



Children, Education and Home Affairs Scrutiny

Panel

Quarterly Hearing

Witness: Assistant Minister for Education and Children

Monday, 14th June 2021

Panel:

Deputy R.J. Ward of St. Helier (Chair)

Deputy L.M.C. Doublet of St. Saviour (Vice-Chair)

Senator T.A. Vallois

Deputy M.R. Higgins of St. Helier

Witnesses:

Deputy S.M. Wickenden of St. Helier, Assistant Minister for Children and Education (1)

Deputy T. Pointon of St. Helier, Assistant Minister for Children and Education (2)

Mr. M. Rogers, Director General, C.Y.P.E.S.

Mr. S. O'Regan, Group Director, Education

Ms. M. Moffat, Senior Policy Officer, S.P.P.P.

Mr. M. Owers, Director, Safeguarding and Care

Ms. S. Devlin, Group Director, Integrated Services and Commissioning

Ms. J. Lancaster-Adlam, Head of Inclusion

Ms. D. Raffio, Head of Commissioning, C.Y.P.E.S.

Mr. D. Bowring, Head of Children's Health and Well-being

[10:03]

Deputy R.J. Ward of St. Helier (Chair):

Good morning, everybody, and welcome to the quarterly hearing for the remit for children from the Children, Education and Home Affairs Panel with the Acting Minister and officers. I will start with some introductions. I am Deputy Robert Ward and I chair the panel. With me in the room is ...

Senator T.A. Vallois:

Senator Tracey Vallois, a member of the panel.

Deputy L.M.C. Doublet of St. Saviour (Vice-Chair):

Deputy Louise Doublet, vice chair of the panel. Good morning, everybody.

Assistant Minister for Children and Education (1):

Good morning, I will start off on our side I guess. I am Deputy Scott Wickenden. I am currently the Assistant Education and Children's Minister.

Deputy M.R. Higgins of St. Helier:

It is Deputy Mike Higgins, a member of the panel.

Assistant Minister for Education and Children (2):

I am Deputy Trevor Pointon, Deputy for St. John, and I am also an Assistant Minister for Education and Children.

Director General, C.Y.P.E.S.:

Good morning, Mark Rogers, and I am the director general for C.Y.P.E.S. (Children, Young People, Education and Skills).

Senior Policy Officer, S.P.P.P.:

Good morning, I am Michelle Moffat. I am a senior policy officer working within S.P.P.P. (Strategic Policy, Planning and Performance).

Director, Safeguarding and Care:

Good morning. I am Mark Owers, director of Safeguarding and Care.

Group Director, Integrated Services and Commissioning:

Morning, Susan Devlin, group director, Integrated Services and Commissioning.

Group Director, Education:

Good morning, Sean O'Regan, group director, Education.

Head of Inclusion:

Good morning, Jane Lancaster-Adlam, head of Inclusion.

Head of Commissioning, C.Y.P.E.S.:

Good morning, Daniel Raffio, head of commissioning, C.Y.P.E.S.

Head of Children's Health and Well-being:

Good morning, Darren Bowring, head of Children's Health and Well-being.

Deputy R.J. Ward:

Excellent, that is everybody. Welcome to what is referred to as a hybrid meeting, so we have some people in person, which is nice to see, and some people online. To start with, I will start the questions off. Regards to care leavers' package and children in care; Minister, could you briefly update us regarding the progress of the work in relation to the care leavers' package and where we are with that?

Assistant Minister for Children and Education (1):

The Independent Care Homes Association report finalised and published the recommendations of the report. This report will be included in the new Children's Home Improvement. What we are doing at the moment, we are continuing to improve the intensive foster caring package that has been going. We have got 2 new intensive foster carers. We have got one child that has been placed now within intensive foster caring. We are supporting 70 care leavers, all of which are offering varying degrees depending on their needs. Over the past 3 months we have been developing the care leaver's accommodation to help support the transitioning from care to independence, those leaving the Island to further their education and needs providing mostly accommodation, if required. I can hand over to Mark Owers, if you would like to get more in-depth about what is going on.

Deputy R.J. Ward:

As much as anything, we sort of know about the structure of the programme. It is question of the date. We are at a stage of the day-to-day working of it and how successful that has been. Let me give you a context. In the last hearing we had, the panel raised concerns that the care leavers' offer had not been actively promoted and there is a concern regarding the process for accessing the offer and the funds, most importantly, and whether the process has been thought through properly. Part of that is, as soon as you start working with something you see the gaps, do you not? Wherever best laid plans and so on and so forth start working you think: "Okay, there are a few gaps and it has not worked as well." Where are we in terms of what it is working and the practicality? Have you identified any of those gaps and any improvements that have been necessary?

Assistant Minister for Children and Education (1):

Let me hand over to Mark on that one please.

Director, Safeguarding and Care:

I think the headline is in April 2020 we were only working with 35 care leavers and a year later, today, we are working with 70 care leavers. That is an increase of over 100 per cent and essentially that is because we have raised awareness of the offer and we have actively engaged all of those young people that we had records on, that we have been able to follow up and provide them with the information of the offer. I think that, in itself, stands on its own in terms of progress. We meet regularly with our colleagues from across government, particularly C.L.S. (Customer and Local Services), Student Finance and Andium, in the way that we are understanding what is working and what some of the obstacles are. It is clear that there are some legislative obstacles and we are preparing that work for the Minister to bring forward to the Assembly so we can prioritise how we can change those.

Deputy R.J. Ward:

What do you mean by “legislative obstacles”?

Director, Safeguarding and Care:

For example, we had a care leaver who has successfully secured a place in university to do a social work degree and she lives in Andium accommodation on-Island. So the way in which we are able to fund her on-Island home and the way in which we are able to fund her student accommodation at the same time, is a problem for us at the moment because of housing stock and because other people are on the waiting list. But as the pandemic has very clearly shown, young people need to be able to come home from university and they should and deserve a home. So the way in which our benefit system is set up at the moment, we cannot have an Andium flat left empty and so we need to work creatively around how we do that. Mark Rogers, as the accounting officer for the department, can authorise the funding and so we can pay for both. But essentially we, at the moment, are unable to provide a benefit. That is done by C.L.S. So the way in which we have to transfer the money and the speed with which we can do that and the way in which we make an exception is a clunky way of trying to support some of our most vulnerable young people. That I think is quite a good example.

Deputy R.J. Ward:

That is a very good example. It shows there is still a bit of bureaucracy in a way, is it not, which is exactly what we ...

Director, Safeguarding and Care:

And the young person has done remarkably well under difficult circumstances to secure a place on a degree course. We should be supporting her 100 per cent.

Deputy R.J. Ward:

Totally agree.

Senator T.A. Vallois:

Can I just follow up? Will there be consideration from ... I suppose you cannot really answer this because it will be a Minister's consideration, but in the true meaning of OneGov and working with Government as a whole, consideration changes income support legislation to recognise these care leavers?

Director, Safeguarding and Care:

That is the paper we need to bring forward in terms of what the policy development and changes to law need to look like and that would be one of those such examples.

Deputy R.J. Ward:

Is that happening? Because the last thing we want to do is someone to miss an opportunity to really build their lives because of some nonsensical bureaucratic issue which needs to be solved. We know how long these things take to solve.

Assistant Minister for Children and Education (1):

Can I answer that please, Mark? Mark made me aware of this on Friday. I went and visited Liberte House and saw all of the amazing staff that work in this area. He raised this with me on Friday. I have a note in my diary, I want to get C.L.S., Andium and us together and start sorting this out. I am not going to mess around with this one. We need to break past the bureaucracy and I am committed to making sure that we do that and get everyone in a room and get this in the right place. It is not good enough. We do have OneGov. I think it should be important to get everyone in the right place and I am committed to do that, Chair.

Deputy R.J. Ward:

That is good. In terms of the care leavers' offer itself, and access to it, do you think care leavers do understand what is available to them and it is clear how to access that support? I thought back about this and those basic things of just that support. I think the university accommodation one is a really good example. If you have got to come back where are you going to come back to? I know that is certainly an issue people face if they are not living at home. Do you think that support is clear now because there was some issue with the clarity of it? It is a criticism in its true sense. It is not saying: "You have done it all wrong." I ask again, as I did at the beginning, have you come up with

any issues with this scheme that you thought: "This could have been done better?" The one you give is a good example. Are there any others so that we can be confident that this offer is working, effectively?

Director, Safeguarding and Care:

We were clear as officers that this was an entry level offer when we launched it and we knew when we launched it that all of the legislation and the policy and the support was not in place. What we wanted to do was just to start somewhere because for too long we had not had any kind of formal offer. It is fair to say, Deputy, that we could not say that. So there was some initial confusion and the take-up was lower than expected initially. But what we have done with our 5 personal advisers, the P.A.s, and the new lead, who has many years experience of supported accommodation and understands the care leaving lives from a 24/7 caring perspective, we have developed a relationship-based approach with the 70 young people that we are working with. Essentially what the P.A.s do, together with adult services, is we problem solve on a case-by-case basis. So we come across any number of obstacles every day and it is the P.A.s job to help navigate them to find a fix and a workaround. As we go we are logging those so that we can understand which problems need solving in what way with what priority.

