

# STATES OF JERSEY



## JERSEY EMPLOYMENT AND DISCRIMINATION TRIBUNAL – APPOINTMENT OF MEMBERS

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Lodged au Greffe on 23rd May 2024  
by the Minister for Social Security  
Earliest date for debate: 25th June 2024

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STATES GREFFE

## **PROPOSITION**

**THE STATES are asked to decide whether they are of opinion –**

to appoint, in accordance with the Employment and Discrimination Tribunal (Jersey) Regulations 2014, the following persons as Members of the Jersey Employment and Discrimination Tribunal, for a period of five years:

Melanie Grandfield (Employer Panel Member)  
Kiley Henley (Employer Panel Member)  
Mark Richardson (Employer Panel Member)  
Christopher Stephenson (Discrimination Panel Member)  
Richard Renouf (Discrimination Panel Member)  
Alison Brown (Discrimination Panel Member)  
Allana Binnie (Discrimination Panel Member)

MINISTER FOR SOCIAL SECURITY

## **REPORT**

### **Introduction**

Regulation 3 of the Employment and Discrimination Tribunal (Jersey) Regulations 2014 provides for the appointment of members to the Tribunal. Regulation 3(4) provides that the appointments shall be made by the States on the recommendation of the Minister for Social Security, after consultation with the Jersey Appointments Commission.

After an open and transparent recruitment exercise, overseen by the Jersey Appointments Commission, new panel members have been identified as suitable for appointment and the Minister now seeks the agreement of the States to their appointment. If this Proposition is agreed to, the appointments will take effect once the appointees have taken the relevant oath before the Royal Court, as provided for in Regulation 4 of the 2014 Regulations.

### **Background**

The Jersey Employment and Discrimination Tribunal was established by the Employment (Jersey) Law 2003 and became operational in 2005. The Tribunal is responsible for enforcing the Island's employment and discrimination legislation, consisting of the Employment Law, the Employment Relations (Jersey) Law 2007 and the Discrimination (Jersey) Law 2013. It hears and determines complaints relating to –

- Written terms of employment
- Minimum rest periods and annual leave
- Minimum wage
- Payment of wages
- Notice pay on termination of employment
- Unfair dismissal
- Redundancy pay and related rights
- Family friendly rights
- Breaches of contracts of employment
- Trade union recognition
- Collective disputes
- Discrimination on the grounds of race, age, disability, gender, sexual orientation, gender reassignment, pregnancy and maternity

### **Constitution of the Tribunal**

The Employment and Discrimination Tribunal (Jersey) Regulations 2014 (the “Tribunal Regulations”) set out the requirements for the constitution and membership of the Tribunal, including the appointment and terms of office of the members. The Tribunal consists of the following:

- A Chair
- Up to five Deputy Chairs
- Up to eight employee representative lay members who have knowledge or experience of, or an interest in, trade unions or matters relating to employees more generally
- Up to eight employer representative lay members who have knowledge of, or an interest in, employers' associations, or matters relating to employers more

- generally
- Up to eight discrimination panel lay members who have knowledge or experience of, and an interest in, equality and discrimination matters generally, or discrimination and specific protected characteristics

When hearing a complaint that relates to employment or discrimination in employment, the Tribunal Regulations provide that a three-person panel must consist of a legally qualified Chair or Deputy Chair, together with two lay members – one employee representative member and one employer representative member. It is important that the employee/employer balance is maintained in employment and employment-related discrimination cases.

When a panel is formed to hear a complaint about an act of discrimination that does not relate to employment or recruitment (for example, issues relating to housing, services or education), the panel must consist of the Chair or a Deputy Chair and two members from the pool of discrimination lay members.

The Tribunal Regulations provide that members are appointed by the States Assembly for an initial term of up to five years. If a member requests an extension of their appointment, the Minister for Social Security may, after consultation with the Jersey Appointments Commission, extend the member's term of office. The Commission's recruitment guidelines state that members of independent bodies should not normally be appointed for terms in excess of nine years.

### **The current recruitment exercise**

The Jersey Appointments Commission oversaw the exercise. The Commission has indicated it is content that the process has been conducted in accordance with its guidelines. The Chair of the Jersey Appointments Commission was not involved in this process.

The Employment and Discrimination Tribunal received nine applications for appointment, made up of four women and five men. Two applicants withdrew before the interview stage. The interview panel was chaired by the Chair of the Tribunal and included the Manager of the Tribunal.

### **Candidates for appointment**

The candidates for appointment are as follows:

- **Melanie Grandfield – Employer Panel Member**

Melanie Grandfield is an experienced HR professional with more than 25 years of practice working in this field. She has worked in both the private and public sectors, in both operational and strategic roles. In 2022, Melanie founded her own consultancy business, High Tide HR Consultancy which specialises in the development of HR policies, procedures and employee handbooks and she now works with clients across all sectors and industries.

Melanie is a Chartered Member of the Chartered Institute of Personnel and Development (CIPD) and holds a Post Graduate Diploma in Human Resource Management from London Metropolitan University. She is both an ACAS trained workplace mediator and investigator and most recently gained

accreditation from the Safer Recruitment Consortium to deliver training in this specialist area, which is an important strand of safeguarding.

