

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 23rd OCTOBER 2018

COMMUNICATIONS BY THE PRESIDING OFFICER.....	7
1.1 Welcome to H.E. The Lieutenant Governor.....	7
The Bailiff:	7
1.2 Commemoration of the centenary of the end of the First World War	7
APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS.....	7
2. Appointment of members of the Economic Affairs Scrutiny Panel.....	7
2.1 Deputy K.F. Morel of St. Lawrence (Chairman, Economic Affairs Scrutiny Panel):	7
3. Resignation of members of the Education and Home Affairs Scrutiny Panel.....	7
3.1 Deputy R.J. Ward of St. Helier (Chairman, Education and Home Affairs Scrutiny Panel):	7
QUESTIONS.....	8
4. Written Questions.....	8
4.1 DEPUTY S.M. AHIER OF ST. HELIER OF THE MINISTER FOR HEALTH AND SOCIAL SERVICES REGARDING POSSIBLE MEDICAL NEGLIGENCE AT THE HOSPITAL: [WQ.199/2018].....	8
4.2 THE CONNÉTABLE OF ST. BRELADE OF THE CHIEF MINISTER REGARDING THE INVOLVEMENT OF MINISTERS IN THE APPOINTMENT OF SENIOR STAFF: [WQ.200/2018]	8
4.3 DEPUTY R.J. WARD OF ST. HELIER OF THE CHAIRMAN OF THE STATES EMPLOYMENT BOARD REGARDING VACANCIES WITHIN THE PUBLIC SECTOR: [WQ.201/2018].....	9
4.4 DEPUTY R.J. WARD OF ST. HELIER OF THE STATES EMPLOYMENT BOARD REGARDING THE REPORT OF THE HR LOUNGE ON BULLYING AND HARASSMENT IN THE STATES: [WQ.202/2018]	14
4.5 DEPUTY M. TADIER OF ST. BRELADE OF THE MINISTER FOR HOME AFFAIRS REGARDING THE SALE OF PRODUCTS CONTAINING TETRAHYDROCANNABINOL: [WQ.203/2018]	14
4.6 DEPUTY M. TADIER OF ST. BRELADE OF H.M. ATTORNEY GENERAL REGARDING VISITORS TO JERSEY WHO ARE PRESCRIBED TETRAHYDROCANNABINOL-BASED MEDICATION: [WQ.204/2018].....	15
4.7 DEPUTY M. TADIER OF ST. BRELADE OF THE MINISTER FOR SOCIAL SECURITY REGARDING LEGISLATION TO PREVENT DISCRIMINATION BY LANDLORDS AGAINST TENANTS WITH CHILDREN: [WQ.205/2018]	16
4.8 DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE MINISTER FOR EDUCATION REGARDING ABSENCES AMONGST THE TEACHING WORKFORCE IN THE ISLAND'S SCHOOLS: [WQ.206/2018].....	17
4.9 DEPUTY M.R. HIGGINS OF ST. HELIER OF THE CHAIRMAN OF THE STATES EMPLOYMENT BOARD REGARDING ACTIONS TAKEN IN RELATION TO	

	STATES EMPLOYEES NAMED IN THE REPORT OF THE INDEPENDENT JERSEY CARE INQUIRY: [WQ.207/2018]	18
4.10	DEPUTY M.R. HIGGINS OF ST. HELIER OF THE CHAIRMAN OF THE STATES EMPLOYMENT BOARD REGARDING THE EMPLOYMENT OF STATES EMPLOYEES NAMED IN THE REPORT OF THE INDEPENDENT JERSEY CARE INQUIRY: [WQ.208/2018]	18
4.11	DEPUTY M.R. HIGGINS OF ST. HELIER OF THE MINISTER FOR CHILDREN AND HOUSING REGARDING PAYMENTS ARISING FROM THE HISTORIC ABUSE REDRESS SCHEME: [WQ.209/2018]	18
4.12	DEPUTY M.R. HIGGINS OF ST. HELIER OF THE MINISTER FOR HEALTH AND SOCIAL SERVICES REGARDING THE USE OF WESTAWAY COURT: [WQ.210/2018]	19
4.13	DEPUTY M.R. HIGGINS OF ST. HELIER OF THE MINISTER FOR TREASURY AND RESOURCES REGARDING THE CRIMINAL OFFENCES CONFISCATION FUND: [WQ.211/2018]	19
4.14	DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE MINISTER FOR HEALTH AND SOCIAL SERVICES REGARDING VACANCIES WITHIN THE HEALTH AND COMMUNITY SERVICES DEPARTMENT: [WQ.212/2018]	20
4.15	DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE CHIEF MINISTER REGARDING EXPENDITURE ON COMMUNICATIONS: [WQ.213/2018]	25
4.16	DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE MINISTER FOR EDUCATION REGARDING THE DIFFERENCES IN EXPENDITURE BETWEEN FEE-PAYING AND NON-FEE-PAYING SECONDARY SCHOOLS: [WQ.214/2018]	26
4.17	DEPUTY R.J. WARD OF ST. HELIER OF THE MINISTER FOR INFRASTRUCTURE REGARDING THE FUTURE DEVELOPMENT OF THE ST. SAVIOUR'S HOSPITAL AND WARWICK FARM SITES: [WQ.215/2018]	27
4.18	THE CONNÉTABLE OF ST. HELIER OF THE CHIEF MINISTER REGARDING THE EMPLOYMENT OF COMMUNICATIONS STAFF: [WR.216/2018]	28
4.19	DEPUTY R.J. WARD OF ST. HELIER OF THE MINISTER FOR THE ENVIRONMENT REGARDING THE RECENT REPORT FROM THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE: [WQ.217/2018]	28
4.20	DEPUTY M.R. LE HEGARAT OF ST. HELIER OF THE CHAIRMAN OF THE STATES EMPLOYMENT BOARD REGARDING FINANCIAL AND REMUNERATION PACKAGES OFFERED TO PEOPLE LEAVING THEIR EMPLOYMENT WITH THE STATES OF JERSEY: [WQ.218/2018]	29
4.21	DEPUTY M.R. LE HEGARAT OF ST. HELIER OF THE MINISTER FOR HOME AFFAIRS REGARDING OFFICERS WHO HAVE LEFT THE STATES OF JERSEY POLICE: [WQ.219/2018]	30
4.22	THE CONNÉTABLE OF ST. HELIER OF THE MINISTER FOR THE ENVIRONMENT REGARDING THE MINISTER'S RESPONSE TO THE REPORT OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE: [WQ.220/2018]	31
4.23	DEPUTY C.S. ALVES OF ST. HELIER OF THE CHAIRMAN OF THE STATES EMPLOYMENT BOARD REGARDING THE NUMBER OF TEACHERS LEAVING THE PROFESSION IN THE LAST 5 YEARS: [WQ.221/2018]	32
4.24	DEPUTY C.S. ALVES OF ST. HELIER OF THE MINISTER FOR INFRASTRUCTURE REGARDING LEASE AGREEMENTS ON THE WATERFRONT: [WQ.222/2018]	32

4.25	DEPUTY C.S. ALVES OF ST. HELIER OF THE MINISTER FOR TREASURY AND RESOURCES REGARDING THE PHASING-OUT OF MORTGAGE RELIEF ALLOWANCE: [WQ.223/2018].....	34
4.26	DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE CHAIRMAN OF THE STATES EMPLOYMENT BOARD REGARDING POLICY IN RESPECT OF THE USE OF ZERO-HOUR CONTRACTS IN THE PUBLIC SECTOR: [WQ.224/2018]	36
4.27	CONNÉTABLE A.S. CROWCROFT OF ST. HELIER OF THE MINISTER FOR HEALTH AND SOCIAL SERVICES REGARDING WAITING TIMES FOR COMMUNITY DENTAL SERVICES: [WQ.225/2018].....	37
4.28	CONNÉTABLE A.S. CROWCROFT OF ST. HELIER OF THE MINISTER FOR INFRASTRUCTURE REGARDING STRATEGIES TO FACILITATE WALKING AND CYCLING: [WQ.226/2018].....	38
4.29	DEPUTY L.M.C. DOUBLET OF ST. SAVIOUR OF THE MINISTER FOR EXTERNAL RELATIONS REGARDING THE EXTENSION OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN TO JERSEY: [WQ.227/2018].....	38
5.	Oral Questions	39
5.1	Deputy M.R. Higgins of St. Helier of the Chief Minister regarding the role of Ministers in respect of pay negotiations for the public sector: [OQ.164/2018].....	39
	Senator T.A. Vallois (Deputy Chief Minister - rapporteur):.....	39
5.1.1	Deputy M.R. Higgins:.....	39
5.1.2	Deputy G.P. Southern of St. Helier:	39
5.1.3	Deputy G.P. Southern:	40
5.1.4	Deputy R.J. Ward:.....	40
5.1.5	Deputy G.P. Southern:	40
5.1.6	Deputy J.H. Perchard of St. Saviour:.....	40
5.1.7	Deputy M.R. Higgins:.....	41
5.2	Senator S.C. Ferguson of the Minister for Children and Housing regarding the decanting of residents from Convent Court: [OQ.158/2018].....	41
	Senator S.Y. Mézec (The Minister for Children and Housing):	41
5.2.1	Senator S.C. Ferguson:	41
5.2.2	Deputy G.P. Southern:	42
5.2.3	Deputy G.P. Southern:	42
5.2.4	Deputy M.R. Higgins:.....	42
5.2.5	Deputy G.P. Southern:	42
5.2.6	Senator S.C. Ferguson:	42
5.2.7	Senator S.C. Ferguson:	42
5.3	Deputy S.M. Ahier of St. Helier of the Chairman of the Privileges and Procedures Committee regarding the development of plans to implement electoral reform: [OQ.163/2018].....	43
	Deputy R. Labey of St. Helier (Chairman, Privileges and Procedures Committee):.....	43
5.3.1	Deputy S.M. Ahier:.....	43
5.3.2	Senator S.Y. Mézec:	43
5.3.3	Senator S.Y. Mézec:	44
5.3.4	Senator S.C. Ferguson:	44
5.3.5	Deputy G.P. Southern:	44
5.3.6	Deputy M.R. Higgins:.....	44
5.3.7	Deputy J.H. Young of St. Brelade:	45
5.3.8	Connétable D.W. Mezbourian of St. Lawrence:.....	45

5.3.9 Deputy S.M. Ahier:.....	45
5.4 Deputy J.M. Maçon of St. Saviour of the Minister for Home Affairs regarding traffic safety and enforcement: [OQ.162/2018].....	45
Connétable L. Norman of St. Clement (The Minister for Home Affairs):.....	45
5.4.1 Deputy J.M. Maçon:	46
5.5 Deputy R.J. Ward of the Chairman of the States Employment Board regarding the imposition of public sector pay awards which had been rejected by union members: [OQ.157/2018].....	46
Senator T.A. Vallois (Chairman, States Employment Board):	46
5.5.1 Deputy R.J. Ward:.....	46
5.5.2 Deputy G.P. Southern:	46
5.5.3 Deputy K.F. Morel:.....	47
5.5.4 Deputy M.R. Le Hegarat of St. Helier:	47
5.5.5 Deputy M.R. Higgins:.....	47
5.5.6 Deputy G.P. Southern:	48
5.5.7 Deputy R.J. Ward:.....	48
5.6 Deputy G.P. Southern of the Minister for Health and Social Services regarding the decision to spend funding which had been allocated for the refurbishment of Sandybrook Care Home elsewhere: [OQ.160/2018].....	48
Deputy R.J. Renouf of St. Ouen (The Minister for Health and Social Services):.....	48
5.6.1 Deputy G.P. Southern:	49
5.6.2 Senator S.C. Ferguson:	49
5.6.3 Deputy K.F. Morel:.....	49
5.6.4 Connétable R. Vibert of St. Peter:	50
5.6.5 Deputy G.P. Southern:	50
5.7 Deputy K.F. Morel of the Minister for Infrastructure regarding the prospective total cost to the Island of running a free bus service: [OQ.155/2018]	50
Deputy H.C. Raymond of Trinity (Assistant Minister for Infrastructure - rapporteur):	50
5.7.1 Deputy K.F. Morel:.....	50
5.7.2 Deputy R.J. Ward:.....	51
5.7.3 Deputy M.R. Higgins:.....	52
5.7.4 Deputy G.P. Southern:	52
5.7.5 Deputy R. Labey:	52
5.8 Deputy M.R. Higgins of the Chairman of the States Employment Board regarding her assessment of the States of Jersey as an employer: [OQ.165/2018].....	53
Senator T.A. Vallois (Chairman, States Employment Board):	53
5.8.1 Deputy M.R. Higgins:.....	53
5.8.2 Deputy R.J. Ward:.....	53
5.8.3 Deputy M.R. Higgins:.....	54
5.9 Deputy K.F. Morel of the Minister for Health and Social Services regarding the suspension of the project to build three care homes for children with autism: [OQ.156/2018].....	54
The Deputy of St. Ouen (The Minister for Health and Social Services):	54
5.9.1 Deputy K.F. Morel:.....	54
5.9.2 Deputy M.R. Higgins:.....	55
5.9.3 Deputy G.P. Southern:	55
5.9.4 Deputy K.F. Morel:.....	55
5.10 Deputy G.P. Southern of the Assistant Chief Minister regarding prospective funding cuts to departmental budgets: [OQ.161/2018]	56
Connétable C.H. Taylor of St. John (Assistant Chief Minister - rapporteur):	56

5.10.1	Deputy G.P. Southern:	56
5.10.2	Deputy R.J. Ward:	56
5.10.3	Deputy G.P. Southern:	57
5.10.4	Deputy G.P. Southern:	57
5.11	Senator S.C. Ferguson of the Minister for Health and Social Services regarding the decision not to refurbish Sandybrook Care Home: [OQ.159/2018]	57
	The Deputy of St. Ouen (The Minister for Health and Social Services):	57
5.11.1	Senator S.C. Ferguson:	57
5.11.2	Deputy G.P. Southern:	57
5.11.3	Deputy G.P. Southern:	57
5.11.4	Senator S.C. Ferguson:	58
6.	Questions to Ministers without notice - The Minister for External Relations.....	58
6.1	Connétable M.K. Jackson of St. Brelade:	58
	Senator I.J. Gorst (The Minister for External Relations):	58
6.2	Deputy R.J. Ward:	58
6.3	Deputy S.M. Ahier:	59
6.4	Deputy K.F. Morel:	59
6.5	Deputy G.P. Southern:	59
6.6	The Connétable of St. Lawrence:	59
6.7	Deputy L.M.C. Doublet of St. Saviour:	60
6.7.1	Deputy L.M.C. Doublet:	60
6.8	Deputy R.J. Ward:	60
6.9	Deputy G.P. Southern:	60
6.10	The Connétable of St. Lawrence:	61
7.	Questions to Ministers without notice - The Minister for Social Security	61
7.1	Deputy M.R. Higgins:	61
	Deputy J.A. Martin of St. Helier (The Minister for Social Security):	61
7.2	Deputy R.J. Ward:	61
7.3	Deputy S.M. Ahier:	62
7.4	Connétable S.A. Le Sueur-Rennard of St. Saviour:	62
7.5	Connétable J. Le Bailly of St. Mary:	62
7.6	The Connétable of St. Brelade:	62
7.7	Deputy K.F. Morel:	63
7.8	Deputy M.R. Higgins:	63
7.9	Deputy K.F. Morel:	63
7.10	Deputy R.J. Ward:	64
	PUBLIC BUSINESS.....	64
8	Ratification of the Agreement between Jersey and the Principality of Liechtenstein for the Elimination of Double Taxation with Respect to Taxes on Income and on Capital and the Prevention of Tax Evasion and Avoidance (P.102/2018).....	64
8.1	Senator I.J. Gorst (The Minister for External Relations):	64
8.1.1	Deputy M.R. Higgins:	64
8.1.2	Senator I.J. Gorst:	64
	ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS.....	65
9.	Deputy R. Labey (Chairman, Privileges and Procedures Committee):	65
9.1	Deputy S.J. Pinel of St. Clement:	65

9.2 Deputy R. Labey: 65
9.3 Senator I.J. Gorst: 65

ADJOURNMENT..... 66

[9:31]

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

COMMUNICATIONS BY THE PRESIDING OFFICER

1.1 Welcome to H.E. The Lieutenant Governor

The Bailiff:

First of all, can I welcome on your behalf His Excellency the Lieutenant Governor? **[Approbation]**

1.2 Commemoration of the centenary of the end of the First World War

Members should have received notification from my office of the various events, which are taking place to commemorate the end of the First World War, the 100 years, the end of the war, and I hope Members have been able to support some or all of those particular events. But I take the opportunity of mentioning it again today so that any members of the public who are listening can also receive the warmest of invitations from me to attend the various events, which commemorate the end of the First World War. I very much hope there will be a good turnout, both for Remembrance Sunday of course, celebrated both at the Cenotaph and in the different Parishes, and in the evening when there will be the most southerly bonfire of a chain of bonfires lit across the British islands and that will be at Les Landes. There will be things to eat and no doubt some music and I am sure everyone will have a very good time, so I hope members of the public will turn out to Les Landes in force. So I just thought I would make that announcement.

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

2. Appointment of members of the Economic Affairs Scrutiny Panel

The Bailiff:

Under F there is the nomination of Senator Moore as a member of the Economic Affairs Scrutiny Panel.

2.1 Deputy K.F. Morel of St. Lawrence (Chairman, Economic Affairs Scrutiny Panel):

Following the resignation of Deputy Pamplin, we were looking for a new member of the Economic Affairs Scrutiny Panel and Senator Moore has kindly agreed to take part.

The Bailiff:

Is it seconded? **[Seconded]** Are there any other nominations? Very well, then I declare Senator Moore to have been elected as a member of the Economic Affairs Scrutiny Panel. **[Approbation]**

3. Resignation of members of the Education and Home Affairs Scrutiny Panel

The Bailiff:

I have received the resignation of Deputy Perchard from the Education and Home Affairs Scrutiny Panel. Are you in a position to propose anyone today, Chairman?

3.1 Deputy R.J. Ward of St. Helier (Chairman, Education and Home Affairs Scrutiny Panel):

No, Sir, I am not. I would like to at some point change the quorate number to 2 if the Assembly would do that.

The Bailiff:

We will need to change Standing Orders for that purpose so that might be rather more difficult.

Deputy R.J. Ward:

Okay, thank you.

Senator S.C. Ferguson:

Sir, may I raise the défaut on the Connétable of St. Saviour?

The Bailiff:

I am not sure she was on défaut. I did not have you down as on défaut because I saw you. If it needs to be raised, it is raised. Thank you. Now we come to questions.

[9:45]

QUESTIONS

4. Written Questions

4.1 DEPUTY S.M. AHIER OF ST. HELIER OF THE MINISTER FOR HEALTH AND SOCIAL SERVICES REGARDING POSSIBLE MEDICAL NEGLIGENCE AT THE HOSPITAL: [WQ.199/2018]

Question

Will the Minister inform the Assembly, for the past 10 years, –

- (a) how much has been paid as a result of court settlements for medical negligence at the General Hospital;
- (b) how much has been paid in out-of-court settlements in respect of such cases;
- (c) the total cost to the States of Jersey of these payments; and
- (d) the number of deaths from medical negligence?

Answer

- a) Proceedings have been issued in some cases and some have settled out of court.
- b) The total sum paid, inclusive of damages and costs, is £5,930,005
- c) The total uninsured cost to the States of Jersey of the payments referred to in b) is £1,304,656
- d) There have been fewer than 5 claims alleging medical negligence following the death of a patient.

4.2 THE CONNÉTABLE OF ST. BRELADE OF THE CHIEF MINISTER REGARDING THE INVOLVEMENT OF MINISTERS IN THE APPOINTMENT OF SENIOR STAFF: [WQ.200/2018]

Question

Will the Chief Minister advise whether Ministers have been, or will be, involved in the appointment of senior staff to the departments which support them; and, if so, will the Chief Minister further advise whether training in interview techniques is given to them and if not, why not?

Answer

The involvement of politicians in the recruitment and selection process for senior States of Jersey employees is set out in the Guidelines published by the Jersey Appointments Commission. The Guidelines state that only when filling the vacancy of the post of Chief Executive to the Council of Ministers should a Minister be involved directly in the interviewing and appointment of applicants

In all other cases, Ministers would not normally be included as members of a panel.

However, where a post will be of interest to a Minister, they may request to take an active interest in the recruitment and selection processes associated with filling that post. In this connection, the Minister could be invited to participate in commenting on the following areas:

- the period of the contract which will apply to the post;
- the job description
- issues they might want to raise after informal meetings with any short listed candidates together with any relevant questions that might be asked by the Panel

The candidate recommended for appointment must be the person deemed to be the most appropriate based on merit against the criteria agreed by the panel and the Jersey Appointments Commission as necessary.

The Minister may be invited to meet the selected candidate once the panel has confirmed its decision to appoint, but he or she may not influence the decision of the panel.

If training in interview techniques is required for Ministers, this can be provided on an ad hoc basis by the Human Resources department.