[10:15]

Deputy R.J. Ward:

Are they being built into the system as you go? Hindsight is a wonderful thing, I am not saying that but I am saying if you identify as you think: "Okay, we can build those in." For example, perhaps somebody would want to stay in their university accommodation during the holidays. They may find themselves a part-time job in the U.K. (United Kingdom), for example, the pandemic aside. We have to say "pandemic aside" at the moment because we are looking long term for this care leavers' offer. So if somebody find themselves a job in the U.K. and says: "It is more beneficial for me to stay and work, build a group of friends, et cetera" they may even be doing some sort of placement for a post like social work, you never know. The facility is there to say: "Okay, we will keep your accommodation going for you" as a family would, and we are a corporate family. This is the way I see this: what would I do with my children? I would say, somehow, I would find the rent for them. I have been through that a few times, but anyway. Is that being built into the system?

Director, Safeguarding and Care:

It is and I am pleased to say that Mark Rogers, as the director general, is quite heavily involved on a day-to-day basis because sometimes we have to make decisions quickly and, as the accounting officer, Mark is able to do that. We all recognise that we are at the start of a journey here and there are lots of things that need to be put in place to iron out some of the issues. Thankfully our numbers

are small and will always be small. We see our care-leaving numbers small; a third of our children in care are over 16. So of the 70 or so children that are in care today there will be care leavers. So we know that we are going to have bigger numbers. But it is about individual need. It is on a case-by-case basis and day-to-day. As you know yourself, teenagers alike could change very quickly. We have exceptions in place so we have, as well as the offer, a panel which essentially allows us to exercise our discretion and the whole approach is to zone young people in, not to zone them out.

Deputy R.J. Ward:

I think it is that consistency. If you are relying on a - I will word this carefully because I do not want it to sound wrong - people are very well-meaning and people's hearts are in the right place and they want to get it right. I get that. Absolutely get that. But when you rely on an individual there is not the level of consistency as if a mechanism that you know can work and a care leavers' offer should have a basis whereas everyone knows where they are. A family offer is they know their parents will support them, even when they get it wrong. It is not sort of an individual case-by-case basis as a parent where: "I will or I will not. Let us just do it anyway." Is that being considered? I know it is difficult but is that mechanism, do you think, being built? Have you got evidence to say: "We can see improvements in the way this is working?"

Director, Safeguarding and Care:

We have got evidence and seeing improvement. We are applying systematic approach from all of the policies that need to be developed and agreed across the partnership, the way in which we focus on performance on a monthly basis through the Care Leavers' Outcome Board, which all lead officers attend from across government departments. So there is a focus on the number of young people who are coming through. For example, we share on a systematic basis with an information sharing agreement the list of young people who are in care with C.L.S. so they can look at the pathway planning around employment.

Deputy R.J. Ward:

Do you have communication with those who advocate for care leavers and care leavers themselves and include them in those discussions on those boards? Because with the best will in the world you may say: "We can see this is working. This works really good. It looks really good on paper" and then there is something practical. I am trying to think of an example and for the life of me I cannot. I do not know. When somebody suggests: "I had to wait 2 weeks for that payment to happen and in the meantime I was in a really difficult position and I had to sleep on someone's sofa." Just for an example. I just made that one up. But do you know that practicality of a mechanism? I think it is really important to people who are experiencing that.

Director General, C.Y.P.E.S.

I think it is an iterative process. Mark has explained, we had an important starting point but I do not think we thought that not only was it entry level and therefore we expect to build on it but also I do not think we thought it would work perfectly from day one and we are clear that it did not. But I guess there are 2 or 3 points that I probably want to make at this juncture. The first is we will be as clear as we can on the offer, now and in the future, and we will build it but, equal to that ... so it is a bit like having a menu. But equally important to that are the choices that are then made. That is where the P.A. role is crucial really. We staffed up the P.A.s a little bit after the offer was first launched. There was a phasing issue, if you like, that did not help anybody, which I think we have now overcome. My first 2 points are really: we have got an entry offer. We want it to be a gold standard offer really in time, but it will always be subject to interpretation and that interpretation is enabled by the P.A.s. I think it is really important that you cannot lock everything down. The other bit I would say, we are, at the same time, also developing better and better joint working, whether it is with the Children's Commissioner, sometimes it is with Jersey Cares, sometimes it might be with another ... young people will choose if it is comfortable to support rather than advocating for them. But there is a lot more of that joint working going on now and I think we are teasing things out. While I obviously do not want to ... names of young people personally I might be involved in, I am really clear just this week there has been some important dialogue between Government officials and Jersey Cares about 2 young people who between us we want to work out how to be as flexible as we can. Some of that flexibility comes down to responsibilities that Ministers hold because, as you discussed a little bit earlier on, some of the decisions we need to make, others do not have a basis in law at all so there is no law to have to work out how to get there. Sometimes there is a piece of legislation where we have to put best interest and we do not break the law but we work out the best way, I guess, of navigating round it. Sometimes that will involve ministerial input along the way. I think it is just complicated by the fact that you cannot have a standardised offer because that then is disrespectful to our youngsters, is it not, who think we ...

Deputy R.J. Ward:

I suppose I am thinking it is a bit like rights. You have a set of rights. You have a set of expectations as a member of our community being brought up in care and corporate parenting you can expect to happen. What that looks like may be different but the rights are there. I think that is clear. I am conscious of time, we have so much to get through ...

Director General, C.Y.P.E.S.:

Can I reinforce something that you said a little earlier? That is absolutely right and I think quite often we are very focused on rights, and correctly so. But you used the most important phrase that anyone can use about our youngsters; first of all that there are youngsters, that is the most important bit. But is what we are doing good enough if they were literally our youngsters. That is not enshrined in legislation. But for me it is the most important phrase that anyone can use in this situation because

you use your heart and your mind with your own children or your relatives' children or your friends' children, do you not, and really that is the culture we are trying to inculcate, which is here is an offer, here is a set of P.A.s, here is a set of young people but really what is guiding all of that is: "What would I do if that was my son or daughter or my best friend's son or daughter?"

Deputy R.J. Ward:

I am glad that you picked that up as well. I would ask the Minister: how far do you think that we are getting with that development of that culture in our care, not just for care leavers but for children in general? If we treat them as we would our own children then there is a nice baseline there for us to work from.

Assistant Minister for Children and Education (1):

When we said we are going to put children first all of our officers and ourselves have taken that to heart. We are custodians and guardians of all children in this Island and I think the services really are taking that into place. What would I do if it was my child? How would I deal with the situation? I see that and when I went round Liberte House on Friday I saw that from all of the staff. I think we are getting there. I think it is a baseline that has been created through our putting children first pledge, which was clearly the right thing to do. It has filtered down through the organisation.

Deputy R.J. Ward:

We may come back to that. A couple of quick things before we move on. With regards to children in care, is there statistical data to demonstrate how often children in care move from home to another?

Assistant Minister for Children and Education (1):

Yes, there is.

Deputy R.J. Ward:

Is there a consistency there? Would you consider there to be a consistency there or do we still have an issue with children moving too often?

Director, Safeguarding and Care:

So our placement stability ... sorry.

Deputy R.J. Ward:

That is the phrase.

Director, Safeguarding and Care:

Our placement stability has generally been good and when you compare it with the benchmark of England our placement stability is better both over a 12-month period and those that have been in the same placement for 2 years or more. There has been a slight drop this quarter, which because our numbers thankfully again are quite small. We have had one young person had a planned move from a children's residential home to a semi-independent home as part of their pathway plan. So the placement stability figures on their own just tell you a child has moved. It does not tell you whether that was a positive move or a negative move. Another young person moved into residential setting due to a breakdown in the connected carer relationship. So again we brought them into care and moved them because their placement had broken down. We have also brought one young person back from England, which is a really good story, in that we were able to bring her back to the Island. The off-Island children, since I have been in post, has reduced from 24 to 17 and we have plans to bring others that can come home. But she had to go to Les Ormes first to isolate, with a staff team around her, for 14 days and then she had to move into one of our children's homes. So that counts as 3 moves because she moved from Scotland to Jersey, Les Ormes and then to a children's home. Our numbers have fallen but they are positive moves.

Deputy R.J. Ward:

We talked about putting children first and we do so a lot. One of the areas in which we can highlight that is in child rights impact assessments. Minister, could you briefly update us regarding any C.R.I.A.s. - if I can use that terminology, meaning child rights impact assessments, just a bit of a mouthful - number taken to date?

Assistant Minister for Children and Education (1):

I can give you some really good news stories about C.R.I.A.s, which is the due regard law. Michelle, who is in the room with you, has been working on the due regard law, which will set out ... if I am the Minister by the end of the year I will be bringing forward this legislation by 8th October, so the first week of October. The due regard law sets out that all legislation that goes forward has to have a C.R.I.A. So it will be a legal requirement that a C.R.I.A. is put in place for every law change that is brought to the Assembly, which sets out that we are putting children first. We are looking at the impact of children at the very base of everything that we do going forward. We are doing it before the next elections so that when the new Assembly, whoever is elected, goes into place it is the default for what is going on. Michelle can give you a bit more information on what that looks like, if that is okay, Chair.

Deputy R.J. Ward:

Yes, briefly. I think we have talked about this before.

Senior Policy Officer, S.P.P.P.:

We have.

Deputy R.J. Ward:

The date of the law is good.

