

### **3. Questions to Ministers Without Notice - The Minister for Health and Social Services**

#### **3.1 The Connétable of St. Helier:**

Is the Minister satisfied that the industrial operations, including composting and ash disposal, carried out by Transport and Technical Services at La Collette are being monitored by his department with sufficient rigour?

#### **Senator S. Syvret (The Minister for Health and Social Services):**

I think they are being monitored with sufficient rigour. Whether the operations themselves are being carried out sufficiently rigorously, that is by Transport and Technical Services, whether on a day-to-day basis the handling of the ash that is transported, its tipping and its disposal is being dealt with to the very highest standards that is perhaps another question. My personal view is that I am not persuaded at the moment that that is the case. My personal view is that there is a need for improvement in this area.

#### **3.1.1 The Connétable of St. Helier:**

We were informed recently that 33, on average, ash transports are undertaken from Bellozanne through St. Helier to La Collette every week. Could the Minister say whether the monitoring of such handling of toxic ash is happening on a daily or weekly basis, or if he has not got that information would he undertake to supply it?

#### **Senator S. Syvret:**

I can certainly undertake to supply that information, Sir. I am not aware of the precise regularity with which monitoring takes place but the general point that the Constable is making is entirely correct. Although the ash is damped in theory, when brought from Bellozanne to La Collette for disposal in the lime pits, it is not, to be honest, unknown for it to have been moved in a dry or semi-dry state in the past. In years gone by wholly inadequate inefficient standards were adopted with the transport and disposal of this ash, so the Constable is quite right. It is a subject that should be viewed with the utmost rigour.

#### **3.2 Deputy D.W. Mezbourian:**

I understand from discussions with the Minister that he believes the Overdale Scrutiny Report contains a number of inaccuracies. When reports are produced by Panels they are submitted to the department to allow the department to comment on any factual inaccuracies or errors and I wonder whether the Minister can explain to the House why, when this happened with the Overdale Report, there was no response from his department at all as to inaccuracies or anything else?

#### **Senator S. Syvret:**

The Deputy is misinformed, Sir. There was some response to the Panel Officer from my department concerning certain inaccuracies within the report with the invitation that those inaccuracies be corrected. The inaccuracies were not corrected and the correspondence was ignored. The general point about why the comments may not have been made to the Panel prior to publication is really because, notwithstanding an express request from me to the chairman of the Panel, we were denied prior access to the recommendations and key findings. We had only the body of the report itself, but the real heart of the issue, the recommendations and the key findings, were withheld from us, notwithstanding a specific request to see them. On that basis, it was immensely difficult to see particularly what direction the report was going in, in terms of its findings and the recommendations it was making.

#### **3.3 Deputy A. Breckon of St. Saviour:**

I wonder if the Minister would like to comment on staff vacancies and whether recruitment and retention is currently a problem and whether there is currently a large number of vacancies?

**Senator S. Syvret:**

Yes, Sir, recruitment and retention is a problem. There are a number of vacancies in areas. I do not have the precise latest figures because it is an ever changing scenario in an organisation like Health and Social Services, but there are vacancies; in particular, specialist nurses in various areas, for example, day surgery, theatre nurses, renal nurses. There are shortages. There are reasons for that, I think, are at least 2-fold. Firstly, the arrangements for recruiting staff, relocation fees and perhaps recently the rates of pay that we were offering were not sufficient given the great investment that has taken place in the NHS (National Health Service) in the United Kingdom. But also, more generally, there is a very substantial nationwide shortage of specialist nurses, so it is a very difficult area to recruit to. Unfortunately, we are having to use bank staff, agency staff, to fill some of these vacancies which we would rather not do. We would much rather have the posts fully filled on a permanent basis and we are working towards that end.

**3.3.1 Deputy A. Breckon:**

Can I ask the Minister, as part of that, if there are exit interviews with staff to find out why they are leaving, if that is the case?

**Senator S. Syvret:**

In theory there should be exit interviews for all staff who leave, whether all staff go through that process I honestly could not say, I suspect not. Certainly I am aware of some aspects of the Health and Social Services Department - in some areas of it rather - where staff have left and either none or probably an inadequate departure interview has been undertaken. It is not something I am happy about and it is something I have had cause to be examining just lately, certainly in respect of Social Services.

**3.4 Deputy R.G. Le Hérissier:**

Would the Minister acknowledge that it was made very clear to him, reference the Overdale Report, that the Panel was acting totally within protocol in only sending the body of evidence and that the whole intention of sending that evidence was simply to check it for accuracy. It was not at that stage to embark in a philosophical or contentious discussion about the nature of the reasoning that underlay the report? The protocol was strictly followed which is that the evidence is presented and the Minister of the relevant department is invited to comment on that evidence. Secondly, Sir, would the Minister comment on the fact that the Panel was, and indeed the public, was quite right to draw the conclusion that there was considerable bias as from the very beginning he had classed this report as a total waste of time and had maintained that positioned right through its work?

**Senator S. Syvret:**

Yes, Sir. I do not believe that people generally think that there was bias in my view. I think people, certainly the great majority who speak to me about health and social care matters, have been entirely indifferent to the question of the Overdale review, so I do not think it is a matter of any great particular concern. Did I still believe, as the response will make clear, that particular exercise, the way it was framed, the deficiency of the scoping beforehand, made it largely a waste of time; yes, Sir, without question. That was my view and it remains my view. Notwithstanding that the Deputy says that it was the protocol of the time not to issue the key findings and recommendations, that is as maybe, but the fact remains, it is not possible to make a reasoned assessment of the accuracy and validity of the document without being able to see the recommendations and the key findings.