4.3 DEPUTY R.J. WARD OF ST. HELIER OF THE CHAIRMAN OF THE STATES EMPLOYMENT BOARD REGARDING VACANCIES WITHIN THE PUBLIC SECTOR: [WQ.201/2018]

Question

Following the Chief Minister’s Speech on 10th October 2018 to the Chamber of Commerce, where he announced “sustainable savings” in the public service of £30 million, and stated that “the States is currently carrying around 600 vacancies, and has a staff turnover rate of 12%”, will the Chairman provide –

- (a) a detailed breakdown of where these vacancies exist, by department;
- (b) a breakdown of these vacancies by pay grade and current wage;
- (c) a statement of which of these vacancies currently involve payments by the States to an employee ‘acting up’ into the position; and
- (d) a breakdown of any further planned job losses, if separate from these 600 vacant posts, by department?

Answer(s):

- a) Vacancies broken down by department

Department	Vacancies
Chief Minister's Department -	33.9
Community and Constitutional Affairs	23.2
Department for Infrastructure	82.7
Department of the Environment	5.2
Economic Development	15.7
Education Department	44.6
External Relations	0.0
Health & Social Services	335.6
Non Ministerial States Funded	15.4
Police	36.0
Social Security	3.7
Treasury and Resources	30.4
Sub Total	626.4

Trading Bodies	Vacancies
-----------------------	------------------

Jersey Car Parks	4.0
Jersey Fleet Management	9.0
Sub Total	13.0

Total	639.4
--------------	--------------

b) Breakdown of vacancies by pay grade and the current wage cost:

Groups	Vacancies	Cost Of Vacancies
Uniform Services	42.9	£1,439,785
Nurses and Midwives	166.2	£5,085,871
Civil Service / Le Geyt	276.7	£12,495,075
Teachers	29.0	£1,072,059
Doctors & Consultants	12.3	£838,342
Family Support Workers	4.0	£109,273
Manual Workers / EfW	99.0	£2,456,445
RCCO	10.8	£351,630
Ambulance	0.0	£15,983
Youth Service	-1.5	-£62,510
Grand Total	639.4	£23,801,952

A detailed summary by pay grade is appended

- c) There are no vacancies currently which involve payments by the States to employees 'acting up' into the position.
- d) A breakdown of any further planned job losses by department cannot be provided as it will be subject to the outcomes of the TOM restructuring process.

Appendix:

* Negative values in 'Vacancies' refer to more staff in respective posts than has been budgeted.

* Negative values in 'Cost Of Vacancies' refers to the cost of filling those extra non-budgeted posts.

Pay Group and Grade	Vacancies	Cost Of Vacancies
Ambulance		
PM002	1.0	£47,552
PM01	0.0	£1,017
TECH3	-1.0	-£32,586
Associate Specialist (NEW)		
SAS	4.2	£268,048
Chief Officers		
Spot Salary	1.0	£213,531
Civil Servants		
Spot Salary	5.3	£532,416
CA12	1.0	£54,825
CS01	1.0	£18,611
CS02	0.1	£2,225
CS03	5.0	£106,129
CS04	9.3	£216,383
CS05	14.4	£370,814
CS06	46.2	£1,314,963
CS07	35.0	£1,099,858
CS08	26.8	£950,049
CS09	4.1	£165,875
CS10	20.6	£956,287
CS11	45.1	£2,310,764
CS12	14.3	£816,682
CS13	16.8	£1,052,446
CS14	10.1	£723,512
CS15	13.7	£1,114,375
Crown States Legal Appointment		
Spot Salary	0.6	£53,962
LA1	1.1	£67,825
LA2	4.2	£319,364
Energy From Waste Operations		
EFW02	1.0	£29,244
Family Support Workers		
FSW1	1.0	£24,250
FSW2	3.0	£85,023

Fire Service		
FFAA	6.0	£186,672
FFCC	-1.0	-£47,244
FFSC	3.0	£176,772
FFWC	-1.0	-£51,328
Fire Service Senior Officers		
Spot Salary	1.0	£78,049
Heads and Deputies		
LEAD	5.0	£305,560
Hospital Consultants		
Spot Salary	-0.3	-£34,091
CONN	6.1	£510,720
Junior Doctors		
FONE	1.4	£32,327
FTWO	-2.0	-£57,280
SCOR	0.4	£10,712
Le Geyt		
SINS1	1.0	£34,181
Lecturers		
TCH1TE	3.6	£111,253
Manual Workers		
Spot Salary	4.1	£115,167
APP1MJ	0.8	£9,306
APP2MJ	4.0	£49,477
MW01MJ	28.4	£625,138
MW02MJ	14.9	£344,549
MW03MJ	4.4	£107,357
MW04MJ	24.6	£631,791
MW05MJ	-1.6	-£42,693
MW06MJ	4.7	£139,436
MW07MJ	3.7	£115,978
MW08MJ	10.0	£331,695
Nurses and Midwives		
NM01	100.3	£2,467,317
NM02	7.6	£217,536
NM03	1.0	£32,860
NM04	44.5	£1,760,491
NM05	10.6	£488,721
NM06	2.3	£118,946
Police		
Spot Salary	10.6	£261,718
INSR	-1.0	-£72,576
PLCO	15.9	£557,514
SGNT	2.4	£149,875

Prison Officers		
PRIS	4.0	£149,092
PROP	1.0	£32,480
PSEN	2.0	£102,566
PSS2	1.0	£33,716
Prison Unit Managers		
Spot Salary	-1.0	-£117,521
RCCO		
RC02	2.8	£80,523
RC03	6.0	£194,040
RC04	1.0	£36,119
RCGP	1.0	£40,948
Staff Grade Practitioner (NEW)		
SGR	2.5	£107,905
Teachers		
Spot Salary	1.8	£79,335
TCH1	18.6	£575,911
Youth Service		
SCLA	0.5	£15,059
SCLB	-1.0	-£33,707
SCLD	-1.0	-£43,861
Grand Total	639.4	£23,801,952

4.4 DEPUTY R.J. WARD OF ST. HELIER OF THE STATES EMPLOYMENT BOARD REGARDING THE REPORT OF THE HR LOUNGE ON BULLYING AND HARASSMENT IN THE STATES: [WQ.202/2018]

Question

Further to the response of the Chief Minister to Oral Question 70/2018 regarding the report of The HR Lounge on bullying and harassment in the States, in which he stated that the matters raised would be “looked into as a matter of urgency”, will the Chairman –

- (a) update members on how any of the report’s recommendations have been adopted and what changes have been made in the treatment of public sector workers since the report’s publication; and
- (b) explain how the situation will be monitored to ensure the development of a culture in which staff feel safe to voice their concerns and the embedding of such a culture in the changing structure of the States?

Answer

Two new policies have been drafted: Whistleblowing and Bullying and Harassment, the content of which have been approved by the States Employment Board. The policies respond to the key recommendations made in the HR Lounge report and will be published in January 2019.

It is important that public sector workers feel supported and safe when raising concerns. Hence an independent, third party off-Island ‘Speak-Up Line’ has been secured for employees to contact directly as necessary, in addition to the normal line management structure. The supplier provides reporting on key insights and statistics which will allow the Board to monitor concerns in order that areas for improvement may be identified throughout the public sector. This will be launched in January 2019

Training has been sourced to support the roll-out of both policies to ensure the consistent application of the policy and its procedures. This will complement the work to be undertaken on values and behaviours by the Team Jersey programme during 2019 and 2020.

4.5 DEPUTY M. TADIER OF ST. BRELADE OF THE MINISTER FOR HOME AFFAIRS REGARDING THE SALE OF PRODUCTS CONTAINING TETRAHYDROCANNABINOL: [WQ.203/2018]

Question

Will the Minister state what content of tetrahydrocannabinol (T.H.C.) is legally allowed in so-called ‘C.B.D. oil’(Cannabidiol) which is sold over the counter as a health supplement in Jersey; and advise what testing, if any, is done to ascertain that such imported products do not contain levels of T.H.C. that exceed the legal limit?

Answer

At present, the Misuse of Drugs (Jersey) Law 1978 controls cannabinol derivatives under Class A drugs.

Cannabinol derivatives are defined under Part 4 of the Law as ‘the following substances, except where contained in cannabis or cannabis resin, namely tetrahydro derivatives of cannabinol and 3-alkyl homologues of cannabinol or of its tetrahydro derivatives.’ Tetrahydrocannabinol (T.H.C.) falls under this definition and therefore THC as a pure compound is a Class A drug.

It should be noted that cannabidiol (CBD) as a pure substance is not caught by any of these definitions and is therefore not controlled under the law.

The presence of any THC in a product would make that product a controlled substance under the law. Some controlled substances do have thresholds below which they are not considered controlled but there is no threshold for cannabinol derivatives.

It is for the importer of a product to demonstrate the content of THC in that product. This could be done via the provision of a Certificate of Analysis from a recognised laboratory confirming the THC content.

4.6 DEPUTY M. TADIER OF ST. BRELADE OF H.M. ATTORNEY GENERAL REGARDING VISITORS TO JERSEY WHO ARE PRESCRIBED TETRAHYDROCANNABINOL-BASED MEDICATION: [WQ.204/2018]

Question

What legal provisions, if any, are in place to deal with a visitor from a jurisdiction which allows tetrahydrocannabinol (T.H.C.)-based medication, and who has been prescribed such medication, to bring it into the Island?

Answer

THC is classified in Schedule 2 to the Misuse of Drugs (Jersey) Law 1978 (the “Law”) as a ‘Class A’ controlled drug. THC comes within the meaning of “cannabinol derivatives” and Part 4 of Schedule 2 to the Law defines “cannabinol derivatives” as meaning “*the following substances, except where contained in cannabis or cannabis resin, namely tetrahydro derivatives of cannabinol and 3-alkyl homologues of cannabinol or of its tetrahydro derivatives*”.

Article 4(1) of the Law provides a general prohibition on the importation or exportation of controlled drugs. However, in accordance with paragraph (2)(b) of the said Article, this prohibition does not apply to the import or export of a controlled drug under and in accordance with the terms of a licence issued by the Minister for Health and Social Services, and in compliance with any conditions attached thereto.

Further to a Ministerial Decision on 27 July 2007, a revised Open General Licence for the Importation and Exportation of Controlled Drugs (OGIEL) came into force on 1 August 2007, pursuant to Articles 4(2)(b) and 26 of the Law. A copy of the OGIEL is included below.

Subject to the terms and conditions of the OGIEL, it enables a visitor, who has been prescribed a medicinal product, which in this context is defined in Article 2 of the Medicines (Jersey) Law 1995 as any substance to be administered to a human for a medicinal purpose, to import and export the medicinal product to and from the Island.

It is important to note that the power of the Minister to issue a licence pursuant to Article 4(2)(b) of the Law can only be exercised for the purpose of licensing the import and export of controlled drugs. The OGIEL does not legalise possession of drugs where possession is otherwise unlawful. Therefore, paragraph 3.a of the OGIEL specifically excludes its application to the exportation or importation of any controlled drug by a person who is not lawfully in possession of the drug.

Article 12(1) of the Law allows the Minister by Order to make provisions for the purpose of exempting certain controlled drugs from certain of the restrictions among other things, the possession of drugs in the Law. These exceptions are found in the Misuse of Drugs (General Provisions) (Jersey) Order 2009 (the “Order”). A visitor would not be lawfully in possession of a controlled drug unless authorised in accordance with the Order.

Article 3 of the Order provides the Minister with the power to issue a licence to permit a person to have in his or her possession a controlled drug, including THC, in accordance with the terms of the licence and in compliance with any conditions attached to the licence. This power might be used to issue personal licences in respect of a controlled drug and could be exercised in conjunction with the OGIEL to permit visitors to lawfully import and possess medically prescribed THC products.

MISUSE OF DRUGS (JERSEY) LAW 1978

OPEN GENERAL LICENCE FOR THE IMPORTATION AND EXPORTATION OF CONTROLLED DRUGS

In pursuance of Articles 4(2)(b), and 26 of the Misuse of Drugs (Jersey) Law 1978 the Minister for Health and Social Services hereby licences, with effect from 1st August 2007, and subject to the terms and conditions specified below, the importation and exportation of;

1. Any controlled drug by a person who is entering or leaving Jersey, where the drug is intended for administration for medical or dental purposes in accordance with a prescription issued by a registered

practitioner, to himself or to a member of his household who is unable to administer the drug himself, and who is travelling with that person at the time of importation or exportation.

2. Any controlled drug by a doctor of medicine who is entering or leaving Jersey

a. with a patient for whose treatment during the Journey to or from Jersey the doctor considers the drug may be necessary;

b. for the purpose of immediately leaving or, within the next three days entering Jersey with such a patient; or

c. within three days after its lawful exportation by him when leaving, or immediately after its lawful importation by him when entering, Jersey with a patient for whose treatment during that journey from or to Jersey the doctor considers the drug might be necessary.

The terms and conditions attached to this licence are –

1. The time between a person entering and leaving Jersey, or leaving and returning to Jersey, must not exceed 28 days.

2. The person must carry with them a letter from the prescribing doctor or dentist confirming the person's name, address, date of birth, outward and return dates of travel, the country to be visited and the drugs to be carried including dosages and total amounts.

3. This licence does not apply –

a. to any controlled drug which is not contained in a medicinal product within the meaning of the Medicines (Jersey) Law 1995

b. unless the controlled drug is under the direct personal supervision of the person importing or exporting it

c. to the exportation or importation of any controlled drug by a person who is not lawfully in possession of the drug

d. to the importation of buprenorphine tablets or methadone liquid

It is hereby directed that, notwithstanding any provision in the Regulations under the Misuse of Drugs (Jersey) Law 1978 with respect to record keeping, no record is required to be kept of any quantity of controlled drug imported or exported under this licence.

The open general licence issued on 1st March 2007, is hereby revoked.

This licence shall remain in force until revoked by the Minister for Health and Social Services.

4.7 DEPUTY M. TADIER OF ST. BRELADE OF THE MINISTER FOR SOCIAL SECURITY REGARDING LEGISLATION TO PREVENT DISCRIMINATION BY LANDLORDS AGAINST TENANTS WITH CHILDREN: [WQ.205/2018]

Question

Will the Minister advise what progress, if any, has been made to bring forward legislation to enact the States Assembly's decision to adopt 'Housing: Prevention of discrimination by landlords against tenants with children' (P.31/2018), namely to prevent discrimination against prospective tenants who are domiciled with, and have legal custody of, a child under the age of 18 years; and when members can expect this legislation to be brought to the Assembly?

Answer

Work has commenced on producing a children's legislation programme action plan which will see a major overhaul of existing children's legislation. This will include the Children (Jersey) Law 2002 and a range of other laws, such Day Care of Children (Jersey) Law 2002, and the necessary changes to the Discrimination Law to deliver the commitment made by the States Assembly under P.31/2018. The Minister for Social Security, who is responsible for the Discrimination Law, will work with the Minister for Children and Housing to bring forward the amendments to that law

The children's legislation programme will represent a significant and far reaching programme of legislative change for the benefit of children and their families. The associated action plan, which will be published by the Minister for Children and Housing before the end of 2018, will prioritise the legislative changes required to ensure effective delivery of the entire change programme.

Until this work is completed it is not possible to confirm when discrimination legislation will be brought to the States Assembly.

4.8 DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE MINISTER FOR EDUCATION REGARDING ABSENCES AMONGST THE TEACHING WORKFORCE IN THE ISLAND'S SCHOOLS: [WQ.206/2018]

Question

Will the Minister inform members of the total days of both planned absence (e.g. training) and unplanned absence (e.g. sickness) amongst the teaching workforce in primary schools for the years 2015 to 2018 and show the breakdown of how cover was provided for these absences (whether by teachers, teaching assistants or supply teachers); and will she provide the same information in respect of Years 7 to 11 in secondary schools, with the same parameters?

Answer

Planned absence (e.g. training) is not consistently recorded across all schools in a format that could provide a report of statistics as requested.

Sickness absence is centrally recorded within the Human Resources Information System (HRIS) and the data requested is below.

Primary Schools				
Sickness				
Year	Teachers	Deputy Head Teachers	Head Teachers	Total
2015	999.3	47.5	101.0	1147.8
2016	1371.2	150.0	269.9	1791.1
2017	848.4	20.5	48.0	916.9
2018	822.7	126.3	14.0	963.0
Total	4041.6	344.3	432.9	4818.8

Secondary Schools				
Sickness				
Year	Teachers	Deputy Head Teachers	Head Teachers	Total
2015	2189.8	43.0	16.6	2249.4
2016	2054.3	12.0	36.0	2102.3
2017	1882.6	43.5	2.0	1928.1
2018	1366.8	2.0	5.0	1373.8
Total	7493.5	100.5	59.6	7653.6

Provision of cover for absences is not consistently recorded across all schools in a format that could provide a report of statistics as requested.

Online recording of Absence management, through roll out of system improvements is due in Q1 2019.

4.9 DEPUTY M.R. HIGGINS OF ST. HELIER OF THE CHAIRMAN OF THE STATES EMPLOYMENT BOARD REGARDING ACTIONS TAKEN IN RELATION TO STATES EMPLOYEES NAMED IN THE REPORT OF THE INDEPENDENT JERSEY CARE INQUIRY: [WQ.207/2018]

Question

Will the Chairman advise members how many States employees named in the report of the Independent Jersey Care Inquiry (R.59/2017) were removed from their positions pending an investigation into their actions; and will she state the nature of any such investigations and what subsequently happened to these employees?

Answer

At the time of the publication of the report, three current employees were named in the Independent Jersey Care Inquiry (R.59/2017).

All three were removed from frontline duties whilst the circumstances were reviewed, WQ 14/2018 refers.

All employees were returned to their roles once the review was complete.

The information provided is consistent with our aim to answer the Deputy's question but we are unable to provide further detail on the nature of the investigations due to the low numbers of staff involved.

4.10 DEPUTY M.R. HIGGINS OF ST. HELIER OF THE CHAIRMAN OF THE STATES EMPLOYMENT BOARD REGARDING THE EMPLOYMENT OF STATES EMPLOYEES NAMED IN THE REPORT OF THE INDEPENDENT JERSEY CARE INQUIRY: [WQ.208/2018]

Question

Will the Chairman advise members whether any former or existing States employees named in the report of the Independent Jersey Care Inquiry (R.59/2018), who were accused by either survivors or other members of staff of abusing children physically, sexually or emotionally, were subject to a disciplinary process or criminal trial; and will she state whether any of these people are still employed by the States?

Answer

A similar question WQ.14/2018 was asked in January 2018 which is identified for reference.

No disciplinary process has been applied to any existing member of staff in respect of the report of the Independent Jersey Care Enquiry. There are no criminal or pending prosecutions about existing or former employees

Two employees who were named in the Inquiry report remain employed by the States of Jersey.

4.11 DEPUTY M.R. HIGGINS OF ST. HELIER OF THE MINISTER FOR CHILDREN AND HOUSING REGARDING PAYMENTS ARISING FROM THE HISTORIC ABUSE REDRESS SCHEME: [WQ.209/2018]

Question

Will the Minister advise members how much money was paid in respect of the following?

- (a) to survivors of abuse in Jersey under the Historic Abuse Redress Scheme;
- (b) to lawyers acting for the States (breaking down the total figure into the amounts paid to each of the law firms who represented the States of Jersey Police, the Department of Health and Social Services, the States Greffe or any other relevant departments, and any specific individuals concerned); and
- (c) to lawyers acting for the survivors.

Answer

To date, the monies paid in relation to the Historic Redress Scheme (HARS) and associated matters are:

- (a) survivors of abuse: £2,345,642;
- (b) lawyers acting for the States: £2,965,288. These monies relate to the establishment and management of HARS, plus matters relating to late and usual claims and legal advice relating to the potential establishment of a new redress scheme (HARS 2). HARS scheme costs were central costs and were not incurred by other Departments;
- (c) lawyers acting for survivors: £1,020,428.

The current HARS scheme (HARS) provided for survivors to apply for monies to support therapy costs. These monies continue to be claimed.

In December this year, the Council of Ministers will be asked to consider whether a new redress scheme should be established to provide redress beyond the existing HARS criteria. Provisionally known as HARS 2, the new scheme would provide awards that fairly reflect the severity of the harm or abuse suffered and would also seek to rebalance the monies paid to survivors and those required for administration and legal costs.

4.12 DEPUTY M.R. HIGGINS OF ST. HELIER OF THE MINISTER FOR HEALTH AND SOCIAL SERVICES REGARDING THE USE OF WESTAWAY COURT: [WQ.210/2018]

Question

Will the Minister advise members when Westaway Court was vacated by doctors and other medical workers, how many of them were relocated to the Limes and how many of these same workers are to be re-located to Plaisant Court; and will he further outline what Westaway Court was used for after the medical staff had left the premises?

Answer

28 doctors occupying single-room accommodation were moved to The Limes in February 2018, with another 7 moving over the following months.

Currently, 35 rooms at The Limes are occupied by long-term staff and 4 rooms are being utilised for short-term locum doctors.

The units vacated at Westaway Court have either been decommissioned and are no longer available for occupation or have been used to accommodate medium- and short-term locum staff.

A total of 22 staff resident in various units of accommodation will be moving from Westaway Court to Plaisant Court over the next few weeks/months.

The aim is to have vacated Westaway Court and handed it back to Jersey Property Holdings by the end of this year in accordance with the outline business case approved by the States Assembly.

4.13 DEPUTY M.R. HIGGINS OF ST. HELIER OF THE MINISTER FOR TREASURY AND RESOURCES REGARDING THE CRIMINAL OFFENCES CONFISCATION FUND: [WQ.211/2018]

Question

Will the Minister advise members of the current amount of money contained in the Criminal Offences Confiscation Fund; from what sources the funds currently in the Fund were derived (i.e. the relevant cases); and how money has been disbursed from the Fund over the last three years?

