

STATES OF JERSEY

OFFICIAL REPORT

MONDAY, 2nd NOVEMBER 2020

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[14:32]

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

COMMUNICATIONS BY THE PRESIDING OFFICER

The Bailiff:

1.1 Welcome to His Excellency the Lieutenant Governor

On behalf of Members I welcome His Excellency the Lieutenant Governor to the Chamber this afternoon. **[Approbation]**

1.2 Tribute to Mr. B.E. Troy, former Deputy of St. Saviour

Members may be aware that former Deputy Brian Troy passed away on 31st October following a short illness. Mr. Troy was first elected as a Deputy of St. Saviour No. 2 District in December 1975 and served in that capacity for 8 years. During his time in the States Deputy Troy was an active member of numerous committees, including education, postal administration, tourism and public works. He was vice-president of the Tourism Committee during the Island's tourism heyday, was the president of the Fort Regent Development Committee from 1978 to 1983 and he oversaw its transition into a major tourist attraction and facility for local people, including the opening of the Gloucester Hall in 1978, which enabled popular musical and entertainment events to be staged at the Fort. Mr. Troy decided to step down from the Assembly in February 1983 to dedicate more time to his law practice. He came from a large Jersey family and, unlike his brothers who had joined the family building firm established by his father, he pursued a legal career and ran his own successful practice in Hill Street. After retirement from his own business he worked for several years as a consultant. He leaves behind his wife, Lynn and children Sarah and Charles. Our thoughts are with them and their families at this sad time. I ask Members to stand and maintain a minute's silence in his memory. **[Silence]** May he rest in peace.

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

2. Nomination of the Connétable of St. Peter, the Connétable of St. Martin and Deputy J.H. Perchard of St. Saviour as members of the Public Accounts Committee

The Bailiff:

Next we come to the appointment of elected Members of the Public Account Committee. I call upon the Chair of the Public Accounts Committee to make the proposal.

2.1 Deputy I. Gardiner of St. Helier (Chair, Public Accounts Committee):

I would like to nominate the Connétable of St. Peter, the Connétable of St. Martin and Deputy Perchard of St. Saviour as Members of the Public Accounts Committee.

The Bailiff:

Very well, are those nominations seconded? **[Seconded]** Are there any other nominations? Very well, if there are no other nominations I declare the Connétable of St. Peter, the Connétable of St. Martin and Deputy Perchard appointed to the Public Accounts Committee. **[Approbation]**

QUESTIONS

3. Written Questions

3.1 Deputy J.H. Perchard of St. Saviour of the Minister for Health and Social Services regarding Islanders classed as being at highest risk in respect of Covid-19 (WQ.399/2020)

Question

Will the Minister advise how many Islanders are classed as being in the highest risk category for Covid-19, and will he explain what actions are planned to ensure that these Islanders are able to safely maintain their independence when accessing essentials over the next 6 months?

Answer

There are around 3,000 Islanders in the high-risk category regarding COVID-19.

We have worked hard to avoid needing to return to a position of asking these islanders to take steps that will cause them to be isolated from loved ones and lose their independence. Advice for Islanders at high risk currently continues to be to make personal decisions around the activities they engage in, with the help of the bespoke Activity Risk Guide and other advice and support, which is available on www.gov.je/shielding and which has been sent to individuals at high risk by letter through their GP. We are *not* currently advising Islanders at high risk to avoid activities such as shopping, but to follow the risk guidance which highlights factors that can make activities higher risk, and to be especially careful to follow public health guidance such as around hand hygiene and wearing masks in these situations. Islanders at high risk may also choose to discuss their individual situation with their GP, who will be most familiar with their specific medical circumstances and health status.

The strong public health measures we now have in place, such as a well-established, effective track and trace system and our world-class borders testing infrastructure, mean we are in a strong position to continue with this less restrictive advice for Islanders at high risk, and to avoid the negative impact on mental health and wellbeing that isolation and loss of independence can bring.

However, COVID-19 activity is being carefully monitored and if expert medical advice changes for this group, for example, if the recommendation is once again for Islanders at high risk to avoid indoor activities such as shopping, then work through 'Connect Me' has ensured preparedness for meeting the needs of Islanders. This service, which can be accessed through the Helpline, Parish Halls, or www.gov.je/connectme connects Islanders to the right support, whether this is government support or help from our dedicated parish volunteer support network, and whether the need is something practical such as help with shopping, or around mental or physical health, concerns around family or finances, ideas on how to stay connected and active, or just needing to be connected with someone to talk to.

3.2 Deputy J.H. Perchard of St. Saviour of the Minister for Social Services regarding the reduction of Social Security contributions in response to Covid-19. (WQ.400/2020)

Question

Given the recent States Assembly decision to approve the reduction of Social Security contributions to 4%, will the Minister explain what plans, if any, are in place to recuperate the lost funds and by when will they be replenished?

Answer

There are no plans in place to replace the foregone income in to the Social Security Fund. In the draft Government Plan 2021-2024, the Council of Ministers commit to reviewing the Social Security Fund to make sure it remains sustainable for future generations, and to propose a plan for States approval in 2021.

The 2% cut in contributions for the next nine months will leave approximately £26 million more in employed and self-employed peoples' pockets. This is a key part of the £150 million fiscal stimulus package that will support and help the economy to recover more quickly over the next year.

3.3 Deputy J.H. Perchard of the Minister for Education regarding the impact of Covid-19 on teaching and learning. (WQ.401/2020)

Question

Will the Minister advise –

- (a) what funding plans are in place to support children who were most negatively impacted by the loss of teaching and learning contact time due to the pandemic; and
- (b) following reports from the U.K. that the attainment gap has widened between the richest and poorest students as a result of school closures, what is Jersey's equivalent position, and when will such data be available, if not currently?

Answer

- (a) The School Improvement and Advisory Service (SIAS) have methodically and rigorously investigated the impact of COVID-19 in our Government of Jersey (GOJ) schools. There were three groups of children specifically affected: Jersey Premium, English as an Additional Language and Special Educational Needs. Based on the knowledge from SIAS's investigation, a Business Case was produced and submitted for approval. The Treasury Minister has approved the 2020 funding by Ministerial Decision and the 2021 funding is within the proposed Government Plan, details are in the table below:

Description	2020 £	2021 £	Total £
OLEVI Teaching Programme	£112,000	£224,000	£336,000
Small Group Tuition	£333,333	£666,667	£1,000,000
TOTALS	£445,333	£890,667	£1,336,000

- (b) We do not currently have any standardised data from schools because at primary level, there were no Key Stage 2 tests; and, at secondary level, GCSEs were awarded based on teacher assessment. The SIAS has strongly encouraged all GOJ schools to baseline their pupils and establish if gaps in knowledge and learning have widened, by how much, and as a result, how to respond. At primary level, schools have been using a range of internal tests to establish the attainment gaps. At secondary, again, schools have been using their internal methods of establishing specific gaps in learning. Specific groups of children, already behind before COVID-19, have suffered greatly during the closure of schools. As a result, £1.3 million pounds will be spent by schools, working closely with CYPES, with the aim of reducing the attainment gap.

3.4 Deputy J.H. Perchard of St. Saviour of the Minister for Children and Housing regarding the support available to disadvantaged children and families. (WQ.402/2020)

Question

What is the Minister's assessment in respect of whether there exists an attainment gap between the Island's most advantaged and disadvantaged students following Covid-prompted school closures, and will he explain what plans, if any, are in place to support children and families affected by any such attainment gap?

Answer

In consultation with the Minister for Education I can confirm that the School Improvement and Advisory Service (SIAS) have methodically and rigorously investigated the impact of COVID-19 in our Government of Jersey (GOJ) schools. Unquestionably, the closure of schools has affected all children. The SIAS team has produced a report that details the consequences of school closures. There were three groups of children specifically affected: Jersey Premium, English as an Additional Language and Special Educational Needs. Based on the knowledge from SIAS's investigation, a Business Case was produced and submitted for approval to the COM. The sum total of this business case is £1.3 million to be spent on two projects: 1. Teacher training and support – totalling £330,000; 2. 1:1 tuition – totalling £1 millions pounds. Meetings have already been held with unions and headteachers. We have listened carefully to both groups and have now produced the relevant materials for all GOJ schools. The materials – how to become a tutor; the hourly rate for tutoring children; and, the types of teacher training and support – all will be sent to schools the first week after half-term.

3.5 Deputy J.H. Perchard of the Minister for the Environment regarding the relationship between property size and the number of occupants. (WQ.403/2020)

Question

Will the Minister advise whether it is current policy that –

- (a) residential properties should be proportionate in size to the number of occupants; and
- (b) new flats or apartment buildings should have a minimum size per room;

and if there is no such policy, is it his assessment that these provisions should be introduced; and, furthermore, will he state whether he will take action to place restrictions on large dwellings in order to prevent small numbers of people occupying disproportionately large amounts of land; and if not, will he advise why?

Answer

- (a) In terms of existing residential properties, the regulation of rented dwellings standards, which includes consideration of overcrowding, is determined by the minimum standards as detailed in the Public Health and Safety (Rented Dwellings – Minimum Standards and Prescribed Hazards) (Jersey) Order 2018. There is no policy regime for existing dwellings in other property tenures.

With regard to the development of new homes, Policy GD 3: Density of development of the current Island Plan seeks to ensure that the highest reasonable density is achieved for all developments in an attempt to secure the most efficient and effective use and development of land. Policy H4: Housing mix also seeks to ensure that the new residential development contributes towards the need for specific types and sizes of home.

The planning system regulates the development of new residential accommodation but does not extend to the regulation of occupancy levels once a home is built.

- (b) All residential development - including new buildings; conversions; refurbishment; extensions and alterations; and redevelopment - is required to provide an adequate standard of accommodation in relation to dwelling size, internal layout and room sizes in accord with supplementary planning guidance published by the Minister for Planning and Environment (see section 8; pages 10-15: <https://www.gov.je/PlanningBuilding/LawsRegs/SPG/PolicyNotes/Pages/HousingDevelopments.aspx>).

This guidance was first published in 1991; and reviewed, in part, in 2009. It is currently under further review and revised standards, which better reflect modern standards and expectations, whilst also seeking to enable higher density of development, are to be issued for consultation to complement the work being undertaken to review the Island Plan.

It is important for the planning system to provide a range of dwelling types in the island to ensure that the many and varied needs of the island's community are met which might include: making provision for the demographic shift within the community of a declining household size; and meeting the need for larger family homes. Similarly, the provision of choice and range of homes, as part of the island's housing offer, is important if Jersey is to ensure that it can attract and retain a skilled workforce that supports economic activity and the provision of public services.

As stated above there is no *vires* within planning legislation to regulate the occupancy levels of dwellings. It is also important to recognise that household needs are likely to change over time as household composition changes.

Evidence from the last Census in 2011 would suggest that around a quarter (26%) of households were under-occupying their accommodation, rising to 42% of under-occupation in the owner-occupied households; compared with an average of 5% level of overcrowding across all tenures (see appendix).

There is clearly a need to address the issue of overcrowding which, it is suggested, may have worsened since 2011 given the relatively high levels of in-migration experienced since that time. This data would also suggest, however, that there is opportunity to make better use of the island's existing housing stock to ensure that people's housing accommodation best meets their housing needs. Work is underway to consider the development and introduction of measures which encourage and enable 'right-sizing'. Such measures are likely to emerge under the auspices of housing policy; or fiscal measures which would serve to impose a financial charge for 'under-occupation'.

As stated above, ensuring choice and a range of accommodation types is important in the local housing market. Planning policy can be used, however, to ensure that the development of large homes does not adversely affect the quality of the environment. As already stated,

existing planning policy seeks to encourage making best use of already developed land by seeking to encourage its redevelopment at optimal densities.

Policies for development in the countryside already set a general presumption against the development of new homes. In the case of the redevelopment of existing homes, policies require the delivery of demonstrable environmental gains, contributing to the repair and restoration of landscape character or; most significantly, limiting them to not be larger in terms of any of gross floorspace, building footprint or visual impact than the building being replaced.

These policies are under review as part of the current Island Plan Review. The Minister for the Environment wishes to ensure that this policy is maintained and strengthened, as part of the review, and to explore the limitation of the scale of new development, particularly around the most sensitive parts of the island's coast and countryside.

3.6 Deputy L.M.C. Doublet of St. Saviour of the Minister for Health and Social Services regarding the Maternity Voices Partnership. (WQ.404/2020)

Question

Following the answer to Written Question 347/2020, will the Minister advise –

- (a) the dates, times and content of the social media posts relating to the inaugural Maternity Voices Partnership (M.V.P.) meeting, and will he attach the minutes of the inaugural meeting in his answer;
- (b) the date of the next planned M.V.P. meeting;
- (c) how those who have accessed maternity services in the recent past, but who are no longer accessing them, can participate in the M.V.P.;
- (d) how the needs and the voice of the father or second parent are taken into account; and
- (e) how the M.V.P. is including the voice of the child, and if not, will he explain how this is to be addressed?

Answer

a) On 19th February 2020, a Facebook post was published by Government of Jersey. The post read:

“Jersey Maternity services are looking at ways maternity care in Jersey may work in the future. We want to hear from you if you have had a baby in Jersey in the last five years, whether this was in hospital or a home birth. Please contact health@gov.je if you would like to be involved in initial discussions about how your voice and opinion can shape the future of Maternity services.”

- The post received 59 likes and 46 shares
- The post received 23 comments.

Over 50 women initially responded via email to the Facebook post, and subsequently 20 were invited to attend. Eleven women were able to make the chosen date and time. One woman had accessed maternity care as recently as ten weeks ago and another had accessed maternity care four years ago.

The notes of the inaugural meeting are attached.

b) It is hoped that the next Maternity Voices Partnership meeting will take place in December 2020. There may be a requirement to hold two meetings in order to safely adhere to social distancing guidelines as per Covid-19 recommendations. At present, work is being undertaken to secure an appropriate venue for the next meeting. The occurrence of Covid-19 has caused understandable delays to the establishment of the MVP and subsequent meetings. If Covid-19 continues to present challenges to achieving face-to-face meetings, virtual meetings will be considered using online conferencing platforms.

c) The MVP will very much encourage and welcome engagement from women who have accessed maternity services in the past, but who are no longer accessing them. The following methods of recruitment may be considered to ensure adequate representation of women that had their baby some time ago:

- Appropriate use of social media posts and advertisements (note that with support from the Government of Jersey Communications Team, such posts can be targeted to women who have given birth in specified years)
- Appropriate engagement with media outlets such as TV and news agencies
- Designated website for the MVP
- Collaboration with other agencies including, but not limited to: GP surgeries, nurseries/schools, Health Visitors, Brighter Futures, Women's Refuge, and Le Bas; these agencies have continued access to, and engagement with, women who have accessed maternity care in the past 5 years and who are not immediately postnatal
- Annual or bi-annual survey for women and their birth partners/family to complete – advertised using social media platforms, media outlets and via engagement with other agencies - as mentioned above.

It is also imperative that the MVP includes a diverse range of service-users that are representative of Jersey as a whole, including disadvantaged and marginalised groups. It is suggested that local service-users and their families should constitute at least one third of membership (NHS Effective co-production through local Maternity Voices Partnerships, 2018).

d) Following its successful establishment, there will be opportunity for fathers, second parents and birth partners to engage with the MVP. MVPs ensure that women and their families remain at the centre of their care and are actively involved in service development and improvement (NHS Effective co-production through local Maternity Voices Partnerships, 2018). This is in line with the Jersey Care Model - a model of

care that will ensure that Jersey healthcare services deliver person, family and home-centred care. The Maternity Survey may be an annual or bi-annual survey for women and their birth partners to complete to offer feedback regarding their experiences with maternity services and fathers, second parents and fathers will be invited to complete this. Further to the above, one idea is to develop ‘*what matters to you*’ coffee mornings in Jersey (successfully used by Better Births Gloucestershire). This will allow informal and relaxed attendance of women and their families (including fathers, second parents and birth partners) to chat and discuss areas for improvement in maternity services.

e) The MVP represents the family as a whole. Establishment and successful maintenance of the MVP will ensure long-term co-production and positive transformation of maternity services. Co-production is defined as “*a way of working that enables people who use health and care services, carers and communities to come together in equal partnership; and engages groups of people at the earliest stages of service design, development and evaluation.*” (Coalition for Collaborative Care, 2016). Effective co-production is absolutely essential in ensuring that service-user voices are effectively heard, and listened to – this includes the voice of the family as a whole.

Summary of Findings – Initial Feedback from Women 27/02/20 in preparation for the establishment of the Maternity Voices Partnership

Minutes

The aim of the session was to gain initial feedback from women regarding the care they received during the childbearing continuum, including antenatal, intrapartum and postnatal care. The women had been invited to attend the two hour session after responding to a social media post on the Government of Jersey Facebook page. Over fifty women initially responded via email to the Facebook post, and subsequently twenty were invited to attend. Eleven women were able to make the chosen date and time. One woman had accessed maternity care as recently as ten weeks ago, and another had accessed maternity care four years ago.

All women present were extremely keen to engage in the long-term with a Maternity Voices Partnership. We asked women why they felt ‘Maternity Voices’ mattered, and the following was said:

- “Without the voice of women, how can decisions be made?”
- “The maternity service needs to move forward – it feels the same as it did eight years ago!”
- “We need feedback from women to improve the service.”
- “Mums and midwives need to work together.”
- “Culture change has to come from the top!”
- “Now is the time to do it! A new hospital, and a new care model.”

The women felt that a Maternity Voices Partnership would provide a centralised, robust support mechanism for ongoing feedback and service improvement.

Maternity Survey

Prior to the session, women were asked to complete the NHS (2019) Maternity Survey as a means of piloting the survey, and gaining feedback regarding what worked well and what didn't work well. Following the session, the completed surveys were reviewed and key themes identified.

After completing the survey, the eleven women present all agreed that:

- The survey effectively splits the antenatal, intrapartum and postnatal experiences and this was useful as feedback could be very different for each
- The survey was very thorough and comprehensive
- The survey should be online, and available in other languages, in order to capture a wider audience
- The survey is perhaps too long and there are some areas of repetition, which may deter some women from engaging
- A one to ten scoring system may work better, as some women felt it was difficult to summarise care as excellent, good, average, below average or poor
- There should be a small section for birth partners to complete.

Key themes

1. Continuity of care
2. Breastfeeding support
3. Facilities for women and their birth partners in the maternity unit
4. Desire for a midwife-led birth centre
5. Personalisation of care
6. Mental health
7. Agency Midwives and locum Doctors
8. Postnatal care
9. Communication (with women, and between professionals)

Model of Care

To end the session, we discussed the model of care that women would like to see implemented in Jersey, and questions were focused around:

- Who delivers the care?
- How is the care delivered?
- Where is the care delivered?

'Continuity of care'

- Some women report seeing a different midwife at every antenatal and postnatal contact, although approximately 2-3 women present reported that they saw the same named midwife antenatally and postnatally.
- All eleven women who were present reported they would prefer care delivered in small teams of 3-4 midwives.
- They would value one ‘named’ midwife who they would ideally see the most, but would love the opportunity to meet all midwives on their named team prior to labour and birth.
- Women relished the idea of having the same team of midwives throughout the antenatal, intrapartum and postnatal periods.

All women agreed that continuity of care via small teams of midwives in the antenatal, intrapartum and postnatal periods would improve trust in their caregivers a build and maintain relationships and rapport. A number of women felt that continuity of care would have improved their mental health too.

3.7 Deputy L.M.C. Doublet of St. Saviour of the Minister for Children and Housing regarding measures to ensure children understood that smacking was not permitted. (WQ.405/2020)

Question

Will the Minister advise how he is ensuring all children with the capacity to understand that smacking is not permitted by law are educated and informed about this in a child-friendly way; and will he explain what avenues exist for children to report any such behaviour and how are they informed of these avenues and given opportunities to make a disclosure?

Answer

Jersey put in place a public awareness-raising campaign called “Stop Smacking – Seek Support” and also provided guidance and support to practitioners working with children across the Island. This placed an emphasis on the importance of positive parenting techniques.

Staff in Jersey in Government and in other sectors working with children have been receiving training in the Jersey Practice Framework – ‘Jersey’s Children First’ which places great import on; putting the child at the centre, assessing need, professionals taking and being allocated responsibility for a child who requires support and working as a team around the child. Staff are aware of how to raise issues if they are concerned about a child’s welfare. This means that any child can speak to any member of staff about a concern they have, and that staff member will know how to progress that issue.

Schools

Within the Government of Jersey schools, children, staff, parents and carers, and members of the wider community are working together to understand and promote the Rights of the Child (UNCRC).

Working together, all Jersey schools are expected to promote the idea that children have rights that will help them to develop, survive and participate in their community whilst being protected from harm. In addition, the children are also expected to develop a keen awareness of their responsibilities in upholding the rights of others in society. Thus, the rights of individual children are actively promoted in Jersey schools.

Through the process becoming an accredited Rights Respecting School, various PSHE programmes, school councils, assemblies, pastoral programmes and published policies, both the children and parents and carers know what is acceptable and unacceptable behaviour.

The creation of a culture whereby the voice of the child is at the heart of the school means that there is a strong encouragement for children to raise concerns with school staff. The creation of the Rights Respecting School Charter means that all adults working in schools know that if a child raises a personal issue, such as smacking, the matter will be treated seriously, confidentially and responsibly. If such a matter arises, the school is expected to respond appropriately and include the various professionals from the designated lead to children's services.

Youth Service and Youth Enquiry Service

When the Law on smacking ban of children came into force the Youth Enquiry Service run a news article on the new law on the YES website, as well as a display in the YES window on the issue.

There is a section on the YES website called "Knowing your rights" which has a section on Smacking – it explains the law, why smacking is banned, support available and how to get help. There are also posters in English, Polish and Portuguese.

The information on the website is written by youth workers and all information is presented in a child friendly way.

These posters are also on display in youth clubs.

Children's Safeguarding

There are advocacy and children's rights services who work with looked after children who focus on ensuring that children and young people are aware of their rights and supported to raise issues or who advocate on their behalf. There is also provision for advocacy services delivery by a third sector organisation to children within the child protection system. This provision will be extended to children in need in 2021.

Getting help

The Children and Families Hub is an important foundation to responding to children who need support. It provides a single point of contact and referral for children, young people and families who require additional support to ensure they are appropriately supported, safeguarded and protected.

The launch was accelerated to the 23 March 2020 in recognition of the importance of having an accessible front door for members of the public at a time of reduced visibility of children and heightened challenges for families coping with the consequences of the covid-19 pandemic.

