davis Park that monitor particles of a mean aerodynamic diameter of 10 microns and 2.5 microns. That is PM10s and PM2.5s. Unfortunately, the analyser at Beresford Street is currently offline. A suite of 4 hydrocarbon monitors that sample benzene, toluene, ethylbenzene and xylenes are also placed at a further 6 sites in St. Helier. The air quality officer in Natural Environment is currently developing a more reliable and comprehensive air quality monitoring network that will be able to provide near real time air quality data that will be readily accessible to the public and all key stakeholders.

4.11.1 Deputy R.J. Ward:

Can the Minister reassure parents of children in town schools that the air that their children are breathing on the way to school is safe, below World Health Organization levels that would create concern, and that we know of the quality of that air around schools? Because it was mentioned about around town but it was not mentioned as to whether they are near schools in particular.

Deputy J. Renouf:

As my original answer will have made clear, we still have some deficiencies in our monitoring network which we are hoping to correct, and that is a significant priority. Money has been allocated from various funds, the Climate Emergency Fund initially and then the Government Plan, to address the instruments' deficiencies. However, within the data that we have our levels of monitored pollution are lower than current World Health Organization guidelines. The caveat to that is that in 2021 the World Health Organization proposed reducing its nitrogen dioxide levels to a level of 10 milligrams - I think I am correct in saying, 10 in any case - and our current most recent figures was 21. Those new World Health Organization guidelines will be extremely demanding for all

jurisdictions to achieve, so I think getting more data to find out where we have a problem will be a critical imperative over the next few months.

4.11.2 Deputy M. Tadier:

The area in St. Helier and, indeed, in the whole Island which has the worst pollution is the tunnel under Fort Regent. Will the Minister explain whether he thinks that it is a good idea for people to walk through the tunnel potentially twice a day with young children? Would he consider steps to try and reduce or even stop the tunnel from being used for pedestrian access?

Deputy J. Renouf:

It is an interesting question from the Deputy. I appreciate the point. As somebody who has cycled in London for 20-odd years with their nose far too close to the exhausts of buses, it is certainly a concern of mine that we should not be exposing particularly young people to excessive levels of pollution. I would say that a journey through the tunnel does not take a huge amount of time and so these things need to be judged on a common-sense level. Once we have some decent monitoring in place I think we will be in a better position to say, but I would not be myself alarmed at walking through the tunnel on the assumption that I did not linger and hang around.

4.11.3 Deputy M. Tadier:

I am glad that the message to not linger or hang around in the tunnel is a strong message from Government. I do not think that there is much space to hang around in there. More seriously, though, I would question whether it would be wise to downplay the risk from the tunnel itself. If you are somebody who has been walking through the tunnel twice a day perhaps over 30 or 40 years, and including if you are one of those babies that I see being pushed in a pram along there twice a day potentially without having any choice in the matter, that is a very serious potential health issue there. He does not need to give an answer now, but would the Minister consider giving the issue of the tunnel and its alleviation more thought, which may also include restructuring it so that there can be pedestrian access but which is completely sealed off on one side of the tunnel?

Deputy J. Renouf:

I am perfectly happy to commit to looking into that in more detail and to make recommendations in conjunction with my colleague the Minister for Health and Social Services accordingly. In passing, I would note that a baby that was going through there for 30 or 40 years would be quite an unusual baby, but thank you.

4.11.4 The Connétable of St. Helier:

Drawing upon his experience of London and cognisant of the fact that this Minister has not been part of a previous Council of Ministers, would he not agree with Minister for the Environment that the record of past Councils of Ministers in regard to air quality monitoring and tackling the problem at its heart is absolutely lamentable? Will he undertake to discuss with the Minister for Infrastructure in particular the kind of solutions to the problem that are being used by almost every London borough and council, particularly preventing cars from getting anywhere near the school playgrounds where their fumes are causing such a problem?

Deputy J. Renouf:

I will not be tempted into commenting on my predecessors, but I will say on the second part of the Connétable's question that, yes, I am very keen to work with my colleagues in Government to reduce air pollution significantly, particularly as we move forward with tighter World Health Organization guidelines. I do think that it is something quite interesting to note that during lockdown the monitors kept on monitoring and the reduction in traffic in the second lockdown led to a 60 or 70 per cent reduction in pollution. The correlation between traffic and pollution is very clear and we have strong policies to try to deal with that, but I fully accept that we need to work much more quickly, much more strongly and much more urgently to try and ensure that they bite.

4.11.5 Deputy R.J. Ward:

I do feel this is a tradition for Minister for the Environment to raise air quality monitoring in this Assembly. I will just say to the Minister: does he recognise that the importance of clear data is one of the things that will drive the cultural change to stop people using their cars around schools and in town when they see the damage that is being done and what comes from their exhausts? Therefore, it is an urgent need to increase monitoring and increase the publication of those levels and inform the public.

Deputy J. Renouf:

I am very pleased to be able to participate in the tradition of answering questions about air quality from the Deputy. Yes, I am very committed to this and I mentioned in my first answer that this is an area where we are putting in significant extra resources with a view to providing exactly that kind of real time or near real time data so that we can point out and react when the data suggests that pollution is at a high level and we can take appropriate measures. I think it is tremendously important for people to see where that air quality spikes, where there are bad air quality areas, and then we can act on it. I would also just in passing make a comment about the importance of seeing this in the wider context of our carbon neutral strategy and the desire to increase active travel, to increase use of public transport and to increase the shift to E.V.s (electric vehicles), all of which taken together will be beneficial towards air quality and are the reason why when I talk about the carbon neutral roadmap I always try and emphasise the co-benefits that will arise. So, I am very happy to agree with the Deputy's point.

4.12 Deputy G.P. Southern of the Minister for Health and Social Services regarding new Community Alarm Service (OQ.105/2022):

Will the Minister outline what steps are being undertaken to ensure that take-up for the new digital telecare system is greater than that of the community alarm system? Will the Minister further indicate if she considers that doubling the cost to patients to over £250 a year is likely to be counterproductive in increasing its use?

Deputy K. Wilson (The Minister for Health and Social Services):

Thank you to the Member for his question. To ensure the greater take-up of the new telecare system we are working to ensure that individuals are aware of the system and how to access it through government communication channels and also Airtel-Vodafone's own communication channels. Currently, we have onboarded an additional 73 new customers to telecare. I responded in my response to a Written Question on 217/2022 on this issue also. I do not intend to change the direction of travel with regard to the transitional subsidy for those who choose to use the telecare service. For those patients who require the service as part of their care package, they will continue to receive the service free of charge, as will those who are in receipt of income support or Pension Plus. Without the data or patient feedback, I am unable to opine if the cost of telecare will be counterproductive to its use. However, if the data and patient feedback begin to indicate a reduced uptake due to the cost of the service, then we will look into this and make some amendments to ensure that people are able to access the services that they require.

4.12.1 Deputy G.P. Southern:

Is it the Minister's target to expand the use of telecare and, if so, will she consider and has she considered whether she should be increasing the subsidy to make the use of these devices free?

Deputy K. Wilson:

As I have said, I do not want to particularly repeat myself but I am not going to change the direction of travel. But I have indicated that if there is an issue around the use and the uptake then we will look at this to address it.

[11:30]

4.12.2 Deputy M. Tadier:

My alarm bells go off when I hear the Minister saying we might make this free in the future so that more people can access it but we are going to have a period first whereby we do not have as many people and then if something bad happens then we might make it free. Is the personal cost and the individual cost of somebody perhaps having a fatality and not being seen quick enough because they do not have these alarms a price that is too high to pay and we should not be waiting for something to go wrong and that it is within the Minister's gift to simply say let us forego all the bureaucracy and all the worry that many of certainly my constituents have and make this free now?

Deputy K. Wilson:

I have not said anything about free for all. Basically, what I have said is that for those patients who do require the service as part of their care package there will be no change to that. There are 2 groups of people who use this system. There are those who need this as part of their care requirements and there are people who choose to use this for a whole host of different reasons. The benefit of the telecare system is that it has additional options around other aspects of surveillance that families might like to adopt as part of the overall approach to delivering a telecare solution to care and support in the community. What I can say is that it is really important that we maintain the focus between the 2 different groups of people so that those who do require it as part of their care package continue to receive it.

4.12.3 Deputy M. Tadier:

Does the Minister not accept that it sounds to Minister for the Environment like we are creating and perpetuating a 2-tier system in this and, if I have understood right, that new applicants to the scheme will not be getting it free while pre-existing ones will be having it free if it is already free? Does she not think that that will create unnecessary confusion and ill-feeling with the public, whereas the sensible thing to do is to offer the same product to everybody and sensibly, in a rich Island like ours where we are trying to provide better healthcare to all of our constituents, is to make that free at the point of access?

Deputy K. Wilson:

As I have said, for those people who require the system as part of their care package, it is fully funded and I accept that there will be people who do not require it as part of their care package but may choose to use telecare by choice. For those who do choose to use the system, there is a cost which is set to increase, which he highlights, and for those already using the system there is a subsidy in place to mitigate the impact of the increase. The first year remains at its present rate of £10.50 and in a year's time we will be raising this to £14 and by July 2025 the cost will be £21. So, as I have said before, my intention is not to change the direction of travel in terms of what funding mechanisms have already been set up, but by 2025 it is clear that the subsidy will cease and that this will mean that there are going to be 2 tiers of users of the telecare system, which has been the case previously, those being who choose to pay and those who will rightly receive the service free as part of their care package.

4.12.4 Deputy S.Y. Mézec:

The Minister said that she is not initially going to change the direction of travel on this and that is a direction of travel which means greater cost to those who use the service. Does the Minister expect us to believe that we need more data to tell us whether or not that makes the scheme more or less accessible? Would she confirm whether this direction of travel, of charging more for patients to use health services like this, is one that she will be applying to other parts of her remit?

Deputy K. Wilson:

Well, again, as I said, for those who require it as part of their care package it is free of charge and there is a choice ... for those people who choose to use telecare there will be a charge in order for that facility to be available to them.

Deputy S.Y. Mézec:

With respect, that was not very close at all to an answer to either part of my question I posed to her.

The Bailiff:

Well, I think the question was: do you agree that that is bound to have - and I paraphrase - a chilling effect on the take-up of the telecare system if it comes at a significant cost?

Deputy K. Wilson:

I will repeat that I do accept that we should be driven by evidence-based decisions and I think data is important when we are attributing money to the cost of services, which I know the Member has also alluded to in previous discussions, which is important. But the issue here is that we will make sure that the data drives the decisions as to whether or not the take-up of the telecare system indicates that there is a problem associated with the cost, and when we have that data we will make some further decisions as to what next steps to take.

4.12.5 Deputy S.Y. Mézec:

Is the Minister suggesting that her proposed approach to this, which is to await data to tell us what we already know it will tell us, which is that this will make this less accessible, so that she can then make a reactive decision on how to make it more accessible is a sensible way of managing the health of the people who we represent? Would it not be better to take a common-sense approach, which is to start by making this as accessible as possible, which is not the option she appears to be taking?

Deputy K. Wilson:

Well, I think that is a view, but what I want to say is that we have committed to expanding telecare services. We do not know what the uptake will be. We do not know whether the cost will be prohibitive and that is why we are promoting and engaging people in its use and at the point at which it becomes an issue as to whether or not this is affordable we will look at it again.

The Bailiff:

In an exchange that took place a little bit earlier I was not sure if I missed someone over there who wanted a question.

4.12.6 Deputy A. Howell of St. John, St. Lawrence and Trinity:

I am just seeking clarification as to whether the Jersey Telecom package of the community alarms is being phased out or has it been phased out already? I just would like the Minister to admit to the House that any of the additional apps that are to be included in the new scheme will be at an additional cost for everyone.

The Bailiff:

Are you able to assist with that, Minister?

Deputy K. Wilson:

What I can say is that I can confirm that the community alarm system is being upgraded to the digital system. So, yes, we are phasing out the old system. We have about 1,040 Islanders already subscribed to the analogue system, which basically calls for help when a service user presses a button. The existing system has not been updated for a number of years and the technology is being replaced. When we retendered, we wanted to secure a system that offered multiple connectivity methods, including the mobile network, wi-fi and battery back-up. The system that we have now is producing greater resilience than the analogue system. It does offer additional capability and capacity and

additional applications can be added, for example, like motion sensors, pill dispensers and fall sensors. These are going to support some of the care in the community initiatives that are already under way. I cannot really give the detail that the Deputy has asked for in relation to the cost of each application but I would be happy to let the Deputy know the detail of that as we go forward.

4.12.7 Deputy A. Howell:

Is it possible for Islanders to continue with their current community alarms, which many of them really appreciate?

Deputy K. Wilson:

I think we are going through a phased implementation of this. Clearly, this is a dialogue with individuals. What we want to do is sell the benefits but this is a discussion with Islanders in terms of what they need. What I can say is that the analogue system itself will become increasingly difficult to maintain over time, so what we want to do is we want to support people to make that transition because we think it offers better benefits.

4.12.8 Deputy G.P. Southern:

I think the Minister said it at the very end there, because we want the uptake to be as large as possible because we think it offers a better system. How wonderful, but does she not accept that, given the target of increased penetration, increased uptake, then does she not accept that charging for that uptake is the guaranteed way to make sure it stays as little as possible? If you make it free from the start, then you get the uptake and you will see how many people can take this. I remind the Minister, if I may, that one of the conditions that we are guarding against is the accidental fall that means that many elderly people end up very ill indeed and are occupying a hospital bed at who knows what cost ...

The Bailiff:

I think this does have to be a question really.

Deputy G.P. Southern:

Does she not accept that that could happen to her or to Minister for the Environment tomorrow and that that sort of cover is what we need?

Deputy K. Wilson:

As I have said, I think people who need support as part of their care package receive and will continue to receive their telecare free of charge.

The Bailiff:

Very well, that concludes questions with notice. In accordance with the decision taken by the Assembly before that, we now move on to the statement to be made by the Minister for Infrastructure, and hopefully Members will have received a copy sent by email. I call on the Minister to make the statement.

Deputy S.Y. Mézec:

Sir, sorry to interrupt, I do not appear to have received the statement by email or on Teams. I am not sure if other Members have either, but it would be good to have it before us before ... Sir, I stand corrected.

The Bailiff:

The magic of technology.

STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

5. The Minister for Infrastructure will make a statement regarding the Our Hospital Review Report

5.1 Deputy T. Binet (The Minister for Infrastructure):

As you might imagine, presenting a review of the most recent hospital project creates something of an anxious moment for me, given its complex and long-running background. Nonetheless, it is a review that was very much required, particularly in light of recent global events that are already having a major effect on us here in Jersey. Over the past 9 months we have witnessed a number of things that would have been unthinkable this time last year: war in eastern Europe, the fuel and energy crisis, inflation at 10 per cent, and the strong likelihood of recession. Severely disrupted supply chains are giving rise to long lead times for most materials with corresponding increases in cost, and labour is in short supply as a result of COVID and Brexit. Against this backdrop, international contractors are extremely wary about under-pricing and taking on greater risk. As a consequence, fixed price agreements are likely to become a thing of the past as they look to safeguard themselves in this new environment. This, I am afraid, is the new reality for us. When the funding model for the Our Hospital project was first revealed, Jersey was hoping for an average return of 4.6 per cent over a 40-year period on its billion pound Strategic Reserve Fund. That is 2 per cent above the Fiscal Policy Panel's long-term R.P.I. (retail price index) assumption, and borrowing costs were anticipated to be fixed at 2.5 per cent for the duration. While a period of 40 years is difficult to predict, it is fairly certain that we will not see a return to those halcyon days any time soon. The Strategic Reserve will not reach its target this year by some margin, I am told, and the cost of borrowing is considerably higher. This change of circumstance, therefore, plays a big part in the review and perhaps unavoidably frames some of the fundamental thinking, particularly the need for a more robust approach to risk management. However, grim as it may be, the situation is not without some opportunity. For example, the amount of information and knowledge accumulated and paid for during the Our Hospital process has enabled most of the review work to be undertaken by our existing and experienced local team. The only external assistance has come from the review's principal expert adviser, Mr. Alan Moore. By way of background, until his retirement in September last year, Mr. Moore was the director of strategic capital development within Northern Ireland's Western Health and Social Care Trust. In this capacity, he was the S.R.O. - that is to say senior responsible owner - for the successful delivery of a £1 billion capital investment programme. That responsibility included the delivery of the South West Hospital in Enniskillen, the new hospital and primary care complex at Omagh, the North West Cancer Centre and the phased redevelopment of the Altnagelvin Area Hospital in Londonderry.