Answer

Balance of Fund

As at 16th October 2018, the total cash held in the Criminal Offences Confiscation Fund (COCF) was £11,860,532.

Of this amount, a total of £8,740,349 is ring-fenced under asset-sharing agreements with other jurisdictions. This leaves a net position of £3,120,183.

Source of Funds

All funds paid into the COCF are received following a Confiscation Order issued by the Royal Court.

In cases where other jurisdictions are involved an asset-sharing agreement may be made in which Jersey retains a portion of the confiscated amount. Recent asset-sharing agreements with the USA and the UK have resulted in £6,529,113 being retained in Jersey.

Disbursements

Payments made from the Fund over the last three years are as follows:

2016: £118,939 to the Community & Constitutional Affairs Department for CCTV equipment for the Police.

2017: £40,061 to the Community & Constitutional Affairs Department for CCTV equipment.

2018: £6,500,000 to the Prison, as agreed in the Budget 2018 capital programme, and £250,000 to the Law Officers Department to fund Jersey’s involvement in the International Centre for Asset Recovery.

4.14 DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE MINISTER FOR HEALTH AND SOCIAL SERVICES REGARDING VACANCIES WITHIN THE HEALTH AND COMMUNITY SERVICES DEPARTMENT: [WQ.212/2018]

Question

Further to his answer to Written Question 159/2018 on 25th September 2018, will the Minister –

- (a) inform members how many vacancies his department is carrying across the whole of Health and Community Services, providing the job title and grade for each vacancy;
- (b) indicate which of the posts concerned deliver essential front-line services and which are to be subject to the process of ‘workforce modernisation’; and
- (c) indicate which of these vacancies form part of the 600 vacancies referred to by the Chief Minister in his recent address to the Chamber of Commerce?

Answer

(a) Health and Community Services is currently carrying a total of 335.6 vacancies across the whole department, of which 123 posts are currently in active recruitment/offer of employment stages. The job title and grade for each vacancy is as follows:

Job title	Grade	Vacancies
Co-ordinator Bank Nurses GA0406	CS06	1.0
Senior Lecturer (Post Registration)	CS12	1.0
Senior Lecturer (Pre-Registration)	CS12	1.0
Trainee Social Worker	CS07	2.0
Behaviour Advisor	CS10	1.0
O.T. Basic	CS09	1.0
O.T. Senior II	CS10	2.1
Occupational Therapist Asst - Clinical Services	CS05	0.8
Senior Physiotherapist WP Reablement	CS12	0.5
Clinical Psychologist	CS12	1.0
Senior I Speech Therapist	CS12	1.0
Head of Nursing	CS13	1.0
Senior Practitioner	CS12	1.0

Capacity and Liberty Assessor	CS12	1.0
Director - Alcohol & Drugs	CS13	1.0
Clinical Lead	CS13	1.8
Director of Counselling and Psychotherapy	CS15	1.0
Clinical Psychologist	CS12	0.6
Psychological Well Being Practitioner (PWP)	CS09	1.0
Psychological Therapist	CS10	4.0
Consultant	CONN	1.0
Consultant Neuro Psychiatrist	CONN	1.0
Healthcare Assistant	NM01	3.0
Senior Healthcare Assistant - Le Geyt Day Services	NM02	1.0
Healthcare Assistant	NM01	3.0
Senior Healthcare Assistant	NM02	2.0
Healthcare Assistant	NM01	6.8
Senior Healthcare Assistant	NM02	0.9
Sister / Charge Nurse - Special Needs Team	NM05	1.0
Healthcare Assistant	NM01	1.0
Senior Healthcare Assistant	NM02	1.0
Healthcare Assistant - Orchard House	NM01	2.0
Senior Staff Nurse - Orchard House	NM04	5.0
Senior Sister/Charge Nurse - Acute Team	NM06	4.0
Senior Healthcare Assistant	NM02	3.0
Sister / Charge Nurse	NM05	7.0
Healthcare Assistant - Poplars DC	NM01	1.2
Senior Staff Nurse - Poplars DC	NM04	0.4
Day Centre Lead	NM03	1.0
Sister / Charge Nurse - Alcohol & Drugs Service	NM05	1.0
Alcohol and Drug Nurse Practitioner	NM05	1.0
Senior Practitioner IRO	CS12	2.0
Service Lead - Children's Residential/Respite	CS11	1.0
Senior Practitioner - Child Care Team	CS12	1.0
Social Worker CIN 4	CS11	7.0
Social Worker MASH	CS11	0.5
Social Worker CIN 2	CS11	3.0
Senior Practitioner - Intensive Support Team	CS12	1.0
Social Worker F&A	CS11	2.0
Senior Practitioner CIN 3	CS12	1.0
Social Worker CIN 3	CS11	4.0
Social Worker Complex Needs	CS11	3.0
Senior Practitioner - Statutory Team	CS12	2.0
Social Worker Stat Team	CS11	5.0
Senior I Speech Therapist	CS12	0.3
Family Partnership Worker	CS08	2.0
Community Therapy Support Worker	CS06	2.0
Senior I Occupational Therapist	CS12	1.0
Family Support Worker - CIN Team 2	FSW2	2.0
Family Support Worker 1 - CIN Team 3	FSW1	1.0
Family Support Worker - Statutory Team	FSW2	1.0
Chef - Secure Unit	MW05MJ	0.5
Senior Staff Nurse - Oakwell	NM04	1.0
Senior Sister/Charge Nurse - Chld/Adoles Mntl Hlth	NM06	1.0
Sister / Charge Nurse - Child/Adoles Mntl Hlth	NM05	2.0

RCCO Intensive Support Team Worker	RC02	1.0
Residential Team Leader	RC04	1.0
RCCO Care Worker	RC02	5.6
RCCO Shift Leader	RC03	3.0
Residential Team Leader	RC04	2.0
RCCO Care Worker - Secure Unit	RC02	1.0
RCCO 3 Team Leader - Secure Unit	RC03	4.0
Registered Manager	RCGP	1.0
Registered Manager	RCGP	1.0
RCCO Grade 2 - Eden House	RC02	1.2
Ward Clerk - Cedar Ward	CS05	0.5
Social Worker - Older Adult Mental Health	CS11	1.0
Primary Care Support Worker	CS06	1.0
Occupational Therapist	CS10	1.0
Occupational Therapist - Memory Clinic	CS10	1.0
Senior Primary Care Support Worker	CS08	1.0
Social Worker - Memory Clinic	CS11	1.0
Consultant in Old Age Psychiatry	CONN	1.0
Healthcare Assistant - Sandybrook Residential Home	NM01	2.1
Senior Staff Nurse - Sandybrook	NM04	3.9
Healthcare Assistant - Beech Ward	NM01	1.0
Senior Staff Nurse - Beech Ward	NM04	1.0
Healthcare Assistant - Cedar Ward	NM01	1.0
Senior Sister/Charge Nurse - Cedar Ward	NM06	1.0
Healthcare Assistant - Oak Ward	NM01	0.0
Senior Staff Nurse - Oak Ward	NM04	4.0
Senior Staff Nurse - Maple Ward	NM04	5.0
Senior Sister/Charge Nurse - Maple Ward	NM06	1.0
Senior Sister/Charge Nurse	NM06	1.0
Senior Sister/Charge Nurse - Memory Clinic	NM06	1.0
Paramedic	PM01	2.0
Leading Paramedic	PM002	1.0
Associate Specialist in Respiratory Care	SAS	1.0
Senior Clinical Physiologist	CS08	0.0
Clinical Physiologist	CS06	1.3
Pharmacy Technician	CS06	1.0
Senior Pharmacist - Comm & Social Services	CS12	0.1
Senior Pharmacist - Tech Serv & Oncology	CS12	1.0
Senior Pharmacy Tech - Medicines Management	CS08	1.0
Lead Pharmacist - EPMA	CS12	1.0
Healthy Lifestyle Community Dietitian	CS10	1.0
Bio-Medical Scientist Haematology/Trans CS9	CS09	1.0
Donor Organiser	CS06	0.1
Senior Biomedical Scientist - Microbiology	CS10	0.5
Medical Lab Assistant - Pathology - Microbiology	CS05	1.0
Medical Lab Assistant - Pathology - Histology	CS05	1.0
Play Specialist - Outpatients	CS04	0.6
Radiology Assistant	CS05	0.3
Reporting Radiographer	CS10	0.2
Modality Manager	CS12	0.2
New Born Hearing Screener	CS04	0.0
Specialist Podiatrist	CS11	1.0

Senior Physiotherapist - Rehabilitation	CS12	0.2
Physiotherapist	CS09	0.5
Physiotherapist Rehabilitation Assistant	CS05	1.5
Rehabilitation Therapy Assistant	CS08	0.3
Clinical Team Leader	CS12	0.2
Senior Physiotherapist I	CS12	1.9
Orthopaedic Practitioner	CS07	0.6
Rehabilitation Assistant	CS05	0.4
Senior Physiotherapist	CS10	0.3
Rehabilitation Therapy Assistant	CS08	0.3
Sen Physiotherapist - Pulmonary Rehab	CS12	0.4
Clinical Fellow in Cardiology	SCOR	1.0
Contraception Nurse	NM05	0.4
HIV Senior Sister	NM06	0.5
Senior Staff Nurse - Infection Control	NM04	0.0
Specialist Nurse - Infection Control	NM06	0.2
Senior Staff Nurse - Outpatients	NM04	0.9
Senior Sister/Charge Nurse 6A - Outpatients	NM06	1.0
Senior Healthcare Assistant - Outpatients	NM02	1.0
Senior Staff Nurse - Transfusion	NM04	0.1
Healthcare Assistant - Phlebotomist	NM01	0.0
Trainee Orthopaedic Practitioner	NM02	0.4
Healthcare Assistant - Surgery Modern Matron	NM01	2.0
Associate Specialist in Emergency Medicine	SAS	0.2
Associate Specialist In Care Of The Elderly	SAS	1.0
Associate Specialist in Renal	SAS	1.0
Bone Densitometrist Diagnostic Radiographer	CS09	0.0
Ward Clerk - Plemont Ward	CS05	0.0
Ward Clerk - Bartlett Ward	CS05	0.4
Ward Clerk - Emergency Assessment Unit	CS05	0.0
Ward Clerk - Renal Unit	CS05	0.0
Consultant in Accident & Emergency	CONN	1.0
Consultant in Dermatology	CONN	1.0
Consultant in Oncology	CONN	0.2
Consultant in Haematology	CONN	1.0
SHO - Accident & Emergency	SCOR	1.4
Clinical Fellow - Accident & Emergency	SCOR	0.6
F2 - Care Of The Elderly	FTWO	1.0
F1 - Diabetes	FONE	1.0
F1 - Renal Unit	FONE	1.0
Senior Staff Nurse - Corbiere Ward	NM04	5.0
Healthcare Assistant - Plemont Ward	NM01	0.9
Senior Staff Nurse - Plemont Ward	NM04	2.2
Healthcare Assistant - Aubin Ward	NM01	1.5
Senior Staff Nurse - Aubin Ward	NM04	3.5
Healthcare Assistant - Bartlett Ward	NM01	4.8
Senior Staff Nurse - Bartlett Ward	NM04	3.2
Senior Sister/Charge Nurse 6A - EAU	NM06	0.1
Healthcare Assistant - Emergency Assessment Unit	NM01	0.6
Sister / Charge Nurse - EAU	NM05	1.0
Healthcare Assistant - Dermatology	NM01	0.1
Senior Staff Nurse - Dermatology	NM04	0.3

Diabetes Nurse Practitioner	NM05	0.0
Diabetes Specialist Nurse Manager	NM06	1.0
Sister / Charge Nurse 5b - Oncology	NM05	0.6
Senior Staff Nurse 4 - Renal Unit	NM04	2.0
Healthcare Assistant - Renal	NM01	0.3
Dialysis Technicians	NM02	0.4
Senior Staff Nurse - Accident & Emergency	NM04	1.0
Healthcare Assistant - A&E	NM01	0.2
Senior Healthcare Assistant - A&E	NM02	0.4
Emergency Nurse Practitioner	NM06	0.0
Clinical Nurse Specialist - Rheumatology	NM05	0.2
Healthcare Assistant - Samares Ward	NM01	1.0
Senior Staff Nurse - Samares Ward	NM04	3.1
Staff Grade in Medicine	SGR	1.0
Staff Grade in Diabetes	SGR	1.0
Staff Grade in Renal Medicine	SGR	1.0
Clinic Clerk	CS04	6.7
GP Receptionist	CS05	1.4
Ward Clerk - Rozel and Sorel (Private)	CS05	0.5
Divisional Lead - Operational Support Services	CS14	1.0
Senior Staff Nurse - Rozel and Sorel	NM04	0.5
Sister/Charge Nurse 5 - Rozel & Sorel	NM05	1.0
Associate Specialist - Dental/Oral Surgery	SAS	1.0
Ward Clerk - Beauport Ward	CS05	0.0
Ward Clerk - Portelet Ward	CS05	0.0
Dental Officer	CS13	0.2
Dental Nurse	CS06	2.4
Dental Nurse - Oral	CS07	0.6
Dental Receptionist	CS05	1.5
Dental Consultant - Oral Surgery	CONN	1.0
Consultant in Restorative Dentistry	CONN	0.4
Consultant Orthodontist	CONN	0.5
Clinical Co-Ordinator NM06	NM06	0.6
Healthcare Assistant - Beauport Ward	NM01	0.7
Senior Staff Nurse - Beauport Ward	NM04	3.8
Sister/Charge Nurse 5 - Beauport	NM05	0.2
Senior Staff Nurse - Portelet Ward	NM04	6.1
Senior Staff Nurse - Eye Dept	NM04	1.0
Healthcare Assistant - ENT	NM01	0.8
Healthcare Assistant - Intensive Care	NM01	0.1
Senior Sister/Charge Nurse - Intensive Care	NM06	0.2
Senior Staff Nurse - Intensive Care	NM04	4.9
Practice Development Sister	NM06	1.0
Sister / Charge Nurse 5b - Intensive Care	NM05	0.2
HCA / Technician	NM01	0.3
Healthcare Assistant - Breast Care	NM01	0.5
Staff Grade in Ophthalmology	SGR	0.1
Consultant in Gastroenterology	CONN	1.0
Theatre Attendant	MW06MJ	1.0
CSSD Assistant	MW04MJ	0.7
Healthcare Assistant - Day Surgery Unit	NM01	1.0
Senior Staff Nurse - Day Surgery Unit	NM04	0.7

Anaesthetic Recovery Nurse	NM04	0.5
Senior Staff Nurse / ODP - Theatres	NM04	9.2
Sister / Charge Nurse - Theatres	NM05	1.1
Theatre Scrub Nurse	NM04	0.5
OPD Student	NM01	0.4
OPD Clinical Skills Tutor	NM06	1.0
Associate Specialist - Obstetrics & Gynaecology	SAS	1.0
Associate Specialist - Obstetrics & Gynaecology	SAS	1.0
Sonographer	CS10	1.0
Consultant in Obstetrics & Gynaecology	CONN	1.0
GP Trainee / ST2 / Clinical Fellow	SCOR	1.0
SHO - Obstetrics & Gynaecology	SCOR	4.0
Senior Staff Nurse - Robin Ward	NM04	1.4
Sister MASH-Safeguarding	NM05	1.0
Senior Staff Nurse - Rayner Ward	NM04	4.0
Healthcare Assistant - Maternity	NM01	1.4
Senior Staff Midwife	NM05	4.2
Senior Healthcare Assistant - General Midwifery	NM02	0.2
Midwifery Sister (Grade 5B) - SCBU	NM05	0.8
Healthcare Assistant - Special Care Baby Unit	NM01	0.5
Midwifery Sister (Grade 6B) - Ante Natal Unit	NM06	1.0
Midwifery Sister (Grade 5B) - The Bridge	NM05	0.8
Midwives - Community	NM05	1.0
Staff Grade - Paediatrics	SGR	1.8
Staff Grade - Obstetrics & Gynaecology	SGR	3.0
Programme Administrator CHT	CS06	0.3

Note: Numbers are subject to rounding, hence the 0.0 entry for some lines.

(b) All posts would be involved with delivering essential front-line services. As part of the work currently being undertaken as part of the wider Target Operating Model, all roles will be subject to ‘workforce modernisation’.

(c) An indication of which of the vacancies form part of the 600 vacancies referred to by the Chief Minister cannot be provided at this time as this will be subject to the outcome of the implementation of the Target Operating Model by Health and Community Services.

4.15 DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE CHIEF MINISTER REGARDING EXPENDITURE ON COMMUNICATIONS: [WQ.213/2018]

Question

Further to his answer to Written Question 194/2018, will the Chief Minister –

- provide his assessment of the value for money of expenditure on communications, disregarding any expenditure on technical web-support elements referred to in that previous answer;
- advise why staff have been recruited to the Communications Directorate before the results of the “*further, detailed exercise*” arising from the 2017 audit of communications are known;
- state when that “*further, detailed exercise*” will be completed; and
- commit to presenting the resultant report from that exercise to members?

Answer

- It will be possible to establish the external expenditure on communications activities historically, and the further detailed exercise that will analyse these external costs has already been

commissioned. However, it will not be possible to say whether this expenditure represented good value for money, because, as the communications audit revealed, there was little objective setting, or measurement and evaluation of what outcomes were achieved as a result of these communications activities. Under the new structure being created, each new communications project or campaign will need to establish objectives at the outset and measure the campaign's effectiveness in achieving those objectives. As design and marketing activities are increasingly insourced, it will also be possible to compare the costs of providing these services internally, versus the cost of procuring them via external agencies.

- (b) As the communications audit concluded, the previous structure of communications was ad hoc, not fit for purpose, and therefore the States of Jersey was not communicating effectively with the public, stakeholders, the media and staff. For instance, some departments had several communications officers – or people in roles that included communications – and others had none. There was also an under-resourced central press office, no central internal communications function and no in-house marketing and design function. The duplication, inefficiencies and omissions arising from this situation were well detailed in the audit.

The decision to approve the new structure of government communications was therefore not simply based on a cost comparison with previous arrangements, but on the need to create a professional government communications service, which would properly assist the government in meeting its obligations to inform and engage with the public, stakeholders and staff through high-quality and effective communications.

- (c) The further detailed exercise of historical communications costs will be completed by the end of November.
- (d) The report of those historical costs will be made available to Members.

4.16 DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE MINISTER FOR EDUCATION REGARDING THE DIFFERENCES IN EXPENDITURE BETWEEN FEE-PAYING AND NON-FEE-PAYING SECONDARY SCHOOLS: [WQ.214/2018]

Question

Further to the answers to Written Questions 160/2018 and 181/2018, in which it was shown that total expenditure in 2018 on education in the non-fee-paying 11 to 16 schools was on average £4.4 million per school and that expenditure in the same year (including fees) at Victoria College and Jersey College for Girls was £7.6 million, will the Minister explain how this difference is justifiable in light of the objective stated in 'Proposed Common Strategic Policy 2018-22' (P.110/2018) to "*narrow education attainment gaps*" and state what action, if any, will be taken as a result?

Answer

The funding for Fee Paying Schools and for States secondary schools are calculated using the same model. The difference being that the States only fund 48.5% of the Fee Paying School. The Fee Paying schools then use school Fees to balance their expenditure.

Officers were unable to identify where previous answers have indicated an average expenditure per year of £7.6 million for Victoria College and Jersey College for Girls. I understand the Deputy may have used published fees from the school websites to calculate the £7.6 million but without knowing the detail of the calculation I cannot comment on its accuracy.

There are a number of factors that prevent a direct comparison between funding for fee paying and non-fee paying schools, several are listed below and will justify some difference in expenditure between fee and non-fee paying schools:

- Fee Paying schools are for ages 11-18 and non-fee paying are for ages 11-16 only.

- The per pupil cost is higher in years 12 & 13 which are not taught at 11-16 non-fee paying schools.
- Fee paying schools have an average of 25% of their students in years 12 & 13.
- Fee paying schools have to fund premises occupancy costs, non-fee paying schools do not pay occupancy
- Average number of pupils in the four 11-16 secondary schools was 666, while in the fee paying schools was 705

Narrowing of education attainment gaps will be achieved by improvements across a wide range of factors which influence it. Financial factors are of course a consideration but are just one part of a range of complex issues we need to understand and resolve working with our stakeholders over this term of Government.

4.17 DEPUTY R.J. WARD OF ST. HELIER OF THE MINISTER FOR INFRASTRUCTURE REGARDING THE FUTURE DEVELOPMENT OF THE ST. SAVIOUR'S HOSPITAL AND WARWICK FARM SITES: [WQ.215/2018]

Question

Will the Minister advise whether the States of Jersey Development Company, Andium Homes or any other developer are currently in negotiations in respect of the future development of the St. Saviour's Hospital and Warwick Farm sites; and if so, will he confirm that no final decision arising from such negotiations will be made until the outcome of all reviews into the new hospital site are completed?

Answer

Warwick Farm

This site is leased to IHP limited for a nine year period from 1st January 2018. There are no negotiations with any developer in train in relation to this site.

St Saviours Hospital

The site at St Saviours Hospital is in two parcels.