Contacts can be made by both members of the public and professionals by telephone, email or through the electronic forms accessed through the [Children and Families Hub web page](#).

There has been a significant communication work done to publicise the Hub and its role in supporting children, young people and families much of this in child friendly language and format.

If contacts reach threshold for a social care response, the MASH Decision Maker determines next steps which may be direct referral to Children's Social Work or multi-agency research to inform the appropriate response and outcome.

MASH is no longer the front door for support but sits behind the triage and will only deal with those children who require a social work service or may need protection/safeguarding.

The Children and Families Hub has established a single place that families can go to for help which is non-stigmatising. It encourages families to proactively seek support as soon as a problem emerges. In May, an online information directory of services was added to the Children and Families Hub webpage to help families find the right help locally. It was designed based on research done with Jersey parents to meet their needs. Currently, there are over 70 services in the Directory and new services will continue to be added.

Any issues raised by the new legislation are dealt with by the Children and Families Hub where the appropriate support can be offered, or protection provided where appropriate. The MASH process will continue to investigate matters where a child may have suffered or be at risk of significant harm.

Since the change in legislation, contacts have been recorded in the hub in relation to 27 families where there were concerns about possible physical abuse. The responses have been proportionate to each family's needs and backgrounds. For some families this would have meant being supported by Early Help and for others, where the risk was deemed to be significant, they would have been referred to Children's Social Care for investigation and response. Data is not specifically collected in relation to smacking - this is captured within a wider category of physical abuse.

3.8 Deputy L.M.C. Doublet of St. Saviour of the Minister for Children and Housing regarding the impact of Covid-19 on parents-to-be, young children and their families. (WQ.406/2020)

Question

Will the Minister advise what plans he has, if any, to respond to the issues outlined in the Best Start Partnership's briefing paper on the impact of Covid-19 lockdown measures on parents-to-be, babies, young children and their families?

Answer

I would like to take this opportunity to thank the Best Start Partnership board for producing this briefing paper which provides much needed feedback from parents, professionals and other groups and organisations regarding the impact of Covid-19.

The wide circulation of the briefing paper has been significant in raising awareness of the potential impact of Covid-19 on Jersey's youngest residents and the need to consider the legacy of the pandemic in all future planning as this generation of children develop and grow up.

I recognise that whilst services have been flexible families have undoubtedly missed the face-to-face contact and an increased demand is already evident.

The Partnership launched a comprehensive survey to more fully understand the experiences of young children and their families during the pandemic which has recently closed. The analysis of the findings will be fed back to contributors and partners to inform future planning.

The Government will be considering the wider impact of the pandemic through further work with the childcare sector to understand the changing needs parents have for childcare, the impact on the family and how this affects both parents and children.

A focus on well-being within the early years will be maintained to ensure that the needs of children and families will be at the centre of the provision, through contact, engagement and activities, whilst adhering to the COVID guidance.

The Early Years Policy Development Board will soon be presenting their findings and policy proposals which will give due consideration to all current reports that pertain to improving outcomes for children, including the Big Education Conversation and the Education Reform Programme, both of which recognise the importance and value of investing in the early years.

3.9 Deputy R.J. Ward of St. Helier regarding the allocation of resources to catch-up” programmes in schools. (WQ.407/2020)

Question

Given the commitment of resources for ‘catch-up’ programmes in schools, will the Minister advise how the allocated funds will be divided between the employment of –

- (a) private tuition companies, providing details of the companies involved; and
- (b) current teaching staff to provide lessons outside of normal times;

and will the Minister advise whether any staff will be expected to provide the ‘catch-up’ lessons during after school hours without receiving any extra payment and, if so, why?

Answer

- (a) None of the allocated funds will be spent with private tuition companies.
- (b) Allocated funds will only be spent with teachers, supply teachers and support staff who are currently employed in Government of Jersey schools. Tuition will take place outside of normal times after school and / or at weekends.

No staff will be expected to provide catch up tuition after school hours without receiving any extra payment. Any staff who apply to provide the tuition will do so on a voluntary basis and will be paid the agreed Supply Teacher rate, commensurate with experience.

3.10 Deputy R.J. Ward of St. Helier of the Minister for the Environment regarding the application of the Public Health and Safety (Rented Dwellings) (Jersey) law 2018. (WQ.408/2020)

Question

In relation to the Public Health and Safety (Rented Dwellings) (Jersey) Law 2018, will the Minister advise –

- (a) how many inspections have been carried out since the Law came into force; and

(b) how many rented dwellings have failed to meet the minimum standards as set out in the Law?

Answer

The Minister would firstly like to advise that the data stored by the regulatory team in IHE is not in a format that is directly analogous to the question asked by the Deputy. Officers in IHE have, with the time available, answered the question using the data in its current form which has required some interpretation.

- a. There have been complaints relating to approximately 316 properties with specific reference to minimum standards. Other properties have been inspected under other legislation where failure to meet minimum standards was observed. In total over 550 properties have been inspected, representing over 3000 dwellings.
- b. Over 2900 of these dwellings failed to meet the minimum standards as set out in the Law to a greater or lesser extent.

The Minister considers that the unacceptably high numbers of non-compliance with the minimum standards demonstrate that the law, since the appointed day act was adopted in September 2018 by the Assembly, is of paramount importance.

These numbers mainly reflect inspections initiated by a complaint, so the Minister is actively considering ways we can become more effective in achieving compliance after the Assembly rejected his proposals to licence rented dwellings under P.106/2019.

3.11 Deputy R.J. Ward of St. Helier of the Minister for Infrastructure regarding cycling projects. (WQ.409/2020)

Question

Further to the Minister's response to Written Question 333/2020, will the Minister provide an update in relation to the cycling projects, outlining where efforts are being focussed to becoming a cycling Island; and will he advise the delivery date for the projects?

Answer

I am publishing a '2020 Active Travel Update; The Journey towards Jersey becoming an active travel island', which outlines where efforts are being focussed on becoming an active travel island, concentrating on cycling.

The projects detailed are at varying stages of development and due to the planning process, access to land, third party involvements etc. have complex interdependencies that are outside of the immediate control of the department. Thus, delivery dates for each item of work will be publicised on an individual basis as the projects progress.

3.12 Deputy R.J. Ward of St. Helier of the Minister for Treasury and Resources regarding hotel rooms provided for worker having to self-isolate. (WQ.410/2020)

Question

Further to the Minister’s response to Oral Question 197/2020 regarding the funding of hotel rooms for isolating workers, will the Minister –

- (a) advise if the list of suppliers that received funding has been completed and, if not, when it will be published and circulated to Members; and
- (b) provide details of the criteria used in the selection of hotels where rooms will be used for future isolation needs?

Answer

The work has been completed and the information is provided below:

- (a) Costs and hotels

Accommodation provider	Cost incurred (£)
ArtHouse Jersey	271
Grand Hotel	22,879
Liberty Wharf Apartments	53,284
Pomme D'Or Hotel	233,737
Radisson Blu Hotel	41,361
SACO	2,148
The Royal Yacht Hotel	3,971
Total	357,650

- (b) Criteria used to select accommodation

The requirement for staff accommodation was urgent and as such the accommodation providers first engaged were those who were already corporate providers to the Government of Jersey and therefore had undergone the necessary due diligence and health and safety checks.

In light of the urgent need to identify suitable accommodation, it was not possible to engage in a fully advertised formal procurement process for new corporate accommodation providers. All corporate providers were asked for their best and final offers detailing all additional services available (food, laundry etc.). The team also engaged with the Jersey Hospitality Association to broaden the request for offers.

All best and final offers received were assessed and the most commercially viable and suitable options were shortlisted. The providers selected offered a range of differing types of accommodation e.g. self-catering, fully catered, part-catered, and allowed the Government to split sites and restrict the risk of infection spread by separating sites into hot and cold sites. The providers also demonstrated their ability to cope with the forecast volume of staff, with close proximity to the hospital and with the necessary protection and additional staff coverage should the infection be contracted by their own staff.

3.13 Deputy R.J. Ward of St. Helier of the Minister for Treasury and Resources regarding the employees of States-owned companies who had been signed off work due to stress. (WQ.411/2020)

Question

Will the Minister, as shareholder representative, give a breakdown by month of the number of employees of States-owned companies who have been signed off work due to stress over the last year?

Answer

To provide a breakdown by month of the number of employees by each States-owned entity is not possible as this would present a very real risk that employees may be individually identified in breach of applicable legislation, for example data protection.

The number of instances of employees of the wholly-owned States-owned entities being signed off work due to stress over the last year represented less than 5% of the combined workforce. Some of these instances relate to individual employees who have been signed off for more than one month.

3.14 Connétable of St. Martin of the Minister for Health and Social Services regarding access to endocrinology services. (WQ.412/2020)

Question

Will the Minister advise what work, if any, has been undertaken since 2018 to improve access to endocrinology services for Islanders, in particular in relation to thyroid conditions, either by increasing the on-Island service or establishing a working partnership with a U.K. hospital; and will he advise if there are any future plans for such improvements to take place; and if not, why not?

Answer

In 2018, the endocrine consultant provision equated to 1 consultant and 2 middle grades. Since then, the endocrinology service has expanded to 2 consultants and 1 middle-grade post. There is also an additional part-time consultant in Acute Medicine with an interest in endocrine medicine who has been serving for over a year. For 2019 and until April 2020, there were 2.5 (2 locum) consultants in endocrinology.

Currently, 1 consultant and 1 middle grade post are vacant and a recruitment process is ongoing to appoint to these vacancies.

Further, there has been a change to the retinal screening process which, since 2019, is now overseen by Ophthalmology at Jersey General Hospital.

The Endocrine Medicine speciality in Jersey maintains a close working relationship with University Hospital Southampton NHS Foundation Trust as the specified tertiary referral centre for endocrine conditions, specifically for thyroid-related conditions – this equates to patients who require radiotherapy. Surgical intervention for thyroid is managed on island by the Ear, Nose & Throat (ENT) speciality, reducing the need for Jersey residents to be transferred to the United Kingdom for surgical intervention.

The Endocrine Medicine Speciality in Jersey is currently reviewing clinical pathways for the management of thyroid conditions. In particular, protocols are being devised to ensure the safe discharge of stable thyroid cases back to primary care – aligning to the Jersey Care Model.

A much bigger piece of work is taking place between primary and secondary care with regard to the Diabetes Service in line with the Jersey Care Model. As part of this review, the speciality will also ensure robust clinical pathways are established to enable primary care to have clear access to both specialist endocrine advice and referral for secondary specialist input.

3.15 Connétable of St. Martin of H.M. Attorney General regarding legislative changes arising from the establishment of multi-Parish electoral constituencies. (WQ.414/2020)

Question

Will H.M. Attorney General advise what changes in legislation, if any, will be required to allow Deputies of multi-Parish constituencies to speak at Parish Assemblies and other Parish-based meetings and events, should P.139/2020 be approved by the States Assembly, as recommended in the States of Jersey's Electoral Commission Report 2013 (R.2/2013)

Answer

In respect of Parish Assemblies, if P.139/2020 is approved, an amendment will be needed to Article 3 of the Loi (1804) Au Sujet Des Assemblées Paroissiales.

At present that Article reads:

"Les Députés des Etats ont droit d'assister, mais pas de voter, dans l'Assemblée de la paroisse qu'ils représentent ou dans laquelle est située la circonscription électorale qu'ils représentent, selon le cas."

(In unofficial translation, this states that "Deputies of the States shall have the right to attend, but not to vote, in the Assembly of the Parish that they represent or in which the constituency that they represent is situated, as the case may be.")

If the intention is that the right of a Deputy to attend and speak (but not to vote) be extended to cover the Assembly of every Parish in the multi-Parish constituency represented by a Deputy, then Article 3 of the Loi (1804) would need to be amended to reflect this.

In respect of "Parish-based meetings or events", the ambit of this is very wide. Unless this description consists of bodies established by customary law or statute then no legislation is needed to enable Deputies for multi-Parish constituencies to attend such meetings or events if they are invited.

3.16 Connétable of St. Martin of the Chair of the Privileges and Procedures Committee regarding Draft Amendment (No.49) of the Standing Orders of the States of Jersey (P.143/2020) (WQ.415/2020)

Question

Will the Chair advise –

- (a) whether any discussions were held by the Committee regarding Draft Amendment (No. 49) of the Standing Orders of the States of Jersey (P.143/2020);
- (b) if so, what the outcome was of any such discussions; and
- (c) whether the Committee considered lodging the proposition in its own name?

Answer

Prior to its lodging PPC had no sight of P.143/2020 and therefore no discussions took place.

3.17 Connétable of St. Martin of the Minister for International Development regarding the report on Island identity and Jersey's International Profile Policy. (WQ.416/2020)

Question

Will the Minister provide a timetable for the publication of the final report on Island identity and the International Profile Policy, including a date for its presentation to the States Assembly?

Answer

In October 2019, the Chief Minister established a Policy Development Board to examine how Jersey's distinctive qualities and unique identity could be more systematically celebrated and utilised for the benefit of the Island and its inhabitants. I was appointed as Chair of the Board and convened a group of 12 Board Members of different ages and backgrounds.

Since then the Board has consulted a wide range of opinion about what might make our identity more coherent, inclusive and positive.

This exercise was delayed by the outbreak of the Covid-19 pandemic, which effected the Board's ability to meet and to conduct interviews. Nevertheless, by the summer of 2020 the Board decided it had reached a reasonable point to warrant writing up its work, and that further debate would be best stimulated by circulating a detailed summary of its interim findings to stakeholders. It was also presented to the Council of Ministers and fed into the Government Plan process.

The Board intends to create a website setting out the full report and findings, and to also publish a management summary report for further consultation and presentation to the States Assembly. It is hoped this will be delivered in early 2021.

3.18 Connétable of St. Helier of the Minister for Infrastructure regarding the development of transport strategies. (WQ.417/2020)

Question

Will the Minister set out the timetable for the development, publication, consultation and implementation of the following transport strategies –

- (a) Island-wide and Town networks for walking and cycling;
- (b) road safety;
- (c) bus services, including a Town 'hoppa' service;
- (d) parking, including provision for disabled drivers;
- (e) taxis and cabs;
- (f) licensing of new modes of transport such as electric scooters; and
- (g) M.O.T. testing that includes testing and certifying vehicles for low emissions?

Answer

In agreeing the STP in March 2020, the Assembly agreed both the framework and the strong start delivery programme which sets out the strategy work that will be undertaken to develop action plans to deliver the STP vision by 2030. The strategic work will develop integrated action plans for active travel, bus service development, parking and explore the opportunities for using digital technology for enabling a mobility as a service approach to our transport network.

It is important to remember that at the beginning of March there was the necessary redeployment of policy and IHE operations staff to emergency COVID-19 response work. Some of the team remain

on COVID-19 work, although the majority have now returned. IHE resources were not available to be accessed until after the identification and agreement of the recovery plan in August 2020.

This has had an inevitable but unavoidable impact on commencement of the rapid analysis work to develop the strategies. Commencing the rapid analysis as identified in the STP has been delayed by at least 6 months with further cumulative impacts. Work re-commenced in August 2020 and a new schedule of consultation is being finalised to commence in November 2020. The original timeline for delivery of the action plans was spring 2021, the 6 month delay has pushed this to Autumn 2021 in line with the agreed revised timeline for the development of the long term climate action plan, which has also been delayed due to the impacts as identified above.

The Road Safety Action Plan was developed and consulted upon 2015/2016, lodged and published in 2017, and implementation is ongoing. Improving road safety is a fundamental consideration that underlines all transport initiatives described above.

Taxi-Cab Regulatory Reform Green Paper consultation was lodged in 2012, White Paper was lodged in 2015, implementation of regulatory reforms commenced in 2017 and scheduled for completion in March 2021. Further considerations as to how taxi-cabs can contribute to mobility as a service (MaaS) will again be considered as part of the studies described above.

PTIs or Periodic Technical Inspections were introduced in April 2018 for Commercial vehicles over 7.5tonnes and were extended to Commercial vehicles over 3.5 tonnes from April 2019. In order to satisfy Vienna Convention requirements, vehicle inspections were further extended to mopeds, light bikes and minibuses from 1st April 2019.

An “Options Appraisal” is currently being undertaken by a local consultancy company to determine the most appropriate way for the Island to inspect passenger carrying vehicles (MOT type). The Appraisal is expected to be completed around the end of January 2021, after which a date to commence inspections will be established. Current expectations are 2023/2024.

3.19 Deputy G.P. Southern of the Chief Minister regarding the impact of the use of agency and locum staff in the Department of Health and Community Services. (WQ.418/2020)

Question

Given the submission by the Department of Health and Community Services to the Migration Policy Development Board, in which it was indicated that up to 50% of mental health nurses and 75% of adult nurses used by the Department were supplied by agencies, and the reliance by that Department on agency and locum medical professionals to deliver health care in the Island, will the Chief Minister

- (a) explain how the recently published proposals for migration control will help to address this situation; and
- (b) state what assessment, if any, has been undertaken of how Brexit will affect the situation?

Answer

- (a) The recently published proposals for migration control (P.137/2020) set out the in-principle proposals for changes to existing political, legal and administrative systems to provide the government with more responsive control over the ability of migrants to settle permanently in Jersey. The provision of these controls is designed to provide a framework within which the government can propose a population policy that can be maintained in future years.

One of the key pressures faced by any migration or population policy will be the increasing need for healthcare workers within our resident population due to the ageing demographic. This is clearly identified in both P.137 and in the final report of the Migration Policy Development Board.

Within an overall population policy, the balance between locally trained staff and migrant staff will need to be carefully considered. In respect of healthcare workers, there will be some specialist occupations where local training will always be impractical and the ability to recruit off-island will need to be provided for. Whilst it is premature to discuss the possible contents of a population policy, it is reasonable to confirm that the provision of healthcare workers will always be a high priority within the overall policy.

The introduction of improved migration control systems will ensure that migrant healthcare professionals can continue to be welcomed to the Island without putting undue pressure on other island resources.

- (b) The Customs & Immigration Service have engaged directly with representatives from the Health Care sector on the anticipated impacts of Brexit.

All EU nationals in the Island and anywhere else in the Common Travel Area prior to 2021 will be eligible for settled status. This cohort of people will be able to continue working and living in Jersey as they do now without needing any other immigration permission and employers will not need work permits.

EU nationals that arrive after 2020 and are not eligible to the settlement scheme will require a visa to work in Jersey and their employers will require work permits.

There are existing conditions specific to locum doctors and consultants who hold valid working visas for the UK to come and work in Jersey for up to a month without the need for employers to apply for a work permit. These conditions remain in place in the updated Work Permit Policy, link below.

[https://www.gov.je/SiteCollectionDocuments/Government%20and%20administration/P%20FBIS%20Work%20Permit%20Policy%20\(October%202020\).pdf](https://www.gov.je/SiteCollectionDocuments/Government%20and%20administration/P%20FBIS%20Work%20Permit%20Policy%20(October%202020).pdf)

Nurses exist on the skilled worker list, Annex 1, of the policy. There is also an exception to the £30,000 annual salary threshold for skilled workers, reducing it to £20,000, for Health Care Assistants in Annex 3 of the policy.

3.20 Deputy M. Tadier of St. Brelade of the Chair of the Privileges and Procedures Committee regarding the translation of speeches made in the Assembly. (WQ.419/2020)

Question

Further to the response to Written Question 386/2020, will the Committee consider and report back to Members on the use of second or third languages in other parliaments or assemblies, and whether members in other jurisdictions are required to translate their own speeches when using another official language of the body in question, as a means of determining whether existing conventions and procedures in the States Assembly in the use of its official languages are reasonable or need to be amended?

Answer

We have undertaken research. There is a limit, however, to the usefulness of these comparisons as most parliaments operating multi-lingually do so out of a necessity not comparable here.

The Singaporean Legislative Assembly, for example, allows business to be conducted in the English, Mandarin, Malay or Tamil languages, all of which may represent a particular MP's mother-tongue or sole spoken language. Simultaneous oral interpretation of speeches in Malay, Mandarin and Tamil into English and vice versa is provided by the Parliament Secretariat's Language Service Department, however, even in Singapore, under certain circumstances, a Member who desires to speak in Malay, Mandarin or Tamil is required to provide an English translation of a prepared speech and hand it to the interpreter prior to delivery of the speech.

Hearing French and Jèrriais occasionally spoken in the Assembly is a welcome dynamic and important for our character, identity and heritage as well as the promotion and survival of our native tongue. After a recent exchange on the floor of the Assembly one not only marvelled at the phonological dexterity of gifted members but the clarity and brevity of their contributions - to the extent that one was given to muse on the benefit of making the French language not optional but compulsory. These Members helpfully provided instant translations, and they are best placed so to do.

Our position remains that the Greffe is not resourced to provide an instantaneous interpretation service for speeches made in French or Jèrriais and there are no plans to introduce such a service.

3.21 Deputy G. Southern of the Minister for Health and Social Services regarding waiting lists. (WQ.420/2020)

Question

Does the Minister receive direct reports on how current waiting lists within his Department impact on patients, including instances in which patients have had to stop driving or sell their property whilst waiting for an operation or procedure, or where new patients cannot be seen because of a shortage of staff; and what action, if any, does he propose to take to reduce the waiting lists and to ensure that service-delivery does not negatively impact on patients in the way described?

Answer

Waiting list information is now publicly available. Exceptionally, individual cases may be referred to the Minister who then seeks appropriate advice on the priority given to a patient. HCS is working hard to address waiting list challenges which have also been inevitably impacted by the Pandemic, as has been the case elsewhere and particularly within the UK healthcare system.

Actions we are taking include:

- Improving theatre utilisation to ensure all available capacity is used
- Increasing Day Surgery activity
- Continuing virtual appointments as much as possible
- Improving pre-admission screening processes
- Targeted and timely recruitment to specialist areas
- Adapting to social distancing and patient screening requirements as a result of the Pandemic.

3.22 Deputy I. Gardiner of St. Helier of the Minister for Health and Social Services regarding the testing regime for Covi-19. (WQ.321/2020)

Question

Will the Minister provide details of the percentage of instances since 1st October 2020 in which a positive Covid test result has been received on Day 5, or any subsequent day, following an initial negative Covid-test result?

Answer

Between 1st October and 27th October 2020, there were a total of 139 positive Covid tests (based on swab date). Of these 139, 17.2% were positive on either day 5, or day 8, having had a previous negative test result.