[11:45]

While Mr. Moore's involvement was being arranged and appropriate terms of reference was drawn up, and given the pressing need to progress matters, a decision was taken not to reopen the site selection process. Instead, a number of more practically deliverable options were selected and a comprehensive consultation process began, which included some 20 stakeholder meetings involving over 60 individuals. Accepting that the current hospital may be required to stay in service for slightly longer than anticipated, the hospital's maintenance team were consulted at an early stage and assurances were given that all required resources would be made available to keep the existing hospital building safe without the need for unnecessary bureaucratic process. With regard to the review, it is important to state that the focus has, first and foremost, been to ensure that the conclusion would lead to the best possible facilities for both patients and healthcare staff in all areas. In the process, every effort has also been made to combine this focus with an emphasis on some form of project phasing, possibly by way of a dual site or hybrid model, to spread the financial risk over a longer period, to deliver better value for money to the taxpayer while recognising the urgent need to progress as quickly as possible. In addition, devising a scheme where buildings could be designed to a scale more compatible with their surroundings, requiring less impact on the existing environment and offering better project access to local construction firms and associated building trades; also, to

allow for future cost-effective expansion using modern methods of construction. As Members will now know, the recommended option is to develop facilities on 2 major sites - Overdale and Gloucester Street - and this will be carried out in 2 distinct phases to allow for a high degree of risk management. In addition, to retain the use of the facilities currently being developed at Les Quennevais in order to prevent unnecessary waste and reduce the area and costs required to replicate them on either of the 2 main sites. Finally, to implement a swift but comprehensive review of mental health requirements in order to ensure development of first-class facilities, appropriately located. Ideally, this work would start immediately. These recommendations are unlikely to please everyone but they have been reached after a careful consideration of the evidence obtained. I firmly believe they set out the roadmap for the best chance of delivering the high-quality hospital facilities the Island needs in a way that is both affordable and achievable in the shortest possible timeframe. The causes of our dramatic change in circumstance lie some way from our shores. No one on this Island is to blame for the fact that it is no longer safe, nor would it be responsible, to commit to an unstoppable project the costs of which would fast be approaching a billion pounds were it to be commenced in its current form. With this in mind, I would politely urge the Assembly to give these recommendations their most serious consideration. It is time to put aside the public discord of the past and progress at pace, in concert with our healthcare workers, clinicians, Scrutiny Panels, Assembly Members, and all Islanders, including neighbours and interest groups. Finally, I would like to offer my sincere thanks to the principal expert adviser, those Government of Jersey officers directly involved in the production of this review and those supporting its delivery in the background, the stakeholders who provided evidence that led to its conclusions, and the individuals providing quality assurance.

The Bailiff:

Thank you, Minister. **[Approbation]** There is now a period initially of 15 minutes within which Members can ask questions to the Minister. First to indicate, Deputy Farnham.

5.1.1 Deputy L.J. Farnham:

Thank you to the Minister. The hospital review that we have been waiting for is vague and largely subjective. It is light on detail and it presents little evidence to underpin its findings. It offers no guarantees on savings and ignores other important financial facts. So, to that end, can the Minister state unequivocally that the proposed scheme will not exceed the £635 million suggested in the report by its completion some 8 years from now?

Deputy T. Binet:

I will take those in the order in which they were asked. Firstly ... sorry, I have lost my thread. I certainly cannot guarantee anything. Sorry, could I ask for the first part of that question again?

Deputy L.J. Farnham:

It is no problem. I am asking: can the Minister state unequivocally that the proposed scheme will not exceed the £635 million suggested in the review upon its completion some 8 years from now?

Deputy T. Binet:

The answer to that has to be no. It is an 8-year programme. Inflation is running at 10 per cent and I think it would be irresponsible to try and claim that that is absolutely guaranteeable.

5.1.2 Deputy L.J. Farnham:

Does the Minister, therefore, accept that after applying provisions for inflation, optimism bias and other contingencies over the 8 years that it will take to complete the project, his proposals could end up costing more than the current approved plan?

Deputy T. Binet:

That is highly unlikely because the project as it stands, the hospital project, has already gone up £115 million and that is the numbers that have been given to us by ROKFCC, the design delivery partner.

So there is a fairly sizeable differential already and I do not think that the Deputy is taking into account the value of the risk management that this option provides for us.

5.1.3 Deputy M.R. Le Hegarat of St. Helier North:

Where is the new mental health facility likely to be located?

Deputy T. Binet:

I fully appreciate that Assembly Members have not had a great deal of time to read the review and I apologise for that. It was only issued mid-afternoon yesterday. But it does say in the recommendations that we are calling for a specific review of mental health services and facilities to commence immediately so that we can define what those facilities are and where they are to be located.

5.1.4 Deputy S.Y. Mézec:

Since a large part of the rationale for having this review in the first place was to do with the costs and affordability of the scheme, I am expecting that the Minister should be able to answer this question to the penny. How much cheaper is what is being proposed in this review than the current Overdale site as approved by this Assembly?

Deputy T. Binet:

If the Deputy looks at page 87, and I certainly cannot, I am certainly in no position to guarantee anything to the penny because these figures have been provided by Turner and Townsend, who are specialists in this area, but they are suggesting £126 million.

5.1.5 Deputy M. Tadier:

I am very worried to hear that it seems to Minister for the Environment that we are not just now proposing a 2-site hospital but a 3-site hospital when you take into account Les Quennevais; the old Les Quennevais school site. As a longstanding representative for that area, which is the heartland of my constituency, we now find that that is going to be permanently retained as a health site. What discussion was done with representatives for that area? Secondly, how does this reflect on the housing strategy when we do not just see the Gloucester Street development halting in its tracks but we also now find out that another site, which had been earmarked for housing, which I did not necessarily support and do not necessarily support, has also been stopped by this news that there is going to be a permanent hospital site at Les Quennevais?

Deputy T. Binet:

The Deputy seems to forget that this is a review and that this is a recommendation and that it is up to the Assembly to decide whether it is accepted or not. Furthermore, it might be worth considering the fact that some £13 million have been spent there and that if a bulldozer goes in there in 5 years' time we have to consider the value for money that we will have got for that spend. For the cost of about £2 million more, that site can be made valuable to be used in its new purpose for about 25-plus years. I just think it is a point worth considering in terms of value for taxpayers' money, which I know the Deputy is always so well concerned about.

5.1.6 Deputy M. Tadier:

I am concerned about how we take the community with us. It is here in black and white and I have highlighted it in yellow. The recommended option is to develop 2 major sites and, in addition, to retain the use of facilities currently being developed at Les Quennevais. I have not written that; those are the Minister's words. So the recommendation is to make Les Quennevais a permanent hospital site, which therefore cannot be used for other community or housing needs. Is that not the case?

Deputy T. Binet:

It certainly is the case and I think I made that perfectly clear. This is a review and that is a recommendation.

5.1.7 Deputy R.J. Ward:

I note the “review” word is used 107 times in the report, just out of interest. Can I ask the Minister: given that there is no detailed business case and that was made clear to us, how can the Minister be certain of the budgeting, the ability to staff a multisite position and the timescale of delivery, without any detailed business cases?

Deputy T. Binet:

This has been produced in just over a 100 days. We were not asked to produce a business case because there was nothing to produce a business case for. We have produced a review and if it is acceptable to the Assembly we will go forward and produce a full business case. But I think the Deputy will agree that at this point in time it would have been difficult to produce a business case for a project that did not exist.

5.1.8 Deputy R.J. Ward:

Can I ask the Minister for when the dates of these business cases will be produced for the Assembly and will they be before we are asked to make a decision or will we be asked to make decisions without any detail on the delivery, the costings, the staffing, et cetera, of this new plan?

Deputy T. Binet:

Yes, that is very likely to happen; very much so. There is a real urgency for this project and that is likely to be the scenario.

Deputy R.J. Ward:

The word “likely”, is that a yes or a no, sorry?

The Bailiff:

Well, I think the word “likely” is “likely”. Sometimes things are not susceptible to yes or no, Deputy, and “likely” is a perfectly reasonable answer, I think.

Deputy T. Binet:

Let us make that a “yes” then, Sir.

5.1.9 The Connétable of St. Helier:

The Minister will be aware that the Parish of St. Helier has been dealing with the implications of the former hospital project for some time, with many Parish Assemblies, a lot of expensive legal work, and I believe we are still subject to compulsory purchase orders in respect of certain parcels of land owned by the Parish. Does this review give Minister for the Environment the ability to go back to my parishioners and say that the threat to St. Helier has been removed, the threat to our trees, the threat to our parks, the threat to our parking spaces, the threat to the bowling club?

Deputy T. Binet:

I fully appreciate the Constable’s concern and I am afraid to have to say not at this stage. There is a likelihood that that may come in not too long a time, but at this stage I am afraid I cannot guarantee that.

5.1.10 The Connétable of St. Helier:

Could I just ask the Minister when that reassurance will be forthcoming? Because we do have a lot of stakeholders who are clearly concerned about this.

Deputy T. Binet:

All things being equal, we are going to and lodge a proposition before Christmas and we will just go through the normal procedure and that will be hopefully early next year.

5.1.11 Deputy M.R. Scott:

With apologies if I am overlapping with Deputy Tadier's question, but am I right in thinking that this proposal will release the former Les Quennevais School for much needed housing within St. Brelade as a parish? If so, will the Minister give his support to that?

Deputy T. Binet:

Some of that runs contrary to the recommendations made by the review. As I have said a number of times, all of these decisions will be made by the Assembly. It is not really a matter that is within my grasp.

5.1.12 Deputy M.B. Andrews:

In relation to the capital repayment with the existing bond, as a percentage compared to the Strategic Reserve and also the other reserves, has the Minister contemplated the expense that would be incurred currently as it stands compared to the reserve growth?

Deputy T. Binet:

I am showing my ignorance again. I am not sure what that question means. Could you perhaps be more specific?

Deputy M.B. Andrews:

Essentially, what I am saying is with the existing bond that is already in the market, if we are looking at the coupon, so if that was to be made payable on a per annum basis compared to the current trends with our reserve growth, does the Minister believe that we are in a good position to potentially proceed with the bond, bearing in mind our reserves have grown, and grown by about £481 million, last year?

Deputy T. Binet:

I think the intention would be to look at the funding completely from scratch. That is to the best of my knowledge.

[12:00]

5.1.13 Deputy R.S. Kovacs:

Can the Minister clearly then state that this is again going back to the consultation and reviewing stage and have those costs of delaying consultation and reviewing been factored in?

Deputy T. Binet:

It depends what the Deputy means by going back to the reviewing stage. We have been quite clear about the fact that we are not going back to site selection and the plan here would be to use all the information that has been accumulated, talk again with all the parties involved to take that information forward to build a case to fulfil the requirements or the recommendations of the review.

5.1.14 Deputy R.S. Kovacs:

He has not responded if this consultation and review that has been carried on is factored in, and still related to cost. Has the cost of stopping the Kensington Place work been also factored in and the penalties they have to pay to the companies who already had signed contracts in place there?

Deputy T. Binet:

In relation to the cancellation of the contract, that is still being finalised so I am not in a position to know what that number is. Relative to the actual scheme itself, it would represent a very small percentage, probably somewhere under half a per cent I would guess.

5.1.15 Connétable P.B. Le Sueur of Trinity:

I thank the Minister for the review, which arrived in my inbox at 2200 last night, so I apologise that I have not had the opportunity to study it in great detail, but I did appreciate the briefing this morning. One thing that jumped out at Minister for the Environment from the slides we saw this morning was the red, amber, green risk analysis. For the 2-site option, the one that really flagged up for Minister for the Environment was the ongoing cost or maintenance cost of running a 2-site hospital. I thought that way back when Deputy Anne Pryke brought the 2-site option that one of the negatives for that, the big negatives for that, was the actual cost of running a 2-site hospital as opposed to running a single-site hospital. Today there is also a suggestion that maybe we may be spread across 3 sites, and I would hope that significant cognisance is given for the actual ongoing costs rather than the ... it is jam today or jam tomorrow, really. So I would just like an assurance that that has been properly taken into account.

Deputy T. Binet:

Yes, I think it has been taken into account to the extent that it can be at this point in time. I would also point out it was the only red on the chart, and it does not indicate the fact that with a 2-site option you have a lot of resilience in the case of having another pandemic. You have 2 sites and you have greater flexibility. You have also, something that perhaps was not taken into account in the first scheme, got room to expand on both sites, and I think that is highly valuable depending on where we go with population growth in the future.

The Bailiff:

That brings the time available ... I assume that Members may wish to proceed for an additional 15 minutes, which is an option provided for within Standing Orders. Proposed and seconded? **[Seconded]** Members show? Very well, we will proceed for another 15 minutes.

5.1.16 Deputy P.M. Bailhache:

May I, on behalf of the Jersey Liberal Conservatives, first of all congratulate the Minister on bringing a breath of fresh air to this debate? **[Approbation]** My understanding is that the recommendation is that we should be going for a hybrid-phased option, which seems to Minister for the Environment on the face of it to be a sensible solution. I am going to come to a question straight away, Sir.

The Bailiff:

Thank you very much, Deputy.

Deputy P.M. Bailhache:

May I ask the Minister whether he is intending in very short order to bring a proposition to the Assembly which will bring some certainty to the many issues, some of which were mentioned by the Constable of St. Helier in relation to Overdale to revoke the decisions made by the previous Assembly, so that we can move forward in the direction adumbrated by the Minister?

Deputy T. Binet:

Firstly, may I say how much of a relief it is to hear a friendly voice in the Assembly. Yes, I can say that the intention is to bring a proposition which would, on the one hand, rescind the existing scheme and give rise to the proposals.

5.1.17 Deputy L.V. Feltham:

I am trying to get a handle on quite how far back this takes us in the project process and whether this is taking us back to square one. Could the Minister clarify whether the clinical requirements previously agreed for the hospital now need to be revisited due to this process?

Deputy T. Binet:

I am fairly certain, but I am not an expert in this area by any means, that some of those clinical requirements will be revisited with a view to making sure that everything would be appropriate for a 2-site solution. With regard to going back to square one, most definitely not. In the coming weeks we are shortly to receive a full planning permit for the hospital scheme and, as everybody here will know, applying for permission to build something that is considerably smaller, possibly half the size of what has been permitted, should be considerably easier than starting from scratch, given that there will probably be no need for ... certainly, I doubt there would be a need for a planning inquiry and it is a much more straightforward process. Also, building a building half the size should be achievable in a shorter space of time, so as much as it might commence a little later, there is a hope that the finishing date for the revised project might be quite a lot sooner than it would be for something of nearly 70,000 square metres.

5.1.18 Deputy L.V. Feltham:

The Minister previously referred to potential expansion on the Overdale site should it be required in the future. So, are the requirements being adjusted to suit perhaps a smaller population than the previous plans? Is this just really a phased approach to a larger hospital on the Overdale site in the future?

Deputy T. Binet:

I do not envisage a large expansion on Overdale should this proceed. What we did see when we were in Northern Ireland, we visited a factory that produces modern methods of construction and what is apparent is it is not difficult to add operating theatres or wards to existing buildings. I would envisage that the design of the new building at Overdale would be designed in such a way as to accommodate that sort of extension were it to be required.

5.1.19 Deputy G.P. Southern:

Will the Minister correct Minister for the Environment if I am wrong? Is it not the case that we spent 10 years on this and now we are going to save £126 million by simply building a smaller hospital? Is that not the case?

Deputy T. Binet:

The Deputy might have spent 10 years on the previous projects because he has been a Member of this House but I have not and, as I say, this is a review that has been put forward with a view to saving money. In my book, £127 million is quite impressive. I do not know what the Deputy thinks of that but I think it is a sum of money worth saving, given that it is taxpayers' money.

Deputy G.P. Southern:

The question revolves around: are we simply building a smaller hospital and will that meet our needs? The answer appears to be no, because we want to expand later on.

The Bailiff:

I think you have already answered the question then, have you? Minister? Sorry, did you want to answer the question? I was being probably inappropriately flippant. [Aside] Very well, yes.

5.1.20 Deputy L.J. Farnham:

I have so many questions I am not sure which one to ask, but I will go with the one that asks: can the Minister explain exactly what the savings are and how they were calculated?

Deputy T. Binet:

Without taking a great deal of time, I think if the Minister looks at appendix 5, for example, there are 2 cost assessments, one by Turner and Townsend, which are cost consultants, and another done by Mr. Alan Moore, and both provide quite extensive detail as to how those calculations were made. I

could read them out but it would probably take Minister for the Environment about 20 minutes and I think that is probably rather pointless.

5.1.21 Deputy L.J. Farnham:

I beg to differ but I cannot see any extensive detail in this report. I can see some high-level predictions and speculation but certainly no extensive detail. So, will the Minister then, if he cannot explain how these savings are going to be met of £126 million, could he then perhaps explain what the additional running costs of the hospital, the duplication running perhaps over 4 sites ... because as I work it out it would be 4 sites: Gloucester Street, Kensington Place, Overdale and Les Quennevais where there is uncertainty around. Have the sums been done? To work it out to my calculations, if running over 4 sites as opposed to one perhaps puts 2 per cent on the costs of the health budget, which is not unreasonable, that would wipe out any savings over a fairly short period of time.