The land to the north of La Route de la Hougue Bie comprises Clinque Pinel and Rosewood House. These are operational buildings that will remain as such for the foreseeable future, pending the provision of any alternative accommodation proposed as a result of the Mental Health review.

The land to the South comprising Queens House and associated buildings, together with residential properties at Marina Court, Marina Cottages and Valley Close, has the potential for redevelopment. However, services provided at Orchard House will need to be relocated to the north side of the road, and keyworker accommodation reprovided, before the site is available for redevelopment. This is likely to take up to two years.

The Regeneration Steering Group (RSG) has agreed for the site to be re-developed by the States of Jersey Development Company (JDC) and, once a Development Brief has been issued by the Environment Minister, JDC will produce a Development Plan for the RSG to consider. There will also be engagement with stakeholders including St Saviour Deputies prior to decisions being made. No negotiations are in train with JDC, Andium Homes or any other developer at this stage.

The States Assembly has approved the current hospital site as the preferred location for the new hospital. The report of the Planning Inspector is expected in early November.

The Chief Minister's Policy Review Panel is scheduled to report by the end of October.

As no negotiations are in place for either site, and decisions on the current proposals are expected imminently, the confirmation sought by the Deputy is unnecessary.

4.18 THE CONNÉTABLE OF ST. HELIER OF THE CHIEF MINISTER REGARDING THE EMPLOYMENT OF COMMUNICATIONS STAFF: [WR.216/2018]

Question

What numbers of public relations officers, communications staff, media consultants (or similarly titled staff) have been employed by States departments over the past five years; and what have been the annual salaries and other costs associated with such employment?

Answer

In the past, a large number of staff had communications responsibilities as part of their role, and this was often not included in their job titles. Moreover, external agencies hired to provide PR or other support were hired on a project cost basis, which cannot be broken down into its component elements, such as staff time. Therefore, it is not possible to produce an accurate historical estimate.

4.19 DEPUTY R.J. WARD OF ST. HELIER OF THE MINISTER FOR THE ENVIRONMENT REGARDING THE RECENT REPORT FROM THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE: [WQ.217/2018]

Question

Given that the recent report from the Intergovernmental Panel on Climate Change, ‘IPCC Special Report on Global Warming of 1.5°C’, indicated 12 years remain to reduce carbon emissions significantly before global warming could reach irreversible levels, will the Minister –

- (a) commit to making this issue an agenda item at all meetings of the Council of Ministers to ensure it is given priority and urgent attention;
- (b) outline the measures currently being taken to reduce the Island’s carbon emissions; and
- (c) detail any future plans to make Jersey a world leader in renewable energy or, if there are no such plans, explain the lack of planning?

Answer

(a) & (b)

Our officer team and I are currently considering the latest IPCC report in the context of the Island’s agreed emissions reduction plan - Pathway 2050: An Energy Plan for Jersey (P.38/2014¹). The Energy Plan outlines all the policies and actions to reduce Jersey’s Greenhouse Gas Emissions by 80% on 1990 baseline levels by 2050².

The delivery of the Energy Plan is overseen by the Jersey Energy Partnership³, whose role it is to monitor and review the Energy Plan. The Partnership has two parts, a Ministerial Energy Executive, and a multi-stakeholder energy forum.

The Energy Executive is responsible for the ongoing monitoring of the actions as outlined in the Energy Plan. They review the delivery of the Plan and develop or commission new policy areas or actions accordingly.

The Energy Executive includes the following Ministers and their officers: Minister for the Environment (Chair), Minister for Economic Development, Tourism, Sport and Culture, Minister for Infrastructure, and Minister for Social Security, and therefore it is considered that there is sufficient Ministerial oversight for delivery of the plan. Where this is required the Executive will bring matters to the attention of the Council of Ministers (COM). Therefore, at the present time I do not consider it necessary to make climate change a standing item on all COM agendas.

¹ [https://statesassembly.gov.je/AssemblyReports/2014/R.037-2014.pdf#search=Pathway 2050](https://statesassembly.gov.je/AssemblyReports/2014/R.037-2014.pdf#search=Pathway%202050)

² [http://www.aether-uk.com/Resources/Jersey-Infographic _](http://www.aether-uk.com/Resources/Jersey-Infographic_) - Infographic showing Jersey’s emissions and the potential impact of mitigation policies as outlined in P.38 as well as current progress towards these targets.

³ <https://www.gov.je/environment/generateenergy/pages/jerseyenergypartnership.aspx>

(b) Considerable work has been done to assess Jersey's potential for renewable energy generation, especially given the Island's large tidal range, offshore wind resource and sunshine hours (See Chapter 4 of Pathway 2050).

The aim of the Energy Plan is to deliver secure, affordable and sustainable energy. At the present time the costs involved in harvesting utility scale renewable energy for sale on-Island would cause energy costs to rise if we were to adopt current technologies. Until these costs reduce this would negatively impact on the affordability of energy for consumers. Taking into account the vital need to maintain a network infrastructure, even for micro renewables, at the present time most renewable energy options are likely to be equal or more expensive to produce than conventional forms of energy.

Jersey's current mix of electricity from France is certified as 65% nuclear and 35% renewable energy (hydro-electric from the La Rance tidal impoundment barrage⁴). Jersey's 35% renewable energy component of electricity, compares well with the UK, where 30% of their electricity generation was renewable in Q1 2018⁵. Therefore, Jersey's electricity supply is not only decarbonised (via the importation of nuclear energy), it also currently comprises a substantial proportion of renewable energy. As a percentage of all Jersey's energy use (Total Primary Energy Supply), our renewable component comprises 12.5%.

Whilst Jersey currently bench marks reasonably well against other places, it is essential that we do more to increase renewable energy use in future years and recognise that our current security and affordability of supply may not be guaranteed in the future.

The costs of generating renewable energy of all types can be expected to fall as technology improves, whilst the costs of traditional energy sources will increase. The Council of Minister's Proposed Common Strategic Policy 2018-2022 'has made a commitment to establishing our policy on renewable energy at the utility and domestic scales with the intention of creating a more sustainable supply'. Therefore, I will fully support our joint efforts towards switching to more renewable energy both from a sustainability perspective but also from a security of supply perspective when affordability is less prohibitive.

Concurrently with our policy development work in 2019, we will also consider opportunities as they arise in this fast moving situation.

4.20 DEPUTY M.R. LE HEGARAT OF ST. HELIER OF THE CHAIRMAN OF THE STATES EMPLOYMENT BOARD REGARDING FINANCIAL AND REMUNERATION PACKAGES OFFERED TO PEOPLE LEAVING THEIR EMPLOYMENT WITH THE STATES OF JERSEY: [WQ.218/2018]

Question

Will the Chairman advise how many staff have been given the following since 1st October 2017 –

- (a) compromise agreements;
- (b) voluntary redundancy;
- (c) compulsory redundancy; or
- (d) any other form of financial or remuneration package on leaving their employment with the States of Jersey;

will she state how many staff have been given 'gardening leave' during the same period and how many of any such staff are still employed by the States; and will she also state how much such agreements and arrangements have cost the States to date?

⁴ <https://www.jec.co.uk/energy-hub/jersey-a-low-carbon-island/>

⁵

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/720182/Press_Notice_June_18.pdf

Answer

Agreement Type	No. of employees	No. of employees where Gardening Leave applied	Cost of Contractual Notice	No. of employees still employed by SoJ	Total Cost (Incl. Contractual Notice)
Compromise Agreements	28	13	£303,348.88	0	£1,072,857.25
VR	10	1	£23,767.77	0	£774,472.19
CR	4	0	£0	0	£99,424.26
Any other form of financial remuneration package	0	0	£0	0	£0
Total	42	14	£327,116.65	0	£1,946,753.70

4.21 DEPUTY M.R. LE HEGARAT OF ST. HELIER OF THE MINISTER FOR HOME AFFAIRS REGARDING OFFICERS WHO HAVE LEFT THE STATES OF JERSEY POLICE: [WQ.219/2018]

Question

Will the Minister state how many officers have left the States of Jersey Police since 1st August 2017, including those who are currently working their notice, breaking the figures down by the following age groups –

20-30

30-40

40-50

50-60

and will he also indicate within each age group the breakdown by rank and gender?

Answer

The information requested is compiled in the table below.

	20-30	30-40	40-50	50-60	60-70
Police constable	n/a	<u>Total: 3</u> 3 Male	<u>Total: 5</u> 3 Female 2 Male	<u>Total: 7</u> 5 Male 2 Female	n/a
Sergeant	n/a	n/a	<u>Total: 1</u> 1 Male	<u>Total: 5</u> 4 Male 1 Female	n/a
Inspector	n/a	n/a	n/a	<u>Total: 2</u> 2 Male	n/a
Other more senior ranks	n/a	n/a	<u>Total: 1</u> 1 Male	<u>Total: 2</u> 2 Male	<u>Total: 1</u> 1 Male
Totals		3	7	16	1

27

4.22 THE CONNÉTABLE OF ST. HELIER OF THE MINISTER FOR THE ENVIRONMENT REGARDING THE MINISTER'S RESPONSE TO THE REPORT OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE: [WQ.220/2018]

Question

What response, if any, has the Minister made to the latest report by the Intergovernmental Panel on Climate Change (I.P.C.C.) which has challenged all governments to take steps to address the problems of climate change; and will he engage with the Minister for Treasury and Resources regarding prospective fiscal measures that could be taken, either through amendments to the 2019 Budget or through the 2020 Budget; and if not, why not?

Answer

I am currently considering the latest IPCC report in the context of the Island's agreed emissions reduction plan - Pathway 2050: An Energy Plan for Jersey (P.38/2014) which outlines policies and actions to reduce Jersey's Greenhouse Gas Emissions by 80% on 1990 baseline levels by 2050⁶.

The Energy Forum, the stakeholder arm of the Jersey Energy Partnership⁷, have the IPCC report as an agenda item for their next meeting of the 4th December 2018. They will also consider whether Jersey's policies to reduce carbon emissions as modelled are in line with the new emissions and temperature scenarios discussed by the IPCC and report back to the Energy Executive, the Ministerial oversight group tasked with monitoring the delivery of the Energy Plan. At present the two key target areas for carbon reduction are space heating and transport. Their conclusions will inform the Council of Ministers (COM) policy formulation work which is due to take place during the first quarter of 2019 as part of preparing our draft Common Strategic Policy (CSP), Resources Plan for 2020-22, and the new Island Plan.

As a newly elected Minister I would have liked to see the proposed COM budget for 2019 include fiscal measures to achieve our environmental objectives. Unfortunately with only four months since being elected a Minister, the States summer recess and work on our COM CSP having to take priority, at the same time as the Civil Service undergoing a complete restructuring, there has not been sufficient time nor opportunity for policy research and development to ensure any fiscal measures proposed were robust and without unintended consequences.

Whilst there are proposals which could be considered for amendment in the 2019 budget, e.g. bringing centre of town private car parking into the taxable benefits in kind regime to support sustainable transport, I have been advised that until a full assessment of the adequacy of the Island's ongoing emissions reduction policies in the light of the IPCC report has been carried out, it is premature to bring an amendment to the 2019 Budget that would impose fiscal measures for this purpose.

Notwithstanding this disappointment, as Minister for the Environment, I will work to ensure the COM's policy considerations in the 2020 and beyond budget cycles includes potential fiscal levers to encourage reductions in carbon emissions and reduced pollution, especially from vehicles. These could include Vehicle Emissions Duty and differential parking rates for electric vehicles and perhaps in the much longer term an urban congestion charge at peak times, and all have the potential of generating additional funding for sustainable transport including public transport. But these subjects will have to go through the COM one government policy development process, including public consultation, and wide ranging discussions will be required with the Minister for Infrastructure. I will ensure the Connétable has the opportunity to contribute fully to these considerations.

⁶ <http://www.aether-uk.com/Resources/Jersey-Infographic> _ - Infographic showing Jersey's emissions and the potential impact of mitigation policies.

⁷ <https://www.gov.je/environment/generateenergy/pages/jerseyenergypartnership.aspx>

4.23 DEPUTY C.S. ALVES OF ST. HELIER OF THE CHAIRMAN OF THE STATES EMPLOYMENT BOARD REGARDING THE NUMBER OF TEACHERS LEAVING THE PROFESSION IN THE LAST 5 YEARS: [WQ.221/2018]

Question

Following the results of the Teachers' Survey which was published on 28th September 2018 –

- (a) how many teachers have left the profession in the last 5 years (not including retirements);
- (b) of those who have left, what percentage had exit interviews;
- (c) how, if at all, were those leaving the profession informed they could have exit interviews?

Answer(s):

A) The tables below show the amount of teachers, broken down by role and school type, over the last 5 years, excluding retirements:

Role	2013	2014	2015	2016	2017	2018	Total
Deputy Head Teachers	1	1	2		1	1	6
Head Teachers		3		1	1		5
Teachers	64	93	66	72	80	75	450
Total	65	97	68	73	82	76	461

School	2013	2014	2015	2016	2017	2018	Total
Mixed	3	3	2	2		3	13
Primary	26	39	20	30	37	32	184
Secondary	35	53	41	40	44	38	251
Various	1	2	5	1	1	3	13
Total	65	97	68	73	82	76	461

B) The information is not held centrally.

C) Exit interview guidance and documentation is provided on the States intranet for use by Managers as necessary. In the event their local intranet does not provide access, their HR Business partner will provide access. Any employee who is leaving can ask for an exit interview.

4.24 DEPUTY C.S. ALVES OF ST. HELIER OF THE MINISTER FOR INFRASTRUCTURE REGARDING LEASE AGREEMENTS ON THE WATERFRONT: [WQ.222/2018]

Question

Further to the Minister's answer to Written Question 185/2018 regarding lease agreements on the Waterfront, can the Minister advise –

- (a) how much is received annually from these leaseholds;
- (b) how much has been generated from the sale of leases/sub-leasing since the inception of the States of Jersey Development Company to date;
- (c) what dividends, if any, have been paid to the States of Jersey to date?

Answer

(a) In 2004 the States of Jersey transferred various leasehold and freehold development plots into the States of Jersey Development Company Limited ("SoJDC") (formerly known as the Waterfront

Enterprise Board Limited (“WEB”) as a capital contribution from the Shareholder. These land areas were the subject of an independent red book valuation at the date of transfer and are held on SoJDC’s balance sheet under “Equity attributable to equity holders of the Company” at £20.2m.

The various leases that have been put in place on the Waterfront plots between the States of Jersey and SoJDC are at a peppercorn rent of £1 per annum.

In 2018, SoJDC is forecast to receive the following income from its leasehold land and property on the Waterfront:

	£’000
• Waterfront Car Park	1,222
• Les Jardins Car Park	759
• Liberation Station	100
• Weighbridge	90

(b) The following long leasehold interests have been disposed of to private third parties since the inception of SoJDC in 2011:

	£’000
• Harbour Reach – capital receipt from sale of ground floor office (2016)	1,650
• Waterfront Hotel - capital receipt from sale of the ground lease (2017)	3,149
• JEC sub-station at Liberty Wharf (2017)	230

(c) Profits from SoJDC’s activities are either paid as a dividend, invested in public infrastructure, invested in acquiring further regeneration projects or recycled as working capital for future developments.

To date, SoJDC has paid the following dividends:

	£
2012	840,317
2013	816,400
2014	816,400
2015	1,000,000

To date SoJDC (formerly WEB) has funded the following public infrastructure projects:

Funded out of SoJDC’s initial £20million Share Capital (between 1996 and 2003): £’000

• Waterfront Car Park and public park	7,858
• Waterfront Road Network, services and sewers	4,239
• Les Jardins de la Mer public park and La Fregate café	2,203
• Promenades around the Waterfront / Elizabeth Marina	1,406
• Stockpile removal & general site preparation works	1,322
• Boat Hoist at La Collette	1,000
• Public park around the Steam Clock and the Steam Clock	856

• Lorry Park wall & upgrade to marina lights	566
• Refurbishment of Havre des Pas lido	422
• Relocation of Immigration Department	128
TOTAL	20,000

Funded out of SoJDC's land sales (between 2003 and 2010):

- The creation of a new marina services facility (showers, WCs and clothes washing facilities) for the Elizabeth Marina boat owners at Harbour Reach at an estimated cost of £0.4m;
- Co-ordinated and directly funded the relocation of the buses from the Weighbridge, by funding the creation of Liberation Bus Station at a cost to SoJDC of £3m;
- Following the removal of the buses from the Weighbridge, SoJDC commissioned and funded the regeneration of the former bus depot into a new public square at a cost of £1.5m;

Funded out of SoJDC's development activities (since 2011):

- The creation of Trenton Square and new areas of public realm around IFC 1 and IFC 5 at a cost of £2.4m;
- The creation of 55 permanent parking spaces at Janvrin School at a cost of £0.75m;
- The widening (to create a footpath) and refurbishment of Drury Lane at a cost of £0.25m;
- The payments to Growth, Housing and Environment of £0.38m for sustainable transport initiatives; and
- A Ministerial Decision has been signed that has committed the transfer of the Liberation bus station (which has a value of £2.5m) as dividend in specie at the end of 2019.

Finally, SoJDC directly funds the ongoing maintenance and upkeep of extensive areas of public realm on the St. Helier Waterfront. These areas include: Les Jardins de la Mer, Marina Gardens (on top of the Waterfront car park), the Weighbridge Square, certain promenades around Elizabeth Marina and the landscaping and street lights on Route du Port Elizabeth, Rue de L'Etai and Rue de Carteret.

4.25 DEPUTY C.S. ALVES OF ST. HELIER OF THE MINISTER FOR TREASURY AND RESOURCES REGARDING THE PHASING-OUT OF MORTGAGE RELIEF ALLOWANCE: [WQ.223/2018]

Question

What revenue has been collected, and is expected, per annum from the point at which the phasing out of mortgage relief allowance commenced, to the point at which phasing out is anticipated to be complete?

How much less income will be generated in 2019 by raising the cap on stamp duty for first-time buyers as stated in the Draft Budget Statement 2019?

Answer

Part 1: mortgage interest tax relief

The proposal to phase-out mortgage interest tax relief ("MITR") was adopted by the States Assembly in the Budget 2016 and was a key element of the Treasury's focus on ensuring sustainable public finances (note: at a time of historically low interest rates it was estimated that the cost of MITR was £11m per annum).

The economic advice received concluded that there were no strong arguments for the existence of MITR and there are many grounds for concerns over the distortions it adds to the housing market and its wider economic

and distributional consequences, including: 1) There seems to be little evidence for justification that are put forward in its favour; 2) It increases housing demand and with no compensating increase in housing supply is likely to be capitalised (at least partly) in higher house prices; 3) It encourages higher mortgage debt; 4) tends to be regressive in nature (although the distributional consequences are complex), may be disadvantageous to first time buyers and acts as a transfer from taxpayers to homeowners; 5) International evidence points to no clear impact on home ownership rates ; and 6) it distorts investment and consumption choices, working against economic efficiency.

Accordingly in the Budget 2016 the States Assembly agreed to reduce the existing MITR interest cap of £15,000 incrementally over a period of ten years, commencing with the year of assessment (“YOA”) 2017, so that by the YOA 2026 MITR would be reduced to Nil.

For the YOA 2017 the MITR interest cap was reduced to £13,500. The Taxes Office has not yet issued all the personal tax assessment for the YOA 2017 and accordingly there is incomplete information available to determine the impact on tax revenues of the reduction in the MITR interest cap of £13,500 for YOA 2017 at this time.

However when the Draft Budget Statement 2016 was lodged it was estimated (based on the data available for YOA 2013) that the phasing-out of MITR would raise approximately £100k in respect of the YOA 2017 and £200k in respect of the YOA 2018.

The table below estimates the additional tax raised by the reduction in the MITR interest cap for each year of the phase-out period (based on data available at the time of the Budget 2016). It is also assumed that the number of claimants will neither increase or decrease and that the amount of interest and the level of borrowings by these taxpayers remains constant.

Year of assessment	MITR interest cap	Total estimated tax raised by MITR interest cap	Additional estimated tax raised by the incremental reduction of the MITR interest cap
2017	£13,500	£100k	£100k
2018	£12,000	£300k	£200k
2019	£10,500	£600k	£300k
2020	£9,000	£1.0m	£400k
2021	£7,500	£1.7m	£700k
2022	£6,000	£2.7m	£1.0m
2023	£4,500	£4.0m	£1.3m
2024	£3,000	£5.8m	£1.8m
2025	£1,500	£8.2m	£2.4m
2026	£0	£11.0m	£2.8m

Part 2: stamp duty – Budget 2019

The proposal in the Draft Budget Statement 2019 to extend the Stamp Duty/ Land Transaction Tax bands which apply to First Time Buyers (“FTBs”) is part of a package of measures which would broadly have a neutral impact on States revenues.

Stamp duties are a transactional tax and are accordingly difficult to forecast with accuracy. However based on transactions which have occurred in the last 3 years it is estimated that the proposed extension to the Stamp Duty/Land Transaction Tax bands for FTBs will reduce the States revenues by approximately £268k per annum from 2019⁸.

⁸ Draft Budget Statement 2019 page 45 - Figure 16 – Estimated financial implications of 2019 compared to September 2018 IFG forecast

Furthermore a FTB may also benefit from the proposal in Budget 2019 to reduce the amount of Stamp Duty/Land Transaction Tax they are required to pay on the registration of a mortgage when buying their property.