3.23 Deputy I. Gardiner of St. Helier of the Minister for Health and Social Services regarding the positive cases of Covid-19 identified in jersey. (WQ.422/2020)

Question

Will the Minister provide a breakdown of the positive cases identified since 1st July 2020 in the following categories, determining whether the individuals contracted the virus through travel (i.e. on a plane) or through transmission within the community (including household transmission) –

- (a) seeking healthcare;
- (b) admissions screening;
- (c) planned workforce screening; and
- (d) contact tracing?

Answer

It is not possible to determine where an individual contracted the virus. However, we can report on how we detected that an individual has contracted the virus. The data are part of the daily statistics update found at:

<https://www.gov.je/Health/Coronavirus/Pages/CoronavirusCases.aspx>

As at 28th October 2020, the number of positive cases since 1st July 2020 identified in each category is:

Seeking healthcare	10
Inbound travel: active infections	172
Admissions screening	6
Planned workforce screening	4

3.24 Deputy I. Gardiner of the Minister for Health and Social Services regarding staffing levels at the General Hospital. (WQ.423/2020)

Question

Will the Minister provide a full breakdown of present staffing levels in each department at the General Hospital, including all current vacancies, and advise what provisions are in place to manage the impact of Covid-19 or illness in any areas which are assessed as under-resourced?

Answer

The safety of patients is a top priority for the department and so a daily “Operational Hub” is in place to ensure that no areas are under-resourced. This is managed via the flexible use of the workforce in response to demand.

Given the nature of the use of flexibility across the department, it is important for us to capture staff vacancies across the hospital. With that in mind, at the end of September the vacancy rates for staff groups in the Hospital were:

15 Medical vacancies; 7% vacancy rate

57 nurses; 13%

17 HCAs; 11%

5 Physios; 10%

5 Psychologists; 16%

It is worth noting that these are vacancies in terms of posts not being filled substantively, but this does not mean they are not occupied, and we have 200 staff on our bank to fill shifts in line with our flexible requirements.

The department has in place an HCS Winter and Covid Preparedness Plan that has been refreshed for 2020/2021 and agreed by the HCS executive team.

This plan has been produced based on:

- Learning from previous winter planning
- Impact and learning from COVID-19
- Refreshed winter bed modelling for 2020/21
- Revised Emergency Department capacity and demand modelling 2020/21
- Strategic requirements for system-wide transformation.

The plan will be subject to further refinement throughout the winter period reflecting HCS developments and wider community actions over the coming months.

Health and Community Services has been working with partners across Jersey to develop Business Continuity Plans to ensure adequate preparedness for potential Winter pressures including COVID-19 preparedness. This includes:

- Planning successful internal and external communications
- Plans to increase immunisation rates across the public and the workforce
- Effective command, control and co-ordination during escalation – setting a high bar across all system partners and determining what ‘excellent’ looks like, referring to principles of Emergency Preparedness, Resilience and Response. To include system-wide access to operational data/insight into day-to-day demand and capacity and flow in/flow through/flow out, for use by all system partners in limiting risk of escalation and targeting actions in support of de-escalating.
- Reviewing in-patient discharge arrangements.

The period of winter for planning purposes is from 1 November 2020 to 1 March 2021.

In addition, recruitment continues to all substantive and bank vacancies across the Department, and during October we have successfully recruited to 30 nursing vacancies

3.25 Deputy G.P. Southern of St. Helier regarding the use of agency and locum staff. (WQ.424/2020)

Question

Further to the submission made by his Department to the Migration Policy Development Board, in which it was indicated that up to 50% of mental health nurses and 75% adult nurses used by the Department were supplied by agencies, and the reliance by that Department on agency and locum medical professionals to deliver health care in the Island, will the Minister state what action, if any, is being taken to increase and improve the recruitment of community nurses and other trained workers in lower-skilled roles, such as health care assistants and home care assistants?

Answer

The figures of 50% and 75% referred to the percentage of vacancies that are covered by agency, not the percentage of the whole workforce.

The Department is involved in the Jersey Employer Group, which is a Jersey-wide group set up to consider how employers and Government can work together to build a better future for Jersey and promote it as a great place to work.

Five key workstreams were identified and formed into working groups:

1. Build a clear narrative which markets Jersey as a great place to work
2. Develop coaching & mentoring programmes across organisations and sectors
3. Share information and best practice to support the development of Diversity & Inclusion in Leadership
4. Develop an early career/ school engagement strategy
5. Develop a strategic workforce plan for Jersey.

However, the group was paused in March in response to Covid 19 until June when the Steering Group met and agreed that two working groups would be prioritised to support the GoJ recovery response to Covid-19; the other working groups would remain ‘paused’.

The two working groups prioritised were:

- Develop an early career/ school engagement strategy
- Develop a strategic workforce plan for Jersey

Health is a key sector represented in the creation of a five- to seven-year workforce plan which will consider the requirements over that time for the workforce and how to deliver the skills needed.

Alongside this wider activity, the department is currently pursuing a mixed mode of filling vacancies, recruiting into posts from off-island and “growing our own”.

Successful recruitment has taken place across the Department – for example, 30 nurse vacancies have been filled during the month of October. Robust governance ensures that any agency workers covering these vacancies are removed as the vacancy is filled. Our Care Rediscovered website is a successful means of capturing external candidates and now includes Allied Health Professional roles (such as Speech and Language Therapy and Occupational Therapy).

As part of our offer to external candidates, we also offer training courses to support personal development and career progression. These courses include:

Undergraduate degree programme for registered practitioners (nurses and AHPS) – BSc in Professional Practice

Postgraduate degree programme for registered practitioners – MSc in Professional Studies

Postgraduate degree programme for registered practitioners – MSc in Advanced Practice

Postgraduate Certificates in Professional Practice and Advanced Practice

We are also in the process of establishing a Specialist Community Public Health Nursing training programme.

The “grow our own” element of the recruitment is also supported by training courses.

For staff without any formal qualification (such as HCAs and Home Care Assistants) we offer the following courses:

Level 2 Diploma in Care

Level 3 Diploma in Adult Care

Level 3 Assessor Award

Level 5 Diploma in Leadership and Management for Adult Care (This is a regulatory requirement – Jersey Care Commission require all care managers to hold this qualification.)

A staff member may then progress to take the undergraduate degree programmes for first, second and third-year Adult student nurses - BSc Nursing Degree programme.

We also offer a BA (Hons) Social Work qualification course (via Highlands College).

The Department also has in place several whole day sessions for 6th Form students called “Insights into Health and Social Care Careers”. These sessions raise awareness of the varied careers on offer across the whole department.

4. Oral Questions

4.1 Deputy G.J. Truscott of St. Brelade of the Minister for Infrastructure regarding the maintenance of public parks, gardens and housing estate hedges and verges (OQ.308/2020)

Will the Minister advise what quality inspections, if any, his department undertakes of the standard of work delivered by outsourced contractors who maintain public parks, gardens and housing estate hedges and verges?

Deputy K.C. Lewis of St. Saviour (The Minister for Infrastructure):

Under the terms of various landscape maintenance contracts that I.H.E. (Infrastructure, Housing and Environment) operate, inspections of maintenance work must happen on a monthly basis as a minimum but in practice they are more often at least fortnightly, especially during the growing season from March to October.

[14:45]

As has been made clear in previous responses on this issue, both the maintenance work and the inspections have been profoundly affected this year by the COVID-19 pandemic. The lockdown in spring happened during what should have been the busiest time of year for landscape maintenance and work patterns. This has had to be altered to cope with these unprecedented times and the reduction in contractor and I.H.E. staff numbers. As a result of the COVID crisis we have introduced new more targeted mowing regimes which have allowed for much greater wildflower growth. This more sustainable approach appears to have delivered significant benefits to local biodiversity, including pollinator activity. These changes have proved extremely popular with the majority of people who have contacted our department, including the St. Brelade Parish Climate Change Action Group, which has been actively assisting our staff in the monitoring of contract operations. We are grateful for their many positive contributions.

4.1.1 Deputy G.J. Truscott:

I thank the Minister for his answer. The question arises following complaints from residents of a St. Brelade housing estate who were quite frankly dismayed by the way the estate hedges and grass verges were being attended by the States garden maintenance contractor. I am pleased the Minister has responded in the way he has. He did attend to the matter once I brought it to his attention. I was just wondering if the Minister would consider perhaps agreeing to undertake a review of the service level agreements he has with the various contractors involved with a view to driving up standards. Will the Minister also ensure that quality control inspections are ramped up in future?

Deputy K.C. Lewis:

Yes, thank you. As I just stated they are at least fortnightly now and obviously our maintenance contracts are on constant review.

4.2 Deputy S.G. Luce of St. Martin of the Assistant Minister for Education regarding the arrangements for Jersey students to return to Jersey for Christmas (OQ.294/2020)

Will the Assistant Minister advise what arrangements, if any, are being put in place to ensure that Jersey students can return to the Island for Christmas?

Deputy J.M. Maçon of St. Saviour (Assistant Minister for Education):

I will be answering this on behalf of the Minister for Education. I am aware of the changes recently announced in the U.K. (United Kingdom) and Europe and would like to express my sympathy towards all families for any anxiety which these uncertainties will have caused. As Members are aware from my statement on 20th October, my department is currently running a survey for all Jersey students studying overseas to understand their intentions regarding travel home for the festive period. This survey runs until 9th October and up until the end of the last week we had received around 600

responses, so I would again encourage all students studying overseas to complete the survey. The C.Y.P.E.S. (Children, Young People, Education and Skills) officers form part of a travel cell established to closely monitor Jersey's connectivity as a second wave of the pandemic takes hold in the U.K. and across Europe. At present Jersey still benefits from commercial travel options and capacity to and from the U.K. However, the situation is dynamic and the cross-government travel cell will provide recommendations to Ministers across government on options for maintaining essential connectivity if commercial travel options diminish or cease all together, as was the case earlier this year. The lifeline contract with Blue Islands arranged by Government earlier this year remains in place and will ensure we retain airlinks if commercial air travel is not viable for a period.

4.2.1 The Deputy of St. Martin:

I am grateful to the Assistant Minister for his extremely comprehensive answer. He mentioned a survey. Is he aware or has he been able to correct the possibility that this survey cannot be emailed to students because of data protection and therefore how is he to give a comprehensive picture of exactly where students are to the travel cell?

Deputy J.M. Maçon:

As a data controller, the Deputy will be aware that when you take in information such as email addresses you can only use it for the purpose for which it was taken in. Officers did, however, manage to send the F.A.Q. (frequently asked questions) out to students and within the F.A.Q. it has highlighted strongly among that information that a survey is taking place. That is another avenue that my officers have pursued in order to communicate the survey that is going on.

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

May I ask the Assistant Minister what action will be taken to communicate the travel possibilities to students directly? Within a dynamic changing situation, one of the things that causes most anxiety is not knowing how you will travel back. What action will he be taking to ensure that each Jersey student is clear about their options?

Deputy J.M. Maçon:

The F.A.Q. and travel advice on the government website will continue. As for emailing students directly, again we run up against the same data protection issues and I am sure the Deputy and other Members would not encourage myself or officers to breach that particular law.

4.2.3 Deputy R.J. Ward:

Does the Assistant Minister envisage that help will be given to students who may be, in the worst-case scenario, stranded in the U.K. and away from their families around that time? If so, what type of help does he envisage is possible?

Deputy J.M. Maçon:

This is why we have launched the survey so we can understand those types of issues. Officers are already, as they did in March, supporting families with information about logistical issues. If it gets to that particular case that the Deputy raises we will need to consider those issues on a case-by-case basis and at this time I am not in a position to write a blank cheque.

4.2.4 The Deputy of St. Martin:

I am being contacted by a great number of parents asking me questions about where their children can come back from, when they can travel and how they are going to get home. Can I ask the Assistant Minister to try to reinvigorate his efforts? Time is running out, these students need to come home next month and no arrangements are in place. Will he guarantee to the Assembly to put something in place very shortly so parents can be reassured that their children can get home for Christmas?

Deputy J.M. Maçon:

I am not entirely sure what the Deputy means. The commercial airlines are already in place. That already exists. The information that we have put out exists. We would encourage university students to have that conversation with their universities about whether they could return early. We know many have already switched on to online learning and therefore provided they get the permission from the university students can come home already. Some already have. I have been in contact in with parents around that already. We do have one smaller problem that there are some courses where, for example, the universities are not giving permission for students to leave early, which we continue a dialogue with them. Can I encourage the Deputy of St. Martin and any other Member who has any queries from parents, or concerns, or students to send them to us direct and we will respond to them as quickly as we possibly can?

4.3 Connétable P.B. Le Sueur of Trinity of the Minister for Infrastructure regarding the prioritisation of safe walking and cycling routes. (OQ.298/2020)

Will the Minister agree to prioritise the creation of safe walking and cycling routes to schools, to ensure that the benefits arising from the reduction in traffic congestion and car use may be realised?

Deputy K.C. Lewis (The Minister for Infrastructure):

Indeed, my department has a longstanding safer route to school programme through which it prioritises its work to improve cycling and walking. In recent years work has been undertaken to support Grouville, St. Luke, St. Mary, St. Lawrence, Bel Royal, St. Clement, Janvrin Nursery, Granville, Les Quennevais, Le Roquier, Hautlieu, Victoria College, Beaulieu, De la Salle, Haute Vallee and La Moye. Further works are planned for La Moye, Mont Nicolle, Les Quennevais and the St. Saviour School cluster in the near future. The Sustainable Transport Strong Start continues to build on this.

4.3.1 The Connétable of Trinity:

I thank the Minister for his answer, however would he still not agree with me that when a Parish Roads Committee supported by the community comes to him requesting a simple change to the local traffic order that such proposals should be actively supported and not frustrated? I refer in particular to changes that would deliver much needed safer walking and cycling routes for our children getting to and from schools on Parish roads, changes that meet the aims of Cycle for Jersey and the Sustainable Transport Policy by reducing dependency on the motor car, traffic congestion, carbon emissions around our schools and increase our children's opportunity for physical activity.

Deputy K.C. Lewis:

We do prioritise this. The concept scheme for Trinity walkable village, including school route improvements, development work is underway but we are looking for resources for that. An active travel strategy is going to be developed next year which will focus on creating safe walking, cycling, and bus routes for schools. That is all schools. Thank you.

4.4 Deputy L.M.C. Doublet of St. Saviour of the Minister for Health and Social Services regarding the scientific evidence to support the announcement that masks should be worn in indoor public spaces. (OQ.291/2020)

Will the Minister state what scientific evidence was used for the announcement that masks should be worn in indoor public spaces; and will he circulate a copy of the evidence to Members?

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

I can confirm to the Deputy that a copy of the 6-page evidence review *Mouth and Nose Coverings* was circulated to all Members on 7th October. The review collates much of the evidence base behind the use of mouth and nose coverings within community settings. The review is ongoing and has been

used to underpin the development of updated guidelines on masks and other mouth and nose coverings in the community.

4.4.1 Deputy L.M.C. Doublet:

Would the Minister agree to provide States Members with a briefing when any significant public health changes are announced in the near future, please?

The Deputy of St. Ouen:

Yes, I have always tried to brief States Members on significant changes and I anticipate I would try and do the same when a debate date approaches for the legislation on masks, which has not yet been lodged but I hope it is going to be lodged very shortly.

4.5 Deputy S.M. Ahier of St. Helier of the Minister for Treasury and Resources regarding the proposal to move prior-year basis taxpayers to pay on a current-year basis. (OQ.314/2020)

Taking into account the latest refinement to the options in respect of prior-year basis taxpayers, will the Minister explain how it will be ensured that the process for, and level of, payment of the 2019 tax liability will meet the stated expectations?

Deputy S.J. Pinel of St. Clement (The Minister for Treasury and Resources):

The principal short-term and longer-term benefits of moving to the current year basis of paying taxes remain as set out in my report accompanying proposition P.118 which we will debate this week. The refinements now proposed, having listened to feedback from the public and this Assembly, do not change the chief benefits described, which are about helping people currently in financial distress, facilitating the introduction of independent taxation in 2022 and simplifying our tax system in the longer run. The refinements do stretch out the potential cash flow benefits for the Treasury but these were never the prime motivating factor. If most people opt to pay from 2022 over 20 years then we can expect to retrieve the forecast 2019 frozen tax liability of around £330 million in equal annual instalments over that 20-year period, which equates to about £16.5 million annually.

4.5.1 Deputy S.M. Ahier:

On 23rd October the Minister sent a letter to the Corporate Services Scrutiny Panel and stated: "Bespoke arrangements with individual taxpayers would inevitably slow down the operation of the tax system." Does the Minister believe that this is no longer the case?

Deputy S.J. Pinel:

I have understood that question which the Scrutiny Panel have asked as to whether Revenue Jersey could cope. The measure, if passed, will prevent potentially thousands of taxpayers having to approach Revenue Jersey on an individual basis. This measure helps everyone and in the longer term simplifies the personal tax system.

[15:00]

4.5.2 Senator K.L. Moore:

In an earlier press conference the Chief Minister suggested that if the move to prior year tax was not effected that an increase in G.S.T. (Goods and Services Tax) could be imposed of 6 per cent or per cent. Given that the extended or the refined proposals brought by the Minister in her report will struggle to maintain the levels of revenue that was initially anticipated by the Minister, what will the Minister's preferred option be to increase revenue? Will it be an increase in G.S.T. or, if not, what?

Deputy S.J. Pinel:

We are obviously hoping that the principles - it is not a debate in principle - of the move in the debate upcoming this week from P.Y.B. (prior year basis) to C.Y.B. (current year basis) will be approved

by the Assembly, then as we have said on numerous occasions, the actual regulations of how to manage the repayment will be brought forward to the Assembly and published before the debate. Those will now include the extended payment. It is not a U-turn, as some people are saying, it is just an extension of the payment period to accommodate what several people have brought forward about people who are on P.Y.B. in the areas of 35 years old to 55 years old who have mortgages and younger children to whom this might affect considerably. So that is why we have extended the timeframe.

4.5.3 Senator K.L. Moore:

When will the Minister be confirming the regulations and what certainty can she provide Members before this debate is had as to her proposed method to implementing this measure and achieving the amount of revenue that she anticipates?

Deputy S.J. Pinel:

The revenue is a tax liability which we have estimated, bearing in mind we are not at the end of 2020 yet, but estimated 2019's liability to be £330 million. Now that is due whatever and so we are hoping that to assist people because of being, well, not helped financially, might one say, about the COVID pandemic, so disadvantaged, then they can postpone their repayment of this liability for 5 years if they wish to or for 15 years in addition to that, 20 years in total. So that helps people who have been financially disadvantaged due to COVID and it does not make any difference to the actual amount that the Treasury receive, it is just a matter of over what period.

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

Does the Minister not accept that leaving the system as it is at the moment produces a steady between £8 and 10 million per year that is keeping the payments of the prior year and meeting that obligation on retirement or, if necessary, from the estate of the person?

Deputy S.J. Pinel:

I am sorry, I missed the last bit of that. Does it not help the estate ... can the Deputy repeat that, please?

Deputy G.P. Southern:

If the Minister leaves the system as it is, she talked about bringing in £16.5 million, leaves the system as it is and it already brings in steadily between £8 and 10 million per year, why is she not leaving well enough alone?

Deputy S.J. Pinel:

Thank you, Deputy, for that clarification. The system as it stands is totally unique from what we can ascertain. It has been the only jurisdiction to have a double-based tax system. It is confusing for everybody, it is extraordinarily difficult to administer and the whole tax system would be far better placed on a one-tax-system basis, hence the desire to move it on to that. Apart from facilitating the administration, it is much clearer to everybody that they pay as they earn, they do not have this tax liability hanging over them. For a lot of people when they retire, they will have to make a pension payment plan in order to cover the previous year tax liability on what may well be a much lower income after retirement. It will also help, which I have long been determined to bring into the States Assembly, the independent taxation system. For all those reasons, it is quite right to go ahead with this.

4.5.5 Deputy G.P. Southern:

Given that we are in the middle of major reform of our income tax system, as the Minister has just mentioned, surely adding this further complication is much more administratively awkward and difficult to handle and will cause, undoubtedly, delays.

Deputy S.J. Pinel:

I think that the Tax Department, Revenue Jersey, we have discussed this, as the Deputy will be aware, at great length and although changing the system, of course, as the Deputy says, is going to be a challenge, they are very aware of this and can cope with it and it will be so much easier to administer in the long run when everybody is on the same system as opposed to this double system and trying to chase up, in some cases, liabilities from previous years.

4.5.6 Connétable K. Shenton-Stone of St. Martin:

Does the Minister not accept that if the payment period is extended, the revenue received will not be sufficient to repay the COVID debt as she previously proposed and she will have to raise revenue through another method?

Deputy S.J. Pinel:

The ring-fencing of this liability payment was done to make it clear to people who have a tax liability on P.Y.B. that it will be going towards paying off the COVID debt just so that people understand. Otherwise, like any other tax, it will just go straight into the coffers and people would not know where it was going; it may not pay off the whole of the debt at all. We do not know because it depends how quickly people repay their previous year's liability. If they pay it quickly then it will help. If it takes over 20 years then it will take 20 years but that is the way we felt that it was fairest to taxpayers across a very broad band of age ranges, including pensioners. We felt that was the fair way to do it but it will help to pay off the debt that is being incurred through COVID.

4.5.7 Deputy S.M. Ahier:

Now that repayments will take up to 20 years to collect, will interest payments on loans therefore exceed initial estimates?

Deputy S.J. Pinel:

Interest payments on which loans, may I ask the Deputy?

Deputy S.M. Ahier:

On the loans that are required to cover the COVID pandemic.

Deputy S.J. Pinel:

The loan that we have set up is the revolving credit facility which allows us to borrow up to £500 million over a period of 2 years with an additional year if required and on top of that an additional year, so over 4 years. So that will help sustain the COVID perceived debt as it stands at the moment.

4.6 Deputy I. Gardiner of the Minister for Health and Social Services regarding the staffing of the General Hospital during the winter period. (OQ.292/2020)

Will the Minister advise what plans, if any, are in place to ensure that there are sufficient staff employed at the General Hospital to deal with winter admissions and any potential rise in the numbers of COVID cases?

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

I thank the Deputy for her questions and would refer her to my answer to Written Question 423 asked by her, which covers similar ground. The safety of patients is a top priority for me and Health and Community Services and so a daily operational hub is in place to ensure that no areas are under-resourced. This is managed by the flexible use of the entire workforce in responding to need each day. In addition, the department has in place a winter and COVID preparedness plan that has been refreshed for this winter, agreed by the department's executive team and communicated with all staff.

4.6.1 Deputy I. Gardiner:

I thank the Minister and I would like to explore further data. We have 57 nurses, which is 13 per cent vacancies, can the Minister advise what is the current sickness rate for the staff at the hospital and how the Minister plans to manage staff illness on top of the vacancies?

