

WRITTEN QUESTION TO THE CHIEF MINISTER BY DEPUTY G.P. SOUTHERN OF ST. HELIER

ANSWER TO BE TABLED ON TUESDAY 15th JULY 2008

Question

Does the Chief Minister consider it to be a discriminatory condition of employment that a “politically eligible” States employee could be permitted to campaign for a candidate other than himself using normal holiday entitlement but is not able to do so under the same conditions if standing for election himself and, if so, will he seek to get this rule changed to better deliver the spirit in which the eligibility rules were recently liberalised?

Answer

There is clearly a significant difference between someone who campaigns for another person who is seeking election to the States and someone who is actually standing for election.

Under the relevant regulations, a “politically eligible” States employee is required to take unpaid leave of absence from the date of his/her official nomination until the election is over. I have been advised that this requirement does not contravene any other legislative provision.

In the United Kingdom Civil Service, employees, even those classified as “politically free,” are required to resign from their employment if they wish to stand for election to Parliament. In UK Local Government employees who wish to stand for election to the Authority for which they work in paid employment are normally required to resign before they do so. We have stopped short of that requirement but nevertheless require such employees to take unpaid leave of absence when electioneering in order to avoid any conflict of interest (whether real or perceived).