This proposal, which is not limited to FTBs, reduces the amount of Stamp Duty/Land Transaction Tax on a mortgage used to purchase a property of £600k or less to Nil. Where the property exceed £600k but does not exceed £700k the proposal is to charge Stamp Duty/Land Transaction Tax on the mortgage used to purchase the property at a tapered rate. The cost of this proposal is estimated to be £989k per annum from 2019⁹, however it is not possible to provide an estimate of the amount of the cost which would apply solely to FTBs.

4.26 DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE CHAIRMAN OF THE STATES EMPLOYMENT BOARD REGARDING POLICY IN RESPECT OF THE USE OF ZERO-HOUR CONTRACTS IN THE PUBLIC SECTOR: [WQ.224/2018]

Question

Will the Chairman update members on any recent policy developments in respect of the appropriate use of zero-hour contracts across States departments and inform members of the extent to which departments make use of renewable fixed-term contracts and/or agency workers to deliver services while meeting head count and full time equivalent limits?

Will she further state how these employment practices will interact with the intention to deliver services through a more flexible and smaller workforce resulting from workforce modernisation changes?

Answer

It remains important to maintain our flexibility as a public service and to this end we use a variety of employment frameworks to achieve this objective. Regular monitoring of our approach is maintained by SEB via the P59 process and the Jersey Appointments Commission through its assurance accountability. There have not been any recent variations to our approach save for ensuring that such contracts are subject to regular monitoring as indicated above.

As at the end of September, the States of Jersey had:

- 357 Staff on Fixed Term Contracts
- 1,140 Unique Zero Hour agreements (staff with no other role within SoJ)
- 175 Agency staff (From our 3 preferred suppliers (1st Recruitment, ASL Recruitment & Itchyfeet Recruitment))

Of the 1,140 unique zero hour contracts available to the States of Jersey, Only 368 were used in the month of September where their main usage was within Children, Young People, Education and Skills, and Health and Community Services.

The States of Jersey will continue to use different employment frameworks as part of the need to ensure effective headcount management and protect permanent employees in a period of change. They will support the proposed introduction of the Target Operating Model and associated restructures by maintaining an agile and flexible workforce structure. The Board will continue to review any change proposal presented to it, via its regular meetings and workshops.

<https://statesassembly.gov.je/assemblypropositions/2018/p.114-2018.pdf>

⁹ Draft Budget Statement 2019 page 45 - Figure 16 – Estimated financial implications of 2019 compared to September 2018 IFG forecast

<https://statesassembly.gov.je/assemblypropositions/2018/p.114-2018.pdf>

4.27 CONNÉTABLE A.S. CROWCROFT OF ST. HELIER OF THE MINISTER FOR HEALTH AND SOCIAL SERVICES REGARDING WAITING TIMES FOR COMMUNITY DENTAL SERVICES: [WQ.225/2018]

Question

What action, if any, is the Minister taking to address the 385-day wait for community dental services as reported by the Jersey Evening Post on 4th October 2018?

Answer

Introduction

The Community Dental Service is significantly challenged by the increasing number of patients eligible for treatment. It offers all children in Jersey under the age of 11 free dental care, which, as a consequence, creates high demand for the service. The Health and Community Services Department (H&CS) constantly reviews community dental waiting lists and clinic utilisation to ensure every resource is optimised and has been pursuing different options to try and reduce these waits. Currently, one part-time consultant and three dentists (one of whom is full time) meet the current workload.

Any child considered to require an urgent appointment will be seen the same day or the next working day.

The number of referrals (new appointments) continues to rise (see table). On the 1 October 2018 there were 927 patients on the waiting list, of whom 627 (68%) had waited over 90 days. As a comparison, on 1 October 2017 there was a total of 1,013 patients on the waiting list of whom 737 (73%) had waited over 90 days.

Year	Total new referrals	Avg per month
2016	1049	87
2017	1244	104
2018 (to Sept)	1038 Projected 2018 (total) 1386	115

Actions taken

A number of measures have been taken in 2018 to reduce waiting lists and will continue to be taken to optimise resources.

- In January 2017 there was a small but permanent increase in community dental officer provision with the funding of an additional clinic per week. The impact of this has resulted in an additional 10-12 patients being seen per week.
- Between February and April 2018, an additional 10 clinics were held. This involved a local dentist on a bank contract within H&CS. Approximately 120 additional patients were seen as a result of this initiative to reduce waiting lists.
- Additional community dental clinics will be considered in 2019. These should help reduce waiting times further.
- Patient waiting times and the community dental department's administrative workload are adversely affected by the number of patient 'Was Not Brought' (WNB) appointments. In 2018 (to September), the Community Dental Department scheduled appointments for 8,646 (vs 8,815 in 2017) patients. Of these, 1,257 or 14.5% (vs 1,464 or 16.6% in 2017) were not brought. To put this in perspective, a 16% WNB rate is equivalent to one funded clinic session in six having no patients.

The impact of a high WNB rate is considerable as all patients have to be given another appointment, as H&CS policy is that it is not the child who is responsible for the failure to attend, but the parent or guardian who failed to bring them.

To help overcome these challenges, a Rapid Improvement Workshop was commissioned within H&CS in February 2018 to address inefficiencies, improve clinic utilisation and reduce the number of WNBs. The implementation of a new system for booking patients and sending an appointment 6 weeks in advance as opposed to 12 months is now having a positive impact. Whilst the WNB rate has fallen to 14.5%, the true impact of the changes won't be known until the end of the year.

At its peak in 2017, the WNB rate was 23%; in September 2018 this had been fallen to 10%. The net benefit across all clinics is the take up of 25 new patient appointments per week.

Future Plans

The H&CS Acute Service Strategy follows on from Proposition P82/2012 on the reform of healthcare in Jersey. The Strategy outlines that treatment in the General and Future Hospital will be focused on those patients for whom it is clinically necessary that such treatment is provided in an acute hospital. For dental patients this would include, among others, patients with facial trauma and those requiring anaesthesia (some patients with dementia or learning disabilities, and some children). Such considerations are informing planning for the development of Jersey's Future Hospital, and may mean that non-acute dental patients may be treated in a more appropriate primary care setting. As part of the Common Strategic Policy, the Council of Ministers is committed to improving access for children to primary care services, including dentistry, with an emphasis on prevention and early intervention.

4.28 CONNÉTABLE A.S. CROWCROFT OF ST. HELIER OF THE MINISTER FOR INFRASTRUCTURE REGARDING STRATEGIES TO FACILITATE WALKING AND CYCLING: [WQ.226/2018]

Question

Further to the Minister's answer to Oral Question 148/2018 regarding commitments made by the previous Minister to bring forward strategies to encourage and facilitate walking and cycling, when does the Minister intend to bring forward these strategies?

Answer

Further to the Connétable's request for a commitment to be made to bring forward strategies for walking and cycling, as previously stated in my response to OQ 148/2018, we anticipate these will be published alongside the government plan next year. This is likely to be spring 2019.

The time between now and spring 2019 will be spent engaging with parishes and other stakeholders to identify and join-up a number of safe routes. As we are likely to be retrofitting cycling routes onto existing infrastructure, it is likely that we will need to reprioritise road space to improve the attractiveness and safety of these routes.

4.29 DEPUTY L.M.C. DOUBLET OF ST. SAVIOUR OF THE MINISTER FOR EXTERNAL RELATIONS REGARDING THE EXTENSION OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN TO JERSEY: [WQ.227/2018]

Question

Can the Minister provide an update on progress made towards requesting the extension of the Convention on the Elimination of all Forms of Discrimination Against Women to Jersey?

Which sections of the treaty's compliance matrix does Jersey currently meet, and which remain outstanding?

What is the timescale for 100 percent compliance?

Answer

Work to progress the extension the Convention on the Elimination of all Forms of Discrimination Against Women (the Convention) to Jersey is a cross Government effort. The Ministry of External Relations is helping to coordinate this work and is responsible for the process of requesting extension of the Convention.

A compliance matrix is an internal working document used to identify any gaps in compliance, rather than an official treaty document, and significant progress has been made towards completion. Once finalised, the matrix will be reviewed by the Attorney General to assess compliance with the requirements of the Convention. Once the Attorney General is satisfied that the Island meets the required obligations, a formal request to the UK government for extension will be made through the official channel.

The UK's next examination by the UN Committee on the Elimination of Discrimination Against Women is in February 2019, and the Government of Jersey is working towards requesting extension in time for that hearing.

Please be assured that I am determined to have this important human rights treaty extended to Jersey as soon as possible.

5. Oral Questions

5.1 Deputy M.R. Higgins of St. Helier of the Chief Minister regarding the role of Ministers in respect of pay negotiations for the public sector: [OQ.164/2018]

Will the Chief Minister explain what role, if any, Ministers play in States pay negotiations and, in particular, whether they have agreed the strategy and approach adopted by the States Employment Board to negotiations; and is it his assessment that the policy of offering pay awards at, or below, the level of inflation has had any effect on confidence levels and on retention and recruitment in the public sector?

Senator T.A. Vallois (Deputy Chief Minister - rapporteur):

Ministers do not take part in direct pay negotiations other than the role of the Chief Minister to delegate to the Chair of the States Employment Board who, with the Board, has delegated the role of negotiation to officers. However, the approach to such negotiations has been presented and acknowledged by the Council of Ministers as of 5th September this year, which stated that the Council accordingly noted the position regarding the 2018/19 public sector pay award and acknowledged the need to address modernisation of pay and rewards through the rollout of the target operating model. Although there has been no overall assessment completed, we recognise the concerns expressed and also restate the fact that this is not just about providing pay awards at a level of inflation but one of much more complexity, which involves the issue of equal pay for equal value and restructuring the role of the public sector.

5.1.1 Deputy M.R. Higgins:

So, for the avoidance of doubt, the Council of Ministers are driving the policy and it is not the Chief Executive who has determined the policy, which the Council of Ministers have agreed to, is that correct?

Senator T.A. Vallois:

It is the States Employment Board that have set out the framework for the negotiations and it is the Council of Ministers who have acknowledged that framework that the States Employment Board have set out.

5.1.2 Deputy G.P. Southern of St. Helier:

Does the Chairman not accept that in negotiating the target operating model, the modernisation initiatives and the pay awards for the coming years, her approach has been one that is somewhat confused in mixing all those 3 elements together?

Senator T.A. Vallois:

I think, like I said in the answer at the beginning, this is quite a complex situation where we had the workforce modernisation in the last term; that was rejected by unions and so had to go to the drawing board to look at how we can ensure the change to the public sector and recognising equal pay for equal value; it is a much more complex issue than just stating that this is purely just on the pay award situation. We need to recognise

that we have a lot of work to do and a lot of legacy issues to deal with, with regard to public sector pay and modernisation.

5.1.3 Deputy G.P. Southern:

Does the Chairman accept that the approach adopted by the Employment Board is one which does not engender confidence, given that we have 600 vacancies in the public sector and below-inflation pay awards on offer? Does she not consider that is likely and is driving down morale among our public sector?

Senator T.A. Vallois:

We recognise there are concerns among all staff, not just with regards to pay awards, but with the modernisation of the public sector, hence the reason why the States Employment Board have agreed to meet with the unions this Thursday to discuss where we are now with regards to that negotiating position and listen to what the unions have to say directly as a States Employment Board, rather than through the officers.

5.1.4 Deputy R.J. Ward:

Assistant Minister, is it not the case that the reality of the situation is that there have been below-inflation pay rises for a number of years, 8 to 10 years, which has constantly eroded the value of our public services, the value of our public service workers, and created an atmosphere of disillusionment and mistrust, which is one of the reasons workforce modernisation failed and one of the reasons why a target operating model has to be imposed upon this workforce and one of the reasons why we have 639 vacancies that are very difficult to fill?

Senator T.A. Vallois:

I do recognise there are legacy issues here and this is the reason why I think we have come to a point of difficulty in terms of how we move forward with regards to pay awards and modernisation. But we are looking at whether our pay offers can be restructured to make them more acceptable to staff and unions, hence the reason why the States Employment Board are willing to sit down and listen to what the unions have to say this coming Thursday.

5.1.5 Deputy G.P. Southern:

Is it not the case that, given that statements coming from various Members of the Council of Ministers and their officers that there is no more money, make the discussions with the unions rather redundant at this stage?

Senator T.A. Vallois:

It is true that we have to recognise that we have a budget. At the moment, with the current pay awards that have been put forward it is £33.6 million, £14.9 million of which is unfunded at this point in time, and we have to recognise that we have to be careful and astute with regards to how we apply that money and do it in a proper way. We need to have those discussions and understand that every year we are going to have these negotiations around pay. We need to start at a point where everyone is on the same level and understand each other so that the discussion that has to be taken and listened to on Thursday has to be one where - with us as a new States Employment Board who have picked up the framework that was agreed from the last States Employment Board - we have taken the decision that we should be sitting down and listening to the unions and understanding exactly directly from them what their issues are, so that we can take that forward and have this discussion and see whether we can find a more acceptable way of taking this forward.

5.1.6 Deputy J.H. Perchard of St. Saviour:

The Deputy Chief Minister mentioned the term “equal pay for equal value” a couple of times in her answer, so I was just wondering if she could clarify if there is a formal position on equal pay for equal value in the States and, if there is, if a policy exists.

Senator T.A. Vallois:

I understand that a lot of work has gone on around the equal pay for equal value, but this is something that we will look at in terms of the States Employment Board and ensure that there is a direct policy in place. The States Employment Board are restructuring themselves to ensure proper governance and ensure that we work thoroughly going forward in terms of holding to account and quality assurance in terms of the codes of practice that are laid down with the public sector employees.

5.1.7 Deputy M.R. Higgins:

Does the Minister recognise that by adopting the policies of previous Council of Ministers and keeping wage rises very low, also conflating equal pay for equal work, which should be there anyway and you have not got a policy, and also by the excessive pay rises being given to the leadership of the executive body, are all seen as highly provocative to the members who are employed by the States? If there is a strike it will be as a direct result of the policies that they have adopted.

Senator T.A. Vallois:

Hence my answers to previous questions. This States Employment Board recognises that there have been issues and there are concerns around the direct discussions between our officers and the negotiation. That is why the States Employment Board have agreed to meet with the unions directly to listen to what they have to say so there can be no room for possible Chinese whispers, or anything that might be said behind closed doors. We can have that ability to listen to them directly. Adopting previous Council of Ministers' policies, unfortunately we were in a position where we have come into a new Government, a new States Employment Board, we only have one member on the States Employment Board who has ever served on there previously and we want to ensure that we get the right frameworks in place. Hence the reason why I have stated we are looking at whether our pay offers can be restructured to make them more acceptable to staff and unions to reduce this provocative nature in which the Deputy suggests.

5.2 Senator S.C. Ferguson of the Minister for Children and Housing regarding the decanting of residents from Convent Court: [OQ.158/2018]

Given there is a shortage of social rented housing, will the Minister explain why the residents decanted from Convent Court are not being returned to the refurbished flats?

Senator S.Y. Mézec (The Minister for Children and Housing):

When refurbishment work is carried out in Andium properties, Andium do send teams around to meet with the residents to understand what their needs are and see how they can be met. Of course, we recognise that sometimes this can be tricky to do. But the Senator will be aware that, just before Convent Court was refurbished, Caesarea Court, across the road, was refurbished, which meant that there was an opportunity to offer those in Convent Court the chance to live in properties just across the road, with the same neighbours and community and amenity space, but in properties that were much better quality. Not all tenants wanted to do this and for various reasons some wanted to move elsewhere, but all of these moves were successfully facilitated. It is not often the case that tenants wish to move twice, firstly out of the property when it is being refurbished to start their life somewhere else and somewhere new, only to then go back a year later when the refurbishments are complete. But if the Senator is aware of anybody, who would like to move back to Convent Court then she should get in touch and we will look at that opportunity because they may well end up freeing up a property elsewhere, which could be used for somebody who wants to move out of Hue Court and does not want to move into Convent Court. So, there are opportunities but I ask the Senator to get in touch if she is aware of residents who have that preference.

5.2.1 Senator S.C. Ferguson:

According to the *Jersey Evening Post*, part of Convent Court is to be used by doctors, presumably locum doctors and locum social services officers, who are being brought over. Would the Minister confirm that?

Senator S.Y. Mézec:

It is our policy now that where possible we should endeavour to ensure that key workers in Jersey are accommodated as well as possible. We know this is incredibly important for the Island, given what we were told in the Care Inquiry and the Care Commission reports that say that moving to the Island and setting up a life here has been difficult. I think that when we have States-owned bodies like Andium that we can use to meet our policy objectives and not rely on the private sector, which sometimes is not capable of delivering on these, then I think that is a good thing.

5.2.2 Deputy G.P. Southern:

The Minister has mentioned the linkage with Hue Court. Could he inform Members - and the public for that matter - of the timescale attached to this transition and decanting from Hue Court?

Senator S.Y. Mézec:

The Deputy has caught me off guard there in that I cannot recall that. I was not anticipating that as a supplementary question. I will get that to him within a few hours, as my officers will be listening.

5.2.3 Deputy G.P. Southern:

Can the Minister accept that I will talk to him at the next parliamentary party meeting?

Senator S.Y. Mézec:

Yes, I can accept that.

5.2.4 Deputy M.R. Higgins:

Will the Minister say it is not only junior doctors that we have a problem of attracting to the Island, we have teachers and we have many other sorts of professionals? Andium has responsibility for also providing social housing to residents of the Island, who are already here. How is the Minister going to balance the 2?

[10:00]

Senator S.Y. Mézec:

It is a good question. There is a report that is due to come out very shortly, which will outline proposals on what we can do to support key workers moving to the Island. I can understand why some might have some concern when there are residents in the Island who need decent homes to live in, and Andium is going to play an important part in delivering that. There is a balance to be struck though. In many ways this is chicken-and-egg in that if we do not have decent housing options for key workers then we will not attract key workers when we so desperately need them in areas. So, I accept that it is a difficult balance to strike.

5.2.5 Deputy G.P. Southern:

Once again, the Minister is a bit loose with his timescales, "shortly" expecting to see a report on the housing Gateway and housing demand. We have been waiting for this for the last 6 months; when are we going to see it?

Senator S.Y. Mézec:

I agree and I had hoped that this would be published before summer, but that has not been the case. This will be published absolutely by the end of the year, I give that guarantee. I had a discussion with officers yesterday about the future housing needs report and again we are hoping for that one to be published in the next few weeks. But there are various people we need to show it to before we make it public.

5.2.6 Senator S.C. Ferguson:

Does it not seem grossly incompetent of the Future Hospital Planning Board to end up in a position where they need to occupy much-needed social rented housing for residents? Will the Minister take this policy back to the Council of Ministers in order to find a more satisfactory solution?

Senator S.Y. Mézec:

If the Senator is making comments about the handling of properties that had previously been used to occupy health staff then perhaps there is a legitimate point in there, but the properties that are currently being used for some of these workers are simply not good enough anymore and something has to be done about it. We can either sit on our hands and do nothing or we can use a States-owned company to deliver on our strategic priorities.

5.2.7 Senator S.C. Ferguson:

Why should the residents suffer because of the incompetence of some of the civil servants?

Senator S.Y. Mézec:

I absolutely disagree with such an allegation and, as the Senator will know if she listened to my opening answer, that the residents from Convent Court have had solutions provided to them and many of them are now living in properties that are substantially better quality than what they were living in before. [Approbation]

5.3 Deputy S.M. Ahier of St. Helier of the Chairman of the Privileges and Procedures Committee regarding the development of plans to implement electoral reform: [OQ.163/2018]

Will the Chairman advise the Assembly whether any progress has been made in developing plans to implement electoral reform; and will he further assure members that his committee will lodge a proposition on this matter before the end of this 4-year term?

Deputy R. Labey of St. Helier (Chairman, Privileges and Procedures Committee):

I am pleased to advise the Deputy and the Assembly that one of the first actions of P.P.C. (Privileges and Procedures Committee) was to form a sub-committee charged with bringing forward proposals in response to the Electoral Observers Mission on electoral reform and I chair that committee and sit alongside Deputy Alves and Deputy Wickenden. We have been working throughout the summer and progress is being made on proposals to bring forward. Some of these matters are what one might call housekeeping; others are more philosophical and go straight to the heart of our electoral system. On timing, we do not have 4 years. My hope would be, if we want to remain Venice-compliant, or become Venice-compliant, then all alterations to an election should happen 12 months before the elections. My ideal would be, once I have our proposals from the sub-committee accepted by P.P.C., to bring them to the Assembly in the first quarter of 2019. I think the Assembly should aim to make these reforms in 2019, so we have time ... that they can be passed into law and we will not break that 12-month barrier, as it were.

5.3.1 Deputy S.M. Ahier:

It has been 18 years since the Clothier report on the machinery of government in Jersey. Would it not be apposite to revisit the findings of that review panel and move forward towards implementation of the proposals held therein?

Deputy R. Labey:

Yes, it has been 18 years since Clothier, and in that 18 years the States Assembly has debated a total of 103 propositions on electoral reform, 6 of those were successful, just 6. It is an awful long time. Of course, my sub-committee is also looking at Clothier and those recommendations, but in some ways Clothier has been overtaken by the Electoral Observers Mission. I am not sure in fact; it would be very, very difficult to implement, as far as I can recall, the Clothier recommendations for them to be Venice-compliant. We have to recognise the legal framework here. Jersey is party to the International Covenant on Civil and Political Rights, the European Convention on Human Rights, and the United Nations Convention Against Corruption, which all set a number of important standards for elections. The Venice Commission will meet quarterly in Venice and they are being updated all the time. So, that is the benchmark; these covenants and the Venice Commission are the benchmarks for the gold standard, which we have to reach. That is what my sub-committee is looking at: how we apply those standards to our current system and what changes we need to make in terms of voter equity, voter equality, of our system where Members are returned to the Assembly without facing an election.

