

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

5.1 Deputy G.P. Southern:

Just to get us back in the swing of things, will the Minister state what protection will be in place for workers on transfer of businesses, the equivalent of the U.K. T.U.P.E. (Transfer of Undertakings (Protection of Employment)) legislation?

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

As the questioner well knows, he attended a briefing at lunchtime where I confirmed to Members that I would not be bringing forward T.U.P.E. legislation to this Assembly for approval and I also confirmed that it was my strong recommendation that whoever sits in this seat, metaphorically as it were, for the next political term, does likewise.

5.1.1 Deputy G.P. Southern:

Supplementary, if I may? So the 250-plus States workers who will be likely to be made redundant by outsourcing or privatisation over the next 2 years have got what protection over any terms and conditions under which they are employed?

Deputy I.J. Gorst:

It is my opinion that T.U.P.E. is not right for Jersey. It is not right for small communities, it is unnecessarily cumbersome and it would not, of course, in any case affect our main industry. With regard to any States employees, that falls within the remit of the States Employment Board, but I believe that if we wanted to produce legislation to protect those employees - although I am not convinced that we need to - we could deal with it on a case by case basis like our sister Island did in Guernsey. Having said that, I understand that the States Employment Board will provide necessary commitments with regard to any transfers that might or might not take place, I am not party to whether that is intended or not.

5.2 The Connétable of St. Helier:

Could the Minister explain whether people who are not at work, nor looking for work, are still entitled to draw free nursery education grants for their children? Does the Minister know what the cost of this is and could he say whether it is justifiable when the Council of Ministers are making savings like cutting school milk?

Deputy I.J. Gorst:

I am not sure exactly what it is the Connétable is referring to when he uses the term "free nursery grants". Is he referring to childcare component payments within income support or ...?

The Connétable of St. Helier:

Yes, I am.

Deputy I.J. Gorst:

Thank you. I do not obviously ever wish to talk about individual cases. Childcare components should be available, or can be available for those who are in work. It might be that in a specific instance an individual might be temporarily out of work and the department might have made the decision that it was in the best interests of that individual. It is really not appropriate for me to talk about individual cases, but if there is a concern that the Connétable has, then please, I would be more than happy to try and address it with him, but I suspect from what he is saying, that that is what has happened in that particular instance.

The Connétable of St. Helier:

If I could just be helpful, I was really trying to get an understanding of whether we are talking about a lot of people who are not at work, not looking for work, but still drawing this supplement?

Deputy I.J. Gorst:

I would say we certainly should not be, because that is a payment which is available for some individuals where their gross income ... it used to be net, so we have made slightly more people eligible for that recognising that for those individuals it is better for them to get to work, albeit their childcare is a relatively high cost, and a difficult one for them to meet. So, we try to be understanding in that case, and the example that the Connétable refers to, I would expect that to be a more unusual occurrence.

5.3 The Deputy of St. John:

This morning we heard in question time, through the Minister for E.D. I believe it was, about a 'white van man' coming to the Island. Given that daily we see tradesmen and the like coming off the ferries from the U.K. and France, do your officers at Social Security check these vehicles regularly? If so, how often? Also, we heard this morning about building sites where foreign ...

The Deputy Bailiff:

That is enough questions, Deputy, thank you. One subject matter ...

The Deputy of St. John:

But it is all to do with the same inspection, Sir.

The Deputy Bailiff:

Carry on then. It did not sound like it.

The Deputy of St. John:

Building sites where ... we were asked if inspectors checked these sites. Do your officers check both the docks and the sites where people come over to work on, which come over *en bloc*, and do they carry social security cards from Jersey or elsewhere? If from elsewhere, who covers them in the event of an accident here?

Deputy I.J. Gorst:

Sir, I thank you for your intervention, perhaps it could have been slightly earlier. **[Laughter]** The Deputy has raised a number of points there which he has raised previously in this Assembly. He knows that we have from time to time carried out reviews or inspections at the Port for this particular purpose. I am not aware of when the last one was but we do it on a risk-based approach. When we last did it, as far as I am aware, there was only one white van there that went off our radar, as it were. The reason that we would be checking, of course, is that one of the issues that we are ever conscious of in the department, is those individuals who are working cash-in-hand and are therefore not paying any contributions on their earnings, so it is on our radar. That is part of the work that our fraud team does. Having said that, if these white vans are coming from another jurisdiction for a short period of time then their liability to social security contributions remains for a considerable period of time in their home jurisdiction, and therefore we are not ... we have to balance up how much work to do to whether it is appropriate or not. There were a lot of questions, Sir. I am not sure whether you are going to allow me to answer them all, of course.

The Deputy Bailiff:

I did say that crisp replies were needed, Minister.

Deputy I.J. Gorst:

Thank you, Sir. Building sites ... yes, of course we do send our inspectors to building sites as well, again bearing in mind a risk-based approach.

The Deputy of St. John:

Supplementary, Sir?

The Deputy Bailiff:

No, thank you. Deputy Le Claire ... [**Aside**] You had 4 questions in one.

The Deputy of St. John:

It was just the way I wrapped it up, Sir.

