

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY D.W. MEZBOURIAN OF ST. LAWRENCE**

ANSWER TO BE TABLED ON TUESDAY 29TH APRIL 2008

Question

“Would the Chief Minister advise the Assembly of the total number of staff, by Department, who were suspended as a result of disciplinary infractions during the year 2007 and, in each case, identify the employee group concerned, the nature of the alleged infraction, the period of suspension and the means of disposal of the case?”

Would the Minister advise the Assembly of the total number of staff who were suspended during the period 2006 to 2007, and who remain suspended, and identify in each case the Department concerned, the employee group concerned, the nature of the alleged infraction, the period of suspension and the reason why the employee remains suspended?”

Answer

EMPLOYEE SUSPENSIONS

Table A – This table shows in an anonymised form the employees (defined by Department) who were suspended between January and December 2007

Department	Employee Pay Group	Suspension Commenced	Suspension Finished	Method of Disposal
Home Affairs	Fire Service	3/1/07	14/2/07	Disciplined
Home Affairs	Police	15/3/07	23/3/07	Resigned
Home Affairs	Police	6/9/06	4/7/07	Resigned
Home Affairs	Police	16/4/07	18/10/07	Disciplined
Home Affairs	Civil Servant	6/12/07	17/1/08	Dismissed
Home Affairs	Prison Officer	28/12/07	1/2/08	Disciplined
Social Security	Civil Servant	23/5/07	20/8/07	Resigned
ESC	Highlands College	30/4/07	Ongoing [1]	N/A
ESC	Teacher	21/12/07	21/3/08	Dismissed
Probation	Civil Servant	11/9/07	24/10/07	Acquitted
Probation	Civil Servant	28/7/07	15/9/07	Reinstated
EDD	Civil Servant	20/11/07	4/2/08	Disciplined
HSS	Doctors & Dentists	19/10/06	Ongoing [2]	N/A
HSS	Nurses & Midwives	3/7/06	31/8/07	Resigned
HSS	Nurses & Midwives	1/6/06	28/4/07	Resigned
HSS	Nurses & Midwives	30/3/07	9/8/07	Disciplined
HSS	Nurses & Midwives	7/12/07	18/1/08	Reinstated
TTS	Manual Worker	18/10/07	11/12/07	Dismissed
TTS	Manual Worker	22/10/07	7/11/07	Dismissed
TTS	Civil Servant	7/12/07	31/12/07	Resigned
TTS	Manual Worker	5/12/07	7/12/07	Resigned

Notes to Table A.

- Consistent with my response I gave to the Deputy on this subject in 2007, despite asking for the nature of the infraction, this has not been given in this report as there is a concern that it could be possible to identify an individual from the description of the nature of the infraction. Given that a suspension is carried out in the first instance on an accusation that upon investigation could subsequently be unfounded, it could be considered reckless and unreasonable of the employer to run the risk of identifying an employee in this way. This is of particular concern in a small island community such as Jersey where an individual's professional reputation could be severely affected by a spurious or unfounded allegation. However, it is factual to say that suspensions are carried out due to alleged behaviour or actions which, if proven, would constitute gross misconduct.
- There were 21 employees who were either suspended in 2007 or whose suspension carried over into 2007 (excepting those employees already identified in my previous report to the Deputy in early 2007). The 21 employees belonged to the following pay groups:
 - 6 x Civil Service
 - 3 x Police
 - 4 x Nurses & Midwives
 - 3 x Manual Workers
 - 1 x Fire Service
 - 1 x Highlands College managers
 - 1 x Teachers
 - 1 x Doctors & Dentists
 - 1 x Prison Officer
- As I informed the Deputy in 2007, following a report and recommendations presented to the States Employment Board (SEB) in May 2006, the situation regarding employee suspensions in the public sector has become more closely monitored. Foremost in that report were the recommendations that:
 - All suspensions be notified to the Employee Relations Section of the Chief Minister's Department at the time of the suspension thus enabling the level and duration of the suspension to be monitored; and,
 - Chief Officers to ensure that all suspensions were formally reviewed one month from the suspension date and no less frequently than a month thereafter.
 - The maximum time between suspension date and the disciplinary hearing be 8 weeks (with an expectation that it will be done before that time if possible).
- The SEB continues to review all employee suspensions by way of a twice yearly report.
- Of the 21 employees suspended in 2007, a total of 17 were actually suspended in 2007, with the remaining 4 whose suspensions carried over from 2006. Of the 17 actually suspended in 2007, the SEB was pleased to note that 11 (65%) were dealt with in, or very close to, the 8 week period recommended in the above mentioned Report. The remaining cases have been generally been delayed due to the need for an internal or external investigation or because the employee has been signed off sick. These are considered by the SEB to be genuine reasons for a delay to a case being resolved.

EMPLOYEE SUSPENSIONS (CONT.)

Table B – This Table depicts the number of employees (by department) who were suspended during the period 2006 to 2007 and who remain suspended.

DEPARTMENT	EMPLOYEES WHO REMAIN SUSPENDED
EDD	None
TTS	None

Airport	None
Harbour	None
ESS	None
ESC	None
HA	None
P&E	None
CMD	None
Housing	None
HSS	One
Treasury & Resources	None

Notes to Table B

- There is one employee who was suspended by his Department in 2006 and who remains suspended. As identified in Tables A and B, that employee is a member of the Doctors and Dentists pay group employed in the Health and Social Services Department and has been suspended since 19/10/06. The totality of the information provided to the Deputy shows this is clearly an exceptional case and involves agencies outside of the Department for which the employee works. As explained in the notes to Table A, it is not appropriate to identify the nature of the infraction.

[1] Case significantly delayed due to employee sickness

[2] Case significantly delayed – see note to Table B