

2017.03.28

2 Deputy G.P. Southern of the Minister for Health and Social Services regarding the impact on the transition to the new policy on delivery of personal care in the home of any failure by Family Nursing and Home Care and Health Care Assistants to reach agreement: [1(199)]

What is the Minister's assessment of whether the transition to the new policy on delivering personal care in the home will be put at risk by any failure to reach agreement on contractual terms of healthcare assistance between Family Nursing and Home Care management and the health care assistants affected by the end of March 2017?

Senator A.K.F. Green (The Minister for Health and Social Services):

As I have said on many occasions, Family Nursing and Home Care staffing arrangements are a matter for them. But, that said, I have every confidence that Family Nursing and Home Care will reach agreement with its staff and the organisation will be in a position to continue to offer home care services.

3.2.1 Deputy G.P. Southern:

Is the Minister aware that he will be employing a body, Family Nursing and Home Care, who have removed travel time that is essential for elements to their job required from remuneration schedules for these particular workers?

Senator A.K.F. Green:

I have said on many occasions I do not intend to involve myself in the terms and conditions of employment of organisations that work with us, so as long as they meet good employment practice and legal requirements.

3.2.2 Deputy M. Tadier:

That said, does the Minister accept that it is not good employment practice not to pay your staff who worked in a very crucial and critical area of care in our community to not pay them for travel time when they are on the job? It is one thing perhaps not to pay them to get to the job and get home but, as travel is an integral part of their job, presumably we do not apply the same rules to ambulance drivers and staff that are in the direct employ of the States. Would the Minister undertake to look at this matter seriously and rule that if you do not include travel time you are not a good employer and, therefore, you will not get the States contract?

Senator A.K.F. Green:

I have said on more than one occasion and I will say again, I do not intend to involve myself in the terms and conditions of employment for staff. The negotiations that are going on in Family Nursing are a matter for them and it should always be seen as a whole package, not just one item in isolation.

3.2.3 Deputy S.Y. Mézec:

This Minister wants to absolve himself of any responsibility for the working conditions of people who work in the healthcare profession; that is just the Government that we have for the moment, but he cannot absolve himself of any responsibility for the people who benefit from the services that the care industry provides. Does this Minister not accept that by presiding over a situation where the working conditions of these people is being degraded to the level that it is, that he is going to see fewer qualified people who want to get involved in this profession, he is going to see morale hit rock

bottom and, ultimately, it will be the patients who suffer from this? Given that that is a situation he is prepared to see happen, would he not consider changing his mind and taking a more active interest of the working terms and conditions of people who work in the care profession?

Senator A.K.F. Green:

The terms and conditions, as I have said, is a matter for Family Nursing. That said, there are now 20 providers of similar service in the Island, so I do not think that we can consider the service to be at risk.

3.2.4 Deputy S.Y. Mézec:

Supplementary. Is the Minister, therefore, admitting that he is happy to see a race to the bottom and that the more service providers we have the lower the wages of these people will go, the worse their terms and conditions will be and that is just something we have to accept, that this noble profession, that people who look after the vulnerable people in our society, will simply have to prepare for being rewarded less and less for it and it will become a less attractive career to go into? Is that really what he wants his legacy to be?

Senator A.K.F. Green:

There is no race to the bottom and those people that provide services are now regulated and in fact the Chief Minister recently appointed a Commissioner for Care that will oversee standards throughout the care industry.

3.2.5 Senator S.C. Ferguson:

Is the Minister aware that not paying for travel time impinges on the time spent with the cared for and makes their treatment inferior and, therefore, the patients are suffering?

Senator A.K.F. Green:

I would ask that the Senator produce the evidence to support that.

3.2.6 Senator S.C. Ferguson:

With the greatest of pleasure, will the Minister listen to it when I produce it?

Senator A.K.F. Green:

The Minister will pass any information that the Senator gives me on to Family Nursing and Home Care. I am sure that will help them in their negotiations.

3.2.7 Deputy J.A.N. Le Fondré of St. Lawrence:

The Minister said he does not take any responsibility for terms and conditions of the employees of Family Nursing, however, does he not take full responsibility for the provision of, I believe, a grant that we give to Family Nursing, which must be their largest source of funding? Therefore, surely if there is any impact on the services that Family Nursing provides to its patients, which is, therefore, then integral to the care in the community that is a lynchpin of health policy, surely he must take responsibility, at the very least, that the monitoring of the grant is properly used and is effective in providing the level of care that people are used to.