Senior Policy Officer, S.P.P.P.:

Yes, I think we have made a little bit of time recovery. The legislation, as is currently underway being drafted, it is not a very long piece of legislation but it is very technical. As the Deputy quite correctly described, we are looking to apply a statutory requirement for a C.R.I.A., so every piece of legislation that is debated by the Assembly, but that also extends to every proposition and amendment, and also very key pieces of policy connected with funding through the Government Plan. There are a number of ways in which we will capture the key decisions that are made both by the Assembly and through ministerial government that a C.R.I.A. will be applied to. I think some of your questioning, if I could pick that up, was about what we have already done and what is happening now. We are aware that there are a number of C.R.I.A.s that have been developed by Back-Bench or non-Executive Members of the Assembly. I have a list of around 5 that I am aware of, there may be more. I think there are some persons in the room who were heavily ... Also I think I would like to signpost a very significant piece of work undertaken by colleagues with regard to a C.R.I.A. that was done on the bridging Island Plan that I know you will be debating shortly. That is a really substantial piece of work and I think sets the tone and the quality of what we would like to achieve going forward. The current status with C.R.I.A. is that we are in a pilot phase that has been endorsed by the Council of Ministers. So as legislation is being drafted, as the final format and template for C.R.I.A. is being developed and agreed and finalised, we are in a stage of discovery and everyone has an opportunity to learn about what that process feels like, what more support and training they might need, and how fit for purpose those questions are for the Jersey environment.

[10:30]

We are always conscious that we cannot just take something from another jurisdiction and plant it in Jersey and it will be fine. We do need to make refinements. That said, a decision was made to switch mid-pilot essentially from a template that had been developed within our department to one that has been developed by the European Network Ombudspersons for Children or E.N.O.C., which is also easier to say, and the E.N.O.C. resources have been tested with children across around 30 countries in the European bloc because they made it their theme last year. I went to their conference digitally, due to COVID, in the autumn. That will allow ourselves a jurisdiction to benchmark against other C.R.I.A. following areas where they are using the same documentation. So we have not yet decided or concluded if that will be the model that is under the law but it is the one that has been adopted, and you may have already seen, as part of this pilot phase.

Deputy R.J. Ward:

That is good but it is about the practicality of it actually happening, why we are having to wait. What leadership has been demonstrated by the Council of Ministers regarding C.R.I.A.s, in the Assistant Minister's opinion, and has there been any leadership with the actual practical production that - the bridging Island Plan aside - was attached to the proposition?

Assistant Minister for Children and Education (1):

I think the idea is in the Council of Ministers obviously every Minister looks at their own portfolio and tries to put forward what is going on. The importance of creating a children's ministry is that when I am in the Council of Ministers under that role at the moment that I have to think about C.R.I.A.s and I have to think about children, and I need to challenge officers and Ministers alike on how does this affect children. That is really the focus. I would say that it is my role at the moment to make sure that we are putting children first, that we are talking about it, and that it is raised within the Council of Ministers.

Deputy R.J. Ward:

It is talked about but do you feel that more of them should have been produced already by Ministers for pieces of legislation and propositions that have been brought forward?

Assistant Minister for Children and Education (1):

Yes, I do. I really do think more should be done. The one thing that we are doing in this due regard law is we are going to make sure it is digital first. All the law officers are under training. We are going to have a website set up so that all elective representatives and lawmakers will be able to go through a C.R.I.A. in a digital format, which is easy to use and goes down the right questions. But your question is: should we have done more over the year? I think that the Back-Benchers and yourself and Deputy Doublet, and the likes, have led the charge absolutely with doing C.R.I.A.s and bringing them forward to the Assembly. We should have done more; you are absolutely right, Chair.

Deputy R.J. Ward:

Can I ask you, to follow on from that, what weight do you feel that the C.R.I.A.s hold when they are produced for the Council of Ministers and for other Members of the Assembly?

Assistant Minister for Children and Education (1):

I think everyone is going to have to answer that question themselves. I think that they put great weight on the propositions that have been brought forward in the Assembly but every elective representative is going to have to have their own view on whether they feel that it gives strength to a proposition. I feel that it did in all the ones that I have seen.

Deputy R.J. Ward:

Do you think that that is discussed enough in terms of the weight that was put to them in the Council of Ministers? I know that Deputy Doublet has a question and she would like to look into that.

Deputy L.M.C. Doublet:

Yes, thank you. It is just to build on the questions that you are asking, Chair, and it is something that I asked Senator Mézec when he was in the role. So the original intention behind my original proposition, which led to the due regard model that is being introduced, was culture change within the States Assembly and within the Council of Ministers. So I wanted to get the Acting Minister's view on whether he sees that that culture change has taken place, what stage is it at and how much further does he think it needs to go?

Assistant Minister for Children and Education (1):

So, Deputy, has it given enough strength so far? I think the due regard is going to be the really important bit. Once we have brought this law in and then it is the default for the new Assembly, I think the strength really will be there. On the back of your proposition on what we are doing with due regard, it will start that culture change. Is it here today? No, Deputy, it is not yet but I think that you set the wheels in motion to move forward to make sure that the default will be making sure that we do C.R.I.A.s, that we think about children and we move forward and I think we can expand on that as well. We need to start looking at other areas with this due regard law. We need to start looking at disability for children. One of the pieces of work I am doing with the Jersey Information Board is something called "K Law", which is a website that sets out laws in a way that children can understand them and that parents can understand them. I think we need to make sure that is done by default as well. So the answer to your question: "Has it gone far enough yet?" is no, but I do think that we are going in the right direction with this due regard law.

Deputy R.J. Ward:

Thanks for that and, Deputy Doublet, that is good timing because I think you are going to take up some of the questions now on the U.N.C.R.C. (United Nations Convention on the Rights of the Child) work.

Deputy L.M.C. Doublet:

I think some of it has been covered under the previous questioning but if there are any further updates on anticipated legislation in this area, perhaps we could have that now please.

Assistant Minister for Children and Education (1):

Deputy, I think Michelle can give you plenty more that goes on where we are heading with the U.N.C.R.C.

Senior Policy Officer, S.P.P.P.:

Deputy, if I could just clarify the question. I can talk a little bit further about the legislation itself or we can also talk about the periodic reporting cycle that we are now partway through and so the Jersey Government is responding to the list of issues prior to reporting from Geneva. I do not know if you would like to pick up one of those in particular.

Deputy L.M.C. Doublet:

The latter please.

Senior Policy Officer, S.P.P.P.:

Okay, so as you will be aware, the United Nations Convention on the Rights of the Child places a responsibility on state parties to provide or participate in the reporting cycle that happens approximately once every 5 years. We know that that will run for the U.K. from February 2021 to 2022 and is co-ordinated by the Department for Education, and so the state party for clarify includes all of the Crown Dependencies, of which of course we are one, the Overseas Territories and the devolved administrations of the U.K. So we are a very large and very disparate state authority. A list of issues prior to reporting is developed on the input of civic society organisations including our own Children's Commissioner. I believe it was about 27 organisations submitted their thoughts about what was important in their local areas or the countries and jurisdictions that they represent that informed that set of questions and those were shared from the U.N. (United Nations) Committee to the U.K. state party in February. We are now being asked to respond to a number of those issues, so we have been asked both for disaggregated data reports and around 65 narrative issue-based reports and that has been disseminated through the Government of Jersey. The directors general are taking the lead on areas that have been allocated to them. Those templates are being completed now and will be then consolidated. We will be briefing the Minister for Children and Education and the Minister for External Relations and Financial Services in more detail before those are returned. There is then a drafting process whereby all of the elements of the state parties' contributions are drafted into the final U.K. report, which goes back to the U.N. in February of next year before we have our constructive dialogue probably in the autumn of 2022. So there is an enormous amount of work happening right across States departments and it will stretch out into society and our partners because some of those children's rights issues that have been highlighted in the L.O.I.P.R. (List of Issues Prior to Reporting) of course are not just about what departments are providing but the experiences of children in Jersey. So we have disseminated that and are anticipating those reports back by the end of the month for consolidation in early July. I hope that gives a highlight and a flavour of what is happening behind the scenes.

Deputy L.M.C. Doublet:

Thank you. It sounds like there is a lot of work going on and it brought to mind the training that was being disseminated across the States as a workforce. Has that now been completed in each of the departments?

Senior Policy Officer, S.P.P.P.:

So the information I can give you, and I think my figures are correct as of Thursday of last week, 2,600 public sectors workers have completed the children's rights awareness module and there are about a further 400 who are in progress at the present time, so we have nearly reached 50 per cent of the entire workforce. I think that is very positive for a piece of eLearning that we only launched in late February. As I think we have gone through in previous quarterly hearings, that is intended as a foundation and not the ultimate piece of training. So ahead the due regard law being both debated and enacted next year, there will be further training made available but we will specifically speak to the needs of officers working in particular roles, if some are front-facing. Others, like myself, are involved in policy development. Others are working in drafting laws. They will need bespoke inputs. We are working alongside the development of that legislation on a business case for the resources to fully implement and realise its ambition. I think that funding and the release of potentially additional resources, budget and potentially some additional roles will help land that as best as possible and speak to those training pieces that build on that foundation that so many people have already completed.

Deputy L.M.C. Doublet:

Thank you. Could you elaborate on that additional funding you just mentioned please?

