

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

The Bailiff:

Thank you. We now come to questions to Ministers without notice. The first question period is of the Minister for Social Security and I invite questions.

3.1 Senator J.L. Perchard:

Will the Minister advise the Assembly as to his timescale for bringing to the States revisions to the Employment Relations Law; revisions that will outlaw the disgraceful practice of lightning strikes and the ability of unions to call for industrial action without first having conducted a secret ballot of their members?

Senator P.F. Routier (The Minister for Social Security):

The Employment Relations Law has been approved by the Privy Council and it needs an Appointed Day Act but before the Appointed Day Act is made, there will be codes of practice which need to be finalised. The codes of practice have been consulted upon by the Employment Forum and I am working with my Assistant Minister and my department to finalise the codes. For a final consultation, they have to be advertised in the *Gazette* that they are available and for 28 days they are available for responses. After that stage, it will be my responsibility to make an Order to present to the States as an Order and they would come into force when the Appointed Day Act comes in.

3.2 Senator J.L. Perchard:

Does the Minister believe that the Order that he will bring in as a part of the Appointed Day Act of the Employment Relations Law will prevent what happened recently; that is a small group of harbour engineers holding the Island to ransom by forcing the closure of the Port of St. Helier or will it be necessary to introduce tougher legislation to protect Islanders from what only can be described as a one-sided abusive relationship with those that hold the key to our ports; our ports which are the lifeline to our Island?

Senator P.F. Routier:

Once I had sat down, I realised that I had not answered the question previously about the timescale. The timescale will be that I would imagine that within the next 2 or 3 weeks, I will be able to finalise the draft code of practice and that will be lodged and advertised for a further 28 days. So by the summertime, the Appointed Day Act will be able to be made and we will be in a position with that. With regard to what the codes will say and what the Law will achieve, the codes will set out a mechanism for strikes to be organised. A secret ballot would need to be taken and also notice would need to be given if workers wanted to have a strike. There is no intention of stopping people from having a strike, if they feel that that is a necessity. Obviously, it is their right to have a strike but what it would do is put in place a notice period which would be required to ensure that the public and employers were able to organise themselves. For instance, if the agricultural community were faced with an immediate walkout, it would affect their trade obviously. So they would be able to work around that situation as long as they had a week's notice that the strike is going to happen.

3.3 Deputy G.P. Southern:

Will the Minister inform Members what progress is made in processing application forms for Income Support and, furthermore, state what advice he has received on the use of these application forms and data that they contain from the Data Protection Commissioner and the Law Officers' Department and will he release such advice to Scrutiny?

Senator P.F. Routier:

Progress with regard to people returning the forms to the department has been very good so far. It has been steady and we have been getting a good flow of forms back to us. In saying that, there are still some which are outstanding which we would encourage people to return to us as soon as possible because we will need to have that information so that we can pay any benefits that they want to apply for. The question with regard to advice about the forms and the suitability of them from Data Protection, the Data Protection Office has looked at the forms and it has to be recognised that these forms will not exist as soon as Income Support comes in. So they are transition forms and that information obviously is being collected by the Housing Department for their housing rent rebates system and also for people who have been claiming social security benefits. The advice that we have been given by the Data Protection Office is that when we get to go live with the system, it would be preferable to have information available to everybody so that it is publicly known what the questions were going to be. We will be looking at that to ensure that we can ensure that the data protection issues are fully clear and people are satisfied with that. Obviously, with everything that we have been doing, we have been having Law Officers' advice and we have accepted that advice and will be acting upon it.

The Bailiff:

May I plead with the Minister to be concise in his answers? One-third of the time has expired with 2 questions.

3.4 Deputy R.G. Le Hérisier:

As the Minister knows, the 3 angry and terribly nice young men have embarked on their cost cutting crusade. Could he please tell us whether he has plans to rein-in the cost of supplementation and indeed could he explain why it appears to be moving in a somewhat uncontrollable sense at the moment?

Senator P.F. Routier:

The cost of supplementation has grown over the last couple of years and we are doing a major piece of work. Once Income Support has settled, it is in the Strategic Plan and the Business Plan that that piece of work will be carried out in the autumn of this year.

3.5 Deputy J.A. Martin:

Can the Minister explain what talks have taken place between himself and the Minister for Education on how people in possession of H.I.E. (Health Insurance Exception) cards now will be able to access the free Active card that this entitles them to if they need one and if they would like one for young families and how this will work under the new Income Support system?

Senator P.F. Routier:

The Deputy raises a very good point because H.I.E. cards have been used for a number of things, not only health but also the buses as well and that is an issue which needs to be addressed and we will be looking at that as soon as we possibly can. What we need to do is to ensure it. H.I.E. will not exist in the future but if other departments have used it...