The Bailiff:

Your answers must be reasonably swift please.

Deputy R. Labey:

I will leave it there, thank you.

5.3.2 Senator S.Y. Mézec:

If the Clothier report is no longer Venice-compliant, it is just as well that we have an Electoral Commission report, which was Venice-compliant and could be implemented tomorrow. If there have been 103 attempts for meaningful electoral reform previously and, let us be frank, all of them failed because even the proposals

that were adopted by the States were not meaningful reforms, how can the Chairman give us any confidence that somehow they are going to find the right answer this time when there have already been enough reports telling us what the right way forward is here?

Deputy R. Labey:

That is my point; we are looking at the Electoral Observers Mission report and we are looking at how we implement that with our system, at the changes that will need to be made. There are 20 recommendations, or so, maybe more, I cannot remember. As I say, a lot of them are housekeeping, but many of them are more complex to do with electoral reform. We are working on it, we are making progress, we want to talk to people. In tandem with that, I want to inform the electorate about what the Electoral Observers Mission is all about, but we are making progress.

5.3.3 Senator S.Y. Mézec:

The Election Observers report made no recommendations on what a good electoral system would look like; it was simply critical of the one that we already have. I was referring to the Electoral Commission report from 2013, which said that we should have one type of States Member, elected in equal-sized constituencies and every States Member should receive a significant number of votes to sit in this Assembly. Does he not agree that Commission report laid out the sensible way forward and anything else is frankly just a waste of our time?

Deputy R. Labey:

That was not the only recommendation of that Electoral Commission, was it? The Electoral Commission brought forward 3 options, A, B and C, and A did not win. I do not know if I can add more.

5.3.4 Senator S.C. Ferguson:

Yes, I do wonder why we have to follow everybody else and not do our own thing. Will the Chairman please ensure that the sub-committee will take cognisance of the Harwood report on the Guernsey electoral system? While I barely dare mention it in these hallowed Chambers, I would venture to say that there are some very good comments in it. Will the Chairman make sure that a copy of it is supplied to the sub-committee?

Deputy R. Labey:

It is interesting that the Senator raises the question of what our sister island is up to in terms of electoral reform. I am not sure we have an awful lot to learn there. **[Approbation]** Why we listen to everybody else is because internationally, as I have just said, we are signed up to Conventions. It is part of the legal framework that Jersey is signed up to these Conventions and they are there, not to protect us and our seats and our re-election, they are there to protect the human rights of the people we serve, to make sure that we are giving them a fair election. The killer sentence in the Electoral Observers' report, after making its comments about our system, was that arguably our system undermines the principle that elections in Jersey are fully genuine. That is the killer sentence and that is why we have to act and we will be acting perhaps sooner than you think.

5.3.5 Deputy G.P. Southern:

Will the Chairman state what consideration he has given to the introduction of electronic voting in the next elections, working, as he does, with the Council of Ministers, so that we have not got just e-registration, but the potential for e-voting?

Deputy R. Labey:

We are very keen on electronic voting, not necessarily online voting. Electronic voting, I think, is very important, so that we can have voting in all polling stations, so we can have the possibility of mobile polling stations. This is all going to help try and get our voter turnout figures up, which is a really important thing to do. We are relying on the Economic Development Department now, who have taken the e-Gov and digital programmes on. We need the electronic People Directory. We need that up and working for the next stage, which is electronic voting, to work.

5.3.6 Deputy M.R. Higgins:

The Chairman of P.P.C. mentioned that there were 42 recommendations, if I remember correctly. We do not have to wait for an all-encompassing report. Can he not bring individual propositions such as saying we

should all be called Members of the States of Jersey, rather than Deputies, Constables, or whatever? Those types of things could be brought quite quickly, they are a single issue and we can get a quick answer to them.

Deputy R. Labey:

That is not a recommendation from the Electoral Observers, but, yes, there will be various measures dribbling through in subsequent months.

5.3.7 Deputy J.H. Young of St. Brelade:

The Chairman was critical, or negative, on the Clothier report. Would the Chairman not accept that it was the Clothier report that set in train the entire structure of our Government with ministerial government and that the Electoral Committee recommendations for the electoral system were designed to ensure that ministerial system was put in the proper context? Would he not accept that and take it into account in the work that he is doing?

Deputy R. Labey:

Yes, and I was not negative about the Clothier Report; the States Assembly of 2000, or 1999, would have done us all a favour, perhaps, if they had not cherry-picked and had just gone with the entirety of Clothier. It certainly would have saved the Assembly an awful lot of time.

5.3.8 Connétable D.W. Mezbourian of St. Lawrence:

If my memory serves me correctly - and I must admit that at times it does tend to play up a little bit - I believe that all 3 Members of the sub-committee have voiced the opinion that the Constables should not be in the States. Is the Chairman able to confirm, or deny, that?

Deputy R. Labey:

No, I do not think that is true, it is certainly not true of myself.

5.3.9 Deputy S.M. Ahier:

If there were to be a referendum on electoral reform, would the Chairman assure us that we will not engage in the almost chaotic situation we have seen in a nearby Crown Dependency and that there will be a clear yes/no vote on a referendum?

Deputy R. Labey:

It will be up to this Assembly whether they want to take proposals to a referendum. I am not fond of referenda myself. I believe we have just had an important referendum, which is the general election, and people elect us and put us here to make these difficult decisions and to work on their behalf. I think that we have already learned the lesson that a referendum that does not provide the people with a yes, or no, binary option, one option, either you like it or you do not, any other referendum is not a good idea and we have seen that with our failures in the past. This Assembly should certainly not be putting a question to the people that it will not then follow up through if that is what they want to do and make it a reality.

[10:15]

5.4 Deputy J.M. Maçon of St. Saviour of the Minister for Home Affairs regarding traffic safety and enforcement: [OQ.162/2018]

Prior to agreeing the States of Jersey Police's next annual Policing Plan, will the Minister canvass States Members in order to help determine the priority that traffic safety and enforcement should be given?

Connétable L. Norman of St. Clement (The Minister for Home Affairs):

I will remind the Deputy that the current Policing Plan, covering the years 2018 and 2019, one of the priorities is for the States Police to work with partners to make our roads safer. In addition, an action of the current plan is to continue to promote safer road use through a combination of education and enforcement. So, the Deputy is pushing at an open door. I should make it clear that the annual Policing Plan is not my plan, it is not the States of Jersey Police's plan, it is the plan of the Jersey Police Authority and they have the legal duty to produce this plan. The Police Authority includes 2 States Members, who are appointed by this Assembly, currently that is Deputy Wickenden and the Deputy of St. Mary, and I have no doubt that those Members will

ensure that the priorities of elected colleagues are taken into account when they commence their work to prepare the next plan.

5.4.1 Deputy J.M. Maçon:

That tweak of a technicality must have escaped me in lodging the question to the Minister, but I thank him for pointing me in that direction. Is the Minister then content that when assessing these priorities the States of Jersey Police receives significant feedback from the public to know how well they are doing when they assess their priorities?

The Connétable of St. Clement:

It is the duty of the Jersey Police Authority, when completing their plan, which they obviously have to do in consultation with the Chief of Police, to make themselves aware of what the priorities of the population are. Again, it is one of these things where we police by consent. The people have to have confidence in what the police are doing so that the J.P.A. (Jersey Police Authority) do need to consult with the public in whichever way they think is best.

Deputy J.M. Maçon:

I thank the Minister for his response and I have sent a few disgruntled constituents in the area of the Police Authority.

5.5 Deputy R.J. Ward of the Chairman of the States Employment Board regarding the imposition of public sector pay awards which had been rejected by union members: [OQ.157/2018]

Does the States Employment Board support the imposition of pay awards, which have been rejected by union members, given that the unions have indicated that public sector strikes could be triggered?

Senator T.A. Vallois (Chairman, States Employment Board):

The States Employment Board establishes the pay mandate, which is both affordable and sustainable. It then delegates to officers to negotiate while maintaining oversight of the negotiations. The Board remains keen to reach an agreement with its employees and ensure they can be paid an affordable pay award.

5.5.1 Deputy R.J. Ward:

Can I make it clear that we, as a States Assembly, have a duty and a responsibility to our public service workers to ensure that they are both valued and that they have a future in the service that they give to this Island? That the value of public services to this Island, although not a profit-making organisation, gives us the standard of living that attracts people that we want to attract to this Island, business, *et cetera*. So, subsequently to ignore negotiations and to impose pay offers, creating absolute chaos in the negotiation process, can only be destructive in the long term. Do you agree with that?

The Bailiff:

Through the Chair.

Senator T.A. Vallois:

The Deputy knows that I agree with him that we value the public service, of course we do. The States Employment Board are in a difficult position, this is an unsettling time. This is not going to be easy with regard to how we move forward with regard to modernisation of the public sector. But we have to have these discussions and this is why recognising these concerns that the unions have expressed, and I know they have been in touch with many Members about what has been happening. This is why the States Employment Board offered to meet with them directly, to listen to their direct concerns and to see whether we can look at our pay offers being restructured, so that we can provide a more acceptable offering to staff and the unions.

5.5.2 Deputy G.P. Southern:

Does the Minister not accept that the latest round of cuts - and I will describe them thus deliberately - is bound to affect this time around, after so much austerity, the quality of public services delivered on this Island?

Senator T.A. Vallois:

I assume the Deputy means with regards to the cuts within the current Medium Term Financial Plan and if that is the case then I can only speak as Minister for Education, but I am being asked as Chair of the States Employment Board with regard to across the piece. But I recognise in areas that there is a great deal of concern with how we can provide an appropriate public service in the right way, supporting our staff, not just in terms of pay awards, but the resources they need in order to do their jobs. When I talk about complexity of issues this is not just the pay awards, this is how we provide for our public, but also the public service in order to deliver that in the appropriate way. We are doing this in an extremely pressurised atmosphere and it is extremely difficult. So, I recognise that some of the cuts that have been put in place previously, and are in the current financial plan, are going to become a situation for this Council of Ministers to properly debate and discuss how we transition into 2019 and then, of course, the financial plan for the new Council of Ministers from September next year.

5.5.3 Deputy K.F. Morel:

The public sector has had below R.P.I. (Retail Price Index) pay increases for the best part of a decade now. This is making Jersey less affordable for public sector workers on an ongoing basis. How long does the Chairman expect these below R.P.I. increases to continue?

Senator T.A. Vallois:

I think it is important for me to re-emphasise that this is not just about providing an R.P.I. pay award; this is about the modernisation of the public sector as well. It is difficult, because it is complex and there is potential conflict to confuse the 2 situations. There are some employees who will be receiving well above the R.P.I. rates that have been announced just this September and also last September, but there are others that do not, and that comes in terms of the issue of the equal pay for equal value work. So, I recognise that there have been below R.P.I. provisions, but this is a discussion that we have to have properly and in order to get a decision for the pay awards for 2018 and 2019 and recognise how we can resolve this situation, especially within the next financial plan, where we can have these proper discussions as a Council of Ministers, to ensure that we can resolve a lot of these conflicts that are going on, so that we can start from a position of a modernised public sector and support and value for our employees.

5.5.4 Deputy M.R. Le Hegarat of St. Helier:

Could the States Employment Board please explain what they will do in relation to health staff where there have been staff that have been given increases and others have not. So, there clearly is not equal pay for equal work, and what are the Board going to do in order that we do not lose valuable medical staff?

Senator T.A. Vallois:

I thank the Deputy for her question. With regard to the health staff, we are writing a letter to respond to the letters that they have sent out. I know a particular Member here has asked us to respond directly, but we are willing to meet with them directly as a States Employment Board to discuss these issues. I have also asked that the Minister for Health and Social Services is informed of the position that we are in, as a States Employment Board, dealing with these complex issues in terms of some staff who are under a different pay spine being different to those health staff who are under another pay spine. Like I said, this is a complex situation whereby we are looking at these equal pay for work of equal value. I do not like to continue having to repeat myself on that particular situation, but this is why it is so complex and this is why the States Employment Board want to meet directly with the unions, who have these concerns, so that we can find an appropriate way forward so the industrial action does not happen.

5.5.5 Deputy M.R. Higgins:

Does the Minister accept that it is an own goal on the part of the S.E.B. (States Employment Board) and the Council of Ministers because the pay rises given to some workers within the health sector are not given to others were kept secret - they were told to keep them secret - and it has caused animosity within the service? So does she not think it is an own goal that needs to be dealt with as a matter of urgency?

Senator T.A. Vallois:

I do not think it is very healthy to do things behind closed doors and in secret in any side, whether it is on the side of those who are negotiating from the States Employment Board perspective, or those negotiating from the point of the unions' perspective, and hence the reason why, to cut through all of this, the States Employment Board are meeting with the unions directly to listen to what they have to say directly to us, so that we can try to find a way forward with regard to these pay awards.

5.5.6 Deputy G.P. Southern:

Does the Minister not accept that when her officers say that there is no more money they mean there is no money given the overall plan of the Council of Ministers, for example, to put £50 million in the stabilisation fund and not spend it on public services?

Senator T.A. Vallois:

I do accept that we only have so much money in the pot and I do accept that we are constrained by the financial plan that was agreed by the States Assembly in the last Government. I recognise that there is an attempt to put the £50 million into the stabilisation fund, but that was always a recommendation from the Fiscal Policy Panel, in which time when you have those reserves to put them in for when and should a dip in the economy happen, so that you have the money to support the economy at that particular time. So, I accept that I have stated that we have £33.6 million here that we have as a budget that was put forward by our officers, £14.9 million of which is not funded yet, and we have to find those funds from somewhere. Of course, I am extremely concerned from my own point of view, as a Minister with a different hat on, with regard to how those funds will be found because of what the Deputy mentioned before with regard to cuts that have been made across the public sector.

5.5.7 Deputy R.J. Ward:

I recognise the difficult position that the Minister has inherited, certainly as Chairwoman of the S.E.B., a somewhat unenviable position, but may I recommend that you consider that the biggest issue here is the combination of workforce modernisation and the pay awards? Would you not consider separating the maintenance of public service workers' pay, and thus their standards of living, and separate that from the process of modernisation, which is then much more likely to work and much more likely to be co-operated with, and the savings that you are looking for can be worked through with the people who know about the jobs, rather than having them imposed from those who come here with a model from the U.K. (United Kingdom) that has failed there and will fail here.

Senator T.A. Vallois:

I recognise the issue of this, because it has created such complexity and confusion, and I am grateful to the Deputy recognising the difficult position we are in. We are in a difficult position, I am not going to make any bones about it, or I am not going to twist the truth about how difficult this situation is. If we need to have those discussions with the unions about how the separation of the modernisation and the pay awards look and what that means and how we can afford it in terms of particularly this year and next year, then I am open to having those discussions and hence the reason why we are willing to listen to what the unions have to say.

5.6 Deputy G.P. Southern of the Minister for Health and Social Services regarding the decision to spend funding which had been allocated for the refurbishment of Sandybrook Care Home elsewhere: [OQ.160/2018]

Will the Minister explain to Members the decision to spend £1.2 million, which had been allocated to the refurbishment of Sandybrook Care Home, elsewhere, as indicated in R.132/2018?

Deputy R.J. Renouf of St. Ouen (The Minister for Health and Social Services):

The Treasurer of the States explained, during a recent Scrutiny hearing, that it is good financial management for unspent capital budgets to be returned to central contingencies if there is no longer a current business case supported by a department. This is what happened in the case referred to by the Deputy. But the transfer does

not prohibit an updated business case from being submitted for Sandybrook and its refurbishment at a later date.

5.6.1 Deputy G.P. Southern:

Would the Minister like to explain what changed; that the business plan completely changed, or was withdrawn? What happened that that should be the result?

[10:30]

The Deputy of St. Ouen:

What happened is a story that goes back to 2012 when a business case was prepared for the refurbishment of the care home and a bid was submitted and accepted. That money was released in 2014. The project was not immediately progressed, as the Corporate Management Board of the time wanted to review the running of nursing and residential home provisions. But in August 2016 the Corporate Management Board did decide to proceed with a refurbishment, but it then became apparent, at that time, that there would be a need to install a fire sprinkler system and other works were needed and it became a bigger project than originally envisaged; the estimated cost being £2.4 million at that time. It transpired that extra funding was not available and it was decided, rather than maintain an inadequate budget, to put the project on hold. That is why the work was not progressed, but a review of the facilities at Sandybrook is now underway and a new bid could be submitted under a new business case in the next capital programme; that work is being considered.

5.6.2 Senator S.C. Ferguson:

Will the Minister not admit that perhaps it is time that H.S.S.D. (Health and Social Services Department) worked more closely with Property Holdings, who would probably have been able to identify much of the remedial work that needed to be done while the Corporate Management Board was dithering? Is it not time that a lot of the Health estate, which has not been moved to Property Holdings, in fact is moved to Property Holdings?

The Deputy of St. Ouen:

That is a strategic matter which can be considered and no doubt is in the course of consideration in the ambit of One Government. It is incumbent upon all sections of government to work together more closely. It is quite possibly the case that, in this instance, a bid was put in and accepted without a full feasibility study. It is difficult to go back to 2012 and work out exactly what was missing at that time and who was perhaps not working as well as they might have done with other departments. But it is a lesson to show that there must be thorough work carried out in assessing these projects and full costings made and assurance that the work can proceed if the bid is accepted.

Senator S.C. Ferguson:

A supplementary?

The Bailiff:

Senator, if I may say so, I thought your last question was much wider than the question would ... I should not have permitted it, because this was a narrow question about refurbishment of Sandybrook.

5.6.3 Deputy K.F. Morel:

Would the Minister agree that the demise of the Sandybrook refurbishment is a good lesson in revisiting and second-guessing capital projects and how, when this happens, they disappear, often for good?

The Deputy of St. Ouen:

I think I have just said that it is important that when these things are assessed they are thoroughly worked through, so that it is known, with as much certainty as possible, that it can happen and the work can proceed. This developed over a number of years and it is clear that as time went on, people took different views of what was needed for refurbishment. With hindsight, it is a great shame that the work could not have been implemented immediately, but we are at this point and Sandybrook is a valued facility. It is a home for 21 residents, but has some spare capacity for up to 26, I believe. The department wishes to care for its residents there and provide them with as good facilities as possible, so we are undertaking a review.

5.6.4 Connétable R. Vibert of St. Peter:

Would the Minister confirm that the safety of patients and residents has not been compromised by the failure to undertake work? As he has just stated, one of the additional measures required was, in fact, increased fire protection.

The Deputy of St. Ouen:

Yes, Sandybrook Care Home is safe and I wish to assure residents and staff who work there and members of the public that it passes all fire inspections. It has recently had a fire inspection, it holds a fire certificate. In terms of the fire precautions, there is an alarm system, there are fire doors, there are evacuation slides and staff are fully trained in procedures. The reason for the mention of the sprinkler system is that when any work is carried out, substantial work, structural work in a building, then of course that building has to be brought up to current standards and the current fire regulation standards include the provision of a sprinkler system. But that is not to say that buildings that are not being worked upon are unsafe or do not meet fire regulations because they do and Sandybrook does.

5.6.5 Deputy G.P. Southern:

The Minister just said that Sandybrook was safe. Would he go a stage further and say the future of Sandybrook is safe in his hands, in that, will he assure the House that he will revisit this decision and he will satisfy the needs of the 21, potentially 26, residents there and that those vacancies, and those who might apply for the vacancies of healthcare assistant at Sandybrook Residential Home, or senior staff nurse at Sandybrook, it is worth applying for those jobs, maintaining staff and morale at this particular place, which is a wonderful centre and facility? Will he throw his full weight behind the continuation of Sandybrook?

The Deputy of St. Ouen:

The Deputy will well know that I cannot give any cast-iron perpetual guarantees that Sandybrook will continue for ever and a day but there are no present plans to change, or close, Sandybrook. It is the only care home that is operated directly by Health and Community Services. But it has been explained to me by members of staff there ... and I had the pleasure of visiting last Friday afternoon and met staff and one of the residents; I had a conversation for a lengthy time with one of the residents. But it was explained to me that at Sandybrook the States could be seen as the carers of last resort, because they do provide a home for residents who, in some cases, their needs are so significant that they have not been accepted within commercially-run residential homes, but they have been accepted at Sandybrook. Therefore, it is perhaps viewed as a sense of where we provide a home to those who have very complex needs, who might find it difficult to find a home elsewhere, and that is how I view Sandybrook.

5.7 Deputy K.F. Morel of the Minister for Infrastructure regarding the prospective total cost to the Island of running a free bus service: [OQ.155/2018]

Will the Minister advise the Assembly whether any assessment has been undertaken of the total cost to the Island of running a free bus service and, if so, will he state what the estimated cost is?