Senior Policy Officer, S.P.P.P.:

So we do not yet have an answer to it. We have been asked to provide the details of what good implementation for the model of the law as is currently drafted would look like, so that includes a number of functions. One would be the Deputy has spoken to the Assistant Minister with regard to a digital by default platform. That will need somebody with technical administration rights to sit behind and support the use of that service, so that will be one role. We believe there would be a requirement around some informatics capability. The U.N. Committee is very clear that in realising children's rights, we need to know more and therefore our data collection needs to be enhanced at every opportunity. So that might be building on data collection for children. There is also a training and development opportunity involved in that and potentially also a specialised policy advice role. So we are going to take forward a business case for that along with some operating budget, and that is yet to be considered. The difficulty we have of course is that we are fitting that model to a law that has not yet been approved and so we need to have the law debate. Then secure the funding

on what we know is going to be implemented because of course the Assembly has the absolute right to amend that law as is brought forward later this year.

Deputy L.M.C. Doublet:

Thank you. That business case you mentioned, will that be a bid as part of the Government Plan?

Senior Policy Officer, S.P.P.P.:

Not this year. We are too late in the cycle. My understanding - and more senior officers would have to potentially correct me - is that we could potentially look at the Government Plan next year. Any money that we need much more immediately might be through reserves because of simply the timing in the year because the Government Plan will have essentially been finalised and lodged before we have debated the due regard laws.

Deputy L.M.C. Doublet:

Okay, thank you, and just on the timing of the due regard law. I think at the previous hearing, we were informed that the lodging date would be around October for debate before the end of this year so apologies if I have missed this date. Could you just clarify the timeline for that please?

Senior Policy Officer, S.P.P.P.:

What you have said is completely correct.

Deputy L.M.C. Doublet:

Okay, wonderful, thank you.

Deputy R.J. Ward:

Sorry, Deputy, are you back up to full capacity now in terms of your staffing and they are back from their COVID work, et cetera? I do not know if you can answer that.

Director General, C.Y.P.E.S.:

I think people are still doing both. I know that people are still doing both so the short answer is while people have probably scaled back a little of COVID work, on the whole, there is still quite a lot going on in the background still.

Deputy R.J. Ward:

Okay, so there could be a risk there in terms of the date for lodging, a date for enacting and a date for development of this.

Director General, C.Y.P.E.S.:

I do not know because some things are still being prioritised and some work that did get passed, not necessarily this work, over the last few months has come back online now. So I imagine, but I do not know this for sure at the moment, that both the Council of Ministers as well as the executive and legislative teams plan to take a review reasonably soon of all of the kind of policy pipeline and legislation so that the right bits get prioritised and stay on track. So at this stage, it is probably too soon to say but what I am clear about is we are still tracking COVID and non-COVID work.

Assistant Minister for Children and Education (1):

Okay, I would like to clearly say that when we start talking about prioritisation, this has to be on the top of the list, I am afraid. We have to get this in before the next election. It is too important to let it slip. I will make a fuss if anyone tries to de-prioritise it.

[10:45]

Deputy R.J. Ward:

Okay, I will ask you the nature of that fuss in a bit but Deputy Higgins has some questions which fit in nicely here on a legislative gap analysis which leads on from that. Deputy, do you want to do that?

Deputy M.R. Higgins:

Okay, we have been talking about the due regard law. Can you give us any other information about the other gaps in legislation? At the last quarterly hearing, you said that work to resolve the gaps in legislation have not commenced. Has it started now and how far have you got?

Assistant Minister for Children and Education (1):

So work is ongoing now on the legislative gap analysis that was done based on the Children's Commissioner's piece of work about where we need to change our laws to make sure that we take due regard of children in that way. We are moving forward there. Michelle knows a lot more about the details than that. I know that the work has started and we are moving forward. We are trying to get the right picture of what it looks like but, Michelle, could you expand please?

Senior Policy Officer, S.P.P.P.:

Thank you for your question, Deputy. The legislative gap analysis I think is correctly to be perceived as a snapshot in time in terms of how Jersey's legislation fitted and complies with the U.N.C.R.C. as of late last year. Obviously, over time, we will diverge from that position because what it did not take account of was legislation that was being developed and some of our policy solutions so the U.N.C.R.C. does not particularly describe that a solution has to be legislative. There are other ways of realising the rights of children. So what we have is a document that is significantly informing the

legislative programme that is being carried forward both for children and, in fact, in other areas of social policy and, in fact, the full range of government legislation. I think it has been touched on already by the director general that we are currently looking to essentially consolidate and understand the exact extent of every piece of legislative work that is currently ongoing. That has been a data capture exercise that has been supported by the Corporate Project Management Office and the Chief Minister has recently been briefed on the current pieces of legislation that are under development and those that are prioritised next, starting when resource becomes available. So that is very much about us understanding the demand that is coming both as a result of the Common Strategic Policy and recent Government Plans. Also the capacity that sits within the system certainly with respect to COVID continuing to take up both officer time and the capacity of our legislative drafters who of course have been really significantly involved in making sure we can realise our public health priorities over the last year or so. So we have some options with regard to that capacity and demand issue that are very much about the levers that we apply and about whether we slow down or expand the timeframe for a particular piece of legislation. Whether we need to bring in or commission out for additional resource or whether the initial expectation about the demand itself about whether a piece of legislation is being brought forward is the right one at this time or whether it could be reduced in complexity. So that piece of work gives a much better view for Ministers in terms of everything that is being done and how the legislative gap analysis can contribute to our understanding of where we wish to bring our legislation further in line with the U.N.C.R.C.

Deputy M.R. Higgins:

Could I just say - and I do not mean to be disrespectful - you have said a great deal there but I am no wiser about what legislation needs to be amended and brought forward or the funding for it or the time it is going to take. Can you be a bit more specific on those?

Senior Policy Officer, S.P.P.P.:

I can be specific only about the area that I am working in, which is to say that there are 2 key pieces of legislation in the terms and policy area. One is the due regard law that we talked about at great length already. Another is a significant new piece of law, the Children and Young People's Law, which will sit alongside and enhance the capacity of the 2002 Children Law, much of which was due for amendment and that has been somewhat slowed due to further considerations that were in the Children's Legislation Transformation Programme needing to be added in. So that had I think in previous hearings been addressed as an omnibus amendment to the Children's Law and is in fact now a brand new piece of legislation, and that is due to be lodged in early autumn and again for debate before the end of the year. There are other policy officers who would be able to provide a much more detailed assessment and a description of areas of family law that I am afraid I cannot say more about because I am not involved with it.

Deputy M.R. Higgins:

Thank you. Could I ask the Minister then: can you give us a paper showing what is being worked on, what is not being worked on, timescales and whether you have the funding for it please?

Assistant Minister for Children and Education (1):

I will definitely get that information over to you or we can sort out a briefing for the panel which might be worthwhile doing as well but the answer is, yes, of course I will get you any information I can.

Deputy R.J. Ward:

Senator Vallois, if you would like to pop in there. Is that okay?

Senator T.A. Vallois:

Just quickly, Assistant Minister, can you clarify who is prioritising the legislation at present and why is it not joined up with all other departments?

Assistant Minister for Children and Education (1):

S.P.P.P. will be working on all the different bits of legislation that is going on. I cannot say that I agree that things are not joined up. I think there is a priority list that goes on that is run by the Chief Minister on what needs to be done. I cannot say it is not being prioritised properly. I think that we are trying to get through the most important stuff we can, so the due regard and the Children's Law that we are setting up is work that is going on above other pieces as well so I think we are doing well.

Senator T.A. Vallois:

If I can just clarify please, Assistant Minister, I did not say that it was not being prioritised or people were not doing what was being expected of them. I was asking who was determining the prioritisation considering it is not completely all joined up yet.

Assistant Minister for Children and Education (1):

So prioritisation on policy is dealt with honestly by the Chief Minister who chooses the prioritisation. It is not done at another level.

Senator T.A. Vallois:

Thank you.

Deputy R.J. Ward:

Deputy Doublet, you have a question. I have a question but go on.

Deputy L.M.C. Doublet:

Yes, thank you. I just wanted to briefly return to what Michelle was saying. Michelle, you mentioned the resources and you said “when resource becomes available” and I just wanted to clarify: is that law drafting resource or other resources?

Senior Policy Officer, S.P.P.P.:

It would be both so it is capacity both in policy officers and the legislative drafters to work through the instructions that colleagues like myself would produce.

Deputy L.M.C. Doublet:

Okay, and, sorry, just to further clarify, I believe this was touched on before about officers who had been moved on to COVID work and we were told that they were all back working on the children's area. Is that correct? Is that what we were told?

Senior Policy Officer, S.P.P.P.:

I do not believe you were told that.

Deputy L.M.C. Doublet:

Sorry, I might have misheard.

Senior Policy Officer, S.P.P.P.:

I can certainly say a member of the team that I work within is still working full-time on COVID and is not due back, I do not believe, for some time.

Deputy L.M.C. Doublet:

Right, so when you say “when resource becomes available”, is the plan to have that person back and, if not, is there recruitment happening now for that person's position? I just want to know, and perhaps it might be the Assistant Minister that might need to answer this. I want to know what the level of urgency is around getting that resource in terms of officers in this important area.

