

#### **4.12 The Deputy of St. John of the Minister for Social Security regarding the visits by Social Security officers to the new Energy from Waste Plant site:**

Following the Minister's response on 25th May regarding visits by Social Security to the new Energy from Waste plant site, would he explain how often building sites are visited by Social Security inspectors to ensure that all employees, particularly those employed on a casual basis or who are new arrivals in the Island, are paying Social Security and I.T.I.S. (Income Tax Instalment Scheme)?

#### **Deputy I.J. Gorst of St. Clement (The Minister for Social Security):**

During 2009 Social Security compliance and enforcement officers visited 13 building sites. They also conducted 267 surveys of newly established businesses and made a further 195 visits to premises to conduct checks and provide advice and guidance, thus ensuring that Island employers are fully aware of their legal responsibilities in regard to Social Security legislation.

#### **4.12.1 The Deputy of St. John:**

Given that daily white vans arrive on Condor from the United Kingdom and other places with workmen and their tools and go to many parts of the Island and undertake various types of work, do checks get carried out at the docks to catch the, what I call, white van brigade as they come to work on Island, and do Social Security work alongside Immigration and Customs to advise people that they require to be registered with Social Security to work on Island?

#### **Deputy I.J. Gorst:**

We must be careful, as I said, in answer to the previous question. What we might call a white van individual could be coming to the Island to do different types of work. They could be employed by a U.K. company undertaking a contract in the Island, their liabilities in that instance would remain in their country where the employment contract was. Any individual who might be coming to do more casual work on the Island from, for example the United Kingdom or from France, countries with which we as an Island have a reciprocal Social Security agreement, their liability remains in their own country for, in both cases I believe it is, at least 12 months. We therefore must take it that that liability is in place and the onus then is on that jurisdiction to ensure compliance with making of contributions in those jurisdictions. We do not at the current time stand and sit at the docks waiting for boats to come in to see if there are white vans in place. The Deputy had a private conversation with me earlier in the week and I have asked officers to go away to see whether there is any merit in such an activity. I am not certain in the first instance that there would be. We do not have any legal standing, as I understand it, at this point to be able to do that. We do have open borders with the United Kingdom and with France, for example, but it is certainly something that I have asked officers to consider to see if it would be possible but I am not certain, bearing in mind what I have already said in answer to this question, that there would be any merit in it anyway.

#### **4.12.2 Deputy R.G. Le Hérissier:**

In keeping an oversight of casual labour, is the Minister's Department aware of cases where, for example, a very well known Island building contractor is sending people away to the U.K. who may not have Island residency qualifications, for training, when there is allegedly unemployment in that particular trade on the Island itself? How is the Minister, as an extension of this work in the question, monitoring that situation to ensure that this is not happening?

**Deputy I.J. Gorst:**

I am not really sure what the Deputy is asking me. Is he saying that I should be responsible for the training policy of private companies on the Island?

**Deputy R.G. Le Hérisier:**

What I am saying is, is the Minister aware that training is being given to people who are supplanting people already unemployed?

**Deputy I.J. Gorst:**

I know it is one of the last questions of the morning but I really am struggling to understand what exactly it is the Deputy is asking me to consider, and whether as a Department I should be considering? Many, many Island companies send people off Island for training in particular areas of expertise and I should think there is nothing wrong with that. In fact I should think it is of benefit to the Island that we are able to send people away for short periods of training and then they can come up. It is about growing our own I would have thought.

**Deputy R.G. Le Hérisier:**

A third re-phrasing, is the Minister in agreement with a practice whereby people are sent away for training in order to gain skills, which are already available from people who are now unemployed?

**Deputy I. J. Gorst:**

Whether I was personally in favour of that or not I suppose might depend on whether those individuals were Jersey local individuals. I would encourage local companies to train local individuals to meet gaps in the employment market. I would be firmly behind that.

**4.12.3 Deputy P.V.F. Le Claire:**

It leads me to ask the Minister whether he is ready to answer me yet? A few months ago I raised the issue that he had ignored my representations to him several months ago in these areas. I still have not received a response formally into the initiatives that I had outlined to him personally in his office, about re-training and re-skilling people that are not only apprentices from school but also people, for example such as myself, who may wish to be skilled in a new area of work. What is he doing to achieve those things? There is obviously concern among the community. That is why I arise, not to embarrass him, but to tease out the answer.

[11:30]

**The Deputy Bailiff:**

Deputy, are you asking the Minister to respond to a question you put to him several months ago?

**Deputy P.V.F. Le Claire:**

Well, I am asking if he is prepared to, if he is ready to yet, Sir.

**The Deputy Bailiff:**

Minister, are you able to answer that question?

**Deputy I.J. Gorst:**

I am always happy to answer a question. I am not sure how it arises, nor the last question for that matter, but there we are. I have taken up those issues. I can only apologise; I thought that individuals would have got back to me by now. We are employing computer courses as he suggested as training modules to encourage people. As he is aware the Skills Executive have introduced a number of extra places and courses, et cetera. Careers Jersey, which is situated in my Department, do use some computer modules to help people with re-training. They also help people with C.V. (Curriculum Vitae) writing and various other things but perhaps there needs to be a little more joined up approach in responding directly to the Deputy so he knows what we are doing and the good work that is being undertaken.

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

I must ask is the Minister totally up to speed on this issue given that I am aware Guernsey require people to register on arriving in the Island for work, and historically Jersey used to. Could the Minister tell Members when things changed that this open border policy he is talking about means that people do not require to notify Social Security they are working on Island? When did all this change please?

**Deputy I.J. Gorst:**

I have got to say that I do very occasionally find it slightly frustrating when Members try to conflate 2 issues. We must be very careful, there is still an obligation for an individual who is coming to the Island to register and to pay Social Security contributions in Jersey if they are going to be employed by a Jersey employer working on Island. We do however, and this is where I think the Deputy perhaps is getting confused, if an individual - I believe he is confused - if an individual is coming to the Island employed by a U.K. subcontractor their employment contract remains in the U.K. Their obligation remains in the United Kingdom and not on Island. There are 2 totally and completely different cases and therefore we must not try to conflate those issues.

**The Deputy of St. John:**

Can I put a supplementary on that, Sir, about the black economy?

**The Deputy Bailiff:**

I am sorry, Deputy, we have not the time.

**The Deputy of St. John:**

Cutting me off at the knees again.

**The Deputy Bailiff:**

Yes, cutting you off at the knees on this occasion