Deputy H.C. Raymond of Trinity (Assistant Minister for Infrastructure - rapporteur):

The current cost of supporting the public transport network, including school buses, is approximately £4.5 million. It is estimated that in the first year of zero-fare operation an additional £6.5 million would be required to cover the loss of income, assuming no change in demand. However, it is very probable that large increases in passenger numbers would result, requiring significant investment in additional resources to cope. A free fares experiment in Belgium generated a 1,300 per cent increase in demand over 10 years, requiring a 500 per cent increase in the bus fleet, and that went on to say that not only the bus fleet but it needed drivers and everything else that goes with it. In Jersey, this would increase the annual cost of public transport support to £25 million.

5.7.1 Deputy K.F. Morel:

Thank you, Assistant Minister. Any exploratory kind of calculations done by the department, have they looked into how many Islanders would be likely to use a free bus service? You mentioned 1,300 per cent increases in Belgium, do you have similar figures for Jersey? Respective figures for Jersey?

The Bailiff:

Through the Chair, please.

The Deputy of Trinity:

I do, but the problem with this, a lot of work has gone into it, which I would confirm, over the last couple of years. In fact, we are meeting with HCT, the overriding bus company that runs LibertyBus, this week. I am sure the discussion will come up with regards to numbers and what happens. But, if I may answer the question in a more positive way in the sense that a lot of work has gone into the positives and the negatives of starting a free public service. In any situation, you have to look across the board as to who has done this. The benefits of zero-fare public transport are faster boarding; there are shorter dwell times; removes a source of passenger dispute; it generates increased town centre footfall; reduced demand for parking; can relocate space for public realm development; reduced demand for road space can relocate to bus priority in sustainable modes; environment noise and air pollution; aids social integration and economic participation and it removes cash handling, ticketing, back office costs and everything that goes with it. There is the 'against' side of this with regards to what is being looked at. The greater demand causes more buses to stop more frequently and bus stations, termini, laybys, waiting shelters all become too small and need rebuilding, extending. Decreased congestion levels make private motorised transport more appealing. One of the most interesting things that came out of the report was that one of the things that we have always been talking about in the Assembly is the ability of cycling and people walking. What happens with free bus services: people start - especially in bad weather - automatically going back to the buses and cycling drops. One of the big significant things of all these reports is that people stop cycling, because the buses are free. It does alter choices of those not living close to bus routes and I have got to say that because there are certain Parishes where there are certain buses do not go; therefore, how do you get those people, because it affects more people that are on direct line bus services? The other reason ...

The Bailiff:

Can you try and wrap up your answer, please, Deputy?

The Deputy of Trinity:

Yes, right. I was just trying to put the ... I appreciate that, Sir. It does not really answer your question with regards to numbers. We have looked at numbers across the Parishes and everything and I think there is a discussion to be had, but that is really the positive and the negative of having a private system.

5.7.2 Deputy R.J. Ward:

When you look at numbers for the cost of a free bus service, I think you need to take a much longer-term view and look at the other benefits, which are the long-term health benefits of reducing traffic and as somebody who represents an area of St. Helier that suffers enormously from traffic coming into it during the daytime. The long-term health benefits, the less wear and tear on our roads, the lower pollution are all parts of the equation that need to be calculated. Would you consider these, and consider them seriously, when you look at the actual figures and not just go with raw numbers; look at the long-term health benefits for our population?

The Deputy of Trinity:

Yes, I totally agree, I do not think there are any issues in that at all. I think that the benefit of having this, and the suggestions that the Deputy has suggested. I will say that it is being taken very seriously, as I said, especially reiterating the fact that the HCT, which is the overriding owner of LibertyBus, will be here this week. We will be having discussions with them and the points you raise will be brought to them.

The Bailiff:

"The points the Deputy raises." Through the Chair, thank you.

5.7.3 Deputy M.R. Higgins:

Some of what I was going to say has been asked. It is concerning road congestion and pollution coming from cars, which we know is affecting the health of Islanders. What I would ask is: the Assistant Minister said there is a debate to be had. Would the Assistant Minister release all the reports that they have had to-date, so the public can join in the debate and we can look at and see what you are looking at and the costs, and so on, to try and bring this to fruition?

The Deputy of Trinity:

I have no problems with that. I do not know the implications of whether we can do those sort of things, or whether we cannot, but I would certainly bring it up with the Minister when he returns and come back to you, Deputy, to let you know.

[10:45]

I am more than happy for some of this to be disclosed to people, because I think it is vitally important to see exactly what the cost is in running the bus service and the cost in per term with regards to each person that gets on the bus. I cannot agree with you more. But I will add another thing which I did not mention, is that if you take the other side of the coin with regards to pollution, especially as we are now being pushed towards electric cars and electric buses, pollution then tends to go out the window on those sorts of discussions, but I would be more than happy to come back to you.

5.7.4 Deputy G.P. Southern:

If I may take the liberty of summarising then. The Assistant Minister seems to have said, as far as I am concerned, that we are not going to invest in this, because it might be successful and we might reduce the amount of traffic on our roads and thereby meet our CO2 savings from the greatest current contributor to emissions. But I want to ask about a much smaller investment that might be made by his department into a Hoppa bus running around St. Helier and the built-up environs, which could get people, for many of the reasons that he has cited, onto buses and mobile and contributing more to society and enjoying themselves.

The Deputy of Trinity:

As the Constable of St. Helier was not here, I was not expecting that question, but perhaps I was. Again, it is open for discussion. I think that having taken this role, it is interesting that these discussions are taking place. I have to confirm they seriously are taking place, but there are many things there in the pot. As I said, there are people coming over to discuss where LibertyBus is going; therefore, with the Minister coming back we will certainly take up your views and express them to him.

5.7.5 Deputy R. Labey:

A free bus service would, of course, encourage people to use the buses, as would correcting the anomaly that if to reach your destination you have to go through St. Helier you pay twice. What is being done to address that?

The Deputy of Trinity:

Deputy, I can confirm that that is being looked at as I speak. We are looking at that. It has come up every time in the Assembly and I think it is something that we must look at because, as you keep saying, you are doubling the cost, and the example is given, so I can assure you that that is being looked at.

Deputy K.F. Morel:

It is just to thank the Assistant Minister for his answers and to say I am pleased to know that they are looking at the bus service.

5.8 Deputy M.R. Higgins of the Chairman of the States Employment Board regarding her assessment of the States of Jersey as an employer: [OQ.165/2018]

What assessment has the Chairman made of whether the States of Jersey is a good employer that follows best practice in all that it does, particularly in respect of whistleblowing and disciplinary matters and, if she considers that there is room for improvement, what plans does she have to make those improvements?

Senator T.A. Vallois (Chairman, States Employment Board):

I thank the Deputy for his question with regards to this. With anything, there is, of course, room for improvement, but particularly in respect of whistleblowing and disciplinary matters. This Board is conducting 2 workshops this autumn, which will provide a forum for the Board to discuss matters such as target operating model and in particular the Board governance to ensure that it functions effectively in its strategic role. The workshop approach will continue into the New Year. The Board has already considered significant revisions to the bullying and harassment and whistleblowing policies, which are being prepared for relaunch for the start of 2019.

5.8.1 Deputy M.R. Higgins:

Is the Minister prepared to go further and state that the principles of natural justice should be used by all States departments in treating disciplinary matters? In other words, they should know what the arguments are against them, they should be given the opportunity to review evidence, *et cetera*. That has been sadly lacking with the States bodies, will she ensure that they will all do that? If not, then that the States of Jersey could be at fault and should be forced to pay compensation to the people who were not treated properly.

Senator T.A. Vallois:

Can I just check with the Deputy, when he talks about principles of natural justice, is it in respect to the policy on bullying, harassment and whistleblowing, or is it in regard to a particular policy that he is referring to?

Deputy M.R. Higgins:

I am talking about in general. If we think of the Alwitary case, which came before the Assembly some time ago and there have been many other cases where the individuals were denied natural justice, the whole processes that were being followed by the departments were wrong. Equally, the Complaints Board recently has brought up a number of cases, including with Planning and Environment, where they have failed to act properly. What I am asking is: will you make it a principle that all departments should follow the rules of natural justice?

The Bailiff:

Through the Chair, please. If I may say, Chairman, that the Alwitary case is subject to court proceedings at the moment and so your answer should not go into that territory.

Senator T.A. Vallois:

With regards to the States Employment Board, and when I talk about its functioning effectively, the key issue here is with regards to its governance and it is the role that it plays in terms of delegating functions down to officers. One in particular I will speak to, because it is one that we are working on at the moment is, of course, the whistleblowing, bullying and harassment cases. There was a report published earlier this year with regards to issues in the public sector and our officers have been working tirelessly on redoing those policies. But not just the policies to issue out to staff, we are going to put in place training development to ensure that everyone understands the roles of those policies and treating each other with respect. But also an anonymous line will be set up as from January 2019 to enable people to report any issues that they feel is necessary. That is just one example of a piece of work that the States Employment Board are moving on with. But I have asked for us to relook at all codes of practice that are issued under the name of the States Employment Board, to ensure that we are carrying out our legal role with regards to health and safety and well-being of all employees.

5.8.2 Deputy R.J. Ward:

May I ask the Minister that, as a good employer, one recommendation may be that the employer carries out, as a matter of course, exit interviews for every employee that leaves the States' employment and then acts on

the outcomes of those, so that they can monitor what is happening to their employees and the reason we are losing public sector employees. I know that these do not happen.

Senator T.A. Vallois:

I thank the Deputy for his question. Of course, we have had a written question from Deputy Alves about exit interviews and recognise that there are issues around this. I think what has happened is there has not been sufficient checks and balances, probably from the States Employment Board, to ensure and hold to account properly to make sure that the appropriate policies are spread in a standardised way, ensuring everyone meets those basic best practice H.R. (Human Resources) requirements, particularly with regards to exit interviews. Because that is a vital piece of information to feed back to us as an employer, to ensure that we are providing the right support and development for our staff and ensuring that we are moving forward and valuing our employees.

5.8.3 Deputy M.R. Higgins:

I must say I welcome what the Assistant Chief Minister was saying about whistleblowing. I would like to say that I have been approached by a whistleblower and I would just like them to know that it is being actioned; I would like them to know that we are looking into their allegations. But I do think the States as a body, not just departments, should have a stated policy on the website saying where they can go to to get their things across and not necessarily have to come to States Members, but we are here to act for them if they are not getting satisfaction through the States body.

The Bailiff:

Was there a question there?

Deputy M.R. Higgins:

I was just saying I welcome what she has done; sorry, it is not a question.

The Bailiff:

I do not think you need answer that.

5.9 Deputy K.F. Morel of the Minister for Health and Social Services regarding the suspension of the project to build three care homes for children with autism: [OQ.156/2018]

Further to the presentation of R.132/2018, will the Minister advise the Assembly as to the findings of the review into service provision that led to the suspension of the £1.25 million project to build 3 care homes for children with autism at the Greenfield site?

The Deputy of St. Ouen (The Minister for Health and Social Services):

Again, this is an issue which goes back some time. So, in 2013, £2 million was allocated to develop homes for children who required residential care. £750,000 of that sum was allocated to an upgrade of the Oakwell respite care home and that project was completed in 2014, so there remained £1.25 million, which was allocated for the construction of 3 new care homes for people with autism on the Greenfield site. That project was taken to the point of tendering before it was decided to put the project on hold pending a review of service provision by the Health and Social Services' Corporate Management Board. But, since that time, significant work has been undertaken to develop better support for children with autism and their families. Since April 2013, no children with autism have come into care as a result of their families being unable to continue to care for them. The Children's Service work to the principle now of meeting children's needs at home and enabling them to access education on-Island wherever possible.

5.9.1 Deputy K.F. Morel:

I thank the Minister for his answer, but I have to ask: the question asked for the findings of the review into the service provision. What the Minister just suggested was not so much a findings of a review as just a look at changing circumstances. Could the Minister confirm whether what he has stated is the findings of a formal review?

The Deputy of St. Ouen:

It is quite amazing to me that there have been such changes within the Health and Community Services, that it is now very difficult to find anybody with any responsibility for what went on in 2013, or really get to the bottom of what was happening here; there have been such changes in personnel, is what I meant by that. I do not believe there was a formal review in the sense that there might have been anything published. It was probably something that remains under discussion within the Corporate Management Board and new ways, or a refocus, on delivering assistance to these families by supporting them in their homes was developed, rather than proceed with residential care away from their families. But, it does not appear to me that there is any formal document I can find that is a published review, or any formal consultation process, though, no doubt, families and voluntary sector were engaged in the work the department was trying to do.

5.9.2 Deputy M.R. Higgins:

I must say I am surprised at the Minister saying there was no requirement from 2013 and that, basically, he is saying he has no evidence to support what he is saying. We recently have been getting evidence regarding Greenfields in another aspect of where children, who have been convicted of crimes, are still being placed there and they are being placed with other children who are at Greenfields. But, going back to the autistic thing, I do know of children from autistic families who could have benefited from having some care away from their families to deal with a very, very difficult problem and I think that the answer, to be honest, is quite unsatisfactory. I wish the Minister will go away, first of all produce whatever evidence he has got and any report he has got, and then come back to the States with a new policy.

The Bailiff:

Will you come back with a new policy? That is the question, I think.

The Deputy of St. Ouen:

When the Deputy refers to care away from families, is he referring to permanent care, placing these vulnerable children in an institution when their families are willing, with the proper support, to be able to care for them? What has been developed over the last number of years is substantial investment in short-break respite services. This has resulted in a doubling of the number of children - including those with autism - accessing short-break respite support from 40 children, before investment was put into that service, to 85 children at the end of September 2018. Funding available for short-break provision has increased by 29 per cent since 2012 and the budget for 2018 was £1,688,000. Further work is underway to develop those short-break offers and increase the inclusion of children with autism in services open to all children, so there are no immediate proposals to reverse that progress. We continue to work with families and work for the best interests of those children.

5.9.3 Deputy G.P. Southern:

As the Minister knows full well, because I have sat in meeting after meeting with him on this topic, he knows that respite services, despite the investment taking place, are woefully inadequate for the demand on the Island from all sorts of sectors.

[11:00]

But what I cannot believe, and I think I would like him to address, is he says there is no published record of this decision. Surely there must be a written record somewhere, minutes from a meeting at which this decision was made, or the preamble to that. There must be a paper somewhere in his documentation. Does he not agree to publish those documents?

The Deputy of St. Ouen:

In the time available since the oral question was lodged and discussions with officers, that published decision has not come forward. I do not know, at this time, whether it is covered by minutes of the Corporate Management Board, but those are not usually published.

5.9.4 Deputy K.F. Morel:

I am very concerned that £1.25 million - that was earmarked for caring for children with special needs - has just not been spent as suggested. But I wonder, following his answer about the lack of historic knowledge

within the department, whether the Minister would agree that this episode, in itself, shows how important it is, especially for someone like Health and Social Services, to have continuity of employment and so to have a corporate history and a corporate knowledge within the department itself.

The Deputy of St. Owen:

I would certainly agree that it is always desirable, but the situation that the department is in at the moment is that there has been a substantial change of personnel and I believe that is working for the good of service delivery. We have good people now in post and working hard to bring forward new plans in a transparent and open way. I will be very anxious for the future to make sure that there is good governance of our spending and our decision making.

5.10 Deputy G.P. Southern of the Assistant Chief Minister regarding prospective funding cuts to departmental budgets: [OQ.161/2018]

Will the Chief Minister inform Members what cuts in funding, if any, he has under consideration for departmental budgets (apart from savings to be made from Workforce Modernisation measures) in the light of the projected £30 million to £40 million shortfall in revenues to fund public services?

Connétable C.H. Taylor of St. John (Assistant Chief Minister - rapporteur):

The Chief Minister has committed to a £30 million savings in 2019 through productivity improvements and by managing our vacancy in staff turnover. As Members will know, there is extensive work taking place to restructure our public services and to deliver improvements to our customers. Many corporate organisations have done precisely this. As to department budget limits for 2019, these are being finalised at present and are under detailed consideration, which will then be presented to the Council of Ministers.

5.10.1 Deputy G.P. Southern:

On the surface, the answer seems to cover the question. But I ask the Assistant Minister whether he has looked, paid attention, to the written question 14 and the answer therein, which have 4½ tightly-packed lists of 335.6 vacancies in the Health and Social Services Department, which surely cannot be modernised throughout, but will make it very difficult for him to manage vacancies as a way of saving £40 million. Does he not accept that that will be a difficult task and that there are other cuts in the pipeline?

The Connétable of St. John:

Vacancy management was something that was brought to this Assembly as an amendment in 2016 to the then budget. The Corporate Services Scrutiny Panel proposed a reduction from 12.9 per cent vacancy to 3 per cent, which would have given a £35 million saving. This, therefore, is a smaller saving of £30 million on vacancies. It is also, I believe, Deputy, that you supported the £35 million savings when proposed by the Corporate Services Scrutiny Panel. **[Members: Oh!]**

The Bailiff:

Through the Chair, thank you. That means you do not say “you” in the Assembly. A supplementary?

Deputy G.P. Southern:

I have done a supplementary.

The Bailiff:

You have been given an opportunity for another one. **[Laughter]**

Deputy G.P. Southern:

It helps if I can prepare the supplementary first.

5.10.2 Deputy R.J. Ward:

May I ask the Assistant Minister, which of the 639 vacancies he considers to be unnecessary in the public services? Is it the nurses? Is it the teachers? Is it the civil servants? Is it the police? Is it in Treasury and Resources? Could you prioritise the loss of these jobs for me, please?

The Connétable of St. John:

I am sorry, but I could not prioritise them.

5.10.3 Deputy G.P. Southern:

Can the Assistant Minister offer any assurance to this House that, apart from the workforce modernisation measures, which he suggests are likely to produce a more efficient service, there are no further cuts in the pipeline to funding for departments in the coming years?

The Connétable of St. John:

I cannot make such an undertaking in the coming years, but for the coming year, as I have already said, department limits have been set in the M.T.F.P. (Medium Term Financial Plan) and these figures will be finalised and presented to the Council of Ministers in the coming weeks.

5.10.4 Deputy G.P. Southern:

In a couple of weeks, to coincide with the Budget, so we may debate them, or amend the Budget, will we see these proposals before the Budget so we can amend?

The Connétable of St. John:

That is my understanding.

5.11 Senator S.C. Ferguson of the Minister for Health and Social Services regarding the decision not to refurbish Sandybrook Care Home: [OQ.159/2018]

Why was the refurbishment of Sandybrook Care Home not undertaken at the time the budget was allocated in 2014 for the work, as reported in R.132/2018?

The Deputy of St. Ouen (The Minister for Health and Social Services):

I refer to the reasons given in my response to the question by Deputy Southern but, essentially, the reasons why were that management decided to conduct a review into provision. Then, secondly, when it was decided to proceed with refurbishment works, it was found the costs had increased and the budget was insufficient.

5.11.1 Senator S.C. Ferguson:

What was the money, or part of the money, used for by the department?

The Deputy of St. Ouen:

I think that is the point: the money was not used. Therefore, the Minister for Treasury and Resources has made the decision to return it to central contingencies as the department no longer has a current business plan for the use of that money. The money has not disappeared, it remains taxpayers' money available for use within the central contingencies pot.

5.11.2 Deputy G.P. Southern:

I will make a second attempt to get some sort of assurance from the Minister that the future of Sandybrook Residential Care Home is safe in his hands, will he do so?

The Deputy of St. Ouen:

I would like to refer to my previous answer. I can give no cast-iron guarantees in perpetuity, but there are no current plans to close Sandybrook.

5.11.3 Deputy G.P. Southern:

With no intention to revisit that decision with a view to closing it down?

The Deputy of St. Ouen:

We are not prejudging anything. We are carrying out a review of services at Sandybrook and I want to make conditions for residents and staff as comfortable as possible.

Deputy G.P. Southern:

That is no assurance.

The Deputy of St. Ouen:

The answer I have given is what I have given. It would be irresponsible to say that something will continue for ever and a day.

5.11.4 Senator S.C. Ferguson:

Given the history of Sandybrook and the fact that much needed remediation work was ignored and not done, will the Minister contain a condition survey of all hospital property in order to quantify the size of the necessary maintenance programme of the estate, which, I understand, is significant?

The Deputy of St. Ouen:

When the Senator suggests all hospital property, is she including the General Hospital in that? Because, of course, there is much work that has been carried out in planning the continuation of the General Hospital while a new hospital is to be built; there are serious concerns over that. But I trust that this sort of work is planned maintenance and is being carried out on a regular basis in accordance with budgets allocated.

6. Questions to Ministers without notice - The Minister for External Relations

6.1 Connétable M.K. Jackson of St. Brelade:

In the light that Members are being asked to agree that Jersey signs up to the 1986 Vienna Convention to which, I understand, France is not, would the Minister confirm whether, or not, he has had discussions with the French authorities direct with regard to France, which is signed up to the 1949 Geneva Convention, as we are, post-Brexit, or is he content to sit on the coat tails of the U.K. Government, whose primary interest seems to be the interest of British vehicles circulating in Germany which, of course, is signed up to the Vienna Convention?

Senator I.J. Gorst (The Minister for External Relations):

The Constable can take the position that he is happy to take a risk with Islanders wishing to travel into the Continent post the United Kingdom leaving the European Union. That is a perfectly acceptable political risk for him to take. It is not one that I am prepared to take. It is not one that the Minister for Infrastructure is prepared to take and it is not one that the united Council of Ministers is prepared to take. Let him be clear with the public, if he is prepared to take that risk, which may mean difficulties for Islanders should there be no deal, then he needs to explain that to Islanders and not to dress it up in the way that he has. There has been no, on behalf of my department, direct conversations with the French Government in this regard. This is a decision for this Assembly as to whether it wishes to continue to rely on the provisions of the Geneva Convention, or it wishes to have the Vienna Convention extended to it in the regard that Ministers are proposing. I know that our preparation for a no deal on day one is about mitigating and eliminating risk as far as possible.