- **Kiley Henley – Employer Panel Member**

Kiley Henley is an HR professional, who started her career in 2002. During that time, Kiley has also achieved a Master of Sciences in HR, a PG. Dip in Human Resource Management and the Certificate in Company Direction with the Institute of Directors. Kiley currently runs an outsourced HR company and has worked in or advised employers across a wide range of sectors, including charities, retailers, pharmacists, medical practices, law firms and finance companies. Kiley is also on the IoD Jersey committee and is the chair of the Diversity, Equity & Inclusion subcommittee.

- **Mark Richardson – Employee Panel Member**

Mark Richardson is Private Secretary to the Minister for Infrastructure. Prior to that, his other roles have included supporting a number of other ministers and undertaking policy work around the long-term care scheme and the pension age. He is a member of the Jersey Civil Service Association branch of the Prospect trade union. For a time, he was a JCSA executive member and represented members in various cases. Until the expiry of his term in December 2023, Mr Richardson was an employee representative on the Committee of Management of the public sector pension scheme and a member of the Investment Sub-committee. Mr Richardson is an employee representative member of the Jersey Employment Forum. Before returning to Jersey in 2007, he was a writer and editor for the well-respected Incomes Data Services, focusing on human resources policy and practice.

- **Christopher Stephenson – Discrimination Panel Member**

Chris Stephenson is an experienced Human Resources professional, with over thirty years at a senior management and Director level in both the private and public sector in the UK and Jersey. His career has spanned several businesses/industries, including manufacturing, financial and professional services, the tech sector and start-ups.

He has previously been a non-executive director, and also owned and managed his own management and consultancy business. His most recent appointment was working for Sensyne Health as CPO, an AIM listed public company, reporting directly to the CEO/founder, as part of the senior leadership team.

He has extensive experience in the public sector, having worked for the Ministry of Justice at senior civil service level, Local Government, working for the London Borough of Tower Hamlets, and also the NHS in the acute and primary care sectors. He has also spent 7 years with the Government of Jersey as Director of Employment Relations and Organisational Development and was also advisor to the States Employment Board. He is currently Chair of the Jersey Appointments Commission.

- **Richard Renouf - Discrimination Panel Member**

Richard Renouf trained as a barrister at the Middle Temple, London, before becoming an Advocate of the Royal Court in 1984. He practised Jersey law for the next 30 years as a sole practitioner and later in partnership, specialising in private client work and property and succession law.

Among various honorary positions, he served for 10 years as a committee member, and later Treasurer, of the Law Society of Jersey, and for 9 years as a Procureur du Bien Public in St Ouen. He also served as the Deputy Chair, and subsequently Chair, of the States of Jersey Complaints Board from 2004 to 2014 where he gained experience of reaching decisions in collaboration with other members of a panel.

In 2014 he was elected as Deputy of St Ouen and appointed to serve as Chair of the Health and Social Security Scrutiny Panel. He was re-elected in 2018 and served as Minister of Health and Social Services until 2022 when he retired from political life.

- **Alison Brown – Discrimination Panel Member**

Alison was born in England and was appointed as a Solicitor of the Supreme Court of England and Wales in 1981. Alison practised Law in Yorkshire becoming a partner of a high street practice dealing with all personal Law matters. Alison has always been involved with contentious matters including employment.

During this time Alison and her husband started a specialised heavy goods vehicle recovery business which ultimately had four locations and employed in excess of 12 people.

In her role as a partner of a legal firm and the owner of a business Alison has managed contracts, staff disputes and redundancy.

In 2004 Alison moved with her family to Jersey, and after working for local firms as an English Solicitor, in 2016 was called to the Jersey Bar as an Advocate. Alison undertook a varied case load including matters before the Employment Tribunal, Alison has always specialised in family and criminal work; being accredited to the Children Panel and Criminal Panel of the Jersey Law Society before retiring in 2023.

Alison was an elected parent governor at Jersey College for Girls for 6 years. Alison retired in 2023 but remains an accredited family mediator with Jersey Family Mediation. Alison's Quaker faith has instilled respect for all people and to value diversity.

- **Allana Binnie - Discrimination Panel Member**

Advocate Allana Binnie was called to the Bar of England and Wales in 2011 (currently non-practising) and became an Advocate of the Royal Court in 2019. Advocate Binnie works at Mourant as a Senior Associate in the Private Client Litigation department where she specialises in criminal defence and family law

matters including separation and divorce as well as children and public law children work involving the Children's Service. Much of her work has a crossover with mental health matters.

Advocate Binnie regularly appears before the Jersey Courts at all levels and has been involved in a number of significant cases and appeals. Advocate Binnie has also spent time assisting with historical child abuse inquiries in Jersey and Australia, having lived there for two years before returning to Jersey. Advocate Binnie has a longstanding passion for equality and fairness which she seeks to facilitate in her day-to-day role as well as in her membership of the Mourant Socio-Economic Committee.

### **Financial and staffing implications**

There are no financial or staffing implications arising from this Report. Members of the Employment and Discrimination Tribunal are remunerated from the budget of the Judicial Greffier.

### **Children's Rights Impact Assessment**

A Children's Rights Impact Assessment (CRIA) has not been prepared in relation to this proposition as a CRIA is not required, in accordance with Schedule 2 to the [Children \(Convention Rights\) \(Jersey\) Law 2022](#).