Deputy T. Binet:

No cost predictions on the running costs have been done and I do not mind saying it might have been rather pointless because there are not any running costs to compare them to for the last project, because I do not believe that the Deputy produced any at the time.

The Bailiff:

Deputy Ozouf, you have asked to ask a question but generally Ministers cannot ask questions of other Ministers.

Deputy P.F.C. Ozouf of St. Saviour:

It is a point of order, Sir.

The Bailiff:

Oh, it is a point of order. Yes, of course.

Deputy P.F.C. Ozouf:

But I will leave it until the end of the questions if you like. I just wanted to put my light on for a point of order.

The Bailiff:

Point of order, very well. We will wait until we get there then.

5.1.22 Deputy S.Y. Mézec:

In answer to my earlier question, the Minister gave a figure for how much he said could be saved with this project. The Constable of Trinity asked about the operational costs of this being the highest of the options that were examined in this review. Could the Minister confirm whether the figure for savings that he has come up with, therefore, includes the ongoing greater operational costs, whether they include potential compensation that might need to be paid to developers for work already incurred, whether it includes the risk that the planning application could still be rejected ... in fact, as I go on, could I instead ask the Minister to list all the things that are not included in that calculation and provide clarity that way instead?

Deputy T. Binet:

I think I would rather go through each individual question. It is easier if it is not a long list but if you could do one or 2 at a time I am quite happy to answer all of those questions. If you want Minister for the Environment to list all the things that are not included here, I could go on for ever. As I say, these are indicative costs in any event. It is a review. It is an initial review and it is not a business case.

5.1.23 Deputy S.Y. Mézec:

Of course, the reason the question gets asked is because upon first impressions of the report it simply is not clear whether it is credible to say that this will end up being cheaper overall because of all the questions there are still on what is not included in these figures given for how much savings could be made. I am sorry to push the Minister on this, but can I push him to give a list if he is able to of the essential spends that ought to be considered in this which have not been included in the figure he has given before? I did give some examples like compensation to the developer for works that have already been done, like potential risks of planning applications not being accepted, like ongoing costs for maintaining the current hospital. Which of those can he tell us off the top of his head have not been included in that figure he gave earlier?

Deputy T. Binet:

Risks about whether or not they have been covered are very difficult to quantify in monetary terms. I think one has to take a common-sense approach to this. One of the 2 main sites has already got a permit which is shortly to be fully issued, and the other is adjacent to an existing hospital. So, as I say, this is a review and one has to take a common-sense approach to it. Does it include compensation payable to a developer? I do not believe it does and, as I have said, if it does it will represent less than half a per cent of the overall project costs. Sorry, could I ask you to repeat ... perhaps ask another 2 questions? If we do them 2 at a time it is a little bit easier for Minister for the Environment to provide the answers.

The Bailiff:

I do not mind if you want to clarify the last part of the question that you asked, Deputy.

Deputy S.Y. Mézec:

Perhaps I should not say this but I am not sure it is in order for Minister for the Environment to do so because I only listed some of what could have been a substantially longer list. I was trying to get the Minister to pre-emptively give every cost that is not included.

The Bailiff:

Very well. Thank you for that then and you are quite right. Deputy Ward.

Deputy R.J. Ward:

Sorry, me?

The Bailiff:

Yes. Sorry, I beg your pardon, I do try and remember to put the initial in. Deputy Rob Ward.

[12:15]

5.1.24 Deputy R.J. Ward:

That is okay, Sir, thank you. Can the Minister categorically state that there will be no additional works to the roads going up to Overdale, given that a 2-site option may mean increased traffic flow between the 2 for, well, unknown reasons because we are not entirely clear as to what the 2 things are going to have in them?

Deputy T. Binet:

It is very unlikely to be anything substantial and it is certainly very unlikely to be that which was envisaged in the first scheme. If one was to go down that road, then all the economics change in any event and the figures that have been presented probably would not stand up.

5.1.25 Deputy R.J. Ward:

Has the Minister taken into account with 3 sites, one of them being on the other side of the Island, the increased movement of staff that might be necessary and the increased movement of patients that

may be necessary and will, therefore, the cost of transporting people be included, which could be substantial over time?

Deputy T. Binet:

I think the first thing to bear in mind is a lot of people live out at the west and, secondly, these are not facilities that are necessarily directly hospital related. There will not be any operating theatres or anything of that sort. It will just be health-related facilities that are on that site, which could be located anywhere on the Island and not necessarily essentially located at a hospital. As I say, it also reduces the capital cost of whatever we build going forward, which I think is quite helpful.

5.1.26 Deputy M. Tadier:

There was much to criticise of the previous Government but what they did leave us with was certainty about where the hospital was going to be built and when it was going to be delivered. Now we have a situation where we have none of those. We have delay and we have uncertainty. Does the Minister agree that if he were outside of the States looking in and he had listened to a statement and a document being delivered with such lack of detail, including, for example, the opportunity costs looking at the Kensington Place site, including the fact that we are paying for the delivery of 100-plus homes without having any homes for it because that will be the payoff to the contractor, and the fact that when those homes are ultimately delivered the cost of delivering those homes will also have gone up, where are all those figures and what will the actual true cost, including opportunity costs, for this scheme to deliver a project at some point in the future, which does not have planning permission yet ... is it going to be worth it?

Deputy T. Binet:

Taking the last one first, yes, I certainly think it will. It appears, sadly, that the Deputy does not recognise the difference between a review and a full business case. As I have explained, the next stage of this would be to produce a full business case. I would also ask the Deputy how comfortable he feels about the prospect of signing up to a contract which would probably exceed a billion pounds in the current environment. Perhaps I am not in a position to ask questions but it is just a point for everybody to ponder on.

5.1.27 Deputy M. Tadier:

My supplementary is that figures can seem big but what I do know is that they can be ... whatever the cost is it will have to be paid for over a long period of time. I am concerned that we still will not have a hospital delivered in 4 years' time at the end of this Government's tenure and that my constituents, if I am still around and I am knocking on doors, will say ...

The Bailiff:

Deputy, if you do not ask your question there will not be time for any answer at all. We are literally seconds away.

Deputy M. Tadier:

The question is: can he ensure that the hospital will be delivered at the end of this tenure?

Deputy T. Binet:

I do not have a reputation for resting on my laurels and I have worked hard up to this stage and I intend to work extremely hard going forward, so the answer is an unequivocal yes. [Approval]

The Bailiff:

Well, that does, in fact, bring the second period of questions to an end. You had a point of order, Deputy Ozouf.

Deputy P.F.C. Ozouf:

I would be most grateful ... as an incoming Member of the Assembly I am looking at an extant decision of P.80/2021, which set out budget, financing and land assembly, which the Minister has explained. It set out maximum expenditure of £804 million. It set out a borrowing authorisation of £756 million on the basis that contractors were in place. I have learnt here ... I am a Member of the Government, but I wish to have a direction, if I may - perhaps not now - but maybe you would consider what advice you would give to the Assembly of an extant decision that simply, from the words of the Minister, cannot be delivered and what the options for the Assembly are. Because there is an extant decision which I now understand could not have been delivered, cannot be delivered now, and what should be done?

The Bailiff:

What is the identification of that extant decision you were looking at?

Deputy P.F.C. Ozouf:

The extant decision is P.80/2021. It is one of the reasons why I and other Members of this Assembly stood because we did not quite believe what we were hearing, and I now understand it cannot be done and I understand the Minister is in a very difficult position, but I wonder if you could assist.

The Bailiff:

What ruling are you seeking?

Deputy P.F.C. Ozouf:

I am seeking a ruling of what to do that this Assembly has in terms of a ruling of an extant decision that cannot be done.

The Bailiff:

Well, if it cannot be done, it cannot be done. If the Assembly has resolved to do something which is incapable of achievement, then *ipso facto* it is incapable of achievement.

Deputy P.F.C. Ozouf:

So what if it is an extant decision?

The Bailiff:

It is effectively ... I suspect, but I will give it further consideration, any decision is *de facto* rescinded because if the Assembly chooses to do something which is completely at odds with what it has decided to do before, that is effectively an implied rescindment of the earlier decision.

Deputy P.F.C. Ozouf:

So it is a *de facto* ... my point was politely to ask whether or not it is a *de facto* rescindment or a rescindment is required, but perhaps you could consider that.

The Bailiff:

I am very happy to consider that, thank you, for advice on a future occasion.

Deputy M. Tadier:

Can I raise a point of order following on from that?

The Bailiff:

Yes, of course.

Deputy M. Tadier:

It seems that what we have just had there is a request for a decision on a Standing Order, a direction from the Chair on something that is entirely hypothetical. Senator Ozouf made a statement which is

a hypothesis. It is not proven one way or the other and he is asking you to rule on effectively what is a political matter about the hospital.

The Bailiff:

I think the way I interpret it is I am to look at P.80/2021 and see if any issue arises under Standing Orders. I have not assumed that it does. I have not assumed that anyone is correct about it. It is just something to look at afresh and if there is a ruling that can be made and it is appropriate to do so, then I will make it. If I take the view that it is not appropriate in connection with assisting the Assembly in the conduct of its business, then I will not make one.

QUESTIONS -resumption

6. Questions to Ministers without notice - The Minister for International Development

The Bailiff:

Very well, we now come on to the next stage of business, which is questions without notice. The first period of questions is the Minister for International Development and the 15 minutes start now.

6.1 The Connétable of St. Helier:

Could I ask the Minister what her international development and Island identity priorities are for the year ahead?

Deputy C.F. Labey of Grouville and St. Martin (The Minister for International Development):

I thank the Constable for his question. As is written in the Ministerial plan, I will just highlight a few things out of there. We plan to strengthen our dairy work. Earlier this year I signed an M.O.U. (memorandum of understanding) with the Minister in Zambia and we plan to start a multiyear dairy project in Zambia. We are hoping to host the third Jersey Africa Forum in July 2023 where we can promote Jersey, the Jersey cow and our expertise in the dairy industry. This has huge amounts of value to Jersey's reputation in Africa and in the world of international development. We are expanding our team and training them up so they are well-versed in monitoring and impact analysis. We are going to broaden and enhance Jersey's philanthropic reach, expand our volunteering offering, and also with the Island Identity we will be implementing policies with A.L.O.s (arm's length organisations) and other departments within the States. We are hoping to change the narrative and expand the comms that we use to ensure that we are all singing from the same hymn sheet, as it were, and put out an international message of what Jersey is about. We are not just an international finance centre. Personally, I would like to set up a framework and a database for Jersey's diaspora and hopefully send out newsletters to them to extend that network.

6.1.1 The Connétable of St. Helier:

I am specifically or particularly interested to know what the Minister's priorities will be with regard to the situation in Ukraine and whether that ... if the war does continue, how she will grow and enhance that support in the coming months.

Deputy C.F. Labey:

The Ukraine at the present time is a devastating crisis, not only for the vulnerable people in the world but globally, too. This year Jersey, through Overseas Aid, the charities side by side and you, Sir, have put huge amounts of efforts into fundraising and Jersey has raised £2.722 million. That puts us per person at £19.96 per person, by comparison to Guernsey, which is £12.61 and the U.K. (United Kingdom), £5.83. So we have a budget for emergencies. We also like to keep some back for our pooled fund and other emergencies, which we are mindful can be forgotten in this Ukraine crisis.

Connétable K. Shenton-Stone of St. Martin:

My question has been asked fundamentally by the Connétable of St. Helier so it has been answered, thank you.

6.2 Deputy L.J. Farnham:

We are seeing high inflation not only in our own Island but in many countries around the world. How will that impact on the Minister's budgets and the good work that the department does?

Deputy C.F. Labey:

In 2021 we set our budget. We fix it with the rate of G.V.A. (gross value added), so our budget will keep pace and be expanded automatically as our economy expands and depreciate proportionately if it contracts. But what is fundamental at this time is that we do not renege on our giving. It is absolutely fundamental that we stick to our pledge and fix it to G.D.P. I am hopeful that it will go up by 0.1 per cent year on year so that we reach O.E.C.D. averages. The Deputy is correct, this cost-of-living crisis is having a huge amount of impact to the vulnerable. It is putting an added 47 million people into poverty and that was before yesterday. Something happened in Ukraine yesterday. They have now blockaded the ports, the Russians have blockaded the ports, so the cost of living is set to increase. The cost of living on grain increased by 5 per cent just yesterday, so it is a huge issue.

6.3 Deputy B. Ward of St. Clement:

I understand that countries want to help the poor and alleviate suffering around the world. As a new Member of the Assembly, may I ask the Deputy: are there any particular reasons why Jersey is involved in overseas aid? I know you have alluded to some.

Deputy C.F. Labey:

Thank you for the question. There are a billion people malnourished in the world. There are 2 billion people who do not have access to basic sanitation and 5 million children die before their 5th birthday every year. So that to my mind is reason enough to contribute to the aid. **[Approbation]** We signed up to Agenda 21 and as a wealthy jurisdiction and conducting business on the international stage it would be incredible reputationally not to contribute to the Agenda targets. But probably one of the most important issues for Minister for the Environment is that we were recipients of international aid ourselves. I believe the Channel Islands are probably the only jurisdiction on British soil to have received international development aid ourselves within living memory. If you would like to read my foreword in the Strategic Plan, the first paragraph ... can I be indulged to read this out, Sir?

The Bailiff:

If it is a directly relevant quote. It is not normal, but I think in the circumstances if you are trying to illustrate a point by simply making one or 2 points from it. You would not want to read out entire tracts or anything of that nature.

[12:30]

Deputy C.F. Labey:

Okay, it is a paragraph. Stop Minister for the Environment if it goes on too long. So if I can say ...

The Bailiff:

Well, you have already exceeded the time for answering the question anyway, Minister.

Deputy C.F. Labey:

All right. I will leave it with Members to read it themselves.

The Bailiff:

Very well. A supplemental question, then?

Deputy B. Ward:

No, the Deputy has answered what was going to be my supplementary anyway.

6.4 Deputy M. Tadier:

Sticking with the theme of the Occupation in Jersey, does the Minister share my concern - and this is with a cultural identity hat on - that up until now Jersey has not really commemorated the bravery and the remarkable works of many of its local women over the years and that one individual who could be commemorated better. I know there were some flat stones in the Island that do speak of her as Louisa Gould. As we approach and think about the occupation every year is it something in her mind that we could do either through a piece of work through culture or even through the Bailiff's Consultative Panel about looking at what future memorials we have to great women in the Island.

Deputy C.F. Labey:

You are pushing against an open door there, Deputy. I would welcome any cultural additions to our public realm, especially if they acknowledge the vast contributions women have made to our community. There are a lot of them. I do not see any of them out in our public realm, not obviously so anyway. If it were a case of acknowledging Louisa Gould, who I know made great efforts during the Occupation and in fact lost her life over it, I think it is something that we should very much consider a work going to contribute to her. I would like to see anything like that involve schools, students, women's groups and that sort of thing so we can raise the issue.

6.4.1 Deputy M. Tadier:

Simply to add that obviously Louisa Le Druillenec was her maiden name. I think it is important to remember women's maiden names as well. Could this be a suitable project potentially for 2025 as we look to celebrate the 80th celebration of liberation and the Occupation. Obviously we missed the 75th one. Sir, I know you put a lot of work into that. For the 80th one it could be part of that to commemorate her bravery and also the fact that she died on 13th February 1945 in one of the camps for her bravery.

Deputy C.F. Labey:

I think that would be an excellent idea if we looked to commemorate her and other women.

6.5 Deputy A. Howell:

With all the goodwill in Jersey is there any way that Islanders can get involved with the work of international development and overseas aid?

Deputy C.F. Labey:

That is a good question and a very timely one because on 15th November we have the launch of our community work projects for next year. We intend going to Rwanda, Nepal and Kenya and it is open to the public and it is certainly open to States Members to participate and put themselves forward to volunteer for our projects. In yesterday's *J.E.P. (Jersey Evening Post)* I noticed in the editorial it spoke about social prescription and I think this is an excellent way to benefit from that. Our volunteers come back and say that the experience that they have had can be life-changing. It also develops skills and experience and is good for employers because they have a more rewarding employee at the end of the day. But there are other ways. We have bursaries, we have professional bursaries. We have put in place our U.N. (United Nations) placement, so offering young Islanders a 2-year contract with the U.N. to work in the frontline with U.N.H.C.R. (United Nations High Commissioner for Refugees) in refugee camps. We have our third placement going out in January. A wonderful opportunity. We also have J.I.D.N. (Jersey International Development Network). We have set up a networking organisation to establish and bring together organisations, private sector, philanthropists and charities. There is plenty of ways to get involved.

6.6 Deputy S.Y. Mézec:

As the Minister who leads on some of the fantastic work that the Overseas Aid Commission does in helping some of the most vulnerable people around the world, and in particular refugees, would this Minister like to take the opportunity to disassociate herself from some of the disgraceful comments made by others in political roles describing refugees as invaders? Would she pledge to never allow

that kind of rhetoric to enter that sphere in our political system? Will she be a champion against that kind of divisive and nasty rhetoric?