The Deputy of St. Ouen:

I cannot immediately advise but we will attempt to advise the Deputy. There are always vacancies in any healthcare operation but the fact that vacancies exist does not mean that those posts are not staffed, because we have a healthy number of staff members working on bank duties who fill many of those vacancies day by day and therefore keep the health service operational and safe.

4.7 Deputy R.J. Ward of the Minister for Education regarding the testing of school staff for Covid-19. (OQ.304/2020)

Given the recent incidences of COVID-19 in schools, will the Minister advise whether all school staff will be offered regular P.C.R. (polymerase chain reaction) or antibody testing, both for reassurance and to track any possible transmission of the virus; and will she further advise whether class or year group bubbles are permitted to visit other schools and colleges?

Senator T.A. Vallois (The Minister for Education):

Yes, I am pleased to advise that all staff in schools, nurseries and other early years' staff will be able to access the P.C.R. test every 8 weeks starting from today. Tests will be available at the harbour testing facility on an appointment basis for drive-in or walk-through. The facility will be open from 11.30 a.m. until 7.00 p.m. Monday to Friday and 8.00 a.m. to 4.00 p.m. at weekends. I can also advise that these tests will be sent to a U.K. laboratory and the expected result turnaround time is up to 48 hours. Plans are also being developed for a mobile testing team to come to schools and test groups of staff on site. With regards to class groups or other small bubbles accessing other schools, this is permitted for their visiting for specific educational reasons where it is risk-assessed and appropriate measures are in place to avoid contact with other bubbles.

4.7.1 Deputy R.J. Ward:

Would it be advisable that all open days should really be conducted virtually as the risk of parents and children in groups of 40, for example, travelling around schools is a risk that we do not want to take as the pandemic takes hold elsewhere?

Senator T.A. Vallois:

Yes, I can reassure the Deputy the measures that are in place are regularly assessed and considered by our facilities team who do a very good job of working directly with the schools. If there are any particular concerns, and with what is happening at present with regards to COVID in the Island, we keep on top of that particular situation and will consider whether the necessary changes need to be put in place sooner rather than later.

4.8 The Connétable of St. Martin of the Chief Minister regarding Government support to charities providing vital services to Islander. (OQ.302/2020)

Will the Chief Minister advise what additional financial support, if any, will be given to charities that provide vital services to Islanders (particularly in the medical and social services sectors) in order that redundancies are minimised; and will any such support be available until the charities are able to support themselves at pre-COVID levels?

Senator J.A.N. Le Fondré (The Chief Minister):

Pretty obviously, charities play a vital role in the Island and especially so during the whole difficult pandemic period which we are still in. Charities have also been hit to reduced incomes from donations and many are also employers. The Council of Ministers did recognise this and we ensured that charities were included in the co-funded payroll scheme from April. In phase 2, 31 charities

have accessed £909,000 supporting over 200 employees and phase 3 of the scheme continues until the end of March and charities remain included. Now, as we have seen from today's announcement of the winter strategy, this pandemic is far from over, so therefore we are going to be regularly reviewing the support we offer to charities, as well as for other sectors, to tailor our response as required to support Islanders and businesses as best we can. We are going to monitor that situation and we work very closely with the Association of Jersey Charities and others to keep the situation under review.

[15:15]

Finally, in addition, there is the Jersey Community Foundation, which is an independent Jersey charity which has been established by the Jersey Finance Group at the request of the Government to co-ordinate and deliver financial aid and support for those most in need in Jersey. In the short term, their priority has been to distribute dormant bank account funds released by the Government of Jersey to assist local charities supporting the community at this time of the COVID-19 pandemic and during its aftermath and, so far, £200,000 has been distributed.

4.9 Deputy D. Johnson of St. Mary of the Minister for Health and Social Services regarding the review of existing restrictions applicable to small gatherings of musicians and singers. (OQ.306/2020)

Further to the response to Oral Question 244/2020, will the Minister provide an update on the review into the identification of potential ways of easing existing restrictions applicable to small gatherings of musicians and singers; and will he state what the current position is?

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

At this time, the current guidelines only allow for singing and the playing of wind instruments for children and young people in full-time education. Singing and playing of wind instruments is allowed in small groups where it is a requirement of the school exam syllabus. Group lessons and practice that do not include singing or wind instruments are allowed for groups up to 40. The guidelines provide for mitigations to reduce risk, including requirements for physical distancing, ventilation, hygiene and care for instruments. In response to the Deputy's requests, officers updated S.T.A.C. (Scientific and Technical Advisory Cell) on possible measures to mitigate the risks associated with the various activities, including singing and playing a wind instrument which are currently restricted by guidance. Given the local context of the increasing number of positive cases, S.T.A.C. advised against any general relaxation of restrictions related to these activities at this time but they did encourage further work by officers to review mitigations and options for small outdoor gatherings of musicians and singers for further consideration by S.T.A.C.

4.9.1 The Deputy of St. Mary:

I thank the Minister for his reply. Would he please address 2 particular points arising from such reply? First, to consider allowing the number of performers to be a minimum of 4 in recognition of the fact that most music, both instrumental or vocal, will be written for 4 parts that cannot easily be adapted for a lesser number and, secondly, in respect of outdoor performances to which the Minister referred, to drop the requirement that members of a group be 2 metres distanced from each other, all facing the same way on the basis that, apart from the difficulty of finding a sufficiently large space to accommodate such a requirement, compliance with it raises the potential for singers to be as much as 30 to 40 feet away from each other and for an ensemble it militates against what they are seeking to achieve.

The Deputy of St. Ouen:

I have made a note of that request and I will pass that through policy officers to the S.T.A.C. advisers.

4.9.2 Deputy M. Tadier of St. Brelade:

Would the Minister confirm that what he is describing have only been guidelines and so there is nothing to actually stop musicians, indeed, woodwind players or singers, congregating together on private premises if they want to perform, in the same way that masks are not obligatory, they are only recommended?

The Deputy of St. Ouen:

It is government guidance, yes, Deputy, and I would hope all Members of the Assembly would encourage compliance with government guidance, which is informed by the best evidence coming forward from our experts, medical and technical advisers.

4.9.3 Deputy M. Tadier:

There seems to be a particular concern raised on social media around busking which, the Minister will know, does not fall directly into my powers or the Minister's powers but into that of the Bailiff's Chambers. But does he agree that there should not be a blanket ban on busking, as has been put forward for some reason and which is not supported by myself, because it is not all types of busking and street performance that cause concern? Does the Minister for Health and Social Services think that message needs to be driven home to whoever is making these decisions?

The Deputy of St. Ouen:

If I can refer to my initial answer in which I stated that further work is being done to review the options for small outdoor gatherings of musicians, which of course would include a single busker. So that will come for further consideration by S.T.A.C.

4.9.4 Deputy L.M.C. Doublet:

Can the Minister please clarify the position for singing in schools? Because the answer that he has given today is different to discussions which I have had with him and officers whereby he had committed to finding safe ways for children to sing within their class bubbles.

The Deputy of St. Ouen:

Yes, the position in schools is that singing and playing of wind instruments is allowed in small groups where it is a requirement of the school exam syllabus and mitigations are put in place. We have had very helpful discussions with the Deputy and we did commit to go away and look at what could be done because I do recognise the therapeutic elements and social elements of singing and playing instruments. But when this matter did come before S.T.A.C. because of the local context of the increasing numbers of positive cases, it is clear that S.T.A.C. advised against any general relaxation of restrictions at this time, so guidance remains as it was before our discussions, Deputy.

4.9.5 Deputy L.M.C. Doublet:

Can the Minister outline what specific medical scientific advice was given by S.T.A.C. which leads the Minister to advise against children who are already interacting with each other within a class bubble, which would prevent them from singing together in those bubbles?

The Deputy of St. Ouen:

The concern relates to the spread of droplets, which is often a greater spread because of the activity of singing, whereas perhaps in the summer when we might have felt a little more relaxed and there were fewer cases and less spread within the Island, we might have thought that would have been an acceptable thing to do with appropriate mitigation. The present scenario is that it is felt on the balance of risks that that is an inappropriate risk to take.

4.9.6 The Deputy of St. Martin:

Congregations across my Parish of churches and chapels, and I am sure across the whole Island, are desperately missing singing as part of their weekly worship. What are the Minister's views on singing while wearing a mask in church?

The Deputy of St. Ouen:

Likewise, congregations in St. Ouen are missing their singing. I have not sought any express advice on singing with a mask. I will go away and ask and I will inform the Deputy.

The Deputy of St. Martin:

I am grateful.

4.9.7 The Deputy of St. Mary:

The Minister will appreciate that the Christmas season is a particularly busy time for musical participation. To avoid the cartoon in today's *J.E.P. (Jersey Evening Post)* as to "Silent Night" becoming a reality, would he please arrange for his department to liaise with organisers of such events as soon as possible to hopefully agree on revised guidance?

The Deputy of St. Ouen:

Yes, there is a team of officers working on arrangements for Christmas and we hope to announce that as soon as possible and we will happily engage with all organisers of Christmas events.

4.10 Senator K.L. Moore of the Minister for Education regarding the employment of educational psychologists and wellbeing officers. (OQ.301/2020)

Will the Minister advise how many educational psychologists and well-being officers are currently working in the education service; how many, if any, are employed, but currently not working; and how many, if any, of these positions are currently vacant?

Senator T.A. Vallois (The Minister for Education):

I thank the Senator for her question. Out of a total budget, a full-time equivalent of 40 staff, the inclusion team currently has 3 vacancies, which have been recruited to currently, and 3 staff not currently at work. Just to make it clear, that is head of inclusion, psychology and well-being services, special educational needs and disability and our vulnerable children team.

4.10.1 Senator K.L. Moore:

Could the Minister give some indication as to the period of time that these positions have not been working and the reasons for any prolonged period of absence?

Senator T.A. Vallois:

The time out seems to fluctuate from time to time depending on a particular situation in which we find ourselves. The vacancies, as far as I am aware, have not been any longer than the last 9 to 12 months. In terms of they are not currently at work, people of course get ill, but we have got very committed staff and service who share workload but of course this is not sustainable in the long-term arrangement as, I am sure, the Senator can understand and be totally aware of our commitment to try to support and minimise the impact on children. We need to take the steps to provide the necessary resources to provide the full support.

4.10.2 Deputy M. Tadier:

Can the Minister confirm, and I do not know if she said it in the opening answer, she said that there were 3 vacancies but also 3 who are not working at the moment, so that is 6. Out of a total of how many educational psychologists is that?

Senator T.A. Vallois:

It is not educational psychologists, this was head of inclusion, psychology and well-being services, special educational needs and disability and our vulnerable children team. That totals a full-time equivalent of 40 staff but the Deputy is correct that I did state there were 3 vacancies and 3 staff currently not at work.

4.10.3 Deputy M. Tadier:

So by my maths, that is about 15 per cent then of the full staff that should be in those areas are not working. Does the Minister agree that the need for educational psychologists and those related staff at the moment is perhaps even more urgent than it might be under normal circumstances and it is critical that we do not have those vacancies so that the fundamental work of putting our children first does not fall by the wayside?

Senator T.A. Vallois:

Yes, and I would go further than that, I am very keen that we strengthen the capacity of services that support our most vulnerable children. This was the key focus of the education funding review, which I recently published. One of its recommendations of course was that we commission a full review of inclusion which is going out to tender and currently being procured via an open-tender process. I hope to receive that report of recommendations in the first quarter of 2021.

4.10.4 Senator K.L. Moore:

Is the Minister confident that the current workforce, even when the vacancies are put in place, is adequate to meet the needs of her Education Department and is there appropriate oversight in place in this area?

Senator T.A. Vallois:

The department, or this particular team, have been through a fairly difficult time over the last couple of years, as I am sure the Senator will be aware. Many services have gone through what we call a “target operating model”. We have an interim manager in place at the moment for head of inclusion, so in terms of oversight there is currently tendering in place for a permanent position for the head of inclusion. In terms of sufficient numbers to meet the needs of the demand that we have in our schools, I do not believe it is currently sufficient, hence the reason for the school funding review identifying us employing further educational psychologists but also embarking on this inclusion review so that we can put the appropriate resources in place.

4.11 Deputy K.F. Morel of St. Lawrence of the Minister for Children and Housing regarding the proposed care memorial. (OQ.293/2020)

Following the protest by care survivors against the proposed care memorial, what steps, if any, is the Minister taking to ensure the protestors’ views are heard, taken into account and have an effect on any future decision as to whether or not to create a memorial?

[15:30]

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

In advance of the protest, I met with the organisers and the Government put out a statement offering an opportunity to bring those with different views of the proposed care memorial around the table. So I can confirm that there are arrangements being put together for how that can be best facilitated so it can be as inclusive as possible. In the meantime, while that is done, there has been a pause of the care memorial project.

4.11.1 Deputy K.F. Morel:

Would the Minister advise the Assembly as to why he felt it was necessary to let the people against the care memorial reach the resort of protesting before he was willing to sit down at the table with them?

Senator S.Y. Mézec:

I regret that the Deputy chooses to ask the question like that. Right throughout this whole process I have made clear to everybody with any view on this that my door has been open and that I have been interested to meet those and hear what they have got to say. Remember, this is not my project, I just happen to be the Minister acting as government spokesperson for it on this occasion. But earlier in the year when it became clear that there were some people who felt strongly about this, I said to all of them: "If you want to talk about this, my door is open to do so." Several took the opportunity to take that up and I had good conversations, and I have continued to have them with those since then. What is different now is that it is more of a cross-government invitation but, as I said, there is still work to be done to work out exactly what the format of that meeting will be so that it can be as inclusive and sensitive as it needs to be.

4.11.2 Deputy M. Tadier:

Can I congratulate the Minister, first of all, for attending the protest and listening to the voices of those who did attend? My question is: does he agree that there is divided opinion in the community but we also must not forget how the recommendation arose from care leavers themselves who gave evidence to the Care Inquiry and the Care Inquiry recommendation and the citizens' panel that comprised of care leavers came up with the idea. So does the Minister agree that there is an opportunity here to suspend the division that some have tried to create and get something that all, if not the vast majority, of care leavers can get behind in suitably commemorating and reminding Government, in fact, and government institutions that this kind of neglect, which led to abuse in the past, will not be tolerated again in the future?

Senator S.Y. Mézec:

I thank the Deputy for his question, which I think really gets to the essence of what this was meant to be about from the start. This whole project started under the previous Government offering an open invitation for people with experience of the care system in Jersey to come together to help shape what the response to the Care Inquiry would be. I think that that was the right thing to do, rather than Government dictate that part of the response, to invite people to come in. It is sad that as time has gone on emotions are running high and people feel very passionate about that, but then that is also why it is right now to say this started off with the best of intentions and was led by people with care experience themselves but there is division. We have to accept and recognise that, so let us bring people around a table and focus on getting a joint position that unifies people rather than exploiting divisions about it.

4.11.3 Deputy M. Tadier:

Does the Minister agree, as has been expressed to me by some care leavers themselves who do support a care memorial, that the location and type of care memorial should not necessarily be where it has been proposed? The purpose of the care memorial, they think and does the Minister agree, is not so much to remind the survivors themselves of what happened, because they know full well what happened, but to remind Government and government institutions about what happened and, therefore, the best location for a care memorial may well be somewhere in the Royal Square or similar?

Senator S.Y. Mézec:

To reiterate that I have played no part whatsoever in forming the designs or the proposals themselves. That has been led by the citizens' panel and they came up with their suggestions in good faith. But it is the case, as Deputy Tadier suggests, that among those who have expressed that they are not in

favour of these particular proposals, many of them have alternatives that make perfect sense as well, some of which include what the Deputy has just suggested about having some sort of mark that more focuses at Government rather than the wider public, and that view is as legitimate as any other view that there is on this. That is why I think having some sort of engagement across those different groups that have different perspectives on this to come together and see if there is a way forward that everybody can buy into and feels will meet its objectives.

4.11.4 Deputy K.F. Morel:

Does the Minister accept full responsibility for this project going forward and does the Minister agree that if one survivor, let alone one group of survivors, from the care system feel that they will be traumatised by any memorial or by a memorial that is an option that is on the table, that that is too many and that he would not go ahead with any memorial in the case where one survivor is saying that this is going to traumatise them and by doing so acknowledging that the trauma of abuse in care is multifarious and diverse and he has to accept that?

Senator S.Y. Mézec:

Like his previous questions, I regret the tone of them. I think it is ill-informed and not conducive to finding some sort of unified way forward on this. As I said in a previous answer, this is not my project so do I take full responsibility for it? No, I do not. This started under the previous Government inviting members of the public and those with care experience to shape that response. I will endorse that. I think that was the right thing to do but it is also the case that there are people who feel very strongly in favour of this and whose well-being could also be affected by a Government deciding to U-turn on it. So, let us be frank, there is no perfect solution to this and I do not accept any attempt to divide groups and try to play one off against the other. I think that the way forward is to invite all of those with experience of this who have strong views to come and let us have a discussion about how we move forward together.

4.12 Deputy K.G. Pamplin of St. Saviour of the Minister for Economic Development, Tourism, Sport and Culture regarding the work being undertaken to ensure Jersey's supply chain was prepared for the post-Brexit period. (OQ.299/2020)

Will the Minister provide details of the work being undertaken to ensure that Jersey's supply chain is prepared for the post-Brexit period, whether there is a deal between the U.K. and E.U. (European Union) or not?

Senator L.J. Farnham (The Minister for Economic Development, Tourism, Sport and Culture):

The Government have undertaken significant work with Ports of Jersey, retailers, logistics providers, Condor and other carriers of freight to ensure we are prepared to minimise any disruption brought about by Brexit. Approximately 95 per cent of everything we eat, drink and consume arrives by sea. Air freight carries the rest and is more secure. U.K. retail networks acknowledge the lifeline nature of our supply, its routing and its importance. Logistics companies can and have allocated extra warehousing space near the port that we can use to stockpile non-perishable goods and supplies if that becomes necessary. The Condor fleet has resilience. Dry-dock maintenance this winter was brought forward so that the vessels are ready for the post-Brexit period. The fleet includes the Arrow which is on standby to work alongside the Goodwill freighter and the Clipper.

4.12.1 Deputy K.G. Pamplin:

I thank the Minister for his answer. Just to push him a little bit further, at the Beyond Brexit event recently held, and this is a quote: "Disruption could be intensified if there is extra pressure from freight links as a result of COVID and bad weather over the winter but all efforts by the Government and the supply chain partners meant that the potential for such disruption had been kept to a minimum." Could he just open that up a little bit? What does that mean, what has been achieved and what is the disruption minimum?

Senator L.J. Farnham:

At the Beyond Brexit event held recently, several sessions outlined the robustness and resilience of our arrangements and that was a very useful exercise. I just revert to the answers I gave. We have well-tested our contingency plans, not only during our response to the COVID pandemic earlier this year but when we were preparing for a possible no-deal Brexit we tested those contingencies 3 times in 2019 and once again we did the same for COVID. Then I refer the Deputy back to my previous answers where we look at how we have arranged additional warehousing and ensuring that the shipping fleet is in good shape and ready to act accordingly.

4.12.2 Deputy R.J. Ward:

Can I ask the Minister for Economic Development, Tourism, Sport and Culture would he reassure people on the Island on low incomes who may struggle if there is an increase in prices - and in particular it may well emerge as a removal of 3-for-2 deals, for example, on staples - that there will be support from Government, as there has been support for businesses during the pandemic, that if prices go up due to Brexit there will be some protection in place for people who may well struggle to get through, given COVID and Brexit as 2 issues?

Senator L.J. Farnham:

I cannot, on behalf of the Government, give cast iron guarantees that we will provide financial support to businesses hit by Brexit in the same way as we have had to give support to businesses hit by COVID and the work we have done to protect jobs and livelihoods is ongoing. Since the U.K. announcement at the weekend, we are now stepping up our efforts to make sure that the support that is running through the winter will be appropriate. Brexit is an added challenge for us and currently we are not expecting to see disruption in the supply and disruption chains, of course. If we continue to see smooth movement of goods, that should minimalise the impact on the price of staples. Of course a lot depends on the deal that is or is not done between Britain and the E.U. and what tariffs may or may not apply. It is fair to say that if no deal is done and we start having to work with tariffs we can expect to see inflation in our staple goods, and we have that very much at the forefront of our planning.

4.12.3 Deputy K.G. Pamplin:

We also heard at the conference last week that fuel suppliers have given assurances that stocks would not be affected. Can you just give us some detail on how those assurances were given and how we can all be assured?

Deputy L.J. Farnham:

I cannot off the top of my head. I will find that information out and revert to the Deputy.

4.13 Connétable M.K. Jackson of St. Brelade of the Minister for the Environment regarding the resourcing of the planning function. (OQ.309/2020)

Is it the Minister's assessment that the planning function is adequately resourced and, if not, will he explain how adopting the Government Plan will address the situation, including any additional funding that may be provided?

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

I believe there has been a situation of under-resourcing of the planning team in previous years and I think an assessment of the current challenges they face indicates that there is not the resourcing in place. Now, the planning function depends on its resource from income from planning charges. It is income dependent and at the moment there are no specific funding proposals in the plan. What it is my intention to do to enable us to deal with those challenges, which the Connétable knows about, is to look at increasing the present cap on planning enquiries, which will enable us at least to either

contract out or to make some additional point where there is probably 2 F.T.E.s (full-time equivalents) to cover the workload anticipated, which is extremely high in the approach to the new Island Plan. There is a lot of major applications. That is my straightforward assessment at the moment: no, it is not good enough.

4.13.1 The Connétable of St. Brelade:

I am grateful to the Minister for his answer, but could he advise Members of the timescale of what he is proposing and if this, in fact, is a short-term fix to address the unreasonable delays being experienced by members of the public with the planning process?

Deputy J.H. Young:

That is a very good question. I think there are 2 particular challenges we face at the moment. Obviously because over 50 per cent of the staff were lost to COVID work this year, there is a backlog of applications that has accumulated, resulting in the major applications timescale and we are nowhere near meeting the target.

[15:45]

That is 13 weeks. Secondly, we lost senior staff as a result of the target operating model on One Government, which the Connétable knows my great concerns about, and we are replacing experienced staff with staff under training. Of course, the major applications that are coming in - the waterfront, the hospital - will need a planner on their own. So, timescale? I am asking the team to be able to lift the cap by a planning order this year, which will give us a source of additional revenue, which can at least allow us to have a breathing space moneywise. That is what I am open to. Of course, Connétable, it is always open for a Member to put an amendment to the Island Plan.

