

**WRITTEN QUESTION TO THE MINISTER FOR SOCIAL SECURITY  
BY DEPUTY G. P. SOUTHERN OF ST. HELIER  
ANSWER TO BE TABLED ON MONDAY 26TH SEPTEMBER 2016**

**Question**

Further to the response to Written Question 9584, will the Minister explain the following in relation to the Department's use of agency workers:

- (a) Whether guidance applicable to zero-hours contracts (in particular, the provisions that there should be genuine variability of weekly hours and 6-monthly reviews) applies to the Department's use of agency workers who have zero-hours contracts but are who expected to work a 37-hour week;
- (b) Why only 12 of 142 agency workers were engaged on 'projects' and how many of those engaged in other roles were temporary posts to cover absences, and how many were permanent posts;
- (c) Why, in July 2016, one third of agency workers had been engaged for over 12 months and whether they had been offered permanent contracts with the Department and access to States terms and conditions, such as sick leave; and
- (d) How the Department therefore meets best practice in its recruitment policies in respect of pension rights and sickness and holiday conditions?

**Answer**

The Department does not employ staff on zero-hour contracts.

Agency workers are not employed by the Department – they are employed directly by the Recruitment Agencies. The JACS zero-hour contracts guide applies in the context of the relationship between the agency and the zero-hour contract staff that it employs.

Between January 2014 and July 2016 the department has engaged 142 different individuals through Recruitment Agencies. Agency workers are engaged by the Department to cover short-term fluctuations in workloads, to support initiatives and projects, or where permanent need or funding has not yet been established e.g. piloting new approaches to improve service. Through this approach the Department has been able to improve customer service, pilot new innovations and develop the Back to Work programme.

The 12 agency workers classified under the heading 'Projects' in question 9584 were engaged on cross departmental projects and not specifically to a single area (e.g. Back to Work). The remaining agency workers were assigned to projects or short term work within a specific area of the Department for example in Back to Work there have been a number of initiatives where agency workers have provided valuable input in the initial set up of pilot programmes.

Agency staff are not engaged through an agency with the intention that they will remain on an assignment for extended periods of time of a year or more. However, in some cases, the initial temporary assignment may unexpectedly need to be extended. For example, if the post-holder is on sick leave longer than expected, if the duration of a project has to be extended, or if the person is offered a further temporary assignment to deal with a different project within the Department. A rigorous vacancy management process takes place before seeking to engage agency workers.

Many of the agency workers have secured employment in the Department subsequently. At the end of July 2016, approximately 1 in 4 of the current permanent or Fixed Term Contract staff working in Social Security had previously been engaged through a Recruitment Agency.

The Department does meet best practice in terms of recruitment policies and complies with States of Jersey recruitment policies.