Deputy C.F. Labey:

Well, clearly I do not support rhetoric like that. I think it is absolutely appalling. I believe after yesterday's news the U.K. really need to take a long hard look at their processing centres and also maybe familiarise themselves with our constitution.

The Bailiff:

That brings the questions to this Minister to an end. I am in the hands of the Assembly, normally at 12.45 it would be the responsibility of the Presiding Officer to ask whether the Assembly wish to continue or to adjourn. There are now 2 periods of 15 minutes still to go in questions before we move on to Public Business. We can continue or we could adjourn now and return. I am in the hands of the Assembly. Does any Member wish to make a proposition.

LUNCHEON ADJOURNMENT PROPOSED

The Bailiff:

The adjournment is proposed. Is that seconded? **[Seconded]** Very well, I am going to assume that as nobody is leaping up anxiously trying to do anything different we will adjourn. The Assembly stands adjourned until 2.15 p.m.

[12:37]

LUNCHEON ADJOURNMENT

[14:15]

Deputy R.J. Ward:

Before we start I wonder if I may correct something. I had one simple job to do this morning which was to announce that the Constable of St. Brelade was on business for the C.P.A. (Commonwealth Parliamentary Association) and I wholeheartedly forgot to do it. I wonder if we can correct that and apologise to the Assembly and the Constable for not remembering to do it. Thank you.

The Deputy Bailiff:

Thank you, Deputy Ward. Deputy Southern.

Deputy G.P. Southern:

I am waiting for question time, Sir.

7. Questions to Ministers without notice - The Minister for Social Security

The Deputy Bailiff:

I see, you are ahead of the game as usual. The second question period is for the Minister for Social Security and the first question is from Deputy Southern.

7.1 Deputy G.P. Southern:

What measures, if any, is the Minister happy to take in order to increase the range of the Health Access Scheme or its equivalent to other groups in society?

Deputy E. Millar (The Minister for Social Security)

I think this is the third time Deputy Southern had effectively asked the same question. As I have said previously, the Health Access Scheme will be subject to review next year with my wider review of benefits and we will consider at that point whether it needs to be extended and, if so, to whom and to which types of people.

7.1.1 Deputy G.P. Southern:

Could the Minister inform Members what the terms of reference are for this review, because we get lots of reviews at various times?

Deputy E. Millar:

We will review the current criteria of the scheme, the take-up of the scheme, we are then also trying to look at gaps; there are not formal terms of reference because I do not think they are strictly necessary. We will just be looking at the scheme, we will be analysing it and we will then make decisions based on extension on an informed and educated basis.

7.2 Deputy S.Y. Mézec:

Could the Minister attempt to provide any kind of justification, moral, economic or otherwise, of capping the contributions made into the Social Security Fund of people who earn above £250,000 a year?

Deputy E. Millar:

I believe that position has been a feature of our benefits and contributions framework for very many years. I am sure previous Assemblies have agreed it was the right thing to do. I see no reason to change it at this stage. People contributing more may not necessarily withdraw any benefits from the fund but they are making reasonable contributions into it for benefits that they are unlikely to take themselves.

7.2.1 Deputy S.Y. Mézec:

Is that the Minister confirming that she believes that a social security fund should only be contributed into it by people who need support and are therefore actually the most unable to pay into it? Does she think it is morally right and justifiable to say to our society that the super wealthy are not expected to contribute proportionality the same as the rest of us, given any super wealthy person is just one or 2 accidents away from becoming a poor person themselves as well?

Deputy E. Millar:

That is quite clearly not what I said. What I said was that our system requires everyone to contribute, it requires everyone to contribute up to a certain level. I think it would need something fairly catastrophic for a super wealthy person to become so poor that they were reliant on benefit. Many people contribute to the system at all levels who do not then make any claim on it until such time as they draw their pension, but they provide sickness and incapacity benefits for a whole range of the population. Again, I see no reason to open that at this stage.

7.3 Deputy L.V. Feltham:

As the Minister with responsibility for delivering the disability strategy, is the Minister confident that the services and processes that are delivered by her department are accessible and inclusive enough for people with disabilities? For clarity, that the definition of disability also includes mental health.

Deputy E. Millar:

I do not know the answer whether the definition of disability includes mental health but I see no reason why it should not. The question of accessibility is something that I have asked my officers to consider and the whole question of communication and accessibility to all our communications in Social Security is part of my Ministerial plan, and is one of my priorities for the coming year.

7.3.1 Deputy L.V. Feltham:

Does the Minister consider that there is enough resource allocated within the Government Plan to enable her own department and other departments to ensure that they are providing accessible and inclusive services so that the disability strategy can be delivered well?

Deputy E. Millar:

I cannot talk for other departments but I believe disability, inclusion and accessibility is part of the ongoing work of my department. It is something we will continue to work on and develop over the course of this term.

7.4 Deputy R.J. Ward:

What is the current situation for patients off-Island receiving long-term medical care, receiving their income support or social security payments?

Deputy E. Millar:

That is not a question I have been asked before so I do not exactly know the answer. I believe, however, that when people are away for a long period of time payment of benefits will stop because they are funded elsewhere, but I am afraid I do not know the answer to that question directly.

7.4.1 Deputy R.J. Ward:

Would the Minister agree to look at the situation that is occurring there? There may only be a few cases but there can be some situations where people with long-term medical care, through no fault of their own, get into serious trouble in terms of what is left on the Island for them with their income support payments. Would the Minister commit to having a look at that? I am quite happy to discuss it with her.

Deputy E. Millar:

As I say, I do not have any information or knowledge of the point the Deputy is making but I am more than happy to discuss it with him and make the appropriate enquiries of my officers.

7.5 Deputy G.P. Southern:

Could I refer to the statements by the Minister for Social Security in the Government Plan? Just briefly, it says here: "Supporting workers through increases in the minimum wage and taking actions to improve their rights in 2023." Could the Minister outline what actions she intends to take to improve workers' rights?

Deputy E. Millar:

I think that is part of an ongoing process. I believe the Employment Forum are already looking at the subject of zero hours contracts. There is also work underway to introduce parental bereavement leave into the law. Law drafting instructions are in hand and drafting has been requested for a parental bereavement law. Also as agreed in P.78 with Senator Mézec, we are looking at the whole subject of the minimum wage as compared to living wage. Those are the main things that will take up our time this year. The subject of employee rights is an ongoing thing that we will consider as a department where issues are raised with us.

Deputy G. P. Southern:

Thank you. I give notice that I will be raising these sort of issues with the Minister.

7.6 Deputy B. Ward:

To improve access to primary care and G.P. services, and to also reduce people attending A. and E. (Accident and Emergency) could the Minister reintroduce the previous Health Insurance Exemption scheme, the old H.I.E. scheme, so that will help people with their healthcare and people with families and children, especially if they are on low income?

Deputy E. Millar:

I am afraid I do not know anything about the old Health Insurance Exemption Scheme. There are further schemes available at the moment. We have the Health Access Scheme, which supports low-income households, including parents and children, to access G.P.s for £12 for an adult and it is free for children. The low-income pensioners can also access healthcare via the Pension Plus Scheme.

They can receive help with dental, optical and medical costs through the Pension Plus schemes but I am afraid ... I imagine that Health Insurance Exemption that the Deputy refers to was removed in favour of other different benefits.

Deputy B. Ward:

No supplementary at this time, but I am available to come and talk to you about the H.I.E. scheme. Thank you.

7.7 Deputy L.J. Farnham:

During, I think it was, the election of Ministers by the Assembly I asked the Deputy her view on allowing recipients of income support to be able to work more hours without seeing an impact. I think it is referred to as a disregard. Could she just update Members as to whether she has looked into that and what her current position is?

Deputy E. Millar:

That is not something I have currently looked at. We have had quite a number of other priorities in the last couple of months. The income support disregard for earned income has gradually been increased and it is now up to, I think, 26 pence in the pound. That allows people to continue working and retain more of their income. It has increased quite significantly since income support was reduced. I will be commenting on it later this afternoon when we discuss the income support regulations. That particular point, I am afraid, is something that I have not yet addressed.

7.8 Deputy S.Y. Mézec:

Could the Minister for Social Security, if she can, give an updated figure or at least her closest understanding to how much of the income support budget is paid out in rent support to claimants who are in the private sector?

Deputy E. Millar:

I do not know that number off the top of my head but I am willing to ask the question of officers and pass the information on to the Deputy in due course.

7.8.1 Deputy S.Y. Mézec:

The last figure I was aware of was around about £10 million, so in investigating that she may be able to find out if it has gone up or down since then. Whether or not it is still £10 million or in the region of that, does she consider that to be a good use of public money to have basically an indirect subsidy of private landlords charging rent that is at a level that people on lower incomes cannot afford?

Deputy E. Millar:

I am not entirely certain that income support meets the whole amount of private rents. We meet the whole amount of Andium rents but I do not believe we meet the whole amount of private sector rents. I think it is entirely right that if people cannot survive on the Island income support gives them help to do so. I see nothing immoral or offensive about that. The fact that they are having to rent in the private sector is a virtue of our rental market. I maintain it is important that people are given help with daily costs of living, if that is private rent then I think it is entirely acceptable to help them with that.

7.9 Deputy G.P. Southern:

Could the Minister inform Members whether she intends to examine any overlap between impairment components under income support and long-term incapacity which seems to cover similar areas?

Deputy E. Millar:

One of my priorities in my Ministerial plan this year is a review of our benefit system. The impairment component sits as part of income support and people in low-income households will

receive the impairment component, which may help them both with general necessities of life, it may also help with mobility and it may also, I believe, help with G.P. costs. I do not fully understand how that sits with long-term incapacity. I believe that someone on income support may also receive long-term incapacity but I do not fully know how those 2 systems overlap but it is something that will be considered as part of the review we will be conducting into benefits this year.

7.9.1 Deputy G.P. Southern:

Is it not the case, does the Minister believe, that the long-term incapacity counts as income into the household and therefore every pound that you receive in long-term incapacity comes off income support if you are on income support? It is a neutral balance, you get no more money.

[14:30]

Deputy E. Millar:

Deputy Southern may be right, we have a concept of overlapping benefits, which means that people cannot receive multiple benefits for multiple different reasons. There may be an element of overlap but if someone has long-term incapacity issues they will be supported either through long-term incapacity or through the impairment component with income support.

7.10 Deputy G.P. Southern:

Does the Minister have under consideration the possibility of reducing the time required to go on to long-term incapacity from 12 months to 6 months? Is that the case?

Deputy E. Millar:

That is not something I have given any consideration to. I am not sure that ... no one has asked Minister for the Environment that before now. We will certainly consider that. There is a piece of work ongoing at the moment looking at short-term incapacity and incapacity benefits generally, with a view to helping people work where they can, even if they have an illness. For some people working is better than just simply being on long-term incapacity benefits. There will be a review of our overall incapacity benefit system and that is one of my major priorities for this year.

7.10.1 Deputy G.P. Southern:

Is it not the case that in many cases people on long-term incapacity are ... I use the word "encouraged" to go back to work but I mean are targeted and told to get back in work?

Deputy E. Millar:

I believe that people on long-term incapacity would only be encouraged to go back to work where they are able to do so within the terms of their long-term illness or health condition. I believe all the research points towards the fact that being at work or having some form of employment, whether that is voluntary, is better for somebody than sat at home watching daytime T.V. (television).

The Deputy Bailiff:

Thank you, Minister. That concludes the second period of questions to Ministers without notice. We know move on to questions for the Chief Minister.

8. Questions to Ministers without notice - The Chief Minister

8.1 Deputy S.Y. Mézec:

There has been some contention in recent days over whether or not the U.K. Home Secretary has instructed the Home Office to investigate the possibility of detention centres being opened in the Channel Islands to assist with their, in my view, immoral and outrageous policy of dealing with refugees entering the country. The answer to that may be in a private email somewhere but perhaps the Chief Minister could assist us on Jersey's end by confirming yes or no whether there has been any communication from the U.K. Home Office to the Jersey Government about this policy?

Deputy K.L. Moore (The Chief Minister):

I can give a simple no in response to the Deputy's question.

8.1.1 Deputy S.Y. Mézec:

I am pleased with that answer. Could the Chief Minister confirm that were a request to be made to Jersey's Government at some point in the future that she would give an equally brief answer to them, telling them: "No way, not on this Island because we have much higher moral standards than that"?

Deputy K.L. Moore:

The answer would be no, thank you.

8.2 Deputy R. J. Ward:

On 8th October 2019 this Assembly passed P.94/2019. Given that we have a new Government with apparently new approaches, will this Government be annexing the Classifications of the Functions of Government proposition that was passed in order that we use elements of our spend according to international standards.

Deputy K.L. Moore:

If this was a debate that was agreed by the previous Assembly then I am sure that there are movements within the Treasury team to ensure that this is followed through and delivered. I thank the Deputy for reminding Minister for the Environment and I shall ensure that that is being done.

8.2.1 Deputy R.J. Ward:

Thank you. I recommend it is done because, if adopted, it gives us a way of measuring our spend against other O.E.C.D. jurisdictions, for example the question earlier. Does the Chief Minister agree it would help us to understand our health spend better in terms of us and other jurisdictions? It is now 3 years overdue.

Deputy K.L. Moore:

Once again, I thank the Deputy for pointing this out and, of course, particularly in the area of health, expenditure is always to be looked at carefully, challenged when necessary and, of course, that is exactly one of the reasons why this Government did what it said it was going to do, took a pause and has reviewed the plans for the Our Hospital project and, as Members are fully aware, has issued its findings today.

8.3 Deputy L.J. Farnham:

Does the Chief Minister agree that the review of the Our Hospital project report issued this morning is wholly subjective and would have to be subject to further costly and time-consuming processes prior to any future decisions being made by this Assembly before work can start?

Deputy K.L. Moore:

To begin with the end, of course we will have to come back to this Assembly to ask for your agreement ... Members' agreement, apologies, as to the way forward. But it is clear from the findings of this report, which has been conducted by an expert in their field, with whom I have the utmost confidence, supported by our excellent internal officers who have considerable experience of not only the previous project but the project before that as well. They understand the internal machinations, the comings, the goings, the ups, the downs and they have my confidence and I hope they will have the confidence of Members in this Assembly and the public when they get to read it and see that there has been a considerable amount of thought put into this report in a short period of time but it provides a clear way forward, a pragmatic solution, so we can get on and deliver health facilities for Islanders, which is of course what every Member of this Assembly wishes to do.

Deputy L.J. Farnham:

I did ask if the Chief Minister considered the report to be wholly subjective?

Deputy K.L. Moore:

No, I think there are subjective comments, of course, but that is exactly ... as I said, and I think I answered the question the first time actually, the report has been conducted by an expert in their field who has delivered their findings and they are a very ... they have delivered a helpful set of findings that provide us with a pragmatic, sensible and deliverable way forward, whereas the previous project was simply not deliverable, particularly in light of the agreement of the previous Assembly as to the funding envelope, which has been way exceeded and is now looking at £970 million and rising as the days go on.

Deputy L.J. Farnham:

May I have a supplementary question?

The Deputy Bailiff:

Well, you have asked a supplementary.

Deputy L.J. Farnham:

No, Sir, with the greatest respect I do not think I did. I asked the Chief Minister to answer the initial question but I do have a supplementary.

The Deputy Bailiff:

All right.

8.3.1 Deputy L.J. Farnham:

It will be quick. If the Chief Minister were to turn to page 113, the final page of the report, and read the last paragraph it says: "All of the assumptions laid out in the above model are subjective and should be validated by further detailed analysis prior to ratification of the selection of the proposed option going forward."

The Deputy Bailiff:

What is your question, though?

Deputy L.J. Farnham:

Does she agree with that final paragraph or has she read that final paragraph, the last final word in the report which says the report is wholly subjective?

Deputy K.L. Moore:

I am happy to answer and speak to that point. I am sure, as you will be aware, as a fine lawyer, caveats are often used and, of course, there is a caveat in this report and that has been provided to give cover. The Minister for Infrastructure was very clear when he answered questions earlier in the Assembly and he explained how 2 different people have used 2 different measures to go through the figures that have been provided in this report. There is a level of quality assurance and reassurance, and I am confident in the figures. In fact, I would go as far to say that the figures that are presented in this review are, in fact, very conservative and those are words used by the expert adviser that we have used. For example, if we look at the modelling costs then the Deputy might recognise some of the figures there which are quoted as the price per square metre of the previous project. I can suggest to the Assembly that we will be seeking a much greater level of competition when going out to tender for the next health facility for Islanders and we will be seeking to reduce that price per square metre. I have confidence in the ability for us to do so.

8.4 Deputy R.S. Kovacs:

I would like to ask the Chief Minister about the code of conduct for the Council of Ministers. I am going to read the paragraph from the consensus decision-making which states: "The Council of Ministers will seek to reach decisions by consensus based on robust debate and constructive challenge, which will be recorded in the minutes, following which Ministers should coalesce around the public position." Does that mean we are going back to collective responsibility and the decision would have to be made before the Ministers hear the speeches and debates in the Assembly? What would be the exceptions around this?

