

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY G.P. SOUTHERN OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 18th FEBRUARY 2014**

Question

Following his response to question 8097 in which he stated that “*the current database is not able to determine whether the zero hours arrangement was to provide cover for temporary, short-term or urgent absence*”, what system, if any, will the Chief Minister put into place in order to assess whether these arrangements constitute genuine use and not abuse of zero hours and, if not, what information is he preparing to contribute to those officers charged with investigating the extent of use of zero-hours contracts in the public sector?

If, in the course of the investigation, it is revealed that there is significant abuse of zero-hours contracts in particular departments, will he commit himself to eliminating such practice?

If the hours contributed by the number of those who were active on zero-hours contracts (1157) in the month ending 31st March 2012 were representative and added to the departmental FTE figures, by how much would FTE figures increase by department?

Answer

1. The system in place is that departments account for their own management and use of zero hour contracts. The operational data particular to each employee can be used to determine how that contract is being used to fulfil the needs of the service.
As the Deputy is aware, as part of the ongoing review of terms and conditions of employment, an organisation-wide policy for the use of zero hour contracts is being developed.
2. I am not aware of any evidence of significant abuse of zero hour agreements in public employment. If the Deputy has information that suggests there is such abuse in a particular department, then he should provide the information to my Department.
3. Given the variability attached to zero hours working, it is not possible to determine whether one month's figures attached to those active workers on zero hours agreements is representative of other months. The number of zero hours worked by active workers on zero hours agreements in the month ending 31st March 2012 was equivalent to approximately 275 FTE as set out in the table below:

Effective FTE increases to departments by inclusion of Zero Hours staff for March 2012

	FTE as at 31st March 2012	Effective FTE increase (from Zero Hours staff)
Chief Minister's Department	192.45	0.44
Economic Development	56.67	0.00
Education, Sport & Culture	1,553.62	138.69
Health & Social Services	2,321.73	131.74
Home Affairs	642.39	2.44
Housing	40.41	0.00
Department of the Environment	108.86	0.20
Social Security	139.55	0.64
Transport and Technical Services	457.99	0.15
Jersey Car Parks	21.00	0.00
Jersey Fleet Management	26.00	0.00
Treasury and Resources	225.35	0.00
States Assembly	26.52	0.00
Non Ministerial States Funded	178.14	0.39
Non Min SFB-Overseas Aid	1.54	0.00
	5,992.23	274.68

It is important to note that:-

- The FTEs to which Deputy Southern wishes to compare the above figures for March 2012 are not directly comparable:-
 - FTEs previously given for Permanent and Contract staff were calculated at a fixed point in time using HRIS data, whereas zero hour data is calculated from payroll data across the whole month of March 2012 and will fluctuate day to day;
 - HRIS FTE figures reflect those in the Education department who work term-time only and other seasonal employees by prorating their working hours over a whole year, whereas Payroll picks up every hour paid to an employee and zero hours workers during the month, and therefore will be overstated in comparison with the HRIS figures during term-time;
- An 'effective FTE' from zero hours workers cannot generally be directly replaced by a permanent staff member. Many roles, such as Bank Nursing and Highlands College supply, work only to specific service needs at varying times. As such the addition of 275 FTE of staff to the States pay bill would not necessarily result in appropriate cover where and when it is needed. This is one of the main reasons why casual labour usage for one month cannot be translated into a substantive headcount.