**3.5 Deputy A.E. Pryke of Trinity:**

Could the Minister inform the House how many patients are in the Jersey General awaiting placement either in a residential or nursing home?

**Senator S. Syvret:**

I do not have the precise figures. Off the top of my head, of course again these are the kind of statistics that change on a day-by-day basis, indeed, morning and afternoon figures will be different but I am happy to inquire what the latest figures are and give those to the Assembly either today or tomorrow. But I can assure the Assembly by the time the figures are given they will be inaccurate, they will be obsolete, because things will have changed.

**3.6 Deputy P.N. Troy of St. Brelade:**

If the Minister has data showing that the handling of toxic ash is not at a satisfactory standard why has he not issued an enforcement notice or brought a prosecution against Transport and Technical Services under health laws? Does he not accept that a private company carrying toxic ash would have to comply with health laws and so consequently so too should the Government?

**Senator S. Syvret:**

Certainly, as far as the last point is concerned, any laws that apply to a private company must also, do also, apply to States' departments. States' departments are not above the law. As far as whether I could or should issue an abatement notice or bring about a prosecution, I am afraid the Deputy does not understand that those kind of powers do not reside with Ministers. We make the laws in this Assembly, Ministers have the power to make subordinate legislation such as orders, we set the policy framework. As far as the actual enforcement of laws is concerned on a day-to-day basis, those are carried out by the relevant law enforcement agencies, and any subsequent prosecution, first of all a recommendation would go to the Law Officers' Department and they would then determine whether a prosecution was merited. So politicians do not, rightly, have direct day-to-day control over individual law enforcement regulatory agencies. I think that would be a recipe for chaos because you would run the risk of politicians using for political purposes specific regulatory and law enforcement agencies, and I do not think that would be at all in the public interest.

**3.7 The Deputy of St. John:**

I note with interest and concern statistics presented in the Medical Officer of Health's annual report concerning Jersey's drinking culture. In particular, that of very high levels of alcohol consumption by women aged 18 to 25, some 20 per cent higher than the U.K.. What strategies does the Minister's department have planned to deal with this particular medical time bomb?

**Senator S. Syvret:**

The current strategy is the substance misuse strategy, which is a few years old now. We are going to attempt to produce a new strategy to deal with alcohol consumption in the Island. The Deputy is absolutely correct, Jersey as a society, as a culture, has a profound drink problem. We are, as a community, a chronic alcoholic as it were. The per capita rates of alcohol consumption in Jersey are astounding. Higher than many other places, major inner city areas, other countries in Europe that might perhaps be noted for their alcohol consumption. We have a real problem with alcohol consumption in Jersey. I do not pretend for one moment that there is going to be any kind of easy solution to it but we are going to attempt -- well, we will devise a strategy that will attempt to address the issues.

**3.8 Deputy S.C. Ferguson of St. Brelade:**

If the Overdale and GP Out-of-Hours report was so incorrect, surely refutation should take no time at all. Does the Minister not think that the length of time, which is over 6 months, to reply to this reflects on the efficiency of the department and perhaps the effectiveness of his management? Could the Minister also supply a detailed organisation chart to the Scrutiny Panels?

**Senator S. Syvret:**

I believe such information has been provided in the past but I am sure if the Scrutiny Panels make a request to the department for that kind of internal information they will be supplied with it. Just to be clear; I was not levelling any particular criticism at the report into the GP Out-of-Hours Co-op. There does appear to have been some kind of communication breakdown because that was completed some time ago, and indeed a draft was submitted to the Scrutiny Office but it has not, for one reason and another, come forward as official ministerial response. As far as the Overdale response is concerned, as I have pointed out, the original review was supposed to take 3 months, it ended up taking 6, so I really do not think the Deputy, who is a member of the Panel, is in any position to criticise. I have also unfortunately been off work for about the last 3 months recovering from major surgery which also has a significant impact on the time it has taken to get the report together.

### **3.9 Deputy J.A. Martin:**

The Minister might not have exact figures for what I am interested in; could the Minister inform the House since the Kathy Bull report recommended at least one of our children's home were closed down and as many children as possible put into foster care, hopefully good foster care as well, if there is a date for closing one of the homes? If he does know, could he tell us exactly how many children are in each home? Are they at capacity at the moment?

### **Senator S. Syvret:**

I do not have the precise figures because, again, as with other issues, they will change on a day-to-day, perhaps even hour-by-hour basis. But to get to the heart of the question, are we anywhere near -- is there any prospect of shutting down one of the homes yet, I have to say, no. I have serious concerns, to be honest, about the whole child protection, child welfare standards of performance of Jersey, not just within my own department, Social Services and the Children's Service, but across the board. I am aware of a number of issues, this being one of them, a number of cases, a number of incidents that lead me more and more strongly to the conclusion that we are failing badly in this area. I am probably going to be seeking to initiate a major independent review into the whole sphere of child welfare, child protection in Jersey. So if you are asking me honestly, do I believe the performance of certain senior individuals within this field and of the departments generally is acceptable, no, it is not.

### **The Deputy Bailiff:**

That brings the questioning of the Minister for Health and Social Services to a close. I think the Assembly has already agreed that the second question period to the Chief Minister will be dealt with when he returns to the Island tomorrow.