Deputy K.L. Moore:

Matters that cut across more than one Minister's portfolio naturally come to the Council of Ministers to seek their agreement and our code of conduct states it quite clearly, I think, how we expect that to work. Members may have noticed that we are now offering a much greater level of detail in the minutes that are being circulated when they are ready for publication, and any moves to debate such as described in the code of conduct will be made clear in that publication.

8.4.1 Deputy R.S. Kovacs:

Can the Chief Minister also explain how this collective responsibility would work? It is said that exceptions can be made on a manifesto basis but each of the Council of Ministers stood on a separate, different manifesto. Also can the minutes be made public and available for us?

Deputy K.L. Moore:

We have committed to make the minutes public. That was a decision of the previous Assembly, in fact, I think, and we have chosen, as a Council of Ministers, to ask for a greater level of detail to be put in any minutes that are there ready for public consumption. To answer the first part of the Deputy's question before I lose my thread entirely, of course that is what consensus is all about, the bringing together of ideas and finding agreement, despite coming from different ends of a political lens and from different views. But, of course, there are caveats in that and that is generally for matters that are difficult in a Member's constituency or a matter of conscience and also a matter that is particularly defined in their own manifestos that is at odds with the rest of the Council of Ministers.

8.5 Deputy B. Ward:

The Government is to introduce a public services ombudsperson. While the introduction of this is most welcomed may I just ask the Chief Minister a couple of questions. Can the Chief Minister say what expert advice is to be used and what would be the timetable for this new service, for its introduction?

Deputy K.L. Moore:

I would be happy to provide some further detail to Deputy Ward. At the moment we are in the law drafting phase and those instructions have been sent to the law drafts people and they are working on a proposition that will be ready to come to this Assembly, for Scrutiny to obviously have an opportunity to look at it and make any considerations and recommendations if they feel that that is what they wish to do, and then there will be a debate. I would hope that the Office of the Ombudsperson, hopefully for the Channel Islands rather than simply for Jersey, will be in post towards the beginning of 2024.

8.5.1 Deputy B. Ward:

Would the setting up of this new public services ombudsperson include the health service and, if not, why not?

Deputy K.L. Moore:

I can imagine what the Deputy's answer to this will be and it has been a matter of some discussion. I think - and I may have to check and confirm this to the Deputy - where we landed was that it would include the health service also.

8.6 Deputy A. Howell:

It is my understanding that at the moment several individuals are gathering information at the hospital. Please can Members of this Assembly have reassurance that if any member of staff is asked to comment that they can do so privately and in confidence without any manager being present and without fear of any reprisal?

[14:45]

Deputy K.L. Moore:

I thank the Deputy for her question. I am aware that there is a “speak up” person appointed who is there and available to take and listen to the concerns of people working in our health services. We are absolutely focused on transforming our health service and restoring a good culture in our health service so workers can be happy like they were in the 1990s. The Deputy speaks so fondly of the culture that was in the hospital and in our health service at that time. So to give further detail, my expectation would be that those discussions are had in private and that any logs are taken on a confidential basis.

8.6.1 Deputy A. Howell:

It was just the fact that at the moment I think there are ... it is not that person that I am referring to, it is about other people who may be in the hospital at the moment gathering information and I just was anxious for the staff to know that they would be able to talk to whoever was asking them questions in confidence and without reprisals.

Deputy K.L. Moore:

I am not aware of those people or what they might be working to do so I will have to go away and find out and report back to the Deputy and the Assembly.

The Deputy Bailiff:

I am going to call upon Members who have not yet answered questions before coming back to those who already asked a question of the Chief Minister.

8.7 The Connétable of Trinity:

Would the Chief Minister agree with Minister for the Environment that when government breach planning laws and continue with such a breach without any sense of urgency to correct the situation, it sets a very poor example to the general public?

Deputy K.L. Moore:

I would agree. I am not entirely sure of the circumstances and I would hope that the description given is not something that is currently underway.

8.7.1 The Connétable of Trinity:

If I could enlighten the Chief Minister, I am referring to the unauthorised raising of a mountain of inert waste at La Collette, which I understand is being constructed containing cells of toxic waste that will be difficult to remediate if eventually a planning consent was not achieved.

Deputy K.L. Moore:

Clearly this is something that has been ongoing for some period of time and I do know that both the Minister for Infrastructure and the Minister for the Environment is cited on this and dealing with it. I look forward to them being able to provide us with a full and frank update.

8.8 Deputy G.P. Southern:

In a similar case to Deputy Rob Ward, the Minister assured Deputy Ward that she would bring a proposition, which has already been passed by this House on one occasion. Would she likewise,

similarly, propose to present my ethical homecare charter for homecare to the House since it has been successfully passed twice?

Deputy K.L. Moore:

Well, I thank the Deputy for reminding Minister for the Environment of that. I have to admit I do not recall the detail of it but I will discuss it with the Minister for Health and Social Services because I would assume by the title that that is where it might belong.

Deputy G.P. Southern:

Or the responsibility might rest with the Minister for Social Security.

PUBLIC BUSINESS

9. Reduction of lodging period

The Deputy Bailiff:

That completes the time allotted for questions to the Chief Minister. Before we turn to Public Business a decision needs to be made whether to reduce minimum lodging period in respect of a matter listed on the Order Paper, lodged by the Minister for Social Security. Deputy Millar, do you wish to make the proposition under Standing Order 26(7) that the lodging period be reduced to allow your amendment to the Draft Income Support (Amendment No. 22) (Jersey) Regulations and be debated at this sitting?

9.1 Deputy E. Millar (The Minister for Social Security):

Thank you. I do wish to request permission from Members for the second amendment to be debated today. Members will recall that when I lodged proposition P.94 on 20th September my report highlighted the possible need for a short lodging period on an amendment. The R.P.I. figure for September was published on 21st October and the figure of 10.4 per cent was higher than the government forecasts that had previously been received and on which the first amendment was based. As such the second amendment makes an adjustment to the proposed income support figures to reflect this very recent R.P.I. figure. While I acted as quickly as possible, Members will appreciate that it was not possible to lodge an amendment within the normal 2 week lodging period. I would therefore like to request a shortened lodging period and that the proposition be taken as amended by the second amendment.

The Deputy Bailiff:

Is the proposition seconded? [**Seconded**] Does any Member wish to speak on the proposition.

9.1.1 Deputy R.J. Ward:

I rise to point out the huge irony of this, given the last Assembly sitting when amendments brought forward to the mini-Budget, where we had such a short time to bring things forward, were rejected by this Assembly in a way which meant we did not have a democratic debate on those amendments. However, I will also say that I and my Reform colleagues are democrats and we are here to promote democratic debate, and we are here because we believe that in this Assembly we should be debating these sorts of things and should be debating them when appropriate. Therefore we will not be one of those groups who stand against this democratic debate. Unfortunately in the last Assembly that was not case true for this entire Assembly. As an Assembly we need to look very, very carefully about the way in which we are going to shorten lodging periods for some but for not others, particularly when you have Ministerial support networks and where Back-Benchers - and I will call them Back-Benchers - do not have that support network. Indeed we do not have any of the things that were promised to us as Back-Benchers in terms of facilities or staffing and constituency offices. They may have been an overambitious promise, I get that, but unfortunately that is the situation we have. I find this, on one hand, extremely disappointing given the last debates that we had on propositions

brought forward by Deputy Southern. However, I am not going to stand in the way, and we as a party will not stand in the way, because democracy is far too important.

The Deputy Bailiff:

Does any other Member wish to speak on the proposition? If not, I call upon the Minister to reply.

9.1.2 Deputy E. Millar:

I am not quite sure ... I would like to ask the House to accept that my proposition can go through as amended by the second amendment and that I could then open the discussion on that amended proposition.

The Deputy Bailiff:

Those Members in favour adopting the ...

Deputy M. Tadier:

Sorry to interrupt, can I just seek clarification? We should presumably decide whether we going to allow it to be taken first and then decide to take it as amended or is that overly pedantic?

The Deputy Bailiff:

You are entirely right. Notwithstanding what the Minister said, we are only debating reducing the lodging period so that this matter can be debated today. Is the appel called for or shall we proceed on a standing vote? Yes, the appel has been called for. I invite Members to return to their seats. Members are deciding whether or not the lodging period should be reduced to allow the Minister's amendment to the Draft Income Support (Jersey) Regulations to be debated at this sitting and I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce the ... forgive me, Deputy Kovacs?

Deputy R.S. Kovacs:

It does not let him press the button.

The Deputy Bailiff:

All right, I think you probably alerted Minister for the Environment to that before I closed the voting so what your vote intended to be?

Deputy G.P. Southern.

Pour.

The Deputy Bailiff:

Was the vote not counted, Greffier? No. All right, we will add that to the votes and I can announce the proposition has been adopted:

POUR: 45		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				

Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G..P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy L.J Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy P.F.C. Ozouf				
Deputy P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B.S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F Stephenson				
Deputy M.B. Andrews				

10. Draft Income Support (Amendment No. 22) (Jersey) Regulations 202- (P.94/2022)

The Deputy Bailiff:

We now move on to the Draft Income Support Regulations lodged by the Minister for Social Security. For the purpose of this debate the main respondent will be the chair of the Health and Social Security Scrutiny Panel, Deputy Southern. I will ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Income Support (Amendment No. 22) (Jersey) Regulations 202-. The States make these regulations under Articles 5 and 18 of the Income Support (Jersey) Law 2007.

The Deputy Bailiff:

Minister, do you wish to propose the principles?

10.1 Deputy E. Millar (The Minister for Social Security):

I would like to propose the Income Support Regulations. These changes to income support were promised in the recent mini-Budget. As part of the Chief Minister's 100-day plan, we committed to a range of measures to address the cost-of-living crisis. A key part of this was that we agreed to further increase the income support components from January 2023 to reflect the September R.P.I. figure. The proposed regulations make increases to income support that have been set in response to the latest economic data. This ensures that Jersey's benefit to support low-income people continues to meet the needs of diverse, low-income households, including pensioners, disabled people, those looking for work and those who do not earn enough to support their families. I will not need to remind Ministers that we are living through a period of high cost that is unprecedented in recent times. It is essential that we act to support the most vulnerable people in our society. We have been working hard since the election to respond to this crisis. In most years the change of income support levels are made in October and in fact they have just increased in October of this year. The reasons I committed to bringing changes to this Assembly sooner, as part of the mini-Budget, is because of rising costs and also because of the manner in which the changes that were implemented in October this year had to be agreed. In 2021 the States Assembly approved P.46/2021. This delivered an increase in income support components in October 2021 and then again in October of this year. The increase for 2022 was agreed early because the timing of the election meant that it would have been impossible to follow the normal process and implement increases in spring 2022. This was an entirely sensible decision by the previous Assembly but what it does mean is that the October 2022 increase was only based on the economic data that was available at that time. The agreed increase of 2.6 per cent is quite clearly no longer sufficient. It was hoped by all of us, I think, that the cost of fuel and other essentials would not continue to rise as sharply as they did in 2021. This has not proven to be the case. We are continuing to see high rates of inflation driven by events such as the ongoing conflict in Ukraine. The retail price index has exceeded 10 per cent in some areas. After lodging I have then chosen to amend the regulations as proposed to respond to the latest data. Many households will be concerned about how they will meet their essentials costs and low-income households will feel the effects of inflation more than many others. Government had already reacted to support the most vulnerable in our society by implementing a system of temporary payments known as the cost-of-living temporary scheme. These payments provided a much-needed stopgap until it was possible to review the income support rates. The C.O.L.T.S. (Cost of Living Temporary Scheme) payments will run through until December until they are replaced by these income support increases. The proposed regulations provide a more tailored support to the needs of individual households. If these regulations are approved we will provide more support across the board by making an overall increase of most income support components of 7.6 per cent above the October 2022 figure. Taken together this is a combined increase of 10.4 per cent over a 12-month period in line with the September R.P.I. In addition to the general increase, I also felt it was important to budget for extra support in several key

areas. The first is carers. Family members who provide informal care to their loved ones perform an essential role in our community. Although Jersey has a long-term care benefit that supports the cost of paid care packages, income support also offers a special carers' component to those people who care for a sick or disabled family member.

[15:00]

This can be in addition to other benefits received, such as home carers' allowance or if the family member also receives long-term care. I am proposing that this component is increased from £51.38 a week to £63.35 a week, which is a 20 per cent increase over the rate as it is now. We will also be further supporting carers through our Care Needs at Home project where we are exploring extra funding for income support households that have a member that needs long-term care. I hope to announce more details on this scheme soon. The second area where I have proposed extra support is the rate for hostel accommodation. Some of the most financially vulnerable people in our Island rely on hostel accommodation, including the properties provided by the Shelter Trust and others. Hostels support people who cannot live elsewhere, providing food, a warm and safe place to live and intensive key worker support to help people get back on their feet. They also deliver an outreach service to people who find themselves without a fixed home. I know that the sector is running at almost full capacity and requires extra support to maintain the facilities and staffing levels. I propose, therefore, that we increase the accommodation rate for hostels from £112.35 to £140.49 a week, which is a 25 per cent increase.

The Deputy Bailiff:

Minister, I think you are now moving from the principles to the detail of the regulation which we will come on to in due course if the Assembly adopts the principles. I would suggest that you are moving on to the regulations themselves. You may wish to restrict yourself to the principles at this particular point.

Deputy E. Millar:

Apologies. I have one further section. I can retire if you wish.

The Deputy Bailiff:

It is a matter for you. Anything else you want to say on the principles?

Deputy E. Millar:

Do you mind if I continue?

The Deputy Bailiff:

Yes, of course, if it is on the principles, because we are going to come to the regulations in a moment.

Deputy E. Millar:

I believe it is still on the principles. The second area broadly where I would just like to touch on is private sector accommodation, which refers to Deputy Mézec's question earlier this afternoon. Around a quarter of income support households rent their homes in the private rental market. The level of the income support components are capped at a maximum level for the size and type of each property. This means that families can access an appropriate decent standard of rented accommodation. In recent years, it has been obvious that rents have risen above the rate of inflation. Jersey has a limited rental market and for low-income households, rent will always be their single largest cost. It is hard for them to economise on this cost. I have responded to this by proposing that the maximum levels of rental support will increase by 15 per cent above the current levels as of October 2022 from January 2023 onwards. Of course, landlords must also play their part. They are strongly encouraged to avoid inflation increases in rent and the Jersey Landlords Association has asked its members to exercise restraint when reviewing rents. I hope that this request will be taken on board. Lastly, the total cost of our initial changes was an estimated £6.7 million a year. The

subsequent amendment adds a further £860,000 to this. The cost will be included in the 2023 Government Plan. I am sure Members will recognise how important it is that these regulations are approved. We will continue to work to respond to the challenges that are facing Jersey people with the cost of living and I think we all hope that this phase of high inflation is a temporary one. Should additional increases in support be necessary, I do not intend to further amend these rates this year. I will consider the scope for additional temporary funding along the lines of the cost-of-living temporary scheme if it becomes necessary to respond to further unprecedented changes in the economy. Lastly - and it is lastly - I would like to thank my Assistant Minister Deputy Ferey for helping Minister for the Environment develop these regulations. As many of you will know, he has spent many years on the front line of Jersey's support for low-income households and continues to have close relationships with those organisations who support the most vulnerable people in our community. I would like to propose these regulations.

The Deputy Bailiff:

Thank you, Minister. Are the principles seconded? **[Seconded]** I now move to a debate on the principles.

10.1.1 Deputy M.R. Ferey of St. Saviour:

I would like to support these principles and I would urge Members to do the same. I have paid very close attention to the rising costs and had hoped that we would not see a double digit rise in inflation. Unfortunately, we find ourselves in a period where national and global events have combined to push this figure above 10 per cent. I believe that these regulations will be a solid response to those R.P.I. figures. It is never easy to budget for these costs but I am proud that Jersey is in a position to help low-income households in our society. **[Approbation]** Not every community is so fortunate. We promised in the mini-Budget that we would meet R.P.I. and we have done that and I am especially proud that we have found and allocated money to offer more to support some of the most vulnerable households who depend on this benefit. It will make a real difference to give extra money to hostels and to income support households who have a carer. This is far from the last thing that we will need to do to support carers but this extra money will make a difference to them. I urge all Members to support these principles and regulations.

10.1.2 Deputy M. Tadier:

Broadly speaking, I will be supporting the principles but I was interested to hear that the Minister decided to speak particularly on housing components because we know that housing components have been identified for a long time as the single biggest cost. It is a cost which is, by and large, outside of anyone's control, particularly if they are in the private rental sector or even in social renting because we know there is a parallel there and that there is an interaction between the 2. I do welcome, incidentally, the increase in the budget. I think it is long overdue. I think if you look in real terms at what was being allowed as the maximum rental components for people in whatever category of housing, it was probably, I suspect, maybe 10 years out of date in terms of what you could get in the real market versus what ...

