

3.13 Deputy R. Labey of the Minister for Education regarding an assurance that no reprisals would follow from staff members of Highlands College raising concerns about management practices with their elected representatives: [1(453)]

Will the Minister provide a categorical assurance that no reprisals or “witch hunts” will follow from staff members of Highlands College raising concerns about current management practices with their elected representatives; will he intervene personally, if necessary, to ensure that this does not happen and can he assure me that I can continue to raise the concerns of staff with him free of the fear of blame being attached?

Deputy R.G. Bryans of St. Helier (The Minister for Education):

The short answer to the Deputy will be: yes, yes and yes. A slightly longer answer is: I would like to assure all Members of the Assembly that the well-being of staff working in all our schools, and specifically Highlands College, is of prime concern for me and my team of officers at the Education Department. We take any concern which we are made aware of very seriously and I am pleased to say that the States of Jersey has robust policies and procedures in place for dealing with issues raised by staff and there is a central case management team to support this process. Equally, I spoke to the Deputy at the end of the last Assembly to assure him that I would intervene personally; I have already begun that process. I spoke, along with my chief officer, to the union representative who I mentioned last time, and all of that is being taken forward.

3.13.1 Deputy R. Labey:

I raised the question because at a meeting last week of middle and junior management, the finger of blame was being attributed for my questions to a recently-departed, long-serving member of staff. I have never met the woman or had any contact with her. Prior to that same meeting, staff were asked to look at a video produced by the global arm of the Church of Scientology which was a lesson in how to identify “destructive staff” for their expulsion which runs contrary to any proper management procedures. What on earth is the justification for sending them such a video?

Deputy R.G. Bryans:

I cannot speak for the individual concerned because, as the Deputy might know, Highlands College is now broken up. It broke up at the end of last week and I have not had a chance or an opportunity to speak to the particular individual the Deputy is talking about. He did send me the link last night and I had a look at it. In context, I think it is a very poorly, clumsy attempt at some sort of management training. I did not realise the link to Scientology. I think there is a reference to L. Ron Hubbard in there but I think it was sent to the staff prior to a meeting as a kind of a catalyst or provocation to engage in a bigger conversation.

3.13.2 Deputy G.P. Southern:

The essential issue here is where a complaint or grievance arises among Education staff or other staff, where is the independent adjudication that they can turn to to have their grievance explored and explained?

Deputy R.G. Bryans:

Every panel that is constructed, as I understand it, and this is with reference to our H.R. (Human Resources) Department, will always have an independent panel member. It is the same when I run the appeals for the schools and the admissions. We always have independent panel members on those panels.

3.13.3 Deputy G.P. Southern:

Does it have only independent members or is it a mixture of independent members and members of his staff?

Deputy R.G. Bryans:

The Deputy is quite correct, it has members of our senior management team. This has been the process for quite a long time now but, like I say, there is always an independent panel member within that appeal panel.

[11:30]

3.13.4 Deputy J. M. Maçon:

Does the Minister acknowledge that this seems to be symptomatic of what the Jersey Care Inquiry referred to about the cultural approach of when concerns are raised with how management deal with these things? So, is it not good enough just to say, while a witch hunt will not be held against these individuals, it is the other aspects of career progression, advancement, those types of things for those people who express concerns going forward and what protection can the Minister put in place for those individuals?

Deputy R.G. Bryans:

I am not quite sure what he is inferring but in terms of the procedures, if somebody were to raise a complaint relating to bullying or harassment or anything, that is not then logged as a black mark against them. I would not think it is part of our department nor the H.R. policy to do that. I think genuinely I believe that if people have concerns, they raise it, it is met with a panel and those concerns are dealt with; they are not placed in any different place.

3.13.5 The Deputy of St. John:

This is not the first case I have seen with regards to Education. Would the Minister agree that the practices that are in place are very bureaucratic and extremely long-winded in terms of dealing with the situations? If the Minister's and the department's primary concern is the well-being of their staff, will he look at how we can streamline this process and ensure these people feel like they are able to talk to the appropriate people in order to resolve the issues at hand?

Deputy R.G. Bryans:

Again, the short answer will be, yes. But to articulate it, I am not sure about the reference the Deputy refers to when she talks about bureaucracy. As far as I am concerned, if people raise complaints regarding bullying or harassment - and I hate both of those things in any form from any level of anything to do with Education - they will be looked at and considered. As far as I am aware, there is no bureaucracy in place. As soon as a complaint has been logged, it is then part of our process to make sure that a panel is contrived to address that problem.

3.13.6 The Deputy of St. John:

A supplementary? When I refer to bureaucracy, I refer specifically to the fact that the Minister has just stated that once a complaint is made it is logged, but there is a difference between what complaint is made and a formal complaint. Would he not agree with that and the fact that members of staff are not getting the appropriate training for bullying and harassment and grievance so that they feel fully supported in order to follow through the processes?

Deputy R.G. Bryans:

Yes, I think the Deputy is referring to the different levels of complaint. Genuinely, if a member of staff feels bullied or harassed, they can take it to any level they like. I provided to Deputy Labey the printouts you can receive that are available on the States website to follow that

procedure through. I think the training is in place. I am surprised that the Deputy feels that it is not but I will certainly look at that. Thank you.

3.13.7 Deputy R. Labey:

That printout of whistle-blowing procedure is irrelevant if members of staff instigating grievance procedures against senior management for bullying and harassment ultimately have their future decided by a panel upon which the Education Department's Director of Inclusion and Family is sitting. We are not talking about individual cases here. I have tried to get from the Minister for him to admit that that has been the policy. My understanding is that that policy has changed, is that correct? Because if that policy is continuing, it is simply unjust.

Deputy R.G. Bryans:

The Deputy is quite right, that was the policy. But again, I would reiterate, as I did to Deputy Southern, there is an independent panel member on that and there is a right of appeal but the policy, I believe, is changing. This is an H.R. policy; it is not directly related to ourselves as a department but I believe it is changing. I have been advised that that is under review.

The Bailiff:

That brings that part of question time to an end. We have in fact finished 6 minutes earlier than expected. So to Senator Ferguson, can I just say I am sorry I cut you off with the supplementary you wanted, but I did not realise that question 12 which followed would be dealt with in 2 minutes, so these things do happen.

Senator S.C. Ferguson:

Cut me off in my prime, Sir.

The Bailiff:

I know but it is like being cut off at the knees, I suppose, which we had from a former Deputy of St. John, but there you go.