6.2 Deputy R.J. Ward:

May I ask the Minister how does the death of Jamal Khashoggi affect Jersey's commercial and regulatory co-operation with Saudi Arabia?

Senator I.J. Gorst:

The Deputy will know that commercial and regulatory co-operation are carried out by commercial firms and regulator to regulator. Jersey's position is in matters such as this - so for international relations where the United Kingdom remains responsible for us in international law in relation to foreign relations - is to follow the United Kingdom's approach. Therefore, we support the statement that was made by the United Kingdom at the end, I think it was, of last week and seek for the conclusion of the independent report and deplore the murder.

6.3 Deputy S.M. Ahier:

Will the Minister advise the Assembly whether there will be a redrafting of the Granville Bay Agreement in relation to territorial waters, as it is long overdue?

[11:15]

Senator I.J. Gorst:

As the Deputy will be aware, the Granville Bay Agreement is a bilateral agreement. It has served not only Jersey and our fishermen well since its coming into force, but also the French and our cousins in Normandy. There is no doubt that both parties to that agreement would like to see it renegotiated. Conversations have started, but the Deputy will also be aware that the changing of such bilateral agreements in the context of the United Kingdom leaving the European Union are difficult, but there are currently informal conversations. Our officials and officials in France, together with the fishermen concerned, are currently in conversation.

6.4 Deputy K.F. Morel:

The Minister is aware of the work that one courageous Islander is currently doing monitoring human rights in the West Bank, more specifically the ancient village of Khan al-Ahmar. In light of Jersey's statement against the Iraq war in 2003, would the Minister reconsider his decision not to issue a letter to the U.K. and Israeli Governments condemning Israel's threat to destroy this village and recording this Island's concern at the harm being caused to civilians on a daily basis?

Senator I.J. Gorst:

I can give a short answer and that is: no. I replied to that particular piece of correspondence. I will be replying to that Islander again with the subsequent email that she sent to me. These are extremely complex issues and are not easily resolved by the issuing of such statements; therefore, I maintain the position that I have held and support the U.K.'s position, which also is a long-held position of a 2-state solution.

6.5 Deputy G.P. Southern:

Will the Chief Minister inform Members how many visits have been made by **[Interruption]** ... sorry. I obviously live in the past. **[Laughter]** If only. Will the Minister for External Relations, as he now is, inform Members how many visits have been made by him, or by representatives of Jersey Finance, to Saudi Arabia in the last 18 months and what is scheduled for visits for the coming 18 months?

Senator I.J. Gorst:

I cannot speak on behalf of Jersey Finance. If he wishes me to ask the question, I am more than happy to do so. I have paid one visit to Saudi Arabia in the last 18 months. I was the first Chief Minister of Jersey to make such a visit. There are currently no scheduled visits there in my diary.

6.6 The Connétable of St. Lawrence:

What plans are in place to mitigate a no-deal Brexit? **[Laughter]**

The Bailiff:

In 90 seconds, Minister.

Senator I.J. Gorst:

The Constable will know that we have already published notes. I have met with the United Kingdom Minister for no deal twice over the last number of weeks. I am meeting with senior officials and Ministers across departments to build on the refreshed plans that were delivered over the summer months and we will be publishing further notices in due course. What we have got to be careful of is not to believe some of the things which are being said on either side of the debate. When the United Kingdom leaves the European Union, the sky will not fall in, nor will it be sunny every single day for the rest of eternity. We have got to work practically, we have got to work carefully, we have got to prepare in the best way that we can but equally at the same time support the United Kingdom Government's aim to deliver a deal.

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

I want to thank the Minister for his written answer to my question. The Minister declined to forward the compliance matrix document on the C.E.D.A.W. (Convention on the Elimination of all Forms of Discrimination Against Women). Is the Minister able to give any description at all of the areas where Jersey is not meeting those requirements at the moment?

Senator I.J. Gorst:

I do not have those details with me. There is a slight fly in the ointment, which the Deputy may have read when reading between the lines in the answer, that the External Relations Department is responsible for the co-ordination of such work and then we will seek the extension. It is other departments who need to do the work to ensure that they comply. As I stand here, I cannot be certain, because my officials are not certain, quite exactly where all of that work is being undertaken. I undertook to my officials yesterday that they should find out and jolly well make sure whoever should be doing this work is ensuring that it is undertaken and completed within the timescale that I have committed to the Deputy and to this Assembly in the written answer this morning.

6.7.1 Deputy L.M.C. Doublet:

Can I have a brief supplementary? Is the tax situation for married women one of the areas where Jersey is not compliant?

Senator I.J. Gorst:

As I said, I am not aware of all of the details, so I am not aware whether that is the case, or not.

6.8 Deputy R.J. Ward:

May I ask the Minister, given the I.P.C.C. (Intergovernmental Panel on Climate Change) report on climate change that gives effectively 12 years for us, as a planet, to make significant changes and that we live on a very small Island which is very prone to climate change, will you no longer promote the investment in fossil fuel companies as a Jersey States Assembly?

Senator I.J. Gorst:

The Deputy seems to enjoy asking complex questions, because it is many faceted. Should we, as a States Assembly and a Government, invest our reserves in such products? Should we encourage companies to set up headquarters here? Those companies that we encourage to operate from Jersey, we expect them to meet the very highest international standards in all regards. It might interest the Deputy that only yesterday I had a meeting with an individual, who is right at the forefront of understanding where human capital issues and financial return issues meet and what we can do here in Jersey to promote ourselves as a centre for good. That means in the good use of our funds and instruments, which are based here in Jersey, as well as considering how we can screen differently for the reserves that we look after on behalf of taxpayers. I think there are some important changes that can be delivered, but it is not quite as simplistic, or as straightforward, as perhaps the question was indicating.

6.9 Deputy G.P. Southern:

Yes, apart from congratulating the Minister on putting a lot of words around very minimal answers, could I remind him that the question that came to him from the Constable of St. Lawrence was what measures has he got in mind, or in place, to deal with Brexit and he gave us no answer, not a single measure at all. Would he mind answering the question?

Senator I.J. Gorst:

I was told by yourself, Sir, that I had 90 seconds. If the ...

The Bailiff:

Well you have got another 90 seconds now, Minister.

Senator I.J. Gorst:

If the Deputy was to look simply at the laws, which I lodged yesterday, he would see in there pieces of legislation, proposals which we are putting in place in case of a no-deal Brexit. I was asked a question about the extension of the Vienna Convention; an instrument being put in place to prepare us for a no-deal Brexit. If the Deputy also wished to look at those notes, that we have already published, he will see there proposals as well. Perhaps we are living in the past, as he indicated, to suggest that I am not answering the questions because I am, and there are many proposals coming forward to prepare exactly for that. I look forward to the Deputy's full support in delivering those proposals to make sure that we are prepared for a no-deal Brexit, should it occur next year.

6.10 The Connétable of St. Lawrence:

Will the Minister explain what the difference is between his role and that of the Minister for International Development?

Senator I.J. Gorst:

The Constable will know that the Minister for International Development by default, or the other way around, chairs the Jersey Overseas Aid and is responsible for ensuring that that is distributed appropriately and, again, delivers good in developing communities and is responsible in government for ensuring that our approach to developing communities is appropriate. She is also going to be responsible for thinking about how we represent ourselves, not just in regard to financial services, but to the many other facets of Island life. She will be thinking about those things, together with Deputy Tadier, who is responsible currently for culture. But perhaps that is a better question that she might put in her back pocket to ask the Minister for International Development when she is up for questions without notice.

7. Questions to Ministers without notice - The Minister for Social Security

7.1 Deputy M.R. Higgins:

It may be hard for the Minister to give an answer, because I just quickly thought about it. Can the Minister tell us what the annual subsidy that is being given to social housing residents as a result of the 90 per cent of markets rates, what is the figure annually that the Social Security Department is providing to enable people to meet those rents, at the present time?

Deputy J.A. Martin of St. Helier (The Minister for Social Security):

I thank the Deputy for his question. Now from memory, and this was answered in a written question not that long ago, I think just before the last session, there is a total of £30 million given in rent subsidies. From my memory, the split is £21 million to social rented and £9 million to private rented. I am sorry, that is literally from memory, it is not something I have researched to the figure, but it is something I do know in the back of my mind. It is £30 million total subsidies. Whether that has gone up, it goes up annually, rents go up annually, I do not have the detail of the corresponding of what it was before we went up in 2014 to 2015 from not being 90 per cent of private rentals.

7.2 Deputy R.J. Ward:

May I ask the Minister: does she support the use of agency workers in her department on short-term contracts, or zero-hours contracts, and does she consider this to set a poor example to employers?

Deputy J.A. Martin:

I thank the Deputy for his question. This is a much wider issue that we are discovering with my Assistant Ministers, Deputy Maçon and Deputy Southern. We were looking to try to see what the problem was for zero-hours contracts and we have spoken to J.A.C.S. (Jersey Advisory and Conciliation Service), we have spoken to different areas. We have found out there is a lot more protection for people on zero-hours contracts than in the U.K. Is it just my department? Is it an issue? I am still gathering the evidence, as I say. It suits a lot of people; absolutely suits a lot of people.

7.3 Deputy S.M. Ahier:

Will the Minister consider a reduction in the self-employed social security contribution of 12½ per cent for small business owners?

Deputy J.A. Martin:

There is a new start-up scheme that was introduced by my predecessor and it works at an average for the first couple of years, a small business starting up self-employed, is approximately paying £45 a week. I think, talking to officers over the last few days, this scheme may not be being advertised enough. Jersey Business now know how to advise on this and there is a lot more advice out there and I hope that does encourage people. But if you are successful after the 2 years, you then need to start paying the contributions that literally everyone else is paying and that, at the moment, seems to be a fair way of doing things.

[11:30]

7.4 Connétable S.A. Le Sueur-Rennard of St. Saviour:

Could the Deputy tell us how she got involved with Sir David Kirch vouchers? I have a lot of parishioners who are a little bit upset about the new arrangements. Did Sir David get in touch with the department, or did the department get in touch with Sir David and change all the arrangements?

Deputy J.A. Martin:

Let me assure everyone in this Assembly, I would never, nor any department, interfere with such a great gift that [Approbation] Mr. Kirch gives. Mr. Kirch, I am told and I do not know why, seemed to realise that the money that he was giving out was not reaching the needy that he wanted to meet, so he sort of suggested. He has lowered the age, he has put the amount up and he is doing it twice a year. The only involvement for Social Security is identifying the people, putting the cheques in the envelopes and Jersey Post are going to completely deliver them free of charge. That is the only involvement. I would never approach; nobody would. He came to us, or he probably went to some department to ask who could help him direct his monies. They are so grateful, the people who receive. That is the involvement we have had.

7.5 Connétable J. Le Bailly of St. Mary:

What is the Minister doing to ensure that vulnerable people are supported by other internal agencies like S.P.O.R. (Single Point of Referral) to obtain accommodation preferably through our social housing provider? At the moment this is just not happening.

Deputy J.A. Martin:

I thank the Deputy for his question. Only a few weeks ago, myself and the Minister for Children and Housing, with officers across all departments, were looking at the need for a homeless strategy. This came to light with Shelter. There are people that are falling through the net. We identify that we have a problem. We are not quite sure where it is. There is this report coming out that the Minister for Children and Housing mentioned earlier. It should be on our desks by December and we should have seen it before. I have worked with these vulnerable people over the years; mainly single Jerseymen between the ages of 35 and 45. They seem to fall through the net when their families break down. We do know the problem is there and I am working across the board. Financially, Social Security does support them, but where is the accommodation? That is the second problem.

7.6 The Connétable of St. Brelade:

In the light of the fact that her department has been swamped with an influx of personnel from other departments, would the Minister confirm that her Social Security has not been compromised by this in anyway.

Deputy J.A. Martin:

Absolutely. This is something: tell us once; one stop shop. I have been banging on for years. The Social Security Department is now Customer and Local Services. It has brought in the tax. That went live yesterday. It is bringing in Passport Control. Who wants to march down Maritime House on a windy day? I am sorry. Then the Planning Department will be down there. It is going to be great. It is working. I have had reports from officers that everything went live yesterday. There were not queues out the door. People got there and

people will still report, if there is a problem with the advice they get at Social Security that will come back to me, under all officers. No, I do not think it is swamped. We had a choice of 4 buildings. To me, La Motte Street was a natural choice.

7.7 Deputy K.F. Morel:

Will the Minister advise the Assembly as to any work she is doing to review the upper social security contributions limit and, if so, what findings she has so far?

Deputy J.A. Martin:

Yes, that is one of my ministerial priorities. We are reviewing the upper limit. We are looking at employment practice. All 3 of us, our highest priority is work-based pensions for the lower income. We are talking about it now, talking to kids who are starting work. You might think you are a long way off, 45 years, before you are getting your States pension. So do I, but I am not far away from it now. There you go. It is really on my agenda. Getting it right, where is the crossover, who are we helping and who are we penalising. It goes back to the self-employed; where you put that line on the contributions. It is definitely being looked at.

7.8 Deputy M.R. Higgins:

Just following up my earlier question to the Minister, the rent subsidies that the States are doing, almost £30 million, is equivalent to basically the deficit reduction we were talking about earlier. Have the Council of Ministers had any discussions about trying to deal with the situation in a different way? In other words, instead of subsidising private sector landlords and others, have you found alternative measures?

The Bailiff:

Has the Minister even looked at alternative measures of trying to achieve that?

Deputy J.A. Martin:

I thank the Deputy for his question. The Deputy is not far behind me being in this Assembly and he knows when we are all discussing how we deal with rents, the elephant in the room is the Rent Rebate Scheme. How do you then say to somebody, who has already been getting this, “no more”? Yes, there are issues to look at. Again, this will be in the homeless strategy, working right across the board. I have put something about it in my manifesto, if the Deputy would like to research it. It was not as a Minister, it was what I said. Are we looking at different ways of doing it? We still need to support the people who are in it at the moment. The Private Rent Rebate Scheme, do the private landlords spend some of their money on keeping the standards up? We have other laws now to deal with that. These are things that all need to be looked at in the round. I provide the subsidy, but I cannot do this alone. I absolutely need to work alongside the Minister for Children and Housing and everybody else, to make sure that we are targeting this money at the right people. The Deputy knows that this has been a problem for all the years he and I have been here. Answers welcome on a postcard, if the Deputy has any suggestions.

Deputy M.R. Higgins:

You are the new Minister, so I am hoping you can find a solution where the others could not.

7.9 Deputy K.F. Morel:

Will the Minister be seeking to increase contributions to the Long-Term Care fund in line with the actuarial reports that we have recently seen?

Deputy J.A. Martin:

When Senator Green brought this in, he said he would hold it at a price for 3 years. It will be held for 4 years. We have seen the actuarial report. I must plug this, because everyone is going home early and they will not be here tomorrow lunchtime: we have the actuaries over tomorrow. There is a 1.00 p.m. briefing downstairs. I hope many people can attend. We know it is going to go up. I think it is a fantastic scheme. If you have ever been with a person who has lost everything that they have saved all their life for, and this happened up until 4 years ago, you will know it is a scheme well worth defending. To me, it is the envy of the world.

7.10 Deputy R.J. Ward:

Can I ask the Minister, given the pledge that the majority of this Assembly has made to put children first, will she support a dental fitness scheme for children?

Deputy J.A. Martin:

I am in talks with the Minister for Health and Social Services on this. There is money in the pot and absolutely we are putting children first. We are working on dental fitness. We are working on everything. Again, this has just started; talks have just started. It also comes down to supporting where it is delivered. I have said there is no scarier place to have your first appointment as a 4 or 5 year-old than at that hospital over there. Can it be delivered? We have money in the pot. We will need to add to that money. Absolutely, get your teeth fit when you are young and they will stay fit for the rest of your life.

PUBLIC BUSINESS

8 Ratification of the Agreement between Jersey and the Principality of Liechtenstein for the Elimination of Double Taxation with Respect to Taxes on Income and on Capital and the Prevention of Tax Evasion and Avoidance (P.102/2018)

The Bailiff:

That brings question time to the Minister for Social Security to an end and so brings question time to an end. There is nothing under J, or K. We come to Public Business, Ratification of the Agreement between Jersey and the Principality of Liechtenstein for the Elimination of Double Taxation with Respect to Taxes on Income and on Capital and the Prevention of Tax Evasion and Avoidance, P.102/2018, lodged by the Minister for External Relations. I ask the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion to ratify the agreement between Jersey and the Principality of Liechtenstein for the elimination of double taxation with respect to taxes on income and on capital and the prevention of tax evasion and avoidance, as set out in Appendix 1 to the Report of the Minister for External Relations, dated 28th August 2018.

8.1 Senator I.J. Gorst (The Minister for External Relations):

Members will see from having read the attached report and agreement that this is another double taxation agreement, which is in compliance with the O.E.C.D. (Organisation for Economic Co-operation and Development) model agreement and is a modern agreement, which covers the inclusive framework on base erosion and profit shifting and is consistent with other D.T.A.s (double taxation agreements) which have been signed by the Government of Jersey. I commend it to the Assembly.

The Bailiff:

Is the proposition seconded? [**Seconded**] Does any Member wish to speak?

8.1.1 Deputy M.R. Higgins:

It was the comments that the ex-Chief Minister, the Minister for External Affairs, said regarding base erosion. As Liechtenstein is one of the worse countries for base erosion with multinational companies, how does it relate to this?

The Bailiff:

Does any other Member wish to speak? I call on the Minister to reply.

8.1.2 Senator I.J. Gorst:

I am not sure quite what the Deputy was asking me, because he knows that the model O.E.C.D. D.T.A.s now comply with the requirements of base erosion and profit shifting. If he is concerned that this is happening between Liechtenstein and Jersey - and I have no evidence to suggest that it is - then this agreement should be wholeheartedly welcomed by him. I maintain the agreement and ask for Members' support.

The Bailiff:

Very well. All those in favour of adopting the proposition, kindly show. Those against? The proposition is adopted.

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

9. Deputy R. Labey (Chairman, Privileges and Procedures Committee):

The arrangement for public business on 6th November, the next sitting, is as published in the Consolidated Order Paper. I did, however, want to raise the spectre of the 4th December sitting with you and with Members. As Members will know, we have the proposed Common Strategic Policy, P.110/2018, and the Draft Budget Statement 2019, P.114/2018, both slated for 4th December. It was not my intention to propose at this sitting that we consider sitting on 3rd December, the Monday afternoon. I was waiting to hear back from your Chambers, Sir, and waiting to see how many amendments the Budget and the Common Strategic Policy might have received. There have been a slew of propositions from Ministers for this same day, the same sitting. One of those, from the Minister for Treasury and Resources, P.117/2018, the Minister informs me that she would propose to bring forward if the Assembly allows. Perhaps we could hear from her on that, if that is in order.

9.1 Deputy S.J. Pinel of St. Clement:

As the Chairman of the P.P.C. said in reference to P.117/2018, which is the St. Martin School Redevelopment, which introduces, among other things, healthcare facilities into the community, I would like to request the Assembly agree to shorten the lodging period for this proposition. At present, P.117/2018 is due for debate on the 4th December sitting, which with the C.S.P. (Common Strategic Policy) and Budget and several other items is already overloaded. With the agreement to a shortened lodging period, this non-contentious proposition could be debated on 20th November. I ask the agreement of the Assembly.

The Bailiff:

Do Members agree the lodging period to be shortened to allow it to place? That seems to be agreed. That change will be made.

9.2 Deputy R. Labey:

That is one less, anyway. I should, perhaps, advise Members that it is possible that a proposition to sit on 3rd December in the afternoon, for questions, may be successful in the Assembly at the next sitting. I am not proposing it now myself.

[11:45]

The Bailiff:

Can I just say from the Chair, Chairman, that as Members will appreciate, the court diary takes into account all States sittings which are scheduled in advance and unusual additional sessions sometimes can cause difficulty? I know on 3rd December I will be out of the Island and the Deputy Bailiff currently has a judicial commitment. However, obviously, we will see what we can do, but it may well not be possible to accommodate Members, in which case we will either have to find an elected Member, or the Greffier, to deal with it. I am not sure what the Greffier's arrangements are for that time either. So, it is not necessarily straightforward, but of course we will do our best to accommodate you.

9.3 Senator I.J. Gorst:

I just wanted to make Members aware, as the Chairman suggested, that I have P.119/2018, Draft Sanctions and Asset-Freezing, preparation for Brexit; draft E.U. (European Union) Legislation (Customs Union, Import and Export Control), P.120/2018, preparation for Brexit; draft Taxation (Companies - Economic Substance), P.121/2018, meeting commitments given to the European Commission, all which will be down for 4th December. I will be seeking to have them debated then. I am extremely grateful for the work that Scrutiny has already started in that regard. I wonder, in the deliberations of the Chairman and your Chambers, whether we ought not also think about setting aside the Friday for sitting of that week as well.

The Bailiff:

Very well. Those are for the future. The States now stands adjourned until 9.30 a.m. on 6th November.

ADJOURNMENT

[11:48]