4.14 Deputy G.P. Southern of the Minister for Health and Social Services regarding the vacancy amongst nurses. (OQ.315/2020)

Given the response to a Freedom of Information request revealed that, for the past year, the vacancy rate for nurses has been at, or over, 10 per cent, will the Minister advise what impact this has had on overtime rates and absentee rates arising from stress and what risk assessment, if any, has been undertaken to determine whether, and how, the vacancy rate has put pressure on the safety of service delivery?

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

It is worth noting that across many healthcare organisations there are vacancy levels in excess of 10 per cent but this does not mean that the posts are unoccupied. The use of bank staff as a flexible workforce gives the department the capacity to fill those roles in response to need. The safety of patients is a very high priority for H.C.S. (Health and Community Services) and, therefore, there is a daily operational hub in place to ensure that healthcare is delivered safely. This is managed via the flexible use of the workforce in response to the need each day. Sickness and absence data was relatively stable during 2020 until July when H.C.S. saw a peak in absence of all staff groups. This peak was driven by an increase in lost hours for the reasons described as stress and anxiety and musculoskeletal. It is believed that this peak in lost hours was a post-COVID response with people needing time off to recover and is reflected in healthcare organisations across the U.K.

4.14.1 Deputy G.P. Southern:

The Minister talked about bank nurses. Surely that means high overtime rates for bank nurses. Can he further inform Members how much more agency/locum employees cost than our own full-time?

The Deputy of St. Ouen:

Bank nurses are not paid overtime rates. I understand they are paid at a rate established as bank nurses.

Deputy G.P. Southern:

But they still do the hours though, surely?

The Deputy of St. Ouen:

Of course they do the hours. That is my point to the Deputy, that there is a bank of nurses who fill these vacancies, so that work is being done. Obviously if there is a vacancy the salary is not being paid but instead the remuneration is going to a bank nurse who is covering the position. In response to the very general question from the Deputy, which he is often asking, there is additional cost for agency staff but this is not a question about agency staff. It is a question about absentee rates and I have answered it by saying that this is covered by bank staff.

Deputy G.P. Southern:

Given that answer, I shall be asking again.

4.15 Deputy M.R. Higgins of St. Helier of the Minister for Health and Social Services regarding the criteria to be used when deciding to implement a lockdown in Jersey. (OQ.311/2020)

Will the Minister advise what criteria will be used by the Government to decide whether to implement a lockdown in Jersey in response to a second wave of COVID-19?

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

The recently published COVID-19 winter strategy - published today in fact - sets out very clearly how the Government of Jersey will respond to the challenges of containing the pandemic during the winter period. This is an update and does not replace the existing strategy but it specifically deals with the changed context and outlook that Jersey faces over the winter period. A key feature of the document is the idea of a balance of harms and underpinning this term is learning from the previous period of lockdown. Evidence now clearly shows that while effective in disrupting the spread of transmission, there were significant social, emotional and economic impacts on the population and we are now better prepared to respond to the challenges of COVID than we were in March and April because of the learning that we have received since that time. We have significantly increased the testing and tracing capacity. In addition, we have created an enforcement team and I welcome the fact that the courts are enforcing the legislation we have to ensure that key public health measures are followed consistently. Any decision to require the whole population to stay at home would be a completely last resort based on a demonstrable inability of all other protective systems to control the spread of the virus and keep people safe. I hope that provides reassurance.

4.15.1 Deputy M.R. Higgins:

While accepting what the Minister has just said, the U.K. also thought that they had measures and testing that would enable them to prevent a full lockdown and we know how successful that has been. We also are aware of how quickly these things can get out of hand. Will the Minister set out what criteria they would use if they have to resort to a full lockdown? Will it be based on an R number, a particular number of cases per 100,000, or the number of intensive beds that would have to be occupied? I do believe that we should have that information as a backdrop against the measures that are being put forward. Will the Minister produce that criteria so that we can see in the worst-case analysis what it would take to go into lockdown?

The Deputy of St. Ouen:

It is impossible to predict with any degree of certainty precisely what we might face as we go into the winter period. For example, we might see increasing infection in the Island and numbers rise but if we are able to control those and ensure that any transmission remains under control, notwithstanding increasing numbers, then I would not believe we would rush immediately to

universal measures. But if the spread got out of control and we could not track how it was spreading, regardless of numbers it might be necessary, because of that uncertain situation, to impose more restrictive measures. It simply depends on the scenario and the facts facing us at that time. I do agree with the Deputy, it is a period of great uncertainty. We cannot feel we are at all in charge of how this virus can spread through us, and we know it exists within the population now, but in fact the greatest mitigation lies in the hands of Islanders. If we can all be self-disciplined to maintain good hygiene habits, to avoid large gatherings, to keep our distance and to wear masks when in public places, that is the greatest thing we can do to prevent this spread and we all have a responsibility to each other, I hope everyone would agree, to keep this Island safe.

4.15.2 Deputy R.J. Ward:

Does the Minister's department track an R constant for Jersey? If they do, has he published what that is and what would the trigger point be for that to trigger a possible lockdown in the coming weeks and months?

The Deputy of St. Ouen:

A great deal of work is necessary to calculate the precise R figure. It is not something that is just out there and a figure that it can be reached for. It was calculated earlier in this pandemic. We are not constantly calculating it although we believe we are well under one at the moment. If we believe we are approaching one or at one, then it might be necessary to calculate that again because that means that the virus is spreading far more rapidly than the people who are recovering from the infection. It depends, we obviously have a limited number in our teams and if it is beneficial for the response to calculate an R we would do so but perhaps there are other tasks that our teams could be doing to mitigate the spread also.

4.15.3 Deputy R.J. Ward:

Does the Minister believe that an R calculation is appropriate for the population of Jersey? Is it simply that it would not be appropriate for such a small population as to the reason why it is not being calculated or is it simply due to the ability to do that calculation effectively?

The Deputy of St. Ouen:

I think from all that we are doing, especially with our test and trace system, we can know that we are under one and, therefore, we would not need to calculate on a very regular basis our R figure. If we felt that the situation was becoming more and more out of control, then it might become necessary to carry out that analysis to understand exactly how and to what extent the virus was spreading across the Island. It is not an easy thing to do, is what I would point out. It is not something that you just put 2 figures together and come up with an R figure. It requires a lot of research, calculation and educated assessment.

4.15.4 Deputy M.R. Higgins:

I think that with the test and trace system already revealing instances of we cannot tell where a person got the virus and there is the danger of the virus increasing in number, I would ask the Minister to reconsider his decision not to put a paper together setting out what the criteria would be to need us to go down into a stricter lockdown. I think it would give reassurance to the Islanders and I hope he will take that action.

The Deputy of St. Ouen:

I will discuss it again with officers. We certainly want to give reassurance to Islanders about our response, and our winter strategy I believe is part of that. It sets out how we intend to keep the Island safe this winter. But again I stress this is largely in the hands of Islanders who can adopt the good practices that I have mentioned before, which are really going to do far more than Government can do to keep the Island safe.

4.16 The Deputy of St. Martin of the Minister for Health and Social Services regarding the level of public compliance with the guidance that face masks should be worn in all indoor public places. (OQ.295/2020)

Will the Minister provide the Assembly with his initial assessment of the level of public compliance with his department's guidance that face masks should be worn in all public places?

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

I thank the Deputy for his question, because our new guidance on face masks was issued last Monday, 26th October, and of course is aimed at protecting the Island from further spread of COVID. Now, I think it is quite early to assess the level of public uptake. People are adjusting, sometimes remembering their mask, sometimes not, but I think early indications are that many Islanders support this important new measure. We discussed and reviewed the guidelines with the Chamber of Commerce and the main retail supermarkets as all parts of the community have a part to play in encouraging the highest possible uptake for our safety as we go into the winter. Communicating and encouraging the use of face masks remains an important and ongoing task. We have guidance on the Government websites, posters and banners, advertising in local media channels and social media, and there has been the household leaflet drop, which I hope all Members have received as have all Islanders.

[16:00]

It includes advice on how to wear face masks and where to wear them and how important that is alongside physical distancing and hand hygiene.

4.16.1 The Deputy of St. Martin:

I thank the Minister for his answer but I cannot say that the people who have been contacting me would share the Minister's views and they regard the uptake as very poor. How long will the Minister wait before he brings the legislation to the Assembly?

The Deputy of St. Ouen:

I am not waiting. I am anxious to lodge it and have it debated as soon as we can. It is not that the legislation itself is long. It just raises some complex issues, which are still being subject to drafting. I keep on being informed that we are near to a point where it can be lodged. There are just these minor blips that keep on cropping up that have prevented its lodging earlier. I anticipate, once lodged, we can begin to have that debate about whether it would be appropriate to make mask wearing mandatory.

4.16.2 Deputy G.J. Truscott:

Last Saturday my wife and I were out shopping at a local garden centre, and I might add we were both wearing face masks. I have got to say how disappointed I was to see so many people not wearing them, effectively ignoring strong Government advice. Could the Minister indicate what part of the law drafting is proving to be so problematical and will the Minister give the Assembly an assurance that the draft will be ready to be debated as planned in December?

The Deputy of St. Ouen:

It is not that anything is greatly problematical. It is simply, I understand, limits that come up on the wording and the co-ordination with other legislation from time to time. I am sorry to hear about the Deputy's experience when shopping. I was food shopping in a local supermarket on the same day. If I was in there 10 minutes I would have estimated perhaps 50 per cent of people, 40 per cent to 50 per cent perhaps, were wearing masks. It is an ongoing educative process, but I think what is important is that more people ... well, from my limited experience more people have been wearing

masks this week than on the previous week. If that trend continues, we will see more people wearing masks. I think there is a dawning understanding of the protection it can give.

4.16.3 Deputy G.J. Truscott:

I am not sure if I heard the Minister indicate that the law will be ready for debate in December, if he could confirm that, please.

The Deputy of St. Ouen:

I want to lodge it ... well, I am hoping this week. I know I said that last week or a fortnight ago. It would need a 6-week lodging period unless the Assembly agrees to take it earlier. Once lodged, I would like to discuss particularly with our Scrutiny Panel, and I will also discuss with the Deputy whether he might be minded and felt others might be minded to take it earlier, perhaps on 1st December, but it will ultimately be a decision for the Assembly.

4.16.4 Deputy S.M. Ahier:

Due to the lackadaisical approach of many to the disposal of used face masks, will the Minister be providing clinical waste bins in the town centre?

The Deputy of St. Ouen:

We can certainly encourage people to dispose of them properly, as the guidance does. As to whether there is a need for further bins, which would need a workforce to empty them, I do not see why people cannot use existing bins and act responsibly to dispose of their masks. I would rather ram home that message than placing more paraphernalia around our streets.

4.16.5 The Deputy of St. Martin:

Quite often in this job we get complaints from members of the public about their civil liberties being dealt with not too well, but in this case would the Minister agree with me that individual people's behaviour can have a terrible effect on other individuals, and in this case when it comes to civil liberties it is really important that we encourage and we bring the legislation to make sure that people do observe the wearing of masks in public places?

The Deputy of St. Ouen:

Yes, I would agree with the Deputy. It is without doubt these have significant public health implications. It keeps people safe that we are near to and it has a degree of safety for us as we are shopping, too. It is not a great imposition just to put a covering in front of our mouth and nose for the short time we spend in shops and I, as the Government is doing, strongly recommend it.

4.17 The Connétable of St. Martin of the Minister for the Environment regarding the protection of the welfare of livestock (OQ.303/2020)

Will the Minister outline what work is being undertaken on improving protection of the welfare of livestock, and if none is being undertaken will he explain why not?

Deputy G.C. Guida of St. Lawrence (Assistant Minister for the Environment - rapporteur):

Quite simply, we have been working extremely hard on the Wildlife Law for the past few years. In parallel, work has been undertaken to renew the Animal Welfare Law. As I will probably be presenting the Wildlife Law tomorrow, we can now devote all our attention on the welfare law. We have had the luck of securing one of the best state veterinarians in the industry and we hope that he will help us with this work very, very soon.

4.17.1 The Connétable of St. Martin:

I am delighted to hear that. As Deputy Guida, the Assistant Minister, knows, I have been asking him about this since I was sworn in in 2018. I would like to ask him what the timeframe will be because it is very urgent that something is put in place.

Deputy G.C. Guida:

The Constable will know that the frustration has been shared throughout our department. It is a very, very complex issue. We do hope to have something by next year, by 2021.

4.18 Deputy L.M.C. Doublet of the Minister for Health and Social Services regarding the development of a policy to allow safe singing. (OQ.296/2020)

Further to his response to Oral Question 244/2020, will the Minister update Members on the development of a policy to allow safe singing by both adults and children?

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

Yes, in response to the Deputy's request, officers updated S.T.A.C. on possible measures to mitigate the risks associated with the various activities, including singing, which is currently restricted by guidance. As I said in the answer given to the Deputy of St. Mary, given the local context of the increasing number of positive cases, S.T.A.C. advised against any general relaxation of restrictions related to these activities at this time, but it did encourage further work by officers to review mitigations and options for small outdoor gatherings of musicians and singers for further consideration by S.T.A.C.

4.18.1 Deputy L.M.C. Doublet:

I thank the Minister for his answer. Does the Minister agree with me that the guidance around singing should have been relaxed months ago and, in fact, singing and music has been neglected in policy formation? Would the Minister agree to review this, particularly in light of the well-being and educational importance of singing for children, and to look at allowing whole-class singing within existing bubbles?

The Deputy of St. Ouen:

I cannot agree with the statements just made by the Deputy. The guidance was formulated on the basis of the advice we received from S.T.A.C. They and I do acknowledge the therapeutic and social benefits of singing or playing music, but this has to be measured against the risks associated with the spread of droplets, which singing carries to a far greater extent than normal speech. So it is a case of assessing risk, which, of course, we ask our expert advisers to carry out, and advising us on what is a safe activity. So I hope that explains the approach to the Deputy.

4.18.2 Deputy M. Tadier:

I wanted the Minister to clarify and perhaps agree with me that he might need to be more precise in his language. Can he clarify that you cannot restrict something through guidance? You can restrict something through law or regulations, but that guidance is simply that.

The Deputy of St. Ouen:

That is correct. It is guidance. There are no criminal sanctions, if that is what the Deputy is suggesting, to somebody singing.

4.18.3 The Deputy of St. Mary:

During the course of the afternoon I have received an email regarding a taskforce being set up to address the question I raised earlier about Christmas music. There are 2 points arising therefrom for me. First, could Members be circulated with the details of the persons comprising that taskforce so that organisers can get in touch with them? Secondly, the question I raised was, yes, partly in relation to Christmas music but it was more general, that organisations are intent on establishing a way

forward to maintain their choirs and musical groups, not just for Christmas but beyond that. So would he please confirm that the guidelines being worked on will cover the long-term situation and not just Christmas time?

The Deputy of St. Ouen:

Yes, I undertake that we will give the Deputy and States Members a contact so that they can engage with that taskforce. I am sure that what we try and put in place for Christmas will have ramifications for the long term, because if we can establish an appropriate means of singing or playing instruments so that we can celebrate Christmas, if that is deemed safe for that time, I cannot see why it would not be deemed safe in January, for example. So of course the intention is to allow normal activities to take place if it is safe to do so. Where we can find a safe way we will do so.

4.18.4 The Connétable of St. Brelade:

It was drawn to my attention this morning that we have a pub in the Parish who flatly refuse to take a blind bit of notice of the guidance being issued, despite being challenged by the police. I would urge the Minister to give early attention to this and would ask him if he accepts that this practice is presently taking place throughout the Island.

The Deputy of St. Ouen:

Yes, I presume the Constable is referring to singing or playing of loud music in pubs. If he wished to let me have the name of that venue, or let the enforcement officers have that name, I would encourage officers to investigate. We know that venues have been taken to the Licensing Assembly and there have been fines imposed for breaches of regulations in courts as well. So it is possible. I am thinking of Deputy Tadier's question, which perhaps related to individuals, but venues and businesses are required to maintain a safe system of work and safe premises. If they are seen not to be doing so, then it is possible that enforcement measures could be undertaken against them.

[16:15]

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

Although it could be disputed, I am a singer and I can stand in front of a candle and it will not go out and there are no droplets that come from that. To be honest with you, in retirement homes, music is so important, not only in the schools, but I can see where Deputy Doublet is coming from. Music is very, very therapeutic. I just find it such a shame that we are not allowed to have singing and yet people in the streets ...

The Bailiff:

Connétable, I have to interrupt you. There does have to be a question.

The Connétable of St. Saviour:

There is going to be one, Sir. Yet people in the streets can spit. Can the Minister not look into this practice, which I find very, very awful, to be honest with you. The germs that would come from that are a heck of a lot worse than the ones that come from a singing voice.

The Deputy of St. Ouen:

I thank the Connétable. I have always enjoyed her singing and I understand what she is saying. It gives me no pleasure to restrict singing and activities. I do not sing myself but I love listening. In answer to the habit of spitting, yes, it is appalling and, of course, if somebody spits directly at somebody, that could be an assault and a criminal offence. If they spit on to the pavement it is just a horrible habit. The police have responded magnificently and they have helped the Island enforce the COVID response, not by heavy-handed means but by encouraging and educating members of the

public. I am sure if police officers saw that sort of thing happening they would give appropriate words of advice.

4.18.6 Deputy L.M.C. Doublet:

The Minister has mentioned science that he is basing these decisions on. Could he please now provide the references so that I and others may look up this research and assess it for ourselves, please?

The Deputy of St. Ouen:

I will go back to S.T.A.C. members and seek the detail of that. There has been no decision about this. The Deputy refers to a decision. What has happened is the guidance remains as it always has throughout the summer. There has been a request that it be changed. It has gone to S.T.A.C. S.T.A.C. have advised that it should not be changed, so I suppose that is the decision I presently made, but we are going back to S.T.A.C. to talk about what might be able to happen, particularly in outdoor venues. But I will seek the scientific background on which their advice is formulated and respond to the Deputy.

4.19 Deputy G.J. Truscott of the Assistant Chief Minister regarding the plans to address traffic around Overdale in the event the site was confirmed as the location of the new Hospital. (OQ.313/2020)

Will the Minister advise what plans, if any, are being considered to reduce the level of traffic and to deal with traffic issues around Overdale in the event that the area is confirmed as the site for the new hospital?

Senator L.J. Farnham (Assistant Chief Minister):

Access and transport is a key issue that will be addressed in full detail when the Assembly has chosen the site for our new hospital. Outline options for transport links are outlined in the site selection report that was published early in October as an appendix to P.123. That is a proposition that proposes Overdale as the preferred site, and I can refer Members to pages 63, 64 and 67 of that report. An initial audit as part of the site evaluation process looked at public transport, at walking, cycling and the local highway network. That report illustrates Westmount Road is the preferred option for primary access to Overdale but that significant road improvements would be necessary. However, it also recognises that there are opportunities to improve access by foot, cycle and public transport in order to limit the traffic flow. Page 76 of the report identifies that enhancements to the existing infrastructure, including pavements and pathways, are necessary, a shuttle bus service, micro mobility and e-bike hire, and other new travel initiatives. Other options we have heard about such as a funicular railway have been mentioned in the report only in passing but are not part of the proposal for the main hospital project. Initial analysis of traffic flows has been undertaken but full and further detailed traffic flow modelling and design can commence after the Assembly has selected the site.

4.19.1 Deputy G.J. Truscott:

I think that is the tricky one for me. It is that we have to select the site and then we get the details. Hospitals are by their very nature significant generators of vehicle movements. Tower Road, St. John's Road, Old Saint John's Road are already heavily congested, often gridlocked at school drop-off and pick-up times. The said roads are narrow with various pinch points and inadequate pavement provision. Does the Minister agree that road safety is of paramount importance and could the Minister assure the Assembly that the road infrastructure in the Overdale area will be given the full consideration it plainly deserves?

Senator L.J. Farnham:

Yes, I can absolutely reassure Members that is the case. Some early research has been carried out to forecast the capacity of several roads and junctions in the vicinity and the report deals with how those areas would also be improved to ease traffic flow to take account of the additional traffic to the potential new hospital site. That work would have the additional benefit of freeing up or improving those road networks and junctions at all times, not just for the hospital but as we know, on the inner road, Victoria Avenue and along the bottom of People's Park, and the roads the Deputy mentioned, they are and can be heavily congested at rush hour, so any improvements will help to alleviate that as well.

4.19.2 Deputy J.M. Maçon:

Being a St. Saviour representative, I am certainly aware of the impact of traffic, but I wonder if the Deputy Chief Minister could explain, with regard to any potential shuttle bus up to the hospital site, whether options to include a wider town hoppla bus service that could be tied into it would be considered under the plans.

Senator L.J. Farnham:

Yes, I think many options will be considered. I think we have an opportunity to be innovative here and to try to be a visionary, so we will look at ... and I understand the Minister for Infrastructure is already working on aspects of this, but we have an opportunity to provide some new and different and very effective types of transport. It does not just have to be transport running from town to the hospital and back. We could, with careful consideration, produce some new routes, some new public transport routes, some circular routes that include the hospital, and include them into existing public transport routes as well.

Deputy J.M. Maçon:

I thank the Minister for his reply.

4.19.3 Deputy M.R. Higgins:

Could the Deputy Chief Minister give an undertaking that before we debate the Future Hospital site at Overdale he will bring to the States the information about the impact on the People's Park and if it does include removing the parking spaces and widening the road and other effects on the park that he will bring that to Members so we have that information before we debate Overdale?

Senator L.J. Farnham:

Yes, all of that information is included in the proposition and the report. As Members will know, we are carrying out a number of presentations between now and 17th November where we are attempting to share with Members as much information as possible and provide Members with the opportunity to ask questions. But all that information is available and I am happy to speak with any Members offline to run through that detail if they so wish, including Deputy Higgins.

Deputy M.R. Higgins:

I just say to the Minister that if it is not available I will be voting against. Thank you.

Deputy G.J. Truscott:

For the moment I have no further questions. Thank you.

4.20 Deputy I. Gardiner of the Minister for Infrastructure regarding the introduction of a framework to allow lift services such as Uber to operate. (OQ.307/2020)

Will the Minister undertake to give consideration to the introduction of a framework that would allow organisations such as Jersey Lifts, Uber and Lyft to operate in Jersey in a reasonable, regulated manner and, if not, will he provide his reasons?