Senior Policy Officer, S.P.P.P.:

I would be unable to comment on a staffing issue unless someone else can come in.

Director General, C.Y.P.E.S.:

So the situation at the moment will be as some staff come back online with so-called business as usual work, they will still be trying to manage 2 sets of work nonetheless and I think, if I am honest with you, most of us are still doing a combination of COVID and just trying to get back to business as usual. I do not think there will be a kind of clean separation at any point just as COVID is not

going away basically, even though it is changing in its nature and how we respond to it. I think it would be fair to say that because we are attempting to be really disciplined around the finances at the moment for all the obvious reasons that we know, the likelihood of taking on additional resource is less than potentially I think reprioritising work, if I am honest with you. Now I am not saying that that is kind of an official line out of the Council of Ministers yet or even from the E.L.T. (Executive Leadership Team) but my reading of the situation at the moment is we are going to try and team and label COVID and non-COVID work. We need to stay within our expenditure limit so that leads me to conclude that we are likely to prioritise rather than move to necessarily taking on additional resources because I am just not sure that we have the money to do so, if I am honest with you.

Deputy R.J. Ward:

Can I ask, given that answer then, if the priorities are being made by S.P.P.P. on the legislative gap analysis that will be very much linked to children, do you think that the cultural change that we talked about earlier has defused its way into S.P.P.P. and the Chief Minister and the Council of Ministers sufficiently so that they can be making, if you like, the correct decisions? That might be one for the Minister because that may be more of a political question.

Director General, C.Y.P.E.S.:

Yes, that is a much more political question.

Deputy R.J. Ward:

I was looking at you just because you were here but I think it is for you, Minister, sorry.

Assistant Minister for Children and Education (1):

I do not know if I could answer that either on the question that you have asked there. I do not know if I could say that S.P.P.P. have taken on the Putting Children First. I would hope they have but I honestly cannot answer for somebody else in that way. I think that the Council of Ministers are taking it seriously. I just do not think it is ingrained enough, as we spoke earlier, on putting children first but I do think that the Chief Minister and many of the Ministers are quite clear that the putting children first policy is fundamental to what we are doing. I cannot talk for the officers or the department.

Deputy L.M.C. Doublet:

Can I just jump in, sorry, and ask the Assistant Minister for his take on what Mark mentioned about not being able to put extra funds in at the moment for officer help? I just wondered whether, politically, are you aware that that is happening in other departments? Are there funds in other departments to enable this to happen and if there are, why not in this department and just generally for your political take on that please, whether you are in agreement or not?

Assistant Minister for Children and Education (1):

I do not know about the funds in other departments or where they are at because I only get briefed on the areas of my responsibility so I cannot answer that question, Deputy. I think that is the best I can give you is that I do not know if there are funds elsewhere right now. We are going to be going through a Government Plan soon which means that I will be able to probably find out a little bit more about that at a later date but I really cannot answer that question because I do not know, Deputy.

Deputy L.M.C. Doublet:

Could you resolve to investigate that and discuss with other Ministers, and ideally with the Chief Minister, about whether funds are being allocated in this manner in other departments and, if necessary, to fight for it within this department?

Assistant Minister for Children and Education (1):

Well, I will definitely fight for it in this department. As we go through the Government Plan, which is starting up now, I will get those details as part of the process that we go through. So I will find out whether there are monies that are being spent or allocated through Policy and Resources. So the answer is, yes, I will find out but the other answer is, yes, I will fight.

Deputy R.J. Ward:

Deputy Higgins, you had a question. You were very polite in not jumping in. Thank you. At least, this is obviously stimulating some questions so thanks again but go on.

Deputy M.R. Higgins:

I think one thing I would like to know is the impact of COVID here. We are being told you cannot do things because people are working on COVID either part-time or full-time. Can you give us an indication of how many members of staff are involved in this so we can get a measure of how involved your staff members are on COVID?

Assistant Minister for Children and Education (1):

I will have to refer to Mark Rogers on that one please.

Director General, C.Y.P.E.S.:

I think the answer to that, Deputy Higgins, is quite complicated. On one level, I could say to you that everybody is working on COVID to some degree still because it affects everything that we do every day. Clearly, there are particular service areas or particular initiatives where that will be greater or lesser so, in many ways, it depends on which particular part of the business perhaps you want to

focus in on. It is quite difficult to give a simple straight answer to your question because there are quite a significant number of variables involved in this.

[11:00]

Deputy M.R. Higgins:

In that case, rather than obviously delay the rest of the hearing, can you give us again a note from the department giving us an idea of who is involved and what they are doing and the extent of it? Thank you.

Deputy R.J. Ward:

I suppose one of the questions, Assistant Minister, I would ask is if there is not a clarity in what other departments are being asked to save or postpone. Are you just simply going to get to the answer which is: "Well, you may want to do this but other departments are making sacrifices as well"? Is it not the Council of Ministers that would be making the decisions on prioritisation rather than just the Chief Minister? I ask because it is really important to have clarity on where prioritisation will come from particularly for Scrutiny because if we do not know who is making the decision, we do not know who to scrutinise.

Assistant Minister for Children and Education (1):

Well, the Council of Ministers, in the way that it works, speaks about a lot of different subjects and things are brought forward to us but we do not tend to get together and talk about one priority or another. I think it would be a very long meeting because, obviously, every Minister wants to have their stuff prioritised over everyone else. So there needs to be someone that literally turns around and looks through it and says: "These are the priorities." If we try to do it via committee I think that all Ministers would be trying to prioritise their own work over everyone else's and we probably would not get very far. This is the nature of politics, Deputy.

Deputy R.J. Ward:

Okay, so it is the Chief Minister who is responsible for that prioritisation. Deputy Doublet, do you want to carry on with the next set of questions, which is on parental rights?

Deputy L.M.C. Doublet:

Yes, thank you. So one of the areas identified in the Legislative Gap Analysis report was parental responsibility for same sex parents. Could you clarify the progress of this work please and specifically could you refer to the terms "legitimate" and "illegitimate", which the previous Minister had committed to trying to address for the removal of those terms within the legislation?

Assistant Minister for Children and Education (1):

Thank you, Deputy. So law drafting continues on different things; so there is the Children's Law, there is the Married and Civil Status Law, there is the Legitimacy Law that are all being looked at and we hope to bring forward before the end of this year the changes into that law that enable opposite sex civil partners to acquire legal parental status and parental responsibility in the same way that married couples do. Sorry, I am reading this off because there is a lot: "To enable same sex parents to both be registered as a child's legal parent and therefore named on a Jersey birth certificate; to enable, as far as possible, same sex parents to be automatically conferred parental responsibility; to provide appropriate legal recognition to enable parents whose child is born to a surrogate mother to become legal parents in Jersey; enable for the acquisition of parental responsibility by a step-parent by agreement, enable a child whose parents are the same sex and who are married in a civil partnership with each other to be recognised as legitimate, enable a child whose parents are of the opposite sex and who are in civil partnership to be recognised as legitimate." Can I pass over to Michelle to talk about the legitimate and illegitimate parts of what is going on as she has a lot more information?

Deputy L.M.C. Doublet:

If we could stick with you because this is a political question and politically I just wanted your view on tackling the removal of the terms "legitimate" and "illegitimate" from this law and from other areas of the legislation?

Assistant Minister for Children and Education (1):

I think it is absolutely right that we remove "legitimate" and "illegitimate". I do not think there is a place. It is very complicated to try and remove that from all the laws and the way it is working but we are working towards it. But if you want my political view, it is absolutely right we should definitely remove "legitimate" and "illegitimate" and work is ongoing to look at it. I wish it was as simple as just saying it is, but Michelle can explain why.

Deputy L.M.C. Doublet:

Thank you. I think that is all we had on that area and I am aware there are other large areas that we might want to progress to, so I think I will hand back to the Chair.

Deputy R.J. Ward:

Senator Vallois, you have got some questions on the Children and Young People Emotional Well-being and Mental Health Strategy. We have some people who have seamlessly moved to the table. Marvellous.

Senator T.A. Vallois:

Could you briefly summarise the approach and vision of the draft strategy and its desired outcomes?

Assistant Minister for Children and Education (1):

Deputy, I am going to hand over to Deputy Pointon here, who is taking the lead on this and can quite ably answer your questions.

Assistant Minister for Children and Education (2):

I have to say that the strategy has been a long time in development and is still not a permanent strategy. It is a strategy in draft that is going out as we speak to consultation with people who have experience of mental illness, of emotional problems, people who do not have those experiences but have an opinion about how we should progress forward. This strategy will be implemented in the relatively near future. We are very fortunate in that we have the architect of the strategy in the room. Daniela Raffio is with us and perhaps she would like to develop and address the question.

Head of Commissioning, C.Y.P.E.S.:

As Deputy Pointon said, we have developed this approach in consultation. It is very much of key importance to us to ensure that it was developed in coproduction. We held workshops with children and young people, with parents and carers. We had a multiagency stakeholder event that had a range of front line professionals there, including teaching staff, head teachers, early years providers, to look at how we would develop the model jointly. The evidence is if you develop services in coproduction with those that use it and those that are involved in it, you have a much better outcome.

Senator T.A. Vallois:

Can I just confirm that that was in order to put the draft strategy together or is that the approach that is being taken with the draft strategy for consultation? I am just trying to understand that the ...