Deputy G.P. Southern:

Sir, can I have a point of order?

The Deputy Bailiff:

Yes.

Deputy G.P. Southern:

It was just really a question which is when do I present my alternative to this particular proposition?

The Deputy Bailiff:

Well, when we come to the regulations. This is the principles.

Deputy G.P. Southern:

I was just waiting to hear an entire debate without Minister for the Environment talk.

The Deputy Bailiff:

It will be quite soon. Very soon, hopefully.

Deputy M. Tadier:

I am mindful of course that, like the Minister, I could also be accused of talking to the regulations but I think that the housing principles that are in this are so fundamental to what is being provided generally about the cost of living that I think the relevance will also be appreciated. While I welcome that, we have to accept that any subsidy that we give to people who ultimately cannot afford to rent in the free-market sector ends up in the pockets of landlords. The Minister for Social Security might well be thinking, and I might say the same if I were in her position: "Well, I cannot win. I cannot do right for doing wrong". That is the conundrum that we deal with by increasing the rental components allowable by 15 per cent. First of all, they may still not be sufficient to meet the actual cost of housing and the second point is that they end in the back pockets of landlords and these may be landlords who own not just one, not just 5, not just 10 - and you can stop Minister for the Environment as we go up the multiples of 5 - they may own 50 properties in their portfolio. I have said it in this Assembly before, and I will say it again, that people at Social Security in the past have told Minister for the Environment they know of landlords who own in the hundreds of units of accommodation. They can afford to buy properties outright and they can then rely on the taxpayer footing the bill where people who cannot afford to buy or even rent will get their rents paid for by the taxpayer. So that is the reality with which we are dealing and so I would simply say at this point that this needs to be part of a wider strategy. When I hear of the fact that this sounds like a one-off increase and it will not be going up again this year, we know that we are dealing with a 10 per cent cost of living increase in this year alone and so that 15 per cent increase goes only slightly above one year's R.P.I. It does not necessarily deal with the whole decade I think that we have seen of price increases more generally and any future increases we are going to see in the remaining quarter. It is not a criticism of the Minister or the department by any means because I think she has got to grips with her portfolio very quickly and she is trying to act to alleviate the cost-of-living crisis on many individuals. I am simply saying that this should be seen as one very small step in a bigger more complicated and complex picture that we all need to get to grips with.

10.1.3 Deputy M.R. Scott:

Talking about complex pictures, I would be grateful for the Minister just to explain part of her report that says that the income support increases will replace C.O.L.T.S. because I understand the basis of C.O.L.T.S. is that, generally, it cannot be claimed by people who are claiming income support, so I would be grateful if she would address that matter.

10.1.4 Deputy S.M. Ahier of St. Helier North:

I would like to speak briefly in support of these regulations and to thank the Minister for bringing them forward for debate. This is a continuation of the work to deliver the mini-Budget which promised that there would be an increase to income support components from January 2023. The task facing the Minister for Social Security is never an easy one. Jersey is in an enviable position compared to most other places but we continue to face tough choices when we meet challenges caused by the global economy. I do not need to remind Members that the Government spending must reflect what we know about our income. We must look after the most vulnerable members of our society while ensuring that we have enough to pay for it. The Minister has struck a good balance here. The proposed changes do a fine job of responding to R.P.I. while targeting extra support to those households who need it the most. I wholeheartedly support these regulations. Thank you.

The Deputy Bailiff:

Thank you, Deputy. If no other Member wishes to speak, I call upon the Minister to reply.

10.1.5 Deputy E. Millar:

If I could address Deputy Scott's question, C.O.L.T.S. is a non-statutory scheme. It commenced in the spring of this year and it is paid automatically I believe to households which received income support. There is no need to claim it because it is paid automatically. I believe it also goes to some pensioner households but it certainly goes automatically to people who need it. It was introduced because we had available funding this year and it was brought in as a short-term measure to reflect the fact that income support is normally only increased once a year in October. I can imagine, from the timing, it was brought in by my predecessor in the run-up to the election to ensure that some prompt action could be taken in the face of the cost-of-living crisis before we got to the stage of further amendments to income support. Just to address Deputy Tadier's comment that I had said there would be no further increases, what I meant by that is that, normally, we do an increase in October. The October increase is completely inadequate. I think we can all agree that. What I was trying to suggest there is that we will not increase again before the end of the year so if the next R.P.I. was slightly higher, we cannot increase income support every time inflation goes up. There is some headroom because although 10.4 is the headline figure that I am sure everyone has focused on, that includes housing costs and I think underlying R.P.I.s - and I cannot remember the exact figure - is certainly under 10 per cent. I think it is in the region on 8, 8.9 or possibly 9 per cent so by going to 10.4 now, it is possibly slightly higher than the rate of inflation but that gives us a little bit of headroom for the rest of this year.

The Deputy Bailiff:

Thank you. Do Members wish to proceed on a standing vote or is the appel called for? The appel is called for. I invite Members to return to their seats and I invite the Greffier to open the voting on the principles. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce the principles have been adopted unanimously:

POUR: 44		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G..P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				

Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy L.J Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B.S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F Stephenson				
Deputy M.B. Andrews				

Deputy Southern, does the Health and Social Security Scrutiny Panel wish to scrutinise this matter?

Deputy G.P. Southern (Chair, Health and Social Security Scrutiny Panel):

No, Sir.

[15:15]

The Deputy Bailiff:

Thank you. Now 2 amendments have been lodged; one by the Minister and one by Deputy Southern. Minister, unless there is any objection, do you wish to propose the regulations as amended by your amendments?

Deputy E. Millar:

Yes, please, Sir.

The Deputy Bailiff:

Thank you. Do you propose your regulations as amended?

Deputy E. Millar:

Apologies. Yes, I do, Sir. I propose the regulations.

The Deputy Bailiff:

Are the regulations seconded? [**Seconded**] Thank you.

10.2 Draft Income Support (Amendment No. 22) (Jersey) Regulations 202- (P.94/2022): amendment (P.94/2022 Amd.)

The Deputy Bailiff:

There is an amendment to regulation 1. I ask the Greffier to read that amendment.

The Deputy Greffier of the States:

Page 13, Regulation 1(2), for Regulation 1(2), substitute for paragraph 2(1) (rates for basic components), there is substituted “(1) The rates payable for the basic components under Article 5(2) of the law are as follows: (a) under Article 5(2)(a) of the law, (adult component rate) £115.80, (b) under Article 5(2)(b) of the Law (single parent component rate) £45.24, (c) under Article 5(2)(c) of the law (first child component rate) £95.41, (d) under Article 5(2)(ca) of the law (subsequent child component rate) £80.44 and (e) under Article 5(2)(d) of the law (household component rate) £64.52.”

10.2.1 Deputy G.P. Southern:

We have to start with the fact that my amendment only applies to Article 1. It does not apply to carers at home. It does not apply to hostel accommodation. That is a bonus and whether or not Members accept my amendment, that will go through anyway. The important thing is this is a principle that the Assembly, I might say, sometimes overlooks which is it is only a real increase if you take into account R.P.I. R.P.I. plus is real. That means you get real money in your pocket to spend. Over the past 8 years, R.P.I. has increased by 16 per cent but, as my table on page 4 shows, income support bonus in Article 1 has not been fully index linked during the interim period. Apart from the first child component, they have fallen behind in value and while the Minister’s update of the components goes further than previously in trying to bridge the gap, the fact still remains that it does not take account of incremental increases over time that would attract R.P.I. correctly. If Members will look at page 5 of my document, they will see the graph at the top half which shows the growing gap for an adult component between actual and R.P.I. It shows indeed a growing gap whereby people in 2004 had a certain standard but we have not kept pace with inflation and, therefore, the money in their pockets now goes less far and remember these people are the lowest earners and the lowest incomes in our society. One of the criticisms of what went before on the cost-of-living crisis was that much of the weight was given to taxpayers. Taxpayers are not the poorest people in our society. For people on income support, that support is literally a safety net for them. They are the poorest in society and that is exactly where we should be directing the maximum aim we can. So if we examine in percentage terms how we missed the 16 per cent, we get that basic rates for an adult have only gone up by 8 per cent, so half the amount required to keep pace with inflation. For single parents, only 6 per cent; so even less. For the first child, 22 per cent. That is above income support and I may as well take the time to say: “And that came about how?” That came about because, in my very brief existence on the Social Security Panel working for the Minister, I suggested that we ought to put our money where our mouth is in treating young people and children above all else and I said £5 for the first child would do exactly that. So they got extra and they have just kept pace with income support. As we go through these 5 basic components, we get the second child and third child

an 8 per cent increase and, again, householders, an 8 per cent increase. So we have fallen quite significantly behind where we should be in terms of making sure that we do not let our support atrophy and just disappear, and that often happens. People think: "We have done something about that so we can just leave it alone and rest. We do not have to do it again. We do not have to do it in 10 years' time. We do not have to do it in 5 years' time." That is not true. So what do we have? We have an increase in adult component from £110 to £115.80. An increase of £4.50. £4.50 a week for being an adult on income support. It does not sound like an awful lot but if that is your last £4.50 on a Friday night, then it is very important because you may not be able to eat or heat your room under those conditions. For a single parent, the increase is less. Only £2.26 but, nonetheless, valid. For the first child, £4.74 and, again, that £4.74 does not sound like much but if it is your last £4.74, it is very, very important indeed. Believe you me, that is exactly what happens to some people. Budget as they may, they end up on a Friday or whatever without money in their pocket until the next payment comes. The second child, £4, and finally the householder, in order to keep the household together, £3. A small increase but each of those in terms of their income support may be, as people have said, income support which is used to prop up earnings. Not necessarily for those out of work who cannot work - although it is for those who cannot work - but for those in work, there is a top-up to meet the basic standards that we, as a society, say should be maintained over time and maintained in value. That is what my proposition does. It says: "Pay attention to the R.P.I. and keep to the R.P.I. That is the market that tells you you are having a real increase and not something that might otherwise be not enough in order to survive." The case made by the Minister and his Assistant Minister that what we are proposing will make a difference could not be more valid. As I have said, we must act to help the vulnerable and it would help if we could accurately plot - and we have done - what that rise should be. That is the rise which, in real terms, helps the vulnerable. The proposal from the Minister is laudable but too low. There is an extra amount of money there which is not an enormous amount. My estimate of the additional costs for this particular move is around £2 million, which sounds a lot but it is £2 million between £80 million and £90 million so it is a small proportion. I believe that, in our society, we should be meeting that absolute level of R.P.I. in order that nobody falls yet further behind on their income, people are not increased if people can survive on those levels and that the Minister's view is wrong.

The Deputy Bailiff:

Thank you, Deputy. Is the amendment seconded? [Seconded] Does any other Member wish to speak on the amendment?

Deputy E. Millar:

Can I respond, Sir?

The Deputy Bailiff:

Yes.

10.2.2 Deputy E. Millar:

As is quite clear, Deputy Southern's amendment proposes a much higher increase to some of the components of income support. This is an unfunded change that my officers calculate will add £2.7 million to the cost of my proposals but does not establish where that money would come from and which areas would be cut to fund those increases. The answer to this question is not clear and I do not think it is clear from the amendment. Nor is it clear why the amendment chooses the level of components from 2014, nor is there any evidence that the 2014 rates are relevant to today's issues. There have been significant changes made to income support since 2014 which now provides extra support to families and to the many people who use income support to supplement their own wages, pension or maintenance income. We are no longer comparing like with like. Since the start of income support, the disregard against earned income has increased from 6 per cent to 26 per cent. This is a huge change in the support given to working households who today keep 26 pence in every pound they earn. In 2014, it was 20 per cent. The same disregard is applied to old age pension and

maintenance income. An extra payment has been created for the first child in a household to target extra support to families with children. This benefit did not exist prior to 2018. From late 2020, income support families have benefited from the Health Access Scheme which provides subsidised G.P. visits with surgery visits free to under-17s and, today, I am proposing an above inflation increase for carers and people who live in hostel accommodation as well as an increase to private sector renter rates and a general increase to all components to reflect the 10.4 per cent R.P.I. We are meeting the current R.P.I. figures now. The rising cost of living will affect every person in Jersey; every taxpayer, every government employee and every government department. We must make careful decisions now because we will be paying for them in the future. I asked officers to carry out careful modelling to cost and budget our proposed increases. I believe they are a fair and proportionate response to the rising costs and I would also remind Members that we have provided further support to those on low incomes via the various measures in the mini-Budget. We have also confirmed that, to the extent further support is needed next year, we will bring forward further proposals. In particular by the end of this year, we will be publishing details of a scheme to help those families who have less than 5 years residency in Jersey and if we need to continue a community cost bonus or C.O.L.T.S., we will give that fair consideration. Deputy Southern's report does not consider in any detail the cost of funding his proposals. I believe that Deputy Southern did not seek advice from my officers on the cost of the proposals before lodging his amendment. His proposals have a total cost of £10.3 million a year. This is £3.5 million above the cost of my original proposals and £2.7 million above my own amendments. My proposals fully reflect the cost-of-living challenges that low-income families are facing today with components up rated by 10.4 per cent over the last 12 months.

[15:30]

The Deputy proposed rates increase a range of components by 14.9 per cent with no explanation as to why this extra uplift is required other than the comparison, which does not seem to hold good with 2014. It is clear that a large additional uplift on top of the planned increase would require significant additional funding and amendment to the Government Plan. None of these important considerations are set out in the Deputy's report. We all have a duty to the taxpayer to be clear as to the cost of our proposals and to explain the consequences of extra spending in a particular area. The Deputy's proposed extra £2.7 million a year is a considerable amount and, in his summing up, I hope the Deputy will explain how this extra funding can be achieved on a sustainable basis. I urge Members to reject this amendment.

10.2.3 Deputy S.Y. Mézec:

Just to very quickly touch upon a point that the Minister made towards the end of her speech there about us having a duty to be clear about how we are spending taxpayers' money. I am sorry to use the opportunity to say it would be good if there was much greater detail beneath the heads of expenditure in the Government Plan so that we could be much clearer about how we are spending public money, because it is certainly not clear enough as it currently stands. That makes these debates harder and it makes it harder for all Members of this Assembly, whether you are part of the Executive or not, to go through with a magnifying glass and find those pennies and where they are being spent to make sure we are getting the best value for money and where there are sensible transfers that can be made from some areas where perhaps we are spending too much and allocate them to other areas where they would make a more significant impact. So that point is absolutely right but it would have been good to have seen that in the Government Plan so more Members would be empowered to make arguments one way or another on that. Immediately before the debate on this amendment, we had a debate on the principles of this proposition, that principle being that it is right now that we should up rate income support components to take into account inflation and we all accepted that principle unanimously. We did so because it is a good principle, it is the right principle and, in fact, it is such a good principle, I think we ought to be doing it every year and what Deputy Southern's amendment seeks to do is to make up for lost ground for those years where we have not done that. So, as Deputy Southern said, this proposition and the Minister's subsequent amendment to update them with the

new R.P.I. figures is absolutely laudable. It is what we should be doing right at this moment and that proposition will have our wholehearted support, but Deputy Southern has sought to use this as an opportunity to highlight the fact that for some of the poorest people in our society, since 2014 life has got more difficult for them because we have not in previous years been abiding by the principle we have just unanimously accepted, which is that we ought to update these taking into account R.P.I. to look after those people. I have to confess that I felt very angry when I read the comments that were lodged to Deputy Southern's amendment because it took Minister for the Environment back in time to 2015 and the start of 2016 as well. I was a relatively new Member of the Assembly at the time and I remember one of my worst days in politics was being sat in this Chamber when we debated the Medium Term Financial Plan for that year, which gave the green light for cuts of £10 million to the support we pay out for people. I believed that was morally the wrong thing to do at the time and it led to Minister for the Environment spending a significant amount of my time as a constituency representative sat in Philip Le Feuvre House with constituents, often as they were crying their eyes out, to be told that the way that the rules had been changed to meet the needs of those cuts they were going to be worse off. Often they were people who had no agency to increase their income from any other source because they were disabled or because they were particularly elderly or something like that and so they were made worse off in those times and these comments do not reflect that. So they point out that because of the changes of some rules to do with disregards, some people may well have been better off as a result of those changes but it does not change the underlying fact that £10 million of support was cut from that budget. That was coming from somewhere and it was coming from the pockets of people who were made worse off by that. So what Deputy Southern seeks to do, and this is the rationale I think for it going back to 2014 because that was the era in which those decisions were being made, is aim to make up for that lost ground and to say we can make people better off now this year by R.P.I., which keeps them at an equal position for this year but we have not done it in previous years, and if now can be an opportunity to make up for that lost ground and help those people, then why not? Why not use this at the moment, or do we say those previous years were a write-off? Those people will be worse off because of those decisions and: "Well, we are just happy to put up with that." I think Deputy Southern is raising an absolutely legitimate point by giving us the opportunity to say that we have looked at lots of other measures to be taken in the mini-Budget and other places as well to try to make people better off because of the very difficult pressures that people are feeling right now but we have to have a more rounded view of those who are the worst off in our society and the issues that have contributed to their being worse off, because they are not always the same as the issues that affect other people whose incomes come from other places. This point about where is the money coming from; I find that frustrating because we have a Government that has quite rightly brought forward proposals to increase support for people. We never ask that question of them: where is the money coming from? We say the need is too great, the moment is too urgent, that we are prepared to find that money because it is the right thing to do. Deputy Southern seeks to do that. There are plenty of ways that we can look at how funding from the Social Security Fund and the support that goes out to people from the Government, whether that is income support, whether it is in the state pension or other things. We can have plenty of discussions about the sustainability of that funding and no doubt we will. I think the Minister has alluded to those reviews going on in the future, but for the here and now to try to make people better off or not even better off but at least even to where they were or where they would have been if we had have applied the principle of this proposition in previous years gone by, if it is good enough for this year why was it not good enough for those previous years? I commend Deputy Southern for bringing this forward and I will certainly be supporting it. I consider it a deep matter of regret that previous Assemblies and previous Governments did not have the foresight to try to keep up with inflation previously because, believe you me, it caused some real suffering and hardship that many people seem to forget happened in those dark years of our political history.