Deputy K.C. Lewis (The Minister for Infrastructure):

Public service vehicle drivers must operate within the regulatory framework that already exists to ensure the safety of the public, P.S.V. (public service vehicle) drivers and their vehicles. We also approve companies to operate provided that we are satisfied they will provide an adequate service to the public and meet criteria such as being fit and proper, have a sustainable business plan, maintain record keeping and have drivers affiliate to them who meet the P.S.V. standards. I must reiterate that public safety on transport is our primary concern.

4.20.1 Deputy I. Gardiner:

I would like to raise a point about it. I have asked specifically about Jersey Lifts/Uber and not general companies, and I do not think the Minister answered my question.

The Bailiff:

Well, you can ask this as a supplementary and the Minister can be focused into the answer in those circumstances.

Deputy K.C. Lewis:

Yes, indeed. Sorry, is the Deputy going to formulate that into a question?

The Bailiff:

Well, I think the Deputy would say it is already in the question that she has already asked. She asked about Jersey Lifts, Uber and Lyft to operate. Would you give consideration to the introduction of a framework to allow them to operate, Minister, those specific companies to operate?

Deputy K.C. Lewis:

Well, Jersey Lifts is not a legal organisation. I can only regulate what is legal. I have answered this question many times in the past. Jersey Lifts' drivers do not have background checks. They do not have proper taxicab insurance. They are not registered businesses. Heaven forbid should anybody be injured in a car crash it would invalidate the car's insurance, plus the drivers do not have background checks and we do know whether they could be on drink or drugs or have a criminal record of some description. So that is for Jersey Lifts. Uber, we were approached by somebody who wanted to bring Uber to Jersey. They made some enquiries but have not taken that further. Lyft is something quite different. If somebody wishes to car share with a friend or neighbour and split the cost, then that is perfectly in order. Other than that, I can only regulate what is legal.

Deputy I. Gardiner:

A supplementary, Sir?

The Bailiff:

Well, you will have a final supplementary as we come through, Deputy, so you will have one to ask then.

4.20.2 Deputy K.F. Morel:

In regard to his previous answers, if the Minister were to decide to regulate one of these large, multinational lift providers, would he take into account the issues of driver welfare and reports of exploitation, let us say - I use that word advisedly - of drivers by such companies?

Deputy K.C. Lewis:

Absolutely. We only, if you like, interview bona fide companies, local companies, before they are given permission to operate as a cab company. Most of them are very tightly regulated. They are good companies. I recently authorised 2 more. They do have local drivers affiliate to them and most of them now are using apps so they can be traced. So the regulation is there to protect the public and, indeed, as the Deputy says, the drivers.

4.20.3 The Connétable of St. Brelade:

Would the Minister not agree that it is time for Government to move away from the regulatory scheme which, in fact, offers a protectionist scheme for existing operators?

Deputy K.C. Lewis:

I would not say it is protectionist. It is a very light touch. I am responsible as Minister for Infrastructure through Driver and Vehicle Standards, who are a very professional team, just to regulate the taxi and cab industry.

[16:30]

That is all I do. The others are either independent operators or they affiliate themselves to a cab company.

The Connétable of St. Brelade:

I thank the Minister.

4.20.4 Deputy J.M. Maçon:

I have many constituents who are taxi drivers who are very upset about the lack of action around Jersey Lifts, and I understand the Minister is in a bit of a bind. Anecdotally, people who are offering services from Jersey Lifts appear to be making more than simply covering the petrol costs. Is there nothing further that can be done in this area because it is not a fair or level playing field?

Deputy K.C. Lewis:

I fully appreciate what the Deputy is saying, but as Minister for Infrastructure I can only regulate what is legal. If somebody is operating outside of the law, then that is a police matter. As I mentioned previously, all of the drivers, be they taxi drivers or cab drivers, have to have background checks which goes through the U.K. computer system to make sure they do not have relevant criminal records. They have to have adequate taxicab insurance. Their vehicle has to be inspected to make sure it is roadworthy and a meter fitted and, of course, they must have adequate taxi and cab insurance. Heaven forbid should somebody get into one of these unregulated vehicles and there is a terrific accident. That would immediately invalidate that person's insurance for that unregulated vehicle. As I have mentioned previously, public safety and, indeed, driver safety is paramount.

4.20.5 Deputy J.M. Maçon:

In that case, I wonder can the Minister advise whether he has had any discussions with the Minister for Home Affairs on this particular area and were they fruitful?

Deputy K.C. Lewis:

I did speak some time ago to the Minister for Home Affairs. My head of Driver and Vehicle Standards recently had a meeting with the chief of police and I did ask him to bring it to his attention. The police are well aware of what is going on and the action they take is a matter for them.

4.20.6 Deputy I. Gardiner:

To sentences of history, the questions about Jersey Lifts going back to 2014. On 2nd May 2017, then Deputy Kevin Lewis, as then Minister for Infrastructure: "What appropriate action the Minister for Infrastructure will take to stop the service known as Jersey Lifts." Minister, you raised it 3 years ago. You know there is a problem. What can be done to create a new framework that will ensure equal rights of those legal drivers compared to the illegal drivers who are not paying tax and not having to renew a licence, to create a framework which will allow us to regulate what we call Jersey Lifts that is already for 6 years at least on the map?

Deputy K.C. Lewis:

I am not quite sure where that question was going, but as I said, I can only regulate what is legal. I cannot regulate something that is illegal. That is a police matter and hopefully the police will stamp this out immediately. I do not want to wait until either a young person is molested or there is a serious car accident with one of these vehicles, as I said, which would completely invalidate the driver's insurance. We do not know if they are a paedophile; we do not know if they are a drug taker. There is no knowledge of these people at all. They ring up total strangers, strangers pick them up and they are making money out of it. They will always be cheaper than taxis for the simple reason that they are not paying any taxes. It is illegal. I would like it stamped out.

4.21 Deputy K.F. Morel of the Chair of the States Employment Board regarding the appointment of the Chief Executive as a non-executive director of a UK real estate company. (OQ?297/2020)

Will the chair advise whether the States Employment Board, Chief Minister or Deputy Chief Minister were informed before the Chief Executive took up a role as a non-executive director at New River R.E.I.T. (Real Estate Investment Trust) and, if so, whether their written permission was sought and provided? If permission was given, will the Chief Minister provide an electronic copy to all States Members?

Senator J.A.N. Le Fondré (Chair, States Employment Board):

As I set out in my written statement last week, I was aware of the appointment and verbally agreed to it on the basis of the conditions which have been outlined, such as the issues of no conflicts of interest. The matter was raised with the Deputy Chief Minister during my leave, as has also been set out in my written statement. The S.E.B. (States Employment Board) were not consulted or informed about the appointment and have expressed their disappointment to both the Chief Executive and me and have accepted our respective apologies. The Chief Executive has also apologised to me for not instigating the written request for permission. Following a detailed consideration by S.E.B. at its meeting on Thursday, written permission has now been given, subject to completion of certain due diligence matters. In relation to publishing, it is difficult. I am advised that as this is an individual contractual matter with the Chief Executive - an individual is the point - I would be unable to publish the full contents of the letter. However, the C. and A.G. (Comptroller and Auditor General), as with all these types of arrangements, will be able to access it. One other matter that may also help, I am, I think as Members are aware, intending to make a statement later. Just to give advance notice, I would like to eventually, not now, seek the permission of the Assembly to take it before Questions without notice, because that would then potentially inform Members and hopefully in the right order. Then obviously if there are any issues we missed, they can obviously pick them up in Questions Without notice afterwards.

The Bailiff:

I can confirm to Members that a draft of a statement has been lodged and accordingly the Chief Minister will, at a time to be agreed by the Assembly, be making a statement, after which a period of questions of course are available to Members.

4.21.1 Deputy K.F. Morel:

With regard to the permissions that the Chief Executive did or did not receive in advance of taking the appointment, a statement was issued in which the Chief Executive said that the correct permissions had been received from the Chief Minister and the Deputy Chief Minister. This statement was incorrect and as such was not an honest account of the permissions that had been received. What has the Chief Minister done to address this and correct this as a disciplinary matter?

Senator J.A.N. Le Fondré:

You have got to be slightly cautious about the use of "honest." I appreciate the way the Deputy is implying it, but we have to be very careful that we do not implicitly imply ... cast aspersions, but I

understand what the Deputy is trying to say. First, let us be very clear. Both myself and the Deputy Chief Minister have said that the press release that was issued was not seen by us, therefore there was a clear failure in the protocols around the issue of that press release. What I have done, I have asked basically the Director of Communications, but most particularly one of my Assistant Ministers, i.e. the Connétable of St. Ouen, to perform an investigation or at least oversee an investigation and to come back to me with the reasons and what happened, the reasons behind it and also any recommendations as to how we need to make sure this never happens again. We have been very clear with the relevant department that any press releases that go out, if they refer to a Minister or an Assistant Minister or any other politician, those individuals need to have seen that before it goes out. That did not happen.

The Bailiff:

I have next Deputy Ward and Deputy Tadier, Senator Moore and then a final supplementary. I will not take any more questions on this at this point in the light of the fact the Chief Minister is going to be making a statement and there will be a question period available to Members after that.

4.21.2 Deputy R.J. Ward:

I will ask my question now. I did lodge it as an urgent question, but I can ask it now. Will the Chief Minister confirm what, if any, independent legal advice he sought before approving of the Government of Jersey's Chief Executive Officer taking a non-executive directorship in a real estate company and what liabilities the Government could be at risk of if a claim were made on the basis of a conflict of interest?

Senator J.A.N. Le Fondré:

I have tried to respond to that question in the email we sent to Members earlier today. Essentially it is not necessary to seek advice from the Attorney General, law officers or an external body. Such matters are set out in the contract and our policies. However, the group director of People and Corporate Services should have been asked for advice on the matter. He has now provided his advice to the S.E.B. and obviously I referred to those answers elsewhere. In terms of potential future liabilities, if there is a conflict of interest, there is a requirement for the C.E.O. (Chief Executive Officer) to notify the employer if there is a perceived potential or actual conflict of interest arising from outside interests, both personal and professional, and the procedure for this is set out in his contract. The Chief Executive made it very, very clear to New River that he would not and could not accept the position if they held any operational business interests in Jersey and the Chief Executive is required to notify the S.E.B. if this position changes. I am trying to keep this short. A court case obviously cannot take place based on perception, but I do draw the Deputy's attention to the answer I have sent out to States Members earlier.

4.21.3 Deputy R.J. Ward:

Yes, I can see that answer. Can I ask the Chief Minister to confirm that, in his opinion, he does not believe that we are at any risk of any liability court case through any conflict of interest, given this current situation that arose?

Senator J.A.N. Le Fondré:

Certainly on the basis of all the facts I have to date, I have absolutely no concerns of any cases that might arise from the sort of circumstances the Deputy is referring to. As I said, that remains the position.

4.21.4 Deputy M. Tadier:

The Chief Minister said that he gave verbal permission to the Chief Executive for his new role and then he went on to say that he was disappointed subsequently that the Chief Executive had not asked

for written permission, but did the Chief Minister ask at the time when he gave verbal permission for the Chief Executive to submit something to him in writing so he could give formal permission?

Senator J.A.N. Le Fondré:

I did not ask for that to happen. It was not an unreasonable expectation that from a consummate professional, this would be followed up with a written request. If that written request had been made, that would obviously have triggered the relevant notifications and so on to the relevant bodies and would have obviously essentially avoided this entire situation. I do also make the point this was a singular lapse in focus, a rare lapse of focus. It is not ... what is the word I am looking for? It is not something that has happened before from a consummate professional and I think we need to keep that in mind in terms of perspective.

4.21.5 Deputy M. Tadier:

There was certainly a lapse in focus from somebody, I am just not sure who that was. My question is: does the Chief Minister agree that all of these things taken as a whole, does he agree that there is an increasing perception with the public of Jersey, which may or may not be true, that the politicians, and in particular the Chief Minister, is no longer the one in control and that we now have a Chief Executive who has not only been writing his own report and doing his own homework, but he has also, in this case, been writing his own press releases, it would seem and not bothered showing them to the Chief Minister? If this is a perception the Chief Minister is aware of, does he realise that he needs to put a firm message out about who is in control and the C.E.O. works for Government and not the other way around?

Senator J.A.N. Le Fondré:

Let us be very clear, and the C.E.O. is also very clear. that the C.E.O. works for both me, the Council of Ministers and obviously Members as a whole. I cannot comment on who produced the press release. In my understanding the press release was produced by the Comms Department. I am not entirely sure what the Deputy was referring to about producing his own report. I presume he means the evaluation, in which case I would make the point - because I have selected a number of them, and in fact I believe one of them is one of his political colleagues - there are a number of Assembly Members who are involved in the appraisal that is produced. That is to make sure that we avoid these type of allegations being made. In terms of do I agree with that perception, it is always difficult to assess perception in terms of Islanders, because perception also changes. What I do admit and acknowledge - and I will be referring to it in my statement later - is that in the last few days there is definitely an anger, which I recognise and for which I apologise, but which I recognise is a result of how this has come to fruition and also how it has been reported.

[16:45]

One of the things I have tried to do is we look at it dispassionately and get to the facts. I will also cover that in the statement.

The Bailiff:

Very well. That brings the period of Question Time to an end. We would now ordinarily move on to Questions to Ministers without notice, but Chief Minister, did you say you wished to ask the Assembly to take your statement at a different time? I thought you said that in one of your answers.

Senator J.A.N. Le Fondré:

Sorry, you have caught me slightly on the hop there. What I was wanting to ask the Assembly, if they were so minded, is could I make the statement effectively now rather than after Questions without notice, such that on that basis we have ... I suspect Questions without notice will focus quite a lot on the issue in hand and what I would like to try to do is give Members at least an update of where we are and some further information.

The Bailiff:

It is a matter for Members as to whether or not they wish to agree with this slight variation in the Order Paper. That would have the effect that the Chief Minister would make his statement now, it would be followed by a period of 15 minutes of questions, which could be extended by a further 15 minutes if Members wished. Then there would be the next set of question period, which would be the Minister for Social Security, followed by the Chief Minister. It is effectively reversing the order of the next 2 items. Minister, I will take that as a ... perhaps Members would indicate in the chat initially if there is a ... very well. We have at least one objection. Do we make it as a proposition?

Deputy R.J. Ward:

Can I just confirm that we would not lose any of the time, the 2 separate 15 minutes?

The Bailiff:

No, they are entirely ... the time will be precisely the same. It would simply be this question would be asked of ... the Chief Minister would deal with this issue next and then Members would know whatever it is they wished to ask for the final period of questions for the Chief Minister in the ordinary course of events. I think that is what is proposed, Deputy. That is the issue. If the Members do not agree, then the Chief Minister's statement is made at the end of Oral Questions, so it is simply a change in one way around. Very well, there are a number of different views and a number of people have indicated that they wish to say something. You have indicated you wish to say something, Deputy Martin.

Deputy J.A. Martin of St. Helier:

Yes. I just thought it would be easier and more fluent if I did my Questions without notice, which I am first to do, then the Chief Minister did his statement, followed by questions. If that carries on, you can have a half hour of questions basically, because it would be the statement and then if you run out of questions for the statement, the Chief Minister just falls straight into the 15 minutes. For me, it just seems a better flow, but if the Chief Minister really thinks he wants to do it the other way ... but I am ready to go.

Deputy M. Tadier:

May I make that as a proposition?

The Bailiff:

Yes, you can. It is probably worth making an observation, that of course the way the timing works in the 2 periods for Questions to Ministers means that it will be uncertain how much time the Chief Minister will have if the full time available to the Minister for Social Security is not reached. Yes, and as the Greffier informs me, Questions without notice is a singular item within Standing Orders and cannot therefore be divided. It would be possible ... no, it cannot be divided. If no decision is made, as the Chief Minister suggests, we will have Questions without notice, the Chief Minister will answer his 15 minutes, then he will make a statement, then he will have a further 15 minutes, which Members might reflect on whether that is a good idea or not. But clearly there are a number of different views. I think the Assembly would be wasting its time if there were to be a debate on this. I propose to put it to the vote and ...

Deputy M. Tadier:

I understand we do not need an extensive debate, but I think there are a couple of questions that need to be clarified so we can vote in an enlightened manner.

The Bailiff:

Very well.

Deputy M. Tadier:

I think it was asked has the statement been circulated. I may have missed it, but I cannot see that statement, so maybe we can be directed to it. Normally we have sight of the statement at least ...

The Bailiff:

Generally speaking, Deputy, the statement - as I am sure you will recall - gets circulated immediately before it is delivered. It is not normally circulated and reviewed in advance, so in the ordinary course Members will see it a fraction before it begins to be delivered.

Deputy M. Tadier:

I was just going to add that I think, given that Deputy Martin, as the Minister for Social Security, has said she is ready to go now and we cannot split Question Time, it would make sense to stick to the original Order Paper. I think we would do well to remember we are not the only ones for whom the Order Paper has relevance. There are people following remotely who might have arranged their day in such a way to be available to report on the Chief Minister’s statement, so I think these are just germane things, that we should not necessarily move around at the last minute. It is just an observation.

The Bailiff:

Very well. I think the matter should be put to the vote, and the original proposition was that made by the Chief Minister, that the statement is delivered immediately. Can I just formally ... is that seconded? **[Seconded]** In which case I would ask the Greffier to put a vote up into the voting link. A vote *pour* is the Chief Minister will be given leave to deliver his statement now and there will then follow a period of questions. A vote of *contre* is that we will stick to the Order Paper and Questions without notice will take place first with the statement to follow. I am afraid, as luck would have it - if it is indeed luck - we have a technical difficulty which prevents the vote from being read. I have to say that the universal voting in the chat, as far as I have perceived, is *pour*. If Members would just not vote for the moment, I will count up the *pour* to make sure I have got them all. There is a *contre* as well, I see. Right, I am afraid some people are voting in both places and on Teams. I think we had better seek again to repost the link and try the vote again. In fact, we now do have the results on the link that have come through and so I will ask the Greffier to post those results.

POUR: 33		CONTRE: 6		ABSTAIN: 1
Senator L.J. Farnham		Connétable of St. Brelade		Senator S.Y. Mézec
Senator J.A.N. Le Fondré		Connétable of Grouville		
Senator T.A. Vallois		Deputy G.P. Southern (H)		
Senator S.W. Pallett		Deputy M. Tadier (B)		
Connétable of St. Clement		Deputy of St. Martin		
Connétable of St. Lawrence		Deputy J.H. Young (B)		
Connétable of St. Saviour				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Ouen				
Deputy R. Labey (H)				

Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

In my judgment, it is quite clear the proposition has been passed and we will move to the taking of the statement. Yes, we will now circulate the statement and then when that is done the Chief Minister will be in a position to read it. I remind Members that at the end of the statement there is initially a period of 15 minutes available in which the Chief Minister can be asked questions. A P.D.F. (portable document format) of the statement has now been posted in the chat and it has been distributed within the precincts of the Assembly. I accordingly ask the Chief Minister to make the statement.

STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

5. The Chief Minister will make a statement regarding the appointment of the Chief Executive as a non-executive director of a United Kingdom real estate company

5.1 Senator J.A.N. Le Fondré (The Chief Minister):

There has been much public and political speculation and discussion about the correctness of the Chief Executive of the Government, Charlie Parker, accepting the role as an N.E.D. (non-executive director) of New River, a U.K. real estate company. I wish to briefly set out some of the events that have taken place to bring Members up to date, and in making this statement obviously to allow Members to ask further questions. Much of this speculation is taking place without the necessary clarity on all of the facts and with a misunderstanding about the role of a N.E.D., the time commitment it would require and the steps that the Chief Executive took to ensure that there was no real or perceived conflict of interest between his appointment and position as head of the Island's public sector. The Chief Executive has accepted that there were errors made by him in seeking agreement to the appointment. He has met with the S.E.B. and has offered them his sincere apologies for his oversight. He has also apologised to me. I have also apologised to the S.E.B. and we have agreed that the shortcomings that led to this situation will be corrected immediately. I also recognise the anger that has arisen among Members, Ministers and the public. The Council of Ministers has been briefed on this position recognising the heightened level of concern about this appointment. The Council has agreed that I should meet with the Chief Executive at the earliest opportunity to relay their concerns and allow the Chief Executive to respond to them. While the Council of Ministers expressed their support for the Chief Executive in the role he is doing, they have felt that the non-executive role is not compatible with the demands of his duties at this time. I am expecting to have further clarity for the Council of Ministers and S.E.B. tomorrow. I completely believe that management of conflicts of interest, actual or perceived, should be of paramount importance to the Government and this Assembly. I also believe that there should be no circumstances at all where an officer, Minister or Member of the Assembly are in a situation where they are benefiting from a position that puts them in direct conflict with their responsibilities to the public. As a result of the concerns that this matter has thrown into sharp contrast, I have asked that a process be commenced

to instigate a government-wide review of the way we identify, manage and resolve these types of issues, including related-party transactions. I agree with the chair of Scrutiny and the other Members and Ministers who have said publicly that we must set an example in terms of transparency and accountability, and that nothing less should be expected of our public sector leadership. I will therefore be inviting the Chair of the Privileges and Procedures Committee to join me in this work, focusing on the declaration of interests of Members, related-party transactions and any other such issues as politically-exposed persons to ensure we do apply the same standards across the board for elected members, Ministers and public officials, and to determine whether any processes need to be strengthened.