Head of Commissioning, C.Y.P.E.S.:

It is both. Taking the coproduction approach has enabled us to develop the strategy but also to implement and drive the strategy forward. It is the whole piece of work. We have now got a vision, which is that all Jersey children and young people are thriving, are able to enjoy the best mental health and well-being. We have got 4 key areas to aspire to but also to monitor against. The draft strategy consultation closed on Friday. We had 264 completed responses and that ranged, when I had a look, at a kind of mix between children and young people, parents, carers and professionals. The next stage is to look at what they have come back with, and finalise the strategy and then to have that as the single overarching document that we are all working to. We asked for those who have an interest in overseeing this to say whether they wanted to be involved in the strategic advisory panel, which we are looking at setting up this will oversee this work moving forward.

Senator T.A. Vallois:

Can I just ask on that basis then, the consultation closed on Friday? I would imagine it is too early to say that there are any particular themes coming out of those responses. In terms of timelines or deadlines, what is the next step in the process?

Head of Commissioning, C.Y.P.E.S.:

Over the next 6 weeks we are going to finalise the process for becoming a member of the strategic advisory panel - I think we had over 50 people interested in that - and do the work to finalise the strategy and then put that back out as the final strategy.

Senator T.A. Vallois:

So in terms of once that has been developed and delivered, how will the strategy deliver on the pledge to put children first?

Head of Commissioning, C.Y.P.E.S.:

The whole strategy has children and families very much at the centre of this and that was because that was the feedback that came back from children and families themselves. We have managed to secure government funding from 2022 onwards, so that gives us the funding we need to deliver on this because it needs extra investment. Part of the needs assessment work showed that there was insufficient capacity and resource within the current system. That resource will be put across the whole pathway, so there is funding going into C.A.M.H.S. (Child and Adolescent Mental Health Service) and the Health and Well-being service that oversees CAMHS and sits within C.Y.P.E.S. There is funding going into additional resource for schools, for early years settings, for that early intervention piece. Additional work is happening with H.C.S. (Health and Community Services) to put in a business case through the Government Plan for next year, which focuses much more on the higher end of complexity and need around a home treatment team and what solutions we need in place for inpatient care. It is very much a OneGov approach working across H.C.S. and C.Y.P.E.S. and wider partners.

Senator T.A. Vallois:

Can I get clarity on funding from the Assistant Minister, or the director general who is the accounting officer so is probably best to approach the funding? Is that funding already agreed in the Government Plan or will further funding or the funding for this mental health strategy be figured for in the Government Plan to be debated this year?

Director General, C.Y.P.E.S.:

I might ask Daniela to return because I just want to be clear about any potential further funding we might be able to get our hands on this year. The situation at the top level is we have recurrent

funding programmed to be released from next year but as a consequence of rebalancing the Government's books over the last 15 months, we were asked if we could reprioritise existing resources *pro tem* in order to start the implementation of these changes, but there have been other COVID-led amounts of money to try and deal with some of the more immediate pressures as well. So I just want to check with Daniela that I have got that right.

Head of Commissioning, C.Y.P.E.S.:

Yes.

Director General, C.Y.P.E.S.:

So we will have money in next year, in other words. We were asked to work with H.C.S. to see whether we could reprioritise some existing resources for this year, which to some extent has been possible but it means that we are on the opposite to a glide path. We have a low level of resource this year, which will build up significantly from next year and then in future years, and then there has been some additional COVID-led funding, which was - I was not going to take a punt at this and make sure I get it right - to do with the fact that we wanted to deal with what were becoming greater numbers of referrals and longer times to do assessments. Have I got both of those correct?

Head of Commissioning, C.Y.P.E.S.:

Yes. It was the urgency as a direct response to the impact of COVID. We got £955,000 this year plus we got recurring funding of £500,000 from H.C.S. which has enabled us to do the things that we are doing now around developing a drop-in café, supporting quite a large number of agency nursing staff, which obviously come at a higher cost. They are urgently needed because of the numbers going up so dramatically. Funding through Government Plan is agreed from next year and it will be £2.25 million recurring with £1.75 million coming in next year. The bid that has gone in, which is new money from H.C.S., is £3.8 million. I think it is £2 million next year, going up to £3.8 million recurring.

Senator T.A. Vallois:

Can I just clarify, and this is probably more for the benefit of the public because I believe you answered in the briefing on the strategy that we had? We are talking about C.A.M.H.S. predominantly here but the strategy talks about mental health overall, emotional well-being, those types of areas. How do all the other projects that are ongoing - the inclusion review and I think there is another piece of work that is being carried out - come together with this strategy? Help us as a panel to understand that.

Head of Commissioning, C.Y.P.E.S.:

Both of us are very involved in the inclusion review to make sure that there is no disconnect, that it completely aligns and joins up. We are working with colleagues in Education, through Sean and Jane, to look at the mental health offer in schools and how that works with this idea of a hub-and-spoke early intervention team that we are developing under Health and Well-being, so it is all completely co-ordinated and joined-up. The same with colleagues with H.C.S. because where the responsibility falls with them for the delivery of more complex services, we need to combine these together. There is a C.Y.P.E.S. programme board that we all report into operationally that covers all these strands of work so that we co-ordinate across the piece.

Deputy R.J. Ward:

I was just going to ask the Minister if he sees any barriers, he has identified any barriers to implementing this strategy.

[11:15]

Assistant Minister for Children and Education (2):

I will take the question, Chair. Frankly, there is a willingness to go forward with this. At the end of 2019 waiting lists were increasing. Over 2020 waiting lists have increased tremendously. The new money that has come in this year will enable C.A.M.H.S. to reduce waiting lists because there will be additional staff and waiting times for initial assessments. There is a definite willingness to see this go forward, to see the service for young people and children improved. The other element of this, of course, is the fact that currently we are having to utilise, for example, Orchard House as an in-patient facility, which is entirely unsuitable. We are also having to use Robin Ward to quite a heavy extent. At one stage in 2020 over 50 per cent of the occupancy of Robin Ward was C.A.M.H.S. occupancy; mainly eating disorders. So there is a definite awareness that we need to provide more in this field. Taking the older adolescents and the use of Orchard House, for example, there is development going on at Clinique Pinel and we have to have a conversation about how we further provide for adolescents in that facility before we are able to get to the development of a new hospital where there will be dedicated facilities for adolescents.

Deputy R.J. Ward:

Just to follow on from that, and something I always wanted to know the answer to, when will we see an improvement? We have got a strategy, we have got money going in, we have got plans, you have had consultations, a review. When is there going to be ... if you are a young person on this Island with an issue of some form, which are complex and wide-ranging, particularly after COVID, when will we see a difference? When will they see a difference of delivery to the care that they get?

Assistant Minister for Children and Education (2):

Well, Chair, we are already seeing a difference in that waiting lists have reduced marginally and are continuing to reduce. When we get the practitioners on board, those waiting lists will significantly reduce yet again. It would probably be helpful here for Darren Bowring, who is running the service, to put his views into the mix here.

Deputy R.J. Ward:

Please do, but as he is doing that, Assistant Minister, perhaps I can give you a question to mull over, which is: how are you going to ensure that given priorities are being made centrally, this will not be deprioritised? That is something for afterwards. Do you want to just answer? Okay, please do.

Head of Children's Health and Well-being:

I would be happy to. I think it is safe to say that C.A.M.H.S. has been hugely under pressure in terms of referrals. We have a large number of young people opened to us at the moment, referrals coming in at around 90 a month at the moment, which is 74 per cent up on last year. So we had already an increasing picture in terms of presentation which COVID and the pandemic seems to have escalated. I think some of the investment that has been done so far with some of the COVID monies, we have tightened up the front end, so we have invested in the assessment team. People are being seen really quickly. They are coming through the door and they are being opened within the first 2 weeks of coming in, some almost immediately as well. So they are being opened to practitioners, largely experienced mental health nurse practitioners, so people are being seen and we have seen that improvement already. We have waiting lists still. We have waiting lists in terms of specific therapy, to see a psychologist for example. We still have a waiting list but some of those young people are still getting support from the nurses and are receiving some sort of therapeutic input as well. We have got waiting lists for diagnostic assessments on the neurodevelopmental pathway and they are quite big in terms of A.D.H.D. (attention deficit hyperactivity disorder) and autism assessments as well, but we are doing some work in terms of investing in additional hours for staff in terms of trying to drive those down. So that is working and I am sure that the additional funding, as we are able to expand our staff team, will go further. In terms of your other question in terms of barriers, I think there are some potential barriers in terms of recruitment. We are finding it not easy to recruit the type of staff we need in terms of psychologists and psychiatrists. We are advertising for a third time for psychologists. Whether the pandemic and attracting people to move locations is impacting on that and will improve I am not so sure, but the money is there, the willingness is there. Our structure is in place and we have a phased structure in terms of addressing areas of demand for staff so we can continue to work on that as far as we can.

Deputy R.J. Ward:

Thanks for that answer. That is really useful. I am conscious of time and we have got some other things. I think we have covered all of that.

Deputy L.M.C. Doublet:

Can I just jump in, please, Chair, on this?

Deputy R.J. Ward:

Of course, sorry.