Deputy J.A. Martin:

Sorry, my question was can he tell the House what talks he has had with the Education Minister so far. Not in the future, so far. Thank you, Sir.

Senator P.F. Routier:

I have had no talks directly with the Education Minister about this matter. I am sure that not only the Education Minister but also the Minister for Transport and Technical Services - if they want their services to be provided for people on low incomes - will want to identify a mechanism with which they will be able to support people in those ways. H.I.E. will not exist in the future.

3.6 Deputy J.B. Fox of St. Helier:

In relation to the transfer of the old St. Helier Welfare Department staff, could the Minister tell me if in fact the staff did transfer to his department and are their specialist skills being used now within that department or have they been transferred to other units within the Social Services. Thank you, Sir.

Senator P.F. Routier:

I will try and be as broad as I possibly can because it is a small number of people, so I would not want to give an indication that they could be identified as individuals but certainly the intention and the offer has been made to everyone to transfer to us when the changeover comes and some are taking up that offer and some are making a decision not to. It will be their own personal decision. We are interested to gain the knowledge and the skill base that the St. Helier Welfare Department has built up and we are working closely with them to ensure that they continue using those skills.

3.7 Deputy A. Breckon:

The Minister did mention the increase in supplementation. I wonder if he could tell the House why that is.

Senator P.F. Routier:

There are very, very many reasons and I would be told off by the Chair for speaking for too long if I went into all of them. I think what would be better for everyone, including myself, is to make sure that we have a very thorough and extensive review carried out in the autumn of this year which is what the plan is to do. There are very, very many reasons that there are increases in it but I would not want to pick on one in particular which would probably give you the wrong impression.

3.8 Deputy G.P. Southern:

Will the Minister explain to Members what contingency funds he has put in should he receive demand for Income Support which far outweighs that which is currently being delivered through welfare through new claimants wishing to claim and what measures is he taking to ensure that when the new Income Support scheme is in place, take-up is maximised?

Senator P.F. Routier:

I think all Members are aware that the available funds for Income Support is what is currently being used in existing benefits around the Island, so when the rates come before this House for debate, we will have to do so in the recognition that we have an amount of money to use. We recognise that a judgment needs to be made for any contingency in additional people coming to claim benefits and we will be making an allowance for that but, obviously, it is going to be a balancing act with regard to how much rates are and how much you can put aside for increased take-up. I can assure the Deputy that when the scheme does come into being, it will be advertised very widely and ensure that people have the opportunity to take-up the benefits if they are in need of the benefits.

3.9 Deputy R.G. Le Hérissier:

With the addition of rent rebate, the Minister will now be running 2 of the major budgets which we have historically been able to control. Would he explain the most important factors leading to the increase in supplementation and, secondly, how he intends to re-fashion rent rebates?

Senator P.F. Routier:

Again, with regard to supplementation, I think it is really better to wait until we have a full review. There are numerous things. We just do not know, to give you a straight answer. It would be wrong to pick on anything in particular. There is a big piece of work that needs to go on with that. That there are more people in work is the big one, so that is obviously the biggest but there are lots and lots of quirks around it.

Deputy R.G. Le Hérissier:

Can I ask for clarification? Surely, when people come to the office and ask for it, an officer approves a reason. Does the Minister not have an analysis of these particular reasons that are given?

Senator P.F. Routier:

Was that in relation to supplementation? I do not think anybody comes into our office. I know for sure that nobody comes into the office and asks for supplementation. The Deputy I think has a misunderstanding of what supplementation is. Supplementation is the amount of money with which the States top-up people's insurance contributions. There is an insurance contribution premium which pays for people's benefits and their pensions and that is set at a level and if people do not earn enough for their contributions to reach that level, the Treasury top-up that difference. No one comes into the department and says: "How much are the States going to contribute towards my pension?" I wish they did. They might be more aware of what was going on.

3.10 The Very Reverend R.F. Key, B.A., The Dean of Jersey:

The Minister may not be aware that last week I chaired the St. Helier Welfare Board and just following on to his answer to Deputy Fox, I understand totally that it would entirely wrong to discuss individual employment contracts and issues on the floor of the Chamber but please would he undertake to go back and check because my understanding is that not one of the current welfare employees of St. Helier have taken up jobs that exactly use their current skills. It would be a great shame if those interpersonal skills and expertise and knowledge built-up over many years were to be lost to the welfare system.

Senator P.F. Routier:

I thank the Dean for those comments. One also has to take consideration of the desire and the wishes of the people who are transferring. There have been some people who have decided they do not want to be involved with Income Support. They would prefer to work someone else within the department. We want to use their skills and we will do to the best of our ability but it has to be recognised that some people do not wish to continue in that line of work and we have to respect that.