[17:00]

I am proposing that this review and subsequent guidance be founded on key principles of best practice on managing conflict of interest in the public service, which includes serving the public interest, supporting transparency and scrutiny and promoting individual responsibility and personal example. I undertake to return to the Assembly to provide an update on this work and the steps that we will be taking, as a Government, to implement any measures. Ministers, the Chief Executive and officials have been working throughout the weekend, and indeed in the last few weekends and weeks, on critical Brexit-related matters integral to our future economy. Yesterday we responded to the planned lockdown in England and this morning we announced our COVID-19 winter strategy. These are all matters that have a tangible impact on Islanders' lives. Members will recall that at the start of the pandemic I said we would all need to work together to navigate the challenges we are facing. With this in mind, I am disappointed that some Members chose to make public statements on the issue regarding the Chief Executive without approaching me directly to understand the facts. However, I would like to recognise and thank the newly appointed chair of the P.A.C. (Public Accounts Committee), who has issued her own balanced statement expressing her wish to understand the matter in detail. I believe that some Members would like to capitalise on this opportunity for political gain and to see the Chief Executive, myself or the Government fall. I believe that this type of behaviour would result in a manifestly disproportionate outcome, given the circumstances, but it is for Members to consider if they really feel that such a move is in the interests of the Island. It is for Members to consider if they want to initiate a situation where the proposed Government Plan, and the planned funding arrangements for schools, for healthcare, for investing in our economy and for managing the COVID-19 pandemic are all put at risk. It is for Members to consider if they want to focus on removing a Chief Executive at a time when we instead should be focusing on improving children's services, delivering changes to health care and mental health services, building a new hospital, delivering a revamped Fort Regent and key public service reforms, sorting out the huge number of legacy issues facing our technology systems and, of course, improving our estate. It is for Members to consider how the public will view such unnecessary and all-encompassing politicised disruption to the work of Government in the middle of a severe pandemic on our borders and preparations for the new U.K.-E.U. relationship. This is a challenging time but we are dealing successfully with the impacts of the COVID-19 pandemic in a way that has allowed us to avoid significant Island-wide restrictions. Members, I hope, will recall the briefing on legacy challenges facing the Government that I set out last year. It was a Deputy of this Assembly who said it was the best and most honest briefing he had ever received. We are still focusing on addressing those issues while managing the pandemic and preparing the Government Plan for the next 4 years. We have a new healthcare model, which we are debating this week, and a plan for the new hospital, which this Assembly will debate this month. On 17th November we will debate the establishment of the Fiscal Stimulus Fund and in December we will be debating both the proposed Migration Control Policy and the Government Plan. The Chief Executive has been integral to all of these projects and many more and has provided leadership and direction to the officials tasked with taking them to fruition. He works tirelessly and is always available to Ministers whenever called upon at any time of the day or night. I have never questioned his commitment to the Island or his integrity. I do not believe that this matter should

continue to distract us or him in continuing the critical work of government that needs all of our focus. I have outlined the thoughts and processes that have gone into managing this matter. As I have said, the Council of Ministers have asked me to meet with the Chief Executive to relay their concerns and allow the Chief Executive to respond to them. I expect to be in a position to update them and the S.E.B. tomorrow.

The Bailiff:

Very well. There is now a period, initially of 15 minutes, on which Members can ask questions on the statement of the Chief Minister. The first is Deputy Morel.

5.1.1 Deputy K.F. Morel:

I would like to thank the Chief Minister for this statement, which comes about 5 days too late but it is finally here. I am also delighted that it is all our fault. In the statement the Chief Minister talks about speculation based on not having the necessary clarity on all of the facts and with the misunderstanding about the role of a N.E.D. I clearly understand the role of a N.E.D. very succinctly and very happily. But will the Chief Minister accept that the lack of clarity with regard to facts was because of the failure of the statements coming out of the Government last week that did not include facts, they included errors, if I am being polite? I would like to understand how the Chief Minister squares his suggestion that Members and members of the public have been discussing things without fact but the fact that that lack of facts came out of the Government itself.

Senator J.A.N. Le Fondré:

Just to be clear, the point I was trying to make is that when this all kicked off I do not think I have had any emails from any Members about this issue; it all done in the public domain. The point I am trying to say, and I would hope that there is one that we can take away and learn from, is that if we ever get something of this kind of nature or some controversy that is occurring, please email us, ring me, whatever it is. The Deputy has my mobile, he knows that; I have got his. I do try and speak to people as and when issues are kicking off and that is the main focus I am trying to say, is that on these type of things we have got to make sure that we take a very calm and measured way and this is probably going to be one of the issues I am going to face in the rest of these questions, when we are dealing with an individual, particularly an individual employment matter and a contractual matter, I have to, as Chief Minister, treat these issues very, very carefully in the context of employment law.

5.1.2 Deputy K.F. Morel:

As well as the lack of facts coming out of the Government all of last week, there was also plenty of contradictions in the statements that the Government made, including contradictions with regard to things such as assertions that the Chief Executive had committed an oversight in not getting the necessary permissions because he was too busy dealing with the COVID pandemic, yet at the same time he had plenty of time to carry on a second role. I would like to understand how the Chief Minister, again, squares those 2 contradictions and why he spent the last 5 days trying to suggest that they sit naturally together, that the Chief Executive has time for a second role and the Chief Executive does not have time to do his paperwork. How does the Chief Minister respond to that?

Senator J.A.N. Le Fondré:

If I may, the Chief Executive has admitted that he made a mistake and he has apologised to me and the States Employment Board and we have accepted that apology. Since he took up his role he has shown considerable capacity and commitment for the very demanding and ambitious agenda for all of the Government and, ultimately, for the Island. His advice to Members, but particularly the Council of Ministers, is highly regarded and his grasp on his very wide-ranging brief is impressive. As I said, it is a singular lapse in his focus to his personal detriment at which others are having the discussion in the first place. One mistake does not define his capacity or capability as the Chief Executive and I think that is the point we are trying to make, it was one mistake that gave rise to this.

5.1.3 The Connétable of St. Brelade:

I thank the Chief Minister for his statement, the subject of which I appreciate has largely been already ventilated in the public domain. Would he agree that it was a serious error of judgment by the Chief Executive in accepting a directorship without approval and that, by association, the Chief Minister has had his integrity impugned as a result?

Senator J.A.N. Le Fondré:

If one makes a mistake what I think defines one's integrity is how we then try and deal with it afterwards and part of that is, as I said, about taking a very calm, I would hope a professional, way in trying to deal with this, which is where we are trying to get everybody to and also to make sure we consider it absolutely properly and objectively without, if you like, sometimes the heat of emotion that sometimes is running around. We have got to make sure we all look at these objectively. Was it a serious error of judgment? I am not sure if I can go into that particularly because I think I am then starting to go into potentially issues around decisions that ultimately lead to contract and things like that. What I am going to say and, as I have said, a verbal permission was given that where the Chief Executive has acknowledged that error is that he failed to follow that up in writing and for that he has absolutely apologised. The S.E.B. have considered this matter very, very carefully and have directed the actions they want taking place.

5.1.4 The Connétable of St. Brelade:

Will the Chief Minister ensure the Chief Executive immediately relinquishes either the position held with our Government or the non-executive directorship recently accepted?

Senator J.A.N. Le Fondré:

I am sorry, Sir, I had a glitch there, I did not quite get the end of that question. Would the Connétable just repeat the question?

The Bailiff:

The question was: would you ensure that the Chief Executive relinquishes either his position with the Government of Jersey or the position he has taken on in recent times as a non-executive director? I think that is correct, Connétable, is it not? Yes.

Senator J.A.N. Le Fondré:

What I need to say is take the Connétable back to the very first part of my statement and to sort of anticipate the question because I have just literally got it in front of me. I will just reiterate the point about having to be careful about making public comments on specific individual matters around areas of employment and I really have to be very careful, and that is always the advice I have received. But just to remind the Connétable and Members, the Council of Ministers has been briefed on his position regarding the heightened level of concerned ...

The Bailiff:

Chief Minister, you have gone, you are on mute.

Senator J.A.N. Le Fondré:

Apologies, Sir. Did you lose me from the very beginning or ...

The Bailiff:

It is difficult to tell, Chief Minister, precisely where we lost you. You started a bit but I am not sure how far you had got. You might wish to answer that question again.

Senator J.A.N. Le Fondré:

I will start again, Sir.

The Bailiff:

I will allow, say, 30 seconds injury time.

Senator J.A.N. Le Fondré:

Okay, Sir, I will try and move the mouse away from the microphone button. Right. What I was trying to say and we have had very careful discussions on the subject, when we are talking about specific matters regarding an individual, particularly in areas of employment, we have to be very, very careful about what we say in the public arena because one is dealing with, at the end of the day, one of our members of staff. What I can do is refer the Connétable back to what I said in my statement and I will just repeat it if that is okay, which is: “The Council of Ministers has been briefed on this position recognising the heightened level of concern about this appointment. The Council has agreed that I should meet with the Chief Executive at the earliest opportunity to relay their concerns and allow the Chief Executive to respond to them. While the Council of Ministers expressed their support for the Chief Executive in the role he is doing, they have felt that the non-executive role is not compatible with the demands of his duties at this time. I am expecting to have further clarity for the Council of Ministers and S.E.B. tomorrow.”

5.1.5 Deputy M. Tadier:

I would like to ask the Chief Minister who commissioned and who signed off the press release that was put out in which it was claimed that the Chief Executive had received all the relevant permissions from both the Chief Minister and the Deputy Chief Minister?

Senator J.A.N. Le Fondré:

As I referred to earlier in response to an earlier question, what both the Deputy Chief Minister and myself are very clear on is that we did not give clearance to the press release going out. We did not see the comments that were attributed to us. What we are also very clear on, that the protocol that is in place, which is basically meant to ensure that any quotes or matters attributable to Ministers or Assistant Ministers or indeed any other individuals or politicians, that the relevant individual has obviously seen the quote that has been attributable to them. In this instance the protocol very clearly has failed. What I have asked the Director of Communications, because obviously the Comms Department is responsible for the production of press releases, and also under the auspices of my Assistant Minister, the Connétable of St. Ouen, to investigate this matter and to report back to me with an exact outline of what happened and what, if any, measures, more importantly I suspect what measures need to be in place to ensure this does not happen again.

[17:15]

5.1.6 Deputy M. Tadier:

That is pretty much a non-answer really. The Chief Minister should know by now he should have done that investigation by going directly to the comms unit and finding out who commissioned and who signed off the press release. There will be an email chain there. But does the Chief Minister accept that there is not simply one mistake that has been made, and which has already been apologised for, but there seems to be a whole series of what some might call attempted and failed cover-ups whereby the statement has gone out and that appears to not be correct, it has not followed processes? The Chief Minister himself also perhaps needs to consider an apology because he did know about this before, he did not ask for a written statement, he did not share it with other Ministers and he did give verbal consent to the Chief Executive officer for this new role. If I were the Chief Executive officer I would simply think: “Well, the Chief Minister has given me verbal permission”, does the Chief Minister not agree with that?

Senator J.A.N. Le Fondré:

There are a huge number of questions in there. As I also said earlier, I was absolutely entitled to expect any written permission being required to have been sought from me and that did not happen. The Chief Executive has apologised to me on that front. He has apologised to the S.E.B. and I have also offered my apologies to the S.E.B. I am trying not to conflate that issue, which has been directly apologised for by the Chief Executive versus the issue of a press release because it is Monday and we are seeking to find out as quickly as we can what has happened. It is conflated by absences, which is what we are trying to work our way through. As I said, there is meant to be a protocol in place. As we know, this has happened, I think it was to the Deputy's ministerial party colleagues in the past, and so occasionally the protocol does not always work as we would expect. But in this instance, both the Deputy Chief Minister and myself have been very clear, we did not see it and we have asked for it to be identified what is the position behind it.

5.1.7 Deputy K.G. Pamplin:

Deputy Tadier touched upon where my question was going to be and it is around communication. I recognise he talks about protocols, but does it not trouble the Chief Minister, it certainly troubles me, that the Director of Communication is not under his direct control? If I was the leader of this Island and I wanted to talk to the people, should he not take control of how he, as the Chief Minister, representing the Council of Ministers, representing the Island, should be able to control the communication that we are seeing? That is a consistent concern that I and others have been bringing across the board that has possibly led to this. I know he has led an investigation. I know possibly what your answer will be.

The Bailiff:

Deputy, there really does have to be a question. Members are making statements and venting their feelings and that is perhaps understandable in a matter that is clearly high octane as far as Members are concerned. But these have to be questions.

Deputy K.G. Pamplin:

I totally agree, apologies. I just ask if the Chief Minister agrees with what I just asked?

Senator J.A.N. Le Fondré:

Let us be very clear, there is meant to be a protocol. There is a protocol in place, which is meant to ensure that these things do not happen. Therefore that any statement that goes out that is attributable to, in particular in this instance, any Minister or myself, has been cleared by me or the other Minister before it goes out. That protocol failed. That does not mean the system as a whole is catastrophically broken. It means that for some reason in that particular instance it failed. It is obviously not best timing when the particular incident in question relates to the matter that has then generated so much heat. But that is why I have asked both the Director of Communications and the Assistant Minister to look into this. They obviously will be treating it as a matter of urgency and, as I said, this is a matter that we will be sorting out because it cannot happen again.

The Bailiff:

We have reached the end of the first 15 minutes. I have a number of Members who clearly still wish to ask questions. Does the Member propose that we extend by a further 15 minutes, which is permitted by Standing Order?

Deputy K.G. Pamplin:

Yes, I propose that.

The Bailiff:

Is that seconded? **[Seconded]** Can anyone indicate on the chat now if there is any objection to that? Very well, we extend by a further 15 minutes. Supplementary, Deputy Pamplin.

5.1.8 Deputy K.G. Pamplin:

Does the Chief Minister agree with me that in voiding the situation and distracting, as the Chief Minister briefly outlined, the complete opposite has happened? It has distracted all Islanders, all parts of his Council of Ministers and the Assembly, that lead to this moment today? Does he agree that objective of not distracting has happened?

Senator J.A.N. Le Fondré:

I am not too sure what the Deputy means by “distracting”. All we said is that a press release that went out, which I believe, and do note I say “I believe”, which was in response to an initial press query was not cleared by us. That is very clear. It is more than unfortunate and that is why we want to find out what happened. What I will say, on 2 fronts, one is that the Communication Department as a whole puts out dozens of press releases a week and obviously hundreds, if not thousands, over the course of the year. The other point I would say is that during the COVID pandemic they have done the biggest public health campaign this Island has ever seen. So they have more than demonstrated their worth in helping this Island and getting the communication strategy to where it is. But, as I said, in this particular instance the protocol did not work, it failed, and that is what we need to understand. I am not using that as a distraction. That has never been the intention. I would like to find out what happened as well but, again, until we get to the bottom of the facts, I am not going to speculate any further.

5.1.9 Deputy R.J. Ward:

I would ask the Chief Minister whether he would acknowledge that some statements put out were a reflection of the genuine concerns of working people on this Island where the average wage is £31,720 and many have to survive on a minimum wage? Subsequently, the huge figures involved, not only in the salaries involved, but the second job itself, are a genuine concern of those members of the public whose taxes pay for these posts? Would the Chief Minister please acknowledge those concerns, acknowledge that it is at best insensitive and that these issues need to be addressed, not only in his statement, but in future reference to these sorts of acknowledgements of jobs?

Senator J.A.N. Le Fondré:

Firstly, I believe I have already acknowledged in this statement the anger of members of the public, Members of the Assembly, and obviously Ministers as well. Let us be very clear there. Secondly, in terms of facts, the way the Deputy has presented it, if I deal with perception, in other words the perception of the public based on the information that was put out there, and I do not believe it was from the Comms Department, I could understand their anger. But the fact was that there was no money. The £50,000 that was suddenly mooted in the public domain did not exist in terms of being received by the Chief Executive. It has always been at no financial benefit. The time commitment, and there are all sorts of wild figures going around, is around 3 days, which has been covered out of annual leave. The crucial thing, which we have required and will be requiring further confirmation on, which I have also referred to, is the fact that there are no operational conflicts in Jersey. That is the point. Those are the fundamental facts. But unfortunately what was put out in the public domain through various sources did not match the facts. Therefore the public have based their opinion on misinformation. That is what the problem to an extent has been. But I do recognise the anger this has generated.

5.1.10 Deputy R.J. Ward:

The States Assembly has commented on the lack of officer time for new legislation. Again, there is a real concern among the public that it does appear that the C.E.O. has enough time to undertake a second job. I understand what the Chief Minister is saying. But the perception there is so strong. Does he not understand that is the damaging thing for us as an Assembly and for our governance on this Island that needs to be addressed much more directly?

Senator J.A.N. Le Fondré:

Firstly, as I was saying, I absolutely recognise the concerns the Deputy is expressing. Let us be very clear. Secondly, I do need to go back to that point I have made earlier that, while the Council of Ministers expressed their support for the Chief Executive and the role he is doing, they felt that the non-executive role is not compatible with the demands of his duties at this time. That is based partially around the perception of the public and the anger of the public that we are seeing and the reaction from Members. What I do need to go back to, which is what we took into account from an employer point of view, is that this is coming out of annual leave and it is basically around 3 days. Therefore to describe it as a second job is not really an appropriate definition. It is a second role, there is no question, but it is not paid in terms of the Chief Executive receiving money into his bank account. It is a salary sacrifice scheme. It is a very limited amount of time. I would hope that we would all assume that the Chief Executive would at least be taking some of his annual leave. I know that it is a long time since he has had a full holiday. Therefore, within that time, he has 3 days that he can apply to this. I do not think therefore, in terms of what I have already said, that it is a significant over-utilisation of his capacity. He has been very clear on that and we have also been very clear on that with him.

5.1.11 Deputy L.B.E. Ash of St. Clement:

Does the Chief Minister feel that the Island is in danger of not being run by himself or the Chief Executive or the Council of Ministers but the Island's media, be it social or mainstream, and its manipulation by certain Members of the States Assembly?

Senator J.A.N. Le Fondré:

I can answer that question probably by making reference to the point that, for us, we have to be very careful, particularly when we are dealing with individuals in an employment scenario to make sure we get the facts correct. That, as I said, I have always been aware of this, but particularly in my connection with S.E.B. as chair, that one has to be very circumspect in what one says when dealing with an individual's employment record. Where I would agree in principle with the Deputy is one has to be exceptionally careful that when assertions are being made that the assertions that are being made are factual. That is one of the problems that we have encountered now. What I will absolutely agree with the Deputy is I certainly try not to run my life or make decisions based on comments in social media. What I do say in relation to comments on social media that the political realm, and that cannot just apply to politicians, has become a lot harder and, to an extent, a lot nastier as social media has expanded and become in far more common use than perhaps was the case when I first started in this Assembly. As politicians who have come through this process, you develop a very thick skin. What is unfortunate is potentially for anybody looking in is what the impact of such social media attention and vitriol sometimes as to why a professional member of the public might want to become a politician when they can be vilified by unaccountable commentators on social media. I will stop there.

The Bailiff:

Deputy Ash, I will allow you a supplementary if you wish but I will not be allowing further supplementaries because a number of people have indicated a desire to ask questions and we are very rapidly running out of time.

Deputy L.B.E. Ash:

I fully understand so that is fine.

5.1.12 Deputy I. Gardiner:

Can the Chief Minister advise why we have not had a clear statement with clear facts on 10th September when actually it has happened? Why should we learn from the media and what

responsibility is the Chief Minister taking on himself on the situation that we are in? Because lots of things that I have heard today are about communication and not the people's fault. What happened on 10th September and what is the responsibility of the Chief Minister for the situation that we are finding ourselves in?

[17:30]

Senator J.A.N. Le Fondré:

I suppose that is certainly a very interesting question. Obviously, we are dealing again with a matter of an individual and again ultimately it falls on both of us in that instance. With hindsight, which is always the benefit, the wonderful thing to go with the benefit of, yes, in fact it has been commented to me by a member of the public that, if we had done an announcement when the Stock Exchange announcement was being made, basically celebrating the fact that our Chief Executive had been through an evaluation process to go on to a very high calibre property entity, which was generating investment in the U.K., and most particularly would generate intelligence and information around regeneration of the town centre, for example, which could potentially then be applied here, I think we would have been in a different place. With the benefit of hindsight, absolutely we should have done that. Unfortunately, we are in a different place.

5.1.13 Deputy R. Labey of St. Helier:

What gives me real concern here is the potential for conflict of interest. That for me is the big issue if New River is a registered entity here, given the C.E.O.'s regulatory role. If the C.E.O. is being paid £50,000 for 3 days' work, which I find remarkable, but clearly then it is not the hours the company is after but the name. That name as C.E.O. of the Jersey civil service should not be for sale.

The Bailiff:

Is there a question?

Deputy R. Labey:

Would the Chief Minister not agree?

Senator J.A.N. Le Fondré:

I am slightly cautious about commenting too much on individual circumstances. As we said, the funds, I am trying to avoid using the word "remunerated", but basically the Chief Executive is not paid the money, it goes to charity through the salary sacrifice scheme. He will not see the funds. Secondly, my understanding, and this has always been the case, this is an area of expertise. He was approached by a head-hunter as one of a number of people. Therefore, they were looking for his expertise in these type of areas, and certainly in the past he has done regeneration schemes in cities in the U.K. It is very clear, just to cover off the conflicts of interest, because that is really important and it has been made very clear to me from day one that this was also at the forefront of the Chief Executive's mind. The entity has no operational schemes in Jersey at all. It operates in the U.K. It does have, because of the legal structure, some investment structures here, but the Chief Executive is not the regulator of the financial services. So there are no operational conflicts. What we have been very clear on is that there cannot be. If that were to change then the opinion is that we would then have to re-evaluate. Also, S.E.B. have been very clear that they did want some extra due diligence done and the comments they have made were subject to that due diligence about absolutely ensuring the conflicts of interest. But it has been very clear that there are no conflicts of interest and we are verifying that. We are also verifying the salary sacrifice scheme. As I do say, the Council of Ministers, I will not repeat it again, but they have expressed their support for the Chief Executive but they have also said that the non-executive role was not compatible with the demands of his duties at this time and I hope to have further clarity on that for the Council of Ministers and S.E.B. tomorrow.

The Bailiff:

That brings the period of questions to the Chief Minister now to an end. The time has come where Standing Orders require that I ask Members whether they wish to continue or whether they wish to adjourn until tomorrow morning. I will ask that question of Members now.

Senator L.J. Farnham:

Could I propose the adjournment and perhaps Members will vote accordingly?

The Bailiff:

Yes, that is a perfectly reasonable way forward. What I suggest we do is the Greffier places a vote in the voting link. Before it is posted in, Deputy Martin, you wish to speak?

Deputy J.A. Martin:

Yes, we agreed to meet on Monday to clear questions and statements and everything. So I absolutely disagree. We start fresh tomorrow straight into the business. But that is just my opinion, so I am going to vote against it, thank you.

The Bailiff:

It will be for Members to vote, Deputy. You are perfectly entitled to make that observation.

Deputy J.A. Martin:

That is why we started today.

The Bailiff:

Very well, I ask the Greffier to place a voting link. Senator Farnham has proposed the adjournment and so a vote *pour* will be a vote for adjourning now and starting at 9.30 a.m. tomorrow morning. A vote *contre* will be to continue until the 30 minutes allocated for the next period of questions is continued. So I ask Members to indicate their vote. Members have had the opportunity of casting their votes. I ask the Greffier to close the voting. The Greffier will post the results in the chat.