5.4 Deputy P.V.F. Le Claire:

This morning the Assistant Minister for Economic Development in answers to questions said that the construction industry was very healthy and it was finding it difficult to find trades people. At this time there is in the region of 1,700 to 2,000 people registered with Social Security as seeking work. Would it be possible in the future to place on the website of the Minister for Social Security, the amount of people in different categories in these trades that are seeking work, so that companies looking for employees can go to the website and see, for example, that there are 7 carpenters, 8 plumbers, 14 painters and decorators, et cetera?

Deputy I.J. Gorst:

I am not sure that it would quite work in the way the Deputy might suggest. I understand, however, what he is trying to achieve and we have put in place a new process. My Assistant Minister has visited a number of large employers on the Island who understand what their requirements are when it comes to the recruitment process, and the types of skills that they are looking for, matching those up with individuals in the department; the Deputy will know that we have got a new enhanced work-zone process. We put extra money into that to deal with exactly this issue, because it is not always just having a skill. It might be some other criteria as well. Some employers work on a piece-rate, et cetera, and we have to take that into consideration on the age profile of the individual that they are looking for, so it would not necessarily be helpful simply to put the skills on the website. Having said that, perhaps what we could do is ask the Statistics Unit to add further information on their release around what the skills are. That might be a helpful approach from an information perspective, but from a perspective of matching employees with jobs, we are already doing that in a way that we hope is going to work better in the future.

5.5 Deputy R.C. Duhamel:

My question to the Minister is, has the Minister considered, or is he considering bringing to this House, a phased transition towards retirement rather than the suggested U.K. proposals of step changes?

Deputy I.J. Gorst:

Another Member who was at my briefing at lunchtime. As I said then, this week I will, in effect ... sorry next week, I am getting confused with my days of the week. Next week I will be publicly launching my proposals with regard to retirement age and the approach I am intending to take, and I shall be asking the Assembly to agree that approach in principle later this year.

5.6 Deputy S. Pitman:

It was, I believe, last May in which I had organised a meeting with the Minister and a senior officer regarding the letters that are sent out to income support recipients and what is in the letters and what is not; i.e. the breakdown. Really what I was asking for was a breakdown of the components of income support, basically explaining to recipients what they are getting, because

so many do not know what they are getting. They think they are getting things when they are not and so often I have been to the department to get the breakdown, take it back to this constituent and explain it. Now I am ...

The Deputy Bailiff:

Deputy, what is the question, please? The question should be concise.

Deputy S. Pitman:

Well, I think Members need a bit of background to this. I really want to know what has been done because as far as I am aware, nothing has been done?

Deputy I.J. Gorst:

Yes, it might appear that nothing has been done. That is not the case. We are virtually in the final stages of redrafting that letter. We have gone out to various interested parties, not least of which is the Citizens Advice Bureau and stakeholders who themselves help individuals who claim income support every day. We did have a meeting last May. The Deputy was keen and the Scrutiny Panel has again raised this issue, but perhaps producing a letter which includes all the components that an individual is entitled to. Now, while income support is simple in principle, it can become quite complicated when we have to then consider an individual's, or a household's income and it is my view that including too much information would be more complicated and lead to more confusion than producing simply a bottom line. Having said that, we need to make sure that we have appropriate resources available to help those who are helping claimants, to help claimants who need to come into the department, to understand what it is that they are receiving from the department. I would prefer a 2-stage approach and that is that for individuals to come back to us once they have seen the newly drafted letter and the way that we are going to present the information, to come back to us and ask for a breakdown after, if they are still not satisfied.

Deputy S. Pitman:

Supplementary, Sir?

The Deputy Bailiff:

I am sorry, we do not have time. We have got 2 minutes left and ...

5.7 Senator F. du H. Le Gresley:

I will be very quick. Can the Minister advise if the majority of the remaining recipients of transition payments under income support are those people previously in receipt of Disability Transport Allowance and if that is the case, is he aware - to the best of my knowledge - that the previous Minister gave an undertaking that this benefit would not be removed?

[14:30]

Deputy I.J. Gorst:

Last October we did the first transition down-rate, in July this year we will be doing the second transition down-rate. There were a category of individuals, around 150 of them, that had 100 per cent extension until this July. I am in the process of considering what the most appropriate way is of dealing with those individuals. I have communicated with the previous Minister. As it happens, the Member asking the question will be coming to your political steering group around the income support review and it is on the agenda for that meeting as well, and I want to consult with fellow Ministers as well. It is a difficult area; an area that can be quite emotive, but an area that we must consider carefully and ensure that we are not creating a system where some people are receiving a benefit way above the entitlement of others.

5.8 Deputy T.M. Pitman:

I just wanted to ask the Minister if there had been any developments. Had he discussed his colleague the Minister for Economic Development's comments about benefits being disincentive to young people?

Deputy I.J. Gorst:

Indeed, I have discussed it with my fellow Minister in the most robust of terms and he has apologised for any confusion that might have been caused by a headline written by an individual outside of his control. Having said that, we are absolutely certain that we do not want in any way, shape or form to recreate benefit dependency and we certainly do not want to create it among those younger members of our community, and we are considering whether we need to make changes to ensure that it absolutely is not the case that that is happening.