10.2.4 Deputy M. Tadier:

I just missed out to Deputy Ozouf there. The reason that I am quite comfortable supporting this is because the bottom line is it is going to put money into the pockets of people in our society who need it the most. That in a nutshell, put very simply, is the best way to explain it. There are other good reasons of course. Sometimes we think the lines in these kind of debates are fairly well drawn to the point where very few people seem prepared to speak on this kind of debate. I hope that is not the case and I also hope that Members have taken the time to read what is a fairly manageable and well-presented proposition by Deputy Southern, which sets out the case very well. It is not simply a case of saying: "I am inclined to vote against this anyway and the words that I have heard from the Minister sound very plausible and that is good enough for me. That has eased my conscience." The reality of it is in this whole package, which is very necessary as I alluded to earlier, we are giving millions of pounds away to landlords, whether we like it or not. That is just the reality of our housing market. We have a housing market - and this is relevant, I will bring it back to the point - that is such that it takes a big chunk of people's disposable income every month and that is people who are on income support and people who are not on income support. At least when they are in social housing that money gets reinvested into the system. So if we put the components up and it ends up getting spent in Andium or trust housing, that is okay. It is kind of wooden dollars and we can use it to reinvest and maintain buildings. When you give the landlords millions of pounds in income support and tax increases there is absolutely no guarantee, first of all, that money stays on the Island. It may, it may not. Some of that may well go to pay for a single pensioner to assist with their pension income and help them to survive. They might also be finding life difficult, but it also goes to the professional and multiple and corporate landlords again who may not even be in the Island. Why do I say that? I say it by in stark contrast we have got a proposition here from Deputy Southern. I notice the headline figure that the Minister gives, and no doubt Deputy Southern will address this. First of all the alarm bells, this is £10 million extra. Well, it is not £10 million extra. The Minister's proposals are already about £7 million and Deputy Southern goes a little bit further by saying if we target this we can give a real terms increase to the people who most need it in our society who will spend it. Let us look exactly at what he is talking about again in real terms, just to look at one of the components. If you take the single parent component, in 2014 the single parent component was £40.39 a week. In 2022 it was still £40.39 a week. What the Minister is proposing here is to increase that by just over £2.50. I think it is £2.60 to £42.98. That represents a 6 per cent increase. Deputy Southern has told us that the actual R.P.I. increase during those 8 years was 16 per cent, so he is simply saying that that should be increased to a more realistic figure. That kind of pattern you can see through all of the components that he has targeted, whether it is the adult component, the first child, the further child or the household component. All of that money is going to be going in and going out. I think some of us, I hope, live in the real world. I am sure all of us live in a real world. We all live in the world, but the experiences that we have before we get to this place are going to be completely varied and different, and that is great. That is part of the diversity that we have within our Assembly but increasingly we look at the ... well, not increasingly just generally in our Assembly, like in so many Assemblies around the world, we are not representative of the public. Our spending power as individuals and our experiences and the circles that we move in might be completely different to other individuals. I am reminded of the word - it came to Minister for the Environment in French initially - *la précarité*. In English we might call it a precarious existence. There are so many people in our current society who live we might call it a marginal existence; they live hand to mouth and they are precarious in their lifestyle. Even if you have a 26 per cent disregard, if 6 per cent was meaningless, 26 per cent is still a long way off, I think, where we should be. We need to be much more proactive in how we think about giving cash allowances, I think, to individuals in that scenario. The reality is if you are on income support and you are struggling and you go out to work and earn £10 an hour, you get to keep an extra £2.60 of it. Whoopie-doo. I do not say that in any kind of blasé way but that is the reality, that you might have £2.60 going into your wallet but if the increases that you are seeing and have seen in the cost of living over an 8-year period are eroding that £2.60 an hour, then you can see how people might be making very tough choices, especially when you start to figure in things like childcare, long-term care for an elderly relative, which you might not be getting

a component for necessarily. Those are the real-life scenarios that we are talking about and why giving this money ... it might sound like a lot but those millions pale into insignificance when we think about the millions of pounds that are spent on infrastructure in Jersey that is being delayed, et cetera. I think this is something that we should be not just considering supporting but we should be supporting wholeheartedly.

10.2.5 Deputy M.R. Scott:

I am not really inclined to go into too much in the area of the position of landlords or talk about magic money trees. I do feel that perhaps Government's response to Deputy Southern's proposition could be a bit clearer. For starters, when it mentioned the removal of C.O.L.T.S., I would point out that recipients of the Pension Plus scheme or who can claim under it can claim C.O.L.T.S., even if they are not on income support. There are certain distinctions I think even in terms of the provision of income support that I personally am still trying to work through. For example, a house owner could be claiming income support but there are people in this Island who are on a very low income who have to pay rent who do not claim income support. There are some inequities that really need to be addressed in the current social security system.

[15:45]

Although I know the Minister is looking into this, I find it unsatisfactory that they remain. In respect of this kind of question of where is the money coming from, I do look at the response of the Minister for Treasury and Resources to Deputy Kovacs' Written Question 240/2022, which does refer to some sort of surplus, not a huge one but one probably that could fund that and indeed other perhaps measures that even I might be tempted to bring in terms of the Pension Plus proposition. I think it would be useful for a Minister to respond to that because there is a noticeable surplus from this that could arguably be paid. I am still open to persuasion on either side, so I look forward to a little more debate.

10.2.6 Deputy P.F.C. Ozouf:

I want to agree with the Minister for Social Security in respect of her observations about and her challenge to Deputy Southern about where the money is coming from. I would point out respectfully that this is not the Assembly of 2015, it is the Assembly of 2022, and unfortunately unlike the Assembly in 2015, it is not a multi-year budget. We have a single-year budget and we are only one year ahead, but what the Deputy is saying is that we are going to effectively change these proposals. It is not just one year that the Minister should, with respect, be asking the Deputy where it is going to come from but where it is going to come from in subsequent years. We have heard this morning that we have had a hospital debate where we have had a statement from the Minister for Infrastructure who has said that the extant decision of the States Assembly to build the hospital cannot be built. This Assembly is going to have to find a solution to this hospital challenge because the money ... maybe it was there but it certainly is not there now because it was not borrowed. Moreover, the hospital is going to cost at least as much as it was before and the arrangements that have been done, which I found absolutely extraordinary ... we are not having a hospital debate but it speaks to the issue of where the money is coming from. This Assembly has got some challenges. We have seen a U.K. Government that has failed in relation to a mini-Budget. We did not fail in terms of a mini-Budget because we had a fully costed mini-Budget. It was fully costed; it was explained; it was debated. I think it was within 2 weeks of the arrival of this Government that we brought forward a mini-Budget. It went through this Assembly and it was approved because we are the Government, we are the Island of sound money. We did not have the situation in the U.K. where we had an unfunded set of proposals that then fortunately we do not have borrowings and so we did not have bond markets going completely crazy. We have a situation where we have an appropriately balanced approach. The Minister has explained in detail, both in her opening submissions and in the later submissions, the fact that she has made an improvement to the support arrangements that are there. I do not understand why Deputy Southern is going back to 2014. Deputy Mézec spoke that he was unhappy in 2015 with the Medium Term Financial Plan. I need to ask the members of the Reform

Party why they have chosen to go ... I have got optics backwards. With the benefit of hindsight, we know that in the past we needed to make some economies and efficiencies to put ourselves on a sound footing where we could afford the income support budget generally and make income support affordable. Deputy Southern is asking us to go further than that. I do not quite know what the gesticulation of Deputy Mézec is but that seems like an improper suggestion. We are a States Assembly that needs to make decisions where we put forward a proposition where we find out where the money is coming from. Can Deputy Southern in his summing up say why he has chosen back to 2014, why is it not last year, and what is he going to do going forward? Where is the money coming from this year? Any Member of this Assembly bringing forward something should come forward with a solution, but it is not just one year. It is going to be a permanent increase in expenditure and that seems to be unsound. It is not sound decision-making and I have not heard a persuasive argument, as much as I want to support, as all Members of this Assembly want to support, people on low income, where the money is going to come from, because I am afraid the magic money tree never existed, it does not exist. Members who bring forward proposals to spend money need to identify where it is going to come from and not just one year but multiple years even though we do not have a Medium Term Financial Plan. The Medium Term Financial Plan that Deputy Mézec mentioned in apparently advancing the case for Deputy Southern was the following Medium Term Financial Plan that needed to make some economies and some efficiencies to meet public sector expenditures. I ask Deputy Southern in his summing up why take 2014, why only these components and how is it going to be paid for, not just this year but where is he going to find the money from in subsequent years?

10.2.7 Deputy R.J. Ward:

I am pleased to follow that because yet again we are in a position where the same argument is repeated again and again and again. If my computer was quicker I would have called out the Standing Order on that. Unfortunately I do not know it off by heart. We hear again and again and again the same old tired, tired, tired arguments from Government when they simply do not want something to happen, because what they want to do is say that we are doing stuff, we are doing things for those least well-off in our society but when push comes to shove and we have to actually pay up for that, do not want to do it because it is not your priority. Let us look at this properly, shall we? Let us look at the actual amount. It is about £5 in one of the components, £5. That is going to make a significant difference to someone's life. For how many Members in this Assembly at this moment in their lives will £5 make a significant difference to your life week in, week out? Very few of us because we are in a very different position. But what we have is a responsibility to the members in our society to ensure that we do everything to make sure that we help those least able in our society. I have probably said this before but not in this debate, so I think I can say it again. I think we should judge our society on how we support the least able in our society, not those who own the biggest yachts in the harbour but those who are most vulnerable and how we support them, and that is what this is about. Deputy Southern throughout his entire career in this Assembly has been a voice piece for those who are least able and most vulnerable. Whatever your preconceptions are of anyone in this Assembly, please remember that, that that is a hugely consistent approach and I respect that enormously because that is somebody who talks with real principle about what they want to do. I make this point: if you feel that these things just should not happen because there is some issue with somebody on income support because they are there because of whatever reason your preconception is, then do not vote for any of this, never vote for an increase, but if you feel and you understand that there are vulnerable members in our society who need the support week in, week out of social security, some who may not be able to work or may be in a position for a short time or a long time where they cannot support themselves in a way that you and I are lucky enough to be able to do, then look at this as an increase. What Deputy Southern has done very successfully from 2014 - and he could have gone back further, I am sure he could have gone back further and we would have had a larger increase - is to say: has this tracked inflation in that time? The answer is no, so what do we do? Well, let us track inflation in that time so people, the most vulnerable in our society, in that position now are at least tracking inflation and therefore that £5 increase ... I will go back to the components in this proposition, if I

can find it. It is £5 for an adult, it is £3-something for a single parent, £3. You are lucky to get a cup of coffee for that in St. Helier, £3 a week and the profit margin would be enormous, that is okay. However, we are arguing in this Assembly and some people sat here will say: “No, no, we cannot afford to give a single parent an extra £3 a week because there is some sort of principle behind it.” The principle is that we are losing track of our responsibility in this Assembly for the most vulnerable in our society. It is as simple as that, so every time we go through these convoluted discussions about: “The money is going to come from here or it is going to come from there.” The amount that we are spending on our social security, and it has not tracked inflation, we are leaving the most vulnerable in our society even more vulnerable because we are not willing to take that on the chin at this point. As Deputy Scott said, there were surpluses. What I was hoping from this Government - they keep talking about being different - is an enabling Government, that rather than when it suits will use every opportunity in the book to either stop debate or to oppose a simple change for financial reasons, which will then be swapped around to say that: “We can afford to do that because that is our wish to do it.” In this Assembly where we talk about consensus, that lack of acceptance of someone else’s proposition troubles me. I really hope that Members can sit up today and look at what this means because none of us are in a position where we have to live on £115 a week; none of us. None of us are in the position if we are single parents of having to live on £45.24 as that component per week. That is the reality of low-income survival on this Island and that is what we are looking at today. So I am going to ignore the commentary, because I am good at that - I have spent 25 years doing it - and I will say again to finish, please look at what we are voting on today, a really purely insignificant amount of money for an individual in your and my terms but for the people we are talking about it makes a significant difference. I would like to finish by thanking Deputy Southern for his commitment throughout his entire time in this Assembly to those who are on the lowest incomes and fighting consistently, regardless of the attitude that is sometimes shown towards him by some in the Assembly, and keeping going and saying: “No, this is the right thing to do, it is the right time to do it and it is certainly possible to do it.” I urge you to support this amendment and let us enable some real change rather than just talking about it for once.

Deputy E. Millar:

I would just like to make a couple of points.

The Deputy Bailiff:

Well, you cannot because you have spoken in this debate already.

Deputy E. Millar:

Sorry, okay. I feel Deputy Ward has been misleading.

The Deputy Bailiff:

You have spoken in this debate and if you wanted to raise a point of clarification and Deputy Ward had given way, then the time to do that was during his speech.

10.2.8 Deputy J. Renouf:

There is a bit of a current creeping into this debate that suggests that the only way to show you care for people who are on lower incomes is to support Deputy Southern’s amendment. I think it is easy to make that case if you isolate this debate from the wider picture. I have got 3 reasons for voting against this amendment, but my overall point is that I reject the contention that we have allowed benefits as a whole to the least well-off to fall behind, not when we consider the whole picture. Deputy Southern’s amendment seeks to correct what the Deputy sees as a growing injustice but, as the Minister has made clear, the baseline comparison is faulty. There are other benefits that have increased: the disregard has increased; the Health Access Scheme has been introduced to subsidise health costs. The amendment is to make up for lost ground, which does not exist. It is also important to recognise that we have, through the mini-Budget, increased payments to the least well-off. I am proud of what this Government have done to help the least well-paid and the least well-off. It is not

the case that this Government do not care. We have made a big intervention, we have acted early and we are continuing to act now through the Minister's actions. The final point is that, as Deputy Ahier has said, we have to balance our support for the least well-off with what we can afford. Deputy Mézec questions the legitimacy of challenging this amendment from the point of view of where does the money come from because Government measures are not held to the same standard. I disagree; we are. As Ministers we have to produce a balanced budget. If we want extra funding, we have to say where the money will come from. We cannot come to this Assembly with a budget that does not balance and that is something that we do. The point is that that £2.7 million in extra costs has not been funded, so I think the key point I would want to make is that when you look at this as a complete package of measures that this Government are taking, we are taking seriously our commitments to the least well-off. It is very important to Minister for the Environment personally that we do that and I am proud of what we do.

Deputy E. Millar:

Sir, may I make a point of order then?

[16:00]

The Deputy Bailiff:

Well, if it is something that requires a ruling from the Chair, yes.

Deputy E. Millar:

I just feel that Deputy Ward's comment focused very much on what is available to a single parent and what I heard, and which other Members may have heard, is that the only thing a single parent is going to derive from the regulations as tabled by Minister for the Environment is £3 a week, and that is simply not true.

The Deputy Bailiff:

That is not a point of order and you are not suggesting he deliberately misled the Assembly.