POUR: 14		CONTRE: 25		ABSTAIN: 0
Senator L.J. Farnham		Senator J.A.N. Le Fondré		
Senator K.L. Moore		Senator T.A. Vallois		
Senator S.W. Pallett		Connétable of St. Clément		
Senator S.Y. Mézec		Connétable of St. Lawrence		
Connétable of Grouville		Connétable of St. Brelade		
Connétable of St. Mary		Connétable of St. Peter		
Deputy G.P. Southern (H)		Connétable of St. Martin		
Deputy of Grouville		Deputy J.A. Martin (H)		
Deputy M.R. Higgins (H)		Deputy K.C. Lewis (S)		
Deputy L.B.E. Ash (C)		Deputy M. Tadier (B)		
Deputy of St. John		Deputy J.M. Maçon (S)		
Deputy M.R. Le Hégarat (H)		Deputy S.J. Pinel (C)		
Deputy S.M. Ahier (H)		Deputy of St. Martin		
Deputy K.G. Pamplin (S)		Deputy of St. Ouen		
		Deputy R. Labey (H)		
		Deputy S.M. Wickenden (H)		
		Deputy of St. Mary		
		Deputy G.J. Truscott (B)		
		Deputy J.H. Young (B)		
		Deputy K.F. Morel (L)		
		Deputy G.C.U. Guida (L)		
		Deputy of St. Peter		

		Deputy of Trinity		
		Deputy R.J. Ward (H)		
		Deputy I. Gardiner (H)		

QUESTIONS - resumption

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

The Bailiff:

We now come to the first period of questions without notice that Members can ask of the Minister for Social Security. Does anyone have any questions?

6.1 Deputy R.J. Ward:

What is the current situation with the review of Social Security Law? When are we likely to see any outcomes from that? Will the argument be used, if amendments are brought to the Government Plan, that we cannot address those amendments yet because we are waiting for a review of Social Security Law?

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

If the Deputy is talking about the review in the Government Plan, yes, it was because I am committing some money, quite a bit of money I am asking the Assembly for this year and going forward. Apparently also the money being paid into Social Security has wandered over the years, it used to be a third, a third and a third. So we have to do a big review. There may be some really tough political decisions to make next July. I will be bringing them back then.

6.1.1 Deputy R.J. Ward:

Can I ask the Minister if she understands that there is a really urgent situation regards a number of areas of Social Security, those who are vulnerable, the problem with those having to wait until they are 25 years old to make a claim in their own right? There are some real issues that are arising that need to be addressed urgently and perhaps cannot wait that long.

Deputy J.A. Martin:

Sorry, completely different review. That is all about the money, the first review, and that is what I thought you were talking about. The review that is going on, and I have asked for an extra officer because it is long overdue, so I hope again that will be coming on towards early new year. It is a big review but maybe if they do not bite everything off at once, because it is L.T.I.A. (long-term incapacity allowance), S.T.I.A. (short-term incapacity allowance), all different working practices. The Deputy said about 25 year-olds claiming in their own right.

Deputy R.J. Ward:

I mean between the age of 18 and 25.

The Bailiff:

I do not think we can have an exchange across the floor of the Assembly. That should be addressed through the Presiding Officer. But it is getting late.

6.2 Deputy I. Gardiner:

I would like to ask the Minister to address the following concern: the residents who are in Jersey above 5 years, they are entitled to rent support. As unqualified, they are renting unqualified accommodation, which are usually more expensive than qualified. Would the Minister consider that the public money that is spent to support unqualified accommodation can be used better if we would

allow them to rent qualified accommodation if they are in hardship? So basically the public money spent more on unqualified rents because we are not giving them qualified.

Deputy J.A. Martin:

That is a very wide question. I understand what the Deputy is saying about hardship and hardship cases can come to different boards. If the hardship is found, it is not normally on financial grounds, it is normally on different grounds, mainly medical. I do understand. This is the 5, the 10-year rule, and I know this affects people. This is not the first time I have said it, if somebody wants to address, we have a proper debate on the 5 or 10-year rule or the no-year rule, to pay benefits earlier, that is the debate we have to have. Some of the unqualified places that are being subsidised for the rent I would agree are not even very good places. I will leave it at that.

6.3 Deputy G.P. Southern:

Could the Minister inform Members how many meetings have there been between her representatives and G.P. (general practitioner) representatives in the last month? What progress has she made towards reaching a deal that enables G.P.s to fully support the J.C.M. (Jersey Care Model)?

Deputy J.A. Martin:

I am not sure if the Deputy is muddling up 2 things. Some of my officers are meeting with G.P.s but it is not for the Jersey Care Model. Is it the health officers you are talking about or is the Deputy talking about something else?

Deputy G.P. Southern:

I am talking about the G.P. representatives and the Jersey Care Model, which advocates that more be done in the community and less in the hospital. That requires G.P.s to fully support it because they are at the front line.

Deputy J.A. Martin:

There is now the P.P.P. (Policy, Performance and Population) policy groups, so there are a few officers that report to me. They are meeting with the G.P.s, yes. But I think it is more reporting back straight to Health because of the Jersey Care Model.

Deputy G.P. Southern:

When I ask Health, they refer me to you, Minister.

Deputy J.A. Martin:

That is because the Deputy is confusing 2 issues. Are you talking about the P.125?

The Bailiff:

This cannot be an exchange.

Deputy J.A. Martin:

I am trying to be helpful to the Deputy.

The Bailiff:

You have answered the question. Deputy Southern, do you have a supplementary question?

6.3.1 Deputy G.P. Southern:

Yes, it is perfectly clear to me that we are looking at the funding for delivery of the Jersey Care Model, which is supposed to be in place and providing affordable access to vulnerable members in our society. It is supposed to be in place by January. I understood that negotiations with the G.P.s were taking place through the Minister's department.

[17:45]

Deputy J.A. Martin:

The Deputy is absolutely correct. That is the right answer. There have been quite a few meetings and I am told it is going very well.

6.4 The Connétable of St. Brelade:

Has the Minister and her department concluded the reciprocal social security arrangements with Australia, which I understand have been long outstanding?

Deputy J.A. Martin:

I thank the Constable for his question. I have had no update on this since I have been the Minister for Social Security. But I will find out for you. I am sorry I am not able to answer that but I did not know we were awaiting that. I will find out and I will let everybody know.

The Connétable of St. Brelade

I thank the Minister.

6.5 Deputy G.J. Truscott:

Due to COVID, will the Minister be postponing the introduction of a workplace pension scheme?

Deputy J.A. Martin:

Yes, very sadly this is one of my streams of work that has been delayed. It may be taken in with the big review of the Social Security Fund, as the Social Security Fund does many things, but the actual work ... it was always going to be tight. I always wanted to get regulations in. It was never going to come in until 2023, 2024, but we have a year knocked out of it to do other things. Yes, I am very sorry but it will be knocked back.

6.6 Deputy M. Tadier:

The question is about the proposition that was passed, P.31/2018, which is about discrimination against children in housing, which was passed almost unanimously apart from one vote. The current Minister voted for it. Can I ask why that has not been implemented yet?

Deputy J.A. Martin:

I am sorry, Deputy, it is now right at the top of the list. We have got law drafting time for it. From memory - I had a briefing on this last week or the week before - something should hopefully be lodged before Christmas or early next year but it is there. It will be done very soon. I am sorry, again it is one of the things that have suffered through COVID, but it has not been forgotten. I know that the drafting time has been made available.

6.6.1 Deputy M. Tadier:

Can the Minister state whether she has managed to consult with stakeholders, whether she anticipates any kick back, and whether the law is going to have proper teeth?

Deputy J.A. Martin:

I have not managed to consult as yet. That is probably something that we should do. If it is inclusive in the Discrimination Law ... I want it to have the right teeth. I do not want people to be able to get around it. Once I see more of it, and obviously talk to the Deputy if he wants - I know it was his proposition - I want it done properly. I can ask about consulting or what the plans are and I will get back to the Deputy.

6.7 Deputy K.G. Pamplin:

What is the Minister's response to the news that T.V. licences for some pensioners over the age of 75 in the Crown Dependencies, including this Island, will now be paid by the BBC, meeting the criteria of all the Crown Dependencies?

Deputy J.A. Martin:

I am absolutely over the moon. I think it is fair. It started under the guise of Senator Ozouf and they paid a quarter and then a half, and now, as of January, they are paying the whole lot. They have only got one BBC, we all watch the same programmes, so they have ... it is probably not good for the people in the U.K. over 75, but they have gone to our system so they think they should pay for our system as well.

6.8 Deputy K.F. Morel:

In the Minister's estimation, is it more advantageous to the Island to have a living wage as opposed to maintaining people on income support with the minimum wage?

Deputy J.A. Martin:

I think everyone should strive to do a living wage. It is obviously better than a ... I am having a review of the minimum wage because I think when we had the debate a lot of people were surprised by the information the Solicitor General said about going out to consulting on this. We have tried to do some figures, to be helpful to the Deputy, that if everything stayed the same and we asked everyone to be paid living wage, of course they would get paid out less in income support but then there are other ... just that bubbling under the surface that if you do that this amount of jobs will go. We did have an Oxera report and it did say that. I think there are more people who could possibly pay a living wage than they do, and I am a living wage supporter. But I am also the Minister for Social Security and if I have not got the evidence it is hard to push for that.

6.8.1 Deputy K.F. Morel:

The Minister referred to a review of the minimum wage; would she mind advising the Assembly as to a bit more detail as to what that review is attempting to define and achieve?

Deputy J.A. Martin:

It is in the Government Plan, as I say, because of the information I knew that the Solicitor General gave in the debate, I think it was P.100, Deputy Southern's minimum wage, and we may want to do it ... I really do not know any more on this, Deputy. We may want to do it a different way. We might need to have a talk around the Council and then talk to other people who have always got an interest, Deputy Ward, Deputy Southern, and is there a better way to do it. Deputy Southern is laughing.

6.9 Deputy G.P. Southern:

It was not Deputy Southern laughing at all, it was somebody else. But I would ask a second question, if I could. Will the Minister inform Members what the double running of the H.I.F. (Health Insurance Fund) entails and whether she intends to exhaust the £100 million fund and, if so, when that might be?

Deputy J.A. Martin:

No, again next year, because there is a lot of money coming out of the H.I.F., both funds there will be a review. We need to find going forward with the healthcare model a sustainable funding mechanism. Yes, I am looking at the money. I mean if everything goes to plan there is £11 million this year, £13 million next year, £12 million the year after. It depletes it by half in the next 5 years, which the Deputy has expressed to me that there must be something, if it is not the H.I.F. it is going to be other money. That is in a different review. Both funds are paying for the reviews of themselves but it has got to be done because they cannot keep going out and I am not leaving these ... I do not

want to be the Minister for Social Security who leaves the funds with less money in them than they started with.

7. Questions to Ministers without notice - The Chief Minister

The Bailiff:

We have now come to the end of questions allocated to the Minister for Social Security. The remaining question period is now for the Chief Minister.

7.1 Deputy M.R. Higgins:

Question 25 on the Order Paper was: will the Chief Minister advise what measures, if any, he is currently considering to improve the Jersey Legal Aid system and the ability of Islanders to secure justice through the Island's legal system; and when will any such measures be implemented?

Senator J.A.N. Le Fondré (The Chief Minister):

As Members will be aware, the Access to Justice Law was adopted by the Assembly on 1st May 2019. It was registered in the Royal Court on 18th October but does need to be brought into force by an Appointed Day Act. The Legal Aid Guidelines Advisory Committee have been meeting in shadow form and I understand have completed their work on a recommended legal aid scheme. I am due to be briefed on the content of that scheme in the next few weeks, so literally just trying to get the diaries together, after which I will consult informally with Scrutiny and other relevant bodies for the provision of the scheme. Currently work is progressing as to how criminal legal aid, which would now be met by public funds, can be properly resourced. When I am confident we have a scheme which Members will be comfortable with, the feedback from Scrutiny and the other parties, and a sustainable means of funding it, I shall be asking Members to approve the Appointed Day Act but, to reiterate, I have not yet received the guidelines.

7.1.1 Deputy M.R. Higgins:

I am not aware of the meetings that have been going on and, in fact, I am surprised at how far advanced it appears to be. Will the Chief Minister please put out a written comment to all Members setting out the position at the moment so that we can decide? To be perfectly honest, I am considering bringing an amendment to the Government Plan and I would like to have the information beforehand.

Senator J.A.N. Le Fondré:

I would be very happy to. What I am anticipating, or what I was anticipating, is to be meeting with the relevant person on the guidelines I believe within the next 2 to 3 weeks. I would try and do that sooner but I think, as Members know, we do have a certain other issue that is going to cause a matter. As soon as I have got that clarity, understand the guidelines, I would be very happy to share them with Scrutiny and the Deputy, if he should wish. Because I know we have quite a shared interest on this one. What I can do is I can try and get an anticipated draft timetable set up so I can get that to Members earlier, if that is possible.

7.2 Deputy K.F. Morel:

If I may take the Chief Minister back to the matter of the day. I am slightly intrigued by the Chief Minister's assertion that this was one mistake. The job selection process took place from January, it was announced to the nation by the *Financial Times* and elsewhere in September, and then there were various breaches around the press releases, permission that were and were not given, all of which were mistakes. I would like to know from the Chief Minister, which of these particular mistakes he is referring to when he says this was just one mistake by the Chief Executive.

Senator J.A.N. Le Fondré:

As I said, the press release, as far as I am aware, but that is the subject of the investigation, was a matter for the Comms Department. The main mistake, or the one mistake that I refer to, was the failure to seek permission in writing. The Chief Executive has acknowledged that and has apologised both to myself and the S.E.B. If that had been done appropriately we would, I think, have avoided this entire situation.

7.2.1 Deputy K.F. Morel:

Would the Chief Minister advise with regard to the 10th September announcement of this position to the *Financial Times* and others, to the U.K. financial markets, in his previous answer to an earlier question the Chief Minister stated that with hindsight it would have been better to have announced it to the public of Jersey then. Did the Chief Minister know on 10th September that this job had been offered and accepted by the Chief Executive? If he did not, how, in hindsight, would he have been able to change that lack of announcement?

Senator J.A.N. Le Fondré:

The whole point is that formal written permission had not been sought and that would have then regularised the whole matter.

Deputy K.F. Morel:

He did not give me an answer to my question, Sir.

The Bailiff:

Sorry, Deputy, I did not catch that.

Deputy K.F. Morel:

I said that was not, I believe an answer to my question.

The Bailiff:

Could you repeat the question please?

Deputy K.F. Morel:

If, on 10th September, the Chief Minister did not know about the job being accepted by the Chief Executive how, in hindsight, would he have changed that and made the announcement?

The Bailiff:

Are you able to answer that question, Chief Minister?

Senator J.A.N. Le Fondré:

The point I am trying to make is if the written process had been properly done that would have triggered the right notification to the right people, including the S.E.B., and then that would have also triggered the preparation for having an announcement in place in advance of the official notification. That is the nub of it. That is the fundamental mistake that took place. As we called it, it was a lapse of focus by someone who is normally very, very professional in this area. That is what I do consider, bearing in mind everything and where we are, particularly things like dealing with the pandemic and the good place we are at, I would like to try to keep that in perspective.

7.3 Deputy M. Tadier:

Does not the lapse in focus go earlier than that and does not the lapse belong to the Chief Minister because when he was asked the question by the Chief Executive: "Can I go for this other job please?" and the Chief Minister said: "Yes", should the Chief Minister not have maybe said: "I am not sure, why do you not write to me and tell me a bit more about that?"

Senator J.A.N. Le Fondré:

We can speculate as much as we like. What I am saying is that I was entitled to receive a written notification because that is the procedure that one would have expected, and that written notification did not take place.

[18:00]

7.3.1 Deputy M. Tadier:

Why would the Chief Minister give verbal permission for the Chief Executive to take on the job if he thinks that the normal procedure is to receive a written request for that said job before he can give permission to it, and presumably seek advice from colleagues?

Senator J.A.N. Le Fondré:

As I said, it was a verbal permission which is referred to in the earlier stages of the ... which the Chief Executive has put into this letter, around the recruitment process. It was a verbal confirmation that I was satisfied it was appropriate. I am not quite sure what else one can say. The fundamental thing should have been, and I was entitled to expect, that it should have been put into writing.

7.4 Deputy G.P. Southern:

Does the Chief Minister yet know when or whether a new income distribution survey will be published before we have to debate the Government Plan in December?

Senator J.A.N. Le Fondré:

I have not had any further update since the last time the Deputy asked this question. I will absolutely be delighted to go back to the chief statistician to see if there is any indication of timing, bearing in mind we are now in November, and I do understand the importance to the Deputy. We will go to the chief statistician within the next 24 hours and hopefully I will have a response back to the Deputy by the end of the week.

7.5 Deputy K.F. Morel:

The Chief Minister has asserted on a number of occasions that this second role will not take up much time for the Chief Executive and will not impinge on his government time. I would like to know how much time have communications officers, how much time has the Chief Minister, how much time has the Deputy Chief Minister, how much time has the Chief Executive, and how much time of any other officers, other Ministers and States Members spent dealing with this issue? Given that that is going to be many, many hours, how can the Chief Minister still maintain that this job will not impinge on the time the Chief Executive spends at work or distract from the work of government?

Senator J.A.N. Le Fondré:

I do find that slightly an incredulous question. In the ordinary course of events, the expectation is that it is around 3 days a year, which would be taken out of annual leave. Obviously, that estimation of time does not take account of the fact that, and I am going to say the media, someone in the media, reported the information wrongly and essentially said that the Chief Executive had a second job for £50,000. Understandably, many members of the public got very angry about that. What then also happened, I believe, is that obviously some politicians commented on that because they were also rightly concerned. That is the point I was making earlier. It is very important we establish the facts because that is where the Deputy is right, it has taken a lot of time. But the 3 days is from normal course of events and is certainly not relevant to the time that we are presently spending on the matter.

7.5.1 Deputy K.F. Morel:

If the Chief Executive chooses not to relinquish the role with New River R.E.I.T. what action will the Chief Minister take should the Chief Executive decide not to relinquish that role, as is the wishes of the Council of Ministers?

Senator J.A.N. Le Fondré:

Where we are, we are getting into a hypothetical scenario, which I definitely cannot go to when we are dealing with employment law on specific matters relating to specific individuals, particularly somebody who is a member of our staff. What I have said, I have explained a number of times what the Council of Ministers said in terms of their express support of the Chief Executive but they felt the non-executive role is not compatible with the demand of his duties at this time. I am expecting further clarity for the Council of Ministers and S.E.B. some time tomorrow.

7.6 Deputy K.G. Pamplin:

Bringing it back to matters, which we should be focusing on, the lockdown of England subject to the House of Commons vote on Wednesday. Can the Chief Minister update us on the impact that could possibly have to the Island and those various connections we have with people who work for the Government and the Island working in England?

Senator J.A.N. Le Fondré:

The Deputy will be delighted to know I entirely agree with him. For me COVID-19 still remains one of the most pressing matters. I hope he will also agree and applaud the teams that we have had all over the organisation that have got us to this point. We obviously have put out a message of reassurance to Islanders, that was on Sunday, and that was around the fact that we are not in the same position as the U.K. In terms of measures, in terms of people working in the U.K., and I think basically we will be back into the position of where we were in March of this last period where I believe that essential employees would still be able to travel. That is my understanding of the position. But then obviously, depending on the circumstances, that is when we get into how they are normally treated and depends on the circumstances of the travel. But the measures will be for those types of issues what we have already got in place and, depending on where circumstances go, we know how well we did in March and April. Just in a wider context, we are not anticipating, we are not planning on going into a lockdown. We would absolutely want to avoid that. There is obviously an argument that we never went into lockdown the first time round. We are very well placed. Obviously the Minister for Health and Social Services has talked about a minor matter that has emerged over the weekend. It is under control. That is what we advise. Obviously contact tracing is happening. We have always been expecting and anticipating that we will get small clusters that will occur. The crucial thing is we get them early. Part of that is all around the other messaging we are doing and the implementation of the winter strategy. What I will be doing, or hopefully, is we will do an update at some appropriate point, again a further presentation to bring Members up to speed, because I think we are going to get back into that rhythm.

7.6.1 Deputy K.G. Pamplin:

He pre-empted my supplementary is will he return to P.88, the communications strategy, and rethink the idea of regular weekly briefings in any capacity for Islanders on the pandemic?

Senator J.A.N. Le Fondré:

Obviously the Minister for Health and Social Services did give an update today to Islanders. So we have had quite regular briefings all the way through to date but we will ensure that Islanders remain regularly updated. What I want to do as well is get back into what I will call the States Members rhythm, which I think Members found helpful, of presentations usually in a non-States week to keep everybody up to speed as to where we are. I think that is also a fundamental thing about Members understanding the issues that we are facing. It has always been, I would hope be recognised, that is something I did instigate very early on in this process and we have kept going and I would hope have got significantly better at it as well.

The Bailiff:

The time is now 18:08 and that concludes the 15 minutes available for questions to the Chief Minister under this heading. Before moving on I should make the following announcements of propositions that have been lodged. The Draft Social Security (Amendment of Law No. 15) (Jersey) Regulations, P.148; Vote of No Confidence: Chief Minister, P.149; Social Security Medical Appeal Tribunal: appointment of Chair, P.150; Jersey Employment and Discrimination Tribunal: appointment of members, P.151; and Social Security Tribunal: appointment of Chair, P.152. As the States resolved to continue until the close of questions is the adjournment proposed?

Deputy G.P. Southern:

There is a vote of no confidence been lodged. Does that take priority, what sort of timescale will that be debated in?

The Bailiff:

The matter is always within the gift of the Assembly but absent any resolutions to the contrary a vote of no confidence is the first order of Public Business at the next meeting. So not tomorrow but the meeting after. Senator Moore, you wish to say something in terms of the adjournment?

Senator K.L. Moore:

It was just in relation to your previous comment and I just wanted to alert Assembly Members to my intention to requisition an emergency sitting of the Assembly next week so that we can progress the matter, the vote of no confidence, and resolve it one way or another in good haste. I am very mindful that Members have a considerable amount of propositions on the coming agendas.

The Bailiff:

So you are intending to seek to requisition.

Senator J.A.N. Le Fondré:

Particularly given that the final version, or the first version I have seen of this, arrived in at 4.00 p.m. this afternoon, what date does the Senator have in mind because it would be helpful.

The Bailiff:

The Senator has indicated she wished to requisition a meeting next week. That is a matter that may or may not be possible. But it seems to me that we cannot have a discussion here as to when it takes place absent a proposition. If there is to be a requisition for a meeting next week can I suggest that if it needs to be debated by the Assembly we do so tomorrow morning as a first timing issue rather than this evening, otherwise I can see there will be an exchange going into the evening? The adjournment is proposed. The Assembly stands adjourned until 9.30 a.m. tomorrow morning.

ADJOURNMENT

[18:11]