Deputy L.M.C. Doublet:

I just wanted to focus in a specific area, which I have emailed the Assistant Minister about and it was mentioned previously, on the waiting times for A.S.D. assessments, which is autism spectrum disorders. I have been informed that currently the waiting times are around a year and a particular family that is speaking to me ... but I am aware that there are other families. I just wanted to know whether there is any urgency around addressing that specific area, given that A.S.D. is likely to be having severe and significant impacts on family life. Politically I want to know what the urgency is around addressing that, please.

Assistant Minister for Children and Education (2):

Deputy, are you looking for an answer from me specifically, because I would have to say that I am not cognisant of the minutiae of the answer? I can only give you a broad brush but Darren Bowring would be able to give you a much clearer indication of the answer that you are seeking.

Deputy L.M.C. Doublet:

I am happy to hear from him initially.

Head of Children's Health and Well-being:

Yes, I think the waiting list, when I took over the service 7 weeks ago, was around 18 months for an autism assessment. We have over, I think it is, about 65 young people waiting for diagnostic assessments for autism at the moment. We have invested in overtime for staff who do the diagnostics, so we have got staff working weekends to make inroads into that. As quick as we do that we seem to get flurries of additional referrals coming in at the moment as well, so it is a difficult situation. We have got meetings booked in with some private providers. We are aware this is an issue across the U.K. as well and we have contacted some other local government providers who are contracting some private consultants in to support them with those and we have got meetings arranged in the coming weeks to see if we can make some inroads into that as well. Obviously, as we increase our recruitment as well in terms of additional psychologists, we will be able to make further inroads into that list but at the moment it is a clear pressure.

Group Director, Integrated Services and Commissioning:

Could I just add to that, please, Chair? Just to say that that whole pathway, Deputy Doublet, is a priority for us for redesign. The pathway itself has been fairly cumbersome and lengthy and it has not been the easiest for children and families to negotiate. Daniela and Darren are doing a fairly significant piece of work about redesigning that with colleagues from H.C.S. so that is a smoother pathway, so that people get support and there is not so much a hanging on for getting your label. We want to try and enhance that pathway significantly, so it is a priority in that respect, just to assure you of that.

Deputy R.J. Ward:

That is great, thank you. Is that okay, Deputy?

Deputy L.M.C. Doublet:

I am sorry, no, I do need to press on it. It is so alarming that there are 65 families who are obviously in great need here and I would like to hear ... I think politically I want to hear that there is urgency around this and I want to know that it will be addressed as a priority, please, because I do not think we should just be telling these families: "Sorry, the wait is a year." I think that needs to be addressed and it needs to be drastically reduced.

Assistant Minister for Children and Education (2):

I think, Deputy, you have heard from the respondents that the service is actively creating more capacity and the service does recognise the needs of these families and would like to solve the problem tomorrow if it were possible, but it will not be. It will be a process of developing and, as indicated, the developments are in real time going forward. I do not know what more we can say about it other than that we are taking it very, very seriously and trying to move the provision forward.

Deputy L.M.C. Doublet:

Could we have a target for what you are aiming to reduce the waiting times to, please? I also wanted to know whether the additional resource in the private sector that was mentioned, are there funds to utilise that additional resource?

Assistant Minister for Children and Education (2):

We are going to have to confer on that because I certainly do not have those figures immediately to hand nor have I been involved in a budget discussion about commissioning in the private sector, but we can certainly let you know what is happening and give you the detail of what is happening.

Deputy L.M.C. Doublet:

Yes, please. I would appreciate a response to my email and I am sure the panel would appreciate being informed in this area as well.

Deputy R.J. Ward:

Yes, thank you very much for that. Thanks for that line of questioning as well, really useful. Deputy Higgins, you have got some questions regards recent situations that have been highlighted regards sexual harassment in schools. Would you like to start those questions?

Deputy M.R. Higgins:

Yes, thank you. As you have just said in your introduction, sexual harassment in schools has been in the media, certainly over the last week, regarding incidents in Jersey secondary schools and in particular Jersey College for Girls and Victoria College. Could the Minister briefly outline the situation and tell us what is being done to resolve and manage the concerns?

Assistant Minister for Children and Education (1):

After the Sarah Everard case in the United Kingdom, there was a survey that went out from one school to the children there to ask about sexual harassment and negative sexual encounters from another school. That is being dealt with by the safeguarding board and being looked into very seriously. What we are doing at the moment is the P.S.H.E. (personal, social, health education) curriculum is being enhanced right now about healthy relationships with a focus on unhealthy relationship behaviour, sexual harassment and stalking, so we can start making sure that we are helping young people understand what it means and identify it. We have got the Keeping Myself Safe and Well campaign being delivered in primary schools and assemblies have been delivered jointly by the police and the independent sexual abuse advisers and S.A.R.C. (Sexual Assault Referral Centre) and the amazing work they do to secondary schools. So we are looking at this directly. The allegations that have been made are being investigated by the Safeguarding Partnership Board and we have changed the curriculum and we are trying to make sure that at all levels young people are aware of what it means, sexual harassment, how to identify it and where to report it to.

Deputy M.R. Higgins:

Okay. Can you tell me, you have mentioned the changes to the curriculum and so on, was this being taught in the schools before and to what extent?

Assistant Minister for Children and Education (1):

We have had the P.S.H.E. curriculum that has been going on that talks about ... it is all about well-being in your home and in work and the like. So there was a level of this in the curriculum with the P.S.H.E. already. We have just strengthened it.

Deputy M.R. Higgins:

Strengthened it following this incident?

Assistant Minister for Children and Education (1):

You can only learn from what goes on, Deputy, and we have learnt.

Deputy M.R. Higgins:

When were you first made aware of the allegations of sexual harassment?

Assistant Minister for Children and Education (1):

I was made aware of the survey about a week before Easter, the Easter holidays; around a week before the Easter holidays.

Deputy M.R. Higgins:

But the specific allegations that have come out as a result of the survey, when did you know about those?

Assistant Minister for Children and Education (1):

I do not know the specific allegations. That is being dealt with at a police level. That is being dealt with at a Safeguarding Partnership Board level. I have not seen the survey or the specific allegations because it is not a political issue. The political side of it for me is making sure we strengthen the awareness, we strengthen the curriculum, and we make sure our children are safe and they know where to report and what to look for. That is the political side of it. As far as the survey, it is a different level there.

[11:30]

Deputy M.R. Higgins:

Okay. Can I ask you, the States Assembly passed a Sexual Offences (Jersey) Law, a new law, in 2018, have details of that law been passed on to younger children, especially secondary school students? Equally, will the forthcoming hate crimes law be used as a tool to educate them as well?

Assistant Minister for Children and Education (1):

There is a lot of work being done in the schools to get ... I am afraid I might need Mark to come in and help me, which is to get certification about having children understand their rights and the laws that affect them. I am working already to try and set up a website to make that clearer, to make laws easily understandable by children and parents. Mark, can you tell me what the certification is? The Children's Commissioner has been assisting with this work as well and we have got nearly all schools at least up to, I think, bronze and a couple of gold. Mark, can you help?

Director General, C.Y.P.E.S.:

Yes. So Deputy Higgins will be aware of some of the initiatives already running in schools, whether it is rights-respecting schools or the work we do in P.S.H.E. I think my direct answer to his question is the most important things the schools have always done and will continue to do even more so now is to create a climate where there is a presumption of belief when complaints or allegations are made so that these are brought forward. One of the interesting features of this particular circumstance is that they have been called testimonials, although I would prefer to call them allegations, but they have been made anonymously because that was the arrangement by which they were requested in the first place. But what schools do and will need to continue to do is provide that reassurance, through formal and informal curriculum activities, that you will be listened to, you will be taken seriously, and that ultimately if you have an experience, whatever end of the spectrum it is from, whether it is misogynistic right the way through to an allegation of potentially a criminal action, that you will be believed and that will be taken seriously both by the education system but also by the police service.

Deputy M.R. Higgins:

Could I ask Mark and also the Minister: were you aware before this survey came out of allegations of sexual harassment and of touching or whatever it is that have come out in this report before the report came out? Had the department or the schools received the complaints and was any action taken on them.

Director General, C.Y.P.E.S.:

I think those testimonials signified a particular moment in time that increased our awareness of this kind of behaviour in schools but previously, whether it is through making referrals to the M.A.S.H. (Multi-Agency Safeguarding Hub) or whether that is just complaints being made in schools themselves, yes, of course we are aware that there have been concerns that sometimes young people have raised about the behaviour of their peers. But what this has done, I think, is shone a much brighter spotlight on the issue, as indeed it has done in England where the issue first significantly surfaced. I do not want you to think that complaints have not been made by young people before and acted upon, but this is one of those moments in time where I think because of the circumstances around Sarah Everard and then the establishing of the Everyone's Included website, this has attained a recognition that is greater than at any point, I think, in the recent past.

Deputy M.R. Higgins:

This concerns me. If you think a number of years ago we had an inquiry into child abuse in children's homes and those children beforehand had made complaints to the authorities and were not listened to. I would like to have some idea of the number of complaints that have been made to the schools

and to whom so we have got a measure of whether the department has learnt the lessons of the past and is responding rather than waiting on a survey that has just come out.

