

**WRITTEN QUESTION TO THE MINISTER FOR
EDUCATION, SPORT AND CULTURE
BY DEPUTY M. TADIER OF ST. BRELADE
ANSWER TO BE TABLED ON TUESDAY 19th NOVEMBER 2013**

Question

Will the Minister advise –

- (i) how many investigations have taken place in relation to the starting pistol incident at Le Rocquier school;
- (ii) what these were;
- (iii) who conducted them;
- (iv) how many have been concluded and how many are ongoing;
- (v) what the conclusions were?

Will the Minister be publishing these reports, and if not, why not?

Answer

There are five investigations into the incident as follows:

1. An investigation was carried out by States of Jersey Police immediately after the incident. The outcome of that is a matter of public record.
2. An internal disciplinary procedure was then followed in respect of the teacher. This involved an investigation by officers from the Education, Sport and Culture Department and a disciplinary panel hearing chaired by the Director of Education. The Department can confirm appropriate action has been taken.

All matters relating to internal disciplinary proceedings for States of Jersey staff are treated as confidential.

Information was provided to the disciplinary panel on the basis of confidentiality and is therefore exempt under Article 3.2 (b) of the Code of Practice on Public Access to Official Information. In addition, publication is exempt under Article 3a (xiii) of the Code on the grounds that that it would prejudice employer/employee relationships or the effective conduct of personnel management.

The documents produced for the disciplinary hearing refer directly to the employee so the Data Protection (Jersey) Law 2005 also applies. There is a presumption against disclosure of sensitive personal information.

3. A separate investigation was carried out into health and safety issues and accident reporting processes relating to this incident. This was conducted by an officer from the ESC Department. It was concluded that school sports activities could continue without starting

pistols and the firearms were removed from all States schools as a result. Other actions resulting from this review have not yet been concluded.

This is an internal report that contains confidential information relating to a number of individuals and there are no plans for publication.

4. To assist the governing body of the school the ESC Director has commissioned a health and safety review of the school by independent external advisers. This will provide the school with an assessment of specific issues that might need to be addressed in terms of day-to-day policy and practice. There are no plans to publish this review as public disclosure was not part of the remit when it was commissioned.
5. The Health and Safety Inspectorate were informed by the Law Officers of the incident and are reviewing the case with respect to the legal requirements under the Health and Safety at Work (Jersey) Law 1989. Disclosure of information is restricted under this law. A copy of their report will be forwarded to the Attorney General.