10.2.9 Deputy K.L. Moore:

I am pleased to follow Deputy Renouf, who spoke most eloquently and I think illustrated exactly the sentiment of the Government. We have spent days locked in a room contemplating how we can do as much as we possibly can within a balanced budget, and it was not an easy process. In following on from Deputy Renouf's points, which were very well made, I simply wanted to identify exactly where the issue comes. Of course we must not forget that the Minister for Social Security is bringing a suite of measures here, which follows on from the mini-Budget, where she quickly and deftly found solutions to the issue of the cost of living. We have made a commitment of continuing to look at that and to react and to act appropriately as these challenging times follow. In doing so, we have to maintain a balanced budget and so the issue with this particular proposal from Deputy Southern is that while we may be looking at a balanced budget next year and also another modest balanced budget in 2024, when we get to the line in 2025 there is a figure of £0.1 million. That is how balanced our budget is in 2025. Therefore, we would have to find something to stop doing, something to stop spending on in order to make this additional payment and I think that that identifies exactly the problem. We cannot commit - without finding that solution - to this level of additional expenditure because we would be locked in on a year-by-year basis. That is not to say that we are not listening to the issues that have been well made and the arguments have been clearly put. We of course understand, and that is why the Minister for Social Security has brought a suite of measures that exceed R.P.I. without housing costs because she recognises that it is important to do as much as we possibly can, but we have to do it within our spending envelope. If this very issue is one that resonates so clearly with Members, that we want to achieve the additional spending and we want to look back ... I have to remind you that the Minister has already committed to reviewing income support payments and to looking carefully at that. So that will be done in the proper way that Members would

expect. If that is not enough for Members then perhaps we can use this very issue to focus our minds on what we can stop doing, what we can simplify doing, to cut our cloth accordingly so that we can do exactly as Deputy Ward explained, what is really in each of our reasons for being here in this room, to consider how best we collect revenue and how best we distribute that revenue that benefits all Islanders, all aspects of Island life that we want to do our very best for. So I ask you all to help us on that journey because we do have to find a solution, and unless we do have that solution we are unable to make the level of commitment that is being asked of us in this particular debate today.

10.2.10 Deputy M.B. Andrews:

I think to begin with we need to understand the households we are speaking of. They are part of the lower deciles in our society and we need to ensure that they are maintained in real terms. There will be a subtle decrease in terms of their purchasing power, so essentially their ability to consume will still be okay but it will just be slightly below what it should be if we are looking at a real term increase. For Minister for the Environment it is important I think from the perspective of being a Back-Bencher, there are 28 of us, and if we are to be bringing forward amendments or potentially propositions to the Assembly we have to be in dialogue with one another because I think with the mini-Budget, for instance, what was really shown is there were probably too many amendments. We were looking potentially at a primary budget deficit for the year. So I think moving forward we essentially have to be engaging with one another and communicating with one another more often, and that will be if it is for a political party or for all the independents. In this case, yes, some Members have brought forward to the attention of the Assembly some in-principle components that are very true in terms of, yes, do need to ensure we are justifying how we can fund this. I will be supporting the amendment but I must say, moving forward there needs to be more clarity because absolutely we do need to be justifying where the source of funds are coming from. We cannot be relying upon economic profit and corporate profit where there is going to be inflation obviously generating additional revenue for the Government. I do not think that is really a justifiable reason. It has been often the case though that some Members will use that as a reason for the Government having additional revenue. But also private sector debt will be increasing as a consequence and that is also something that is very concerning, and I think all Members should be very concerned in that respect. So, yes, absolutely I will be supporting the amendment, however, moving forward in future, I think as a Back Bench we need to be perhaps a bit more collegiate and also we need to be communicating to ensure that if we are bringing forward proposals we are not bringing forward proposals where we could end up being in a primary budget deficit for the year.

The Deputy Bailiff:

Does any other Member wish to speak on this amendment? I call upon Deputy Southern to reply.

10.2.11 Deputy G.P. Southern:

I have enjoyed today's debate, even if it reminded Minister for the Environment of many debates in the past, including some recent ones. Once again we ignore those most vulnerable in our society. We have done something towards their benefit but I would argue not enough. The fact is we have let income support fall behind the cost of living. When we debated the cost-of-living crisis we had plenty of money to dash around there, at least £7 million spent, on which I am saying for an extra £2 million, and £2 million on an overall budget which is the majority about rents. Anybody that does not believe Minister for the Environment then look at the answers to our question time where we see a rented 2-bed flat suffering from the rent, suffering from 29 per cent increase over those years I have been illustrating. A 29 per cent increase, and still climbing. What will happen to this small amount of cash that I am saying we should be giving to the vulnerable? Income support? Where is it going to go? It is going to go into landlords' pockets. No doubt about it. That is where it will go; straight into the pocket and out again to the landlord. That is the reality of our society. So anything we can do to make living in our society more tolerable is valid. Maybe it means that people can just about cling on to their housing. Maybe they can meet their needs just about. But it is about the "just about" managing. There is also the repeat of the phrase, and Deputy Ozouf did his usual no argument, just

repetition, repetition: “Where is the money coming from? Where is the money coming from? Where is the money coming from? Where is the money tree? Where is the money tree? Where is the money tree?” It wears you down in the end because that is what you hear, and you hear that permanent: “Where is the money?” when we sent back some monies into the central coffers from income support. Why, because fewer people were on the Island and fewer people were out of work so claims went down. So where is the money; for example, there is one source of the money. I was asked again why this arbitrary figure of 2014, can we go back further, and the answer is, yes, we can. We can, because I have been there. I was there in 2002. I do not think Deputy Ozouf was but I was there in 2002 when we made income support the safety net and we built it. We built it back in 2002 on the basis of welfare - used to come to the Parishes - welfare plus 10 per cent. So we could go back to welfare plus 10 per cent if we knew what welfare would be inflated, but to suggest that we could do welfare plus is mistaken. We have settled down, we have income support components that seem to match our need, absolutely. Further on, I am told that we are already doing things for those on unequal incomes, on lower incomes. For example, we devised the Health Access Scheme. Who brought that? My colleague and myself; we brought that. That is a single thing we have done that can most impact people’s lives and make their lives better, to give people cheap access to G.P.s. But who has done that? People like Minister for the Environment on this side of the benches, because that initiative from Ministers has been missing. I reply to the Chief Minister who says: “We have found the money for £7 million, we have not got a penny more for the £2.7 million extra on that”, which would be the fair division of what is going on, and we have got a large scale - and this happens time and time again - review of benefits. What will that do? Will that produce a single pound in anybody’s pockets? You cannot eat a review. To Deputy Andrews, I say engage not with ourselves, do not be self-regarding in the sense of how does this go down well with fellow Members; look outside. Look outside at voters and at the poor people that are living out there with high rents and low wages and insecure work and say: “How does what I am doing today go with them?” At which point I will close and call for the appel.

[16:15]

The Deputy Bailiff:

Thank you, Deputy. The appel has been called for. Members are invited to return to their seats. You are voting on the amendment to the first regulation. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. I can announce that the amendment has been rejected:

POUR: 14		CONTRE: 29		ABSTAIN: 1
Connétable of St. Martin		Connétable of St. Helier		Deputy M.R. Scott
Connétable of St. Clement		Connétable of Trinity		
Connétable of St. Saviour		Connétable of St. Peter		
Deputy G..P. Southern		Connétable of St. John		
Deputy M. Tadier		Connétable of Grouville		
Deputy R.J. Ward		Connétable of St. Ouen		
Deputy C.S. Alves		Connétable of St. Mary		
Deputy S.Y. Mézec		Deputy C.F. Labey		
Deputy T.A. Coles		Deputy S.G. Luce		
Deputy B.B.S.V.M. Porée		Deputy L.M.C. Doublet		
Deputy C.D. Curtis		Deputy K.F. Morel		
Deputy L.V. Feltham		Deputy M.R. Le Hegarat		

Deputy R.S. Kovacs		Deputy S.M. Ahier		
Deputy M.B. Andrews		Deputy I. Gardiner		
		Deputy K.L. Moore		
		Deputy P.F.C. Ozouf		
		Deputy P.M. Bailhache		
		Deputy D.J. Warr		
		Deputy H.M. Miles		
		Deputy J. Renouf		
		Deputy R.E. Binet		
		Deputy H.L. Jeune		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy M.R. Ferey		
		Deputy A.F. Curtis		
		Deputy B. Ward		
		Deputy K.M. Wilson		
		Deputy L.K.F Stephenson		

The Deputy Greffier of the States:

Those Members voting pour: the Connétables of St. Martin, St. Clement and St. Saviour; Deputies Southern, Tadier, Mézec, Coles, Porée, Catherine Curtis, Feltham, Kovacs and Andrews; and Deputy Scott abstained.

10.3 Draft Income Support (Amendment No. 22) (Jersey) Regulations 202- (P.94/2022) -) - as amended (P.94/2022 Amd.(2))

The Deputy Bailiff:

We now resume the debate on the regulations in Second Reading. Does any Member wish to speak on the regulations? Accordingly I close the debate. Is the appel called for? The appel has been called for. I invite Members to return to their seats and I ask the Greffier to open the voting on the regulations as amended by the Minister in Second Reading. If all Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. I can announce that the regulations have been adopted unanimously in Second Reading:

POUR: 44		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				

Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G..P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy P.F.C. Ozouf				
Deputy P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B.S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F Stephenson				

Deputy M.B. Andrews			
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Minister, do you wish to propose the regulations in Third Reading?

Deputy E. Millar:

Yes, Sir, may I propose the regulations *en bloc*.

The Deputy Bailiff:

Yes. Are the regulations seconded in Third Reading? **[Seconded]** Does any Member wish to speak in Third Reading on the regulations as adopted in Second Reading? Accordingly I close the debate. Is the appel called for? The appel has been called for. I invite Members to return to their seats and I invite the Greffier to open the voting on the regulations in Third Reading. If all Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. I can announce that the regulations have been adopted unanimously in Third Reading:

POUR: 44		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G..P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hagarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy P.F.C. Ozouf				
Deputy P.M. Bailhache				

Deputy T.A. Coles				
Deputy B.B.S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F Stephenson				
Deputy M.B. Andrews				

11. Draft Health and Safety Appeal Tribunal: Appointment of Chair and Deputy Chair (P.95/2022)

The Deputy Bailiff:

The next item is the Draft Health and Safety Appeal Tribunal: Appointment of Chair and Deputy Chair, lodged by the Minister for Social Security. For the purpose of this debate the main responder will be Deputy Southern on behalf of the Health and Social Security Scrutiny Panel. I invite the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion, in accordance with the Health and Safety at Work (Appeal Tribunal) (Jersey) Regulations 1989, to appoint for a period of 3 years, the following persons as Chair and Deputy Chair of the Health and Safety at Work (Appeal Tribunal) to determine appeals against Prohibition and Improvement Notices, served by Health and Safety Inspectors, and decisions by the Minister on licensing provisions under the Law, commencing immediately - Advocate Cyril Whelan, Chair, Advocate Niall MacDonald, Deputy Chair.

11.1 Deputy E. Millar (The Minister for Social Security):

I am very pleased to recommend that the Assembly appoint Advocate Cyril Whelan and Advocate Niall MacDonald as chair and deputy chair respectively of the Health and Safety at Work Appeal Tribunal. The Health and Safety at Work Appeal Tribunal hears and determines appeals against prohibition and improvement notices served by health and safety inspectors, and appeals in connection with licensing provisions. The Tribunal is constituted under the Health and Safety at Work (Appeal Tribunal) (Jersey) Regulations 1989 and in accordance with that law must consist of

a chair, a deputy chair, and 2 other members. Both the chair and deputy chair are to be an advocate, a solicitor of the Royal Court, of not less than 7 years standing. The previous chair was in post since 2019 and I thank them for their term of office. The details in relation to the professional background of the nominees are included in the report and Members will see that if appointed the nominees will each bring a great deal of skill and experience to these roles. I have no hesitation in recommending the appointments to the Assembly and I make the proposition.

The Deputy Bailiff:

Thank you, Minister. Is the proposition seconded? [**Seconded**] Does any Member wish to speak on the proposition? No, accordingly I close the debate. Are Members content to adopt this proposition on a standing vote. I call those in favour to please show. Thank you very much, accordingly the proposition is adopted. That concludes Public Business for this meeting and I invite the chair of P.P.C. to propose the arrangement of Public Business for future meetings.

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

12. Connétable K. Shenton-Stone of St. Martin (Chair, Privileges and Procedures Committee):

We only have 2 sittings before Christmas and the next sitting is on 22nd November. Two propositions have been lodged since the publication of the Consolidated Order Paper; the Draft Food (Jersey) Law, P.105, and Rent Control Tribunal: Nomination of Chair and Members, P.106/2022. Both have been listed for the meeting in December. A second amendment to the Re-instatement of Senators, P.79, from Deputy Scott has also been lodged today for debate at the next meeting. At the next meeting the Assembly will consider a number of propositions including the Common Strategic Policy and a proposition for the re-instatement of Senators. Members should, therefore, expect to meet for longer than we have this week, probably up to 3 days. Given that at the December meeting we will be considering the Government Plan I would like to propose that the Assembly meet on Monday afternoon, 12th December, to take questions and statements with Public Business to begin on Tuesday morning, 13th December. Moving to the Monday afternoon would affect submission deadlines for oral questions and lodging deadlines which the States Greffe will advise Members of. I would urge Members to keep the whole week of 12th December free for the States for debating the Government Plan. Thank you and I would like to propose starting the States on Monday, 12th December.

The Deputy Bailiff:

Did you say at 9.30 a.m.?

The Connétable of St. Martin:

No, in the afternoon please, Sir.

The Deputy Bailiff:

At 2.15 p.m.?

The Connétable of St. Martin:

Yes, please.

The Deputy Bailiff:

Is Public Business seconded?

Deputy P.F.C. Ozouf:

Sir, may I just advance a view that in view of the business on 22nd November where we have the Common Strategic Policy, arguably that is the main set piece item for the Government and Members indeed as well who obviously may be able to make amendments. Can I suggest that that is taken first item of business on that sitting?

The Deputy Bailiff:

That is a different proposition. I am going to start with the proposition of the Chair of P.P.C. to commence on Monday, 12th December at 2.15 p.m. Is that seconded? **[Seconded]** Does any Member wish to speak on that matter?

12.1 Deputy C.S. Alves:

I just wanted to raise whether that is early enough for us to start to get through all the questions with notice and without notice, because normally we carry on after the lunch break, so I do not know whether it may be advisable to maybe start a little bit earlier than 2.15 p.m., whether the chair would consider that.

The Deputy Bailiff:

Yes, Madam Chair ...

12.1.1 The Connétable of St. Martin:

I am very happy to have an earlier start, I just thought it would give Members the opportunity on the Monday morning to ...

The Deputy Bailiff:

Yes, what do you have in mind?

The Connétable of St. Martin:

I am very happy to start at 9.30 a.m. on the Monday morning and then we may finish earlier by Thursday evening. But at least it gives us time and we will not have so many debates on how late we stay.

The Deputy Bailiff:

Yes, there needs to be a degree of flexibility in terms of how we adopt this procedurally. You are now suggesting we should start at 9.30 a.m. on the Monday. Is that seconded? **[Seconded]**

12.1.2 Deputy M. Tadier:

I do not think that was the intention of Deputy Alves, and we as St. Brelade representatives keep Monday 12.00 p.m. to 1.00 p.m. for our surgeries every week and I am not sure who is up for that week but I think if we could start at 1.30 p.m. that is probably earliest. Maybe, while I am at it, Sir, if we do not have statements being made on that session - I do not know if we can preclude - but this is obviously what happens

The Deputy Bailiff:

So you make a proposition of 1.30 p.m. do you?

Deputy M. Tadier:

1.30 p.m., Sir. I know it is splitting hairs but half an hour really does make a difference from getting across the Island.

The Deputy Bailiff:

Is that seconded? **[Seconded]** And is that adopted? Thank you very much, so 1.30 p.m. on Monday 12th is when the Assembly will commence the December debate. Shall we return now to your proposition, Deputy Ozouf, in relation to the Common Strategic Policy?

12.2 Deputy P.F.C. Ozouf:

I am in the hands of the Assembly. It was a constructive suggestion in order to deal with what is effectively the big set piece of this term of office, the Common Strategic Policy. The first item of business seems entirely sensible, if I may say. I am in the hands of Members.

The Deputy Bailiff:

Is that seconded? [**Seconded**] Deputy Ozouf, it appears that your proposition has effectively been won by Standing Orders because Standing Order 31(2) provides that the first item of Public Business at a meeting that wishes to be debated, unless the States decide otherwise, is (c) a statement of the Common Strategic Policy of the Council of Ministers. So, *prima facie* the Common Strategic Policy should be debated first unless a proposition is made to the contrary.

Deputy P.F.C. Ozouf:

Well I stand corrected, sir. There is something in the grey matter after all. It seems that that was somewhere in my mind the first item that should be done, so I am happy to withdraw my proposition.

The Deputy Bailiff:

Yes, so unless the Assembly resolves to the contrary that will be the first item of Public Business.

The Connétable of St. Martin:

I might be being pedantic but should we vote on the start time as it was a proposition. Are we supposed to vote on this?

The Deputy Bailiff:

Well, no, I think there is a degree of flexibility and the Assembly was content to proceed on the footing that it will commence at 1.30 p.m. on the Monday in December. Does any other Member wish to speak on the arrangement of future public business? If not then the States stands adjourned until 22nd November.

ADJOURNMENT

[16:27]