Deputy R.J. Ward:

Could I just add something to that, Deputy Higgins? There are a couple of things and I have got questions from Deputy Doublet and Senator Vallois first, and I am conscious of time because I cannot go on beyond another 10 minutes. There is a standards and achievement team, which includes well-being as part of its remit. Exactly what Deputy Higgins is saying there, do we not have a mechanism in place to highlight these areas early on and would those allegations that have already been made not been in there and therefore mean that they can be proactive in the prevention of this situation arising or growing in schools?

Director General, C.Y.P.E.S.:

I guess I come back to my point that I think that what has occurred here is that just a particular and bright spotlight has been shone on this issue. Every school has a pastoral system, as you will know, and that pastoral system is designed to provide, both through formal and informal kind of curricula activity, an understanding of what good relationships look like, et cetera, and how relationships work. Students have always been able to and continue to be able to raise issues and if they need to make complaints about the behaviour of peers and about others, whether it is staff or members of the community, but what has changed, and I used this analogy with the Assistant Minister, is this spotlight. Ten years ago, for example, I do not think there was a great deal of understanding and certainly not sufficient work around what is now very commonly understood about child sexual exploitation, but a particular spotlight got shone on that at that time. Again, it was in England that that occurred within places like Rotherham and Oxfordshire and elsewhere. Suddenly there was this greater dawning and understanding that this issue is everywhere and that it needs a systematic response. I think that is what has happened now here.

Deputy R.J. Ward:

Can I just ask, and can I ask the Minister this as well: does the Assistant Minister believe that this is not just an issue for J.C.G. (Jersey College for Girls) and Victoria College but it may be an issue across schools on our Island because it is an issue across our society? It is that political leadership in those areas of consent, of the objection to misogyny, et cetera, that is required here. Does the Assistant Minister feel that that leadership is there or does that need to be strengthened?

Assistant Minister for Children and Education (1):

Chair, I do not know if I can add anything. I think your words there were absolutely perfect. This is not an issue about 2 schools, and I think they have been unfairly pointed out in some ways. This is

something that goes across the Island and, yes, absolutely we need to do more about awareness and understanding, which is why we have made the changes to the curriculum and the likes.

Deputy R.J. Ward:

Sorry to interrupt you but can I just say the issue regards consent has been taught in schools for some years in P.S.H.E. lessons and just leaving this to teachers and P.S.H.E. lessons is reactive. Do we not need to be more proactive in our leadership because we are aware of the world that we live in and we are aware of what is going on? Is that not the question? I am sorry, Senator Vallois and Deputy Doublet. I just wanted to push on this a little bit.

Assistant Minister for Children and Education (1):

So as soon as I was aware of what was going on, Deputy, we went and put some campaigns out and we put some press releases out. We wanted to make sure over the Easter break when children were not in their normal support level that there was an awareness of where reporting for such incidents can be done through Kooth and Y.E.S. (Youth Enquiry Service). What we wanted to make sure in that time, as soon as we found out about the survey, was that we allowed parents and children, in the best way we can through our media, to be aware of where they can get support and where they can report and that they should report and it should be taken seriously. So I believe I have done a lot to try and actually make awareness more strengthened, to make sure that the curriculum is strengthened and to go down that route, and I think we need to continue to do that. It is not just about schools, you are absolutely right. Everyone needs to take part and make sure that this is an awareness and keep an eye out for children at risk.

Deputy R.J. Ward:

Senator Vallois, you have a question and then we will come to Deputy Doublet.

Senator T.A. Vallois:

I think it is totally right that people feel like they can speak out and be heard and be listened to. What awareness campaigns are done to inform young people about the potential criminality that they are conducting because of our new Sexual Offences Law, which is only 3 years old? Things like upskirting, things like revenge porn, those types of areas; what awareness is given to inform the potential criminality?

Assistant Minister for Children and Education (1):

I think the Youth Service has gone round and held assemblies to try and make those issues more aware within the children. The Youth Service do a great job in working with as many children as possible but, Mark, can you just confirm that that is the case?

Director General, C.Y.P.E.S.:

I certainly agree with what you have said already. Jane has been waiting patiently, I suspect, on this call. She has been asked to join for this very reason if you want some of the detail about what is happening day to day in schools. Jane, can I hand across to you?

Deputy R.J. Ward:

We have 7 minutes left, so briefly.

Head of Inclusion:

I will speak as quickly as I can. We have been working closely with the police and so a programme of assemblies was developed and it did cover both elements. It covered the legality point of view of the perpetrator but also those who have been experiencing it. It was done immediately after the incident, straight after the half-term, and again that is also going to be built into the P.S.H.E. curriculum too for secondary schools.

Deputy R.J. Ward:

Okay. Deputy Doublet, do you want to ask your question?

Deputy L.M.C. Doublet:

Thank you. I just wanted to focus in on leadership, and the Assistant Minister mentioned he thought this was not a political area, but it seems like he may have been rethinking that with some of his subsequent answers. So I just wanted him to confirm that he does indeed agree that the first responsibility of a Minister for Children and Education is to ensure that children are safe? Is he, therefore, prepared to provide political leadership in this area? What, in fact, is his understanding of what types of behaviours constitute sexual harassment? Does he have that understanding and does he believe that leadership in terms of those who are in the department and the head teachers, is that understanding there and, if not, what will he do to ensure that that understanding is there at a leadership level?

Assistant Minister for Children and Education (1):

Thank you, Deputy. I think in the answers that I have given talking about media campaigns, talking about changing the curriculum, talking about reporting shows that I have not been sitting back and ignoring this issue. I have been taking a leadership role in making sure that we go forward and start making this more aware. My understanding of sexual harassment, sexual assault, all of those things, it is about respecting the opposite sex or the same sex, it is about you have to be careful; your wording can be sexual harassment, inappropriate touching can be sexual harassment. I am fully aware what sexual harassment is. The issue is making sure that the services that we provide, being schools, the Youth Service or the likes, are doing their very best to make children comfortable about

reporting, about that we have the right services in place for reporting and it is being dealt with seriously. That is what I have been trying to get across and that is what I have been doing. I absolutely will stand by my record of what has happened since I have been the Assistant Minister to make sure that this is very seriously taken across the schools, across the curriculum and across the services that I look after.

Deputy R.J. Ward:

Deputy Higgins, do you have anything else you want to add there? We all jumped in there.

Deputy M.R. Higgins:

A very quick question, yes. Has the Minister had any contact with Victoria College? Obviously it is an all-boys school, not co-ed, and there can be a lad culture. Is he aware of what Victoria College is doing in this area to make sure that it does not happen?

Assistant Minister for Children and Education (1):

I have been in touch with Victoria College. I have been working about a new Victoria College prep that I want to be co-ed rather than a single-sex school. I have organised to go and look around the school with the head at the moment. I do not think we can single out Victoria College for the problems that we have seen and I think it is unfair that some people have done that. This is an Island-wide issue that we need to look at. It cannot be looked at in a silo of one school or another. I think we need to be looking at this as an Island issue rather than a school issue.

[11:45]

Deputy M.R. Higgins:

Agreed for that, but again being an all-boys school there can be a laddish culture. Has he actually been to the college and spoken with the headmaster to see how they address these issues?

Assistant Minister for Children and Education (1):

Deputy, I have arranged to do that. I have arranged. That is in the diary for me to go to Victoria College and go and speak to the head and go and look around the school. That is in the diary. I am trying to get round as many schools as I can to go and look at what is going on and speak to the children and speak to the teachers. That is something that I do but it has to be done on the school's availability rather than mine.

Deputy M.R. Higgins:

Right, thank you.

Deputy R.J. Ward:

I am very conscious of time. Unless there is anything anyone else wants to ask, I think we will have to call it ... we will send any further questions on for written responses. Is there anything else anyone wants to add? Are there any questions that anyone in the panel wants to ask quickly?

Deputy M.R. Higgins:

I would like to ask one as well. In recent answers to questions I have had from the Minister for Home Affairs, it mentions the police are doing stop and search. We have got to a situation where in the last year 257 people have been stopped by the police. I do not know why at this point in time, but the figures have gone up hundreds of per cent over the last few years. Have there been any discussions between the Education Department and the police to find out why so many people are being stopped, what they are being stopped for, what offences or anything like that?

Assistant Minister for Children and Education (1):

Deputy, there has been a discussion across the Honorary Police, the Centeniers, the Education Department, so there has been an all-round discussion that has happened. I am already organising the next one to happen. I spoke to the Children's Commissioner about this on Monday when I met with her about youth justice, about getting all the departments that deal with youth and stop and searching, be it the police or the Honorary Police, and I am organising the next meeting to get everyone together to carry on talking because we need to have a better awareness of what is going on. We need to record better data. So it is not just about it is youth. We need to know much more defined data on who is being stopped, why they are being stopped, and we need to make sure that there is a consistent approach to what has been going on. I believe that we need to be less heavy-handed.

Deputy M.R. Higgins:

Can I ask you: what have you been told to date by the police for the reasons for the stop and search?

Assistant Minister for Children and Education (1):

I have not had that specific conversation. This is why I am organising a multiagency meeting to talk about this across the board. So I have not had it directly but I am organising this meeting to make sure it happens.

Deputy M.R. Higgins:

Okay, thank you.

Deputy R.J. Ward:

Thank you. We have run out of time so we will call it to an end. As I say, we do have some other questions that we will send. I would just like to thank everyone for their time and for their contributions today. With that, I will call the meeting to an end.

[11:48]