Senator A.K.F. Green:

The short answer to this is we have a service level agreement with Family Nursing and Home Care and I do not foresee that they will not be able to deliver that service. How they deliver the service is providing it to the standards agreed in the terms and conditions that we have agreed with them; how they deliver it is a matter for them.

3.2.8 Deputy M. Tadier:

The reality will be something like this, that a healthcare worker working for Family Nursing might see 6 patients a day and spend an hour with them, spend half an hour between each of the patients driving, which is not unreasonable.

[10:00]

Out of that 8 and a half hour day the individual only gets paid for 6 hours out of a 42 and a half hour week and that is probably a conservative estimate of the hours they do; they only get paid for 30 hours a week. How can this be conscionable for the Minister to accept and sign off this kind of agreement? Perhaps to ask rhetorically, if not openly, whether he would entrust his own family to the care of these individuals on such a low wage, not being paid with not enough for them to live off for the week.

Senator A.K.F. Green:

I do not know how many times I have to say it: the negotiations are a matter for Family Nursing and Home Care. They have not concluded those negotiations yet, so we do not know what the final outcome will be. I am not going to rise to the bait about my own family.

3.2.9 Deputy M. Tadier:

Supplementary. Although that may be the case, signing off the service level agreement and the terms and conditions is a matter for the Minister. He confirmed in his first answer today that good working practices do come under consideration that he can take into account. Can he put on record now that he will look at whether or not the whole package constitutes good working practices before he signs that off?

Senator A.K.F. Green:

We have already signed the contract. I have no intention of getting involved either in the negotiations with Family Nursing and Home Care or their staff, no intention at all.

3.2.10 Deputy M.R. Higgins:

Does the Minister accept that by agreeing a figure with Family Nursing and Home Care at the present time he has got their arm behind their back and he is squeezing it because it has fixed a cap on what they can pay their employees because they have very little in the way of other sources of funding?

Senator A.K.F. Green:

The Member seems to have completely forgotten that we are fully funding Rapid Response, fully funding home care visits, fully funding childcare, the maternity visits. We are making a grant of over £6 million to Family Nursing; I think that is a very good commitment to care in the community.

3.2.11 Deputy M.R. Higgins:

Supplementary. In terms of the family visits going out to people who are incapacitated and need assistance getting out of bed in the morning or being put to bed at night and maybe getting a cup of tea, does he still think that is sufficient?

Senator A.K.F. Green:

The Member seems to have muddled up what Family Nursing are doing; that side of the service is maintained as it is. The Member seems to have muddled up the cleaning part of the service with the care part of the service.

3.2.12 Deputy T.A. Vallois of St. John:

Could the Minister explain what would happen in terms of care provision should he decide to suspend the service level agreement until Family Nursing and Home Care decided to conclude the situation?

Senator A.K.F. Green:

Then we would have a very dire situation where Family Nursing will not be then providing the support for people in the community, the Family Nursing services, the support for mothers who have just given birth; that is something we cannot comprehend.

3.2.13 Deputy G.P. Southern:

Does the Minister accept that there may well be health and safety considerations attached to the terms and conditions under which these assistants are working? Does he not agree that what he is signing up to is a 2-tier level agreement because where he has a service level agreement on Rapid Response and Reablement they are paid and they continue to be paid for travel time, whereas people doing a similar job in people's homes, where travel is essential, will not be paid for that travel time?

Senator A.K.F. Green:

As I have said before, the negotiations are a matter for Family Nursing, providing that they are reached appropriately and complied with good practice and complied with the employment legislation.

Deputy G.P. Southern:

Point of clarification ...

The Deputy Bailiff:

No, that was a final supplementary, so ...

Deputy G.P. Southern:

Sir, clarification, if I may.

The Deputy Bailiff:

Very well.

Deputy G.P. Southern:

The Minister did not address the first part of the question which was: does he consider that there may well be health and safety considerations attached to terms and conditions and, therefore, he ought to take a look at terms and conditions in order to verify that health and safety is not being endangered?

Senator A.K.F. Green:

Sir, it is true I did not answer that part of the question. I am happy to do so if you ...

The Deputy Bailiff:

Yes.

Senator A.K.F. Green:

Yes. The health and safety is an important part of the terms and conditions and the work and risk assessments that Family Nursing carry out when looking at all working practices. I do not expect that this particular change in practice would be any different.

The Deputy Bailiff:

We now come to ...

Deputy G.P. Southern:

Is he happy with a 2-tier system of ...

The Deputy Bailiff:

No, that really was a final supplementary, Deputy.

Deputy G.P. Southern:

He has not addressed the second half of the question either, Sir.