

3.8 Deputy G.P. Southern of the Minister for Health and Social Services regarding measures under consideration to ensure that existing standards of home care would be maintained and improved: [1(235)]

What measures, if any, does the Minister have under consideration to ensure that existing standards of home care are maintained and improved through the engagement of highly-trained, experienced and well-motivated staff?

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

Alongside the introduction of the long-term care scheme in July 2014 my department developed the approved provider framework, which is intended to ensure and maintain high standards of home care services on the Island. All approved providers are subject to a robust and rigorous application process to ensure they meet the required standards of care and quality assurance and thereafter they are subject to an annual inspection.

3.8.1 Deputy G.P. Southern:

The approved provider guidelines contain no reference, as I understand it, to the inappropriate use of zero-hours' contracts, the use of flexible time between 7.00 a.m. and 11.00 p.m. and the payment of contact time only and not travelling time when travelling is intrinsic to the job. Does he not consider that these measures should also fall under the approved provider framework test?

Senator A.K.F. Green:

These matters fall under the protection of the Jersey Employment Law 2003.

3.8.2 Deputy M. Tadier:

I am sure I am not alone in having constituents come to me who work for Family Nursing and Home Care saying: "I have got this new contract which I am being asked to sign by a given date and I do not know what to do because it makes me worse off financially and it means I have to work possibly longer hours under worse conditions for less money and I do not know what I am going to do to look after my young daughter. I do not whether I am going to have the money or be provided with the nursery hours, *et cetera*, to look after her." Does the Minister accept and will he join with my colleagues at Reform Jersey by saying it is an absolute disgrace when people are expected to be able to have to drive, for example, between clients and told that: "No, sorry, that is not work, you are going to have to pay for that yourself." That these people who are doing a fundamentally excellent and valuable job for our society, if anything should be treated better and he should not be presiding or trying to wash his hands of this when he should have an active duty of care to make sure that these people are employed with best practice terms and conditions?

The Greffier of the States (in the Chair):

Was there a question?

Deputy M. Tadier:

Yes, does he agree with me and my colleagues at Reform Jersey about everything I have just said?

Senator A.K.F. Green:

In short, no, I do not. Employment matters are a matter for the employing organisation. That said, they must comply with good practice and the current law. You have to look at sometimes the whole package, not just a part of the package.

3.8.3 Deputy M. Tadier:

Will the Minister then talk about what he sees is good practice? He says there is a requirement, not just to follow the law but there is a requirement to have good working practices. Is it a good working practice to say to an employee who starts a job, let us say, at 9.00 a.m., then has to drive, let us say, in Les Quennevais, and has to drive to St. Martin for the next client; is it reasonable to say to that person: "That does not constitute work"? That those 2 or 2½ hours a day, let us say those 11 to 13 hours a week, you are not going to get paid for those. Is that a reasonable thing that we would expect from these valuable workers? I hope we can all agree that they are much valued workers but they will not be valued financially in the same way; is that acceptable?

Senator A.K.F. Green:

The only thing I can agree with the Deputy on is that these workers are much valued and they do an excellent job in the community. But you cannot take one part of a terms and conditions of employment, which should not be being discussed in this Assembly anyway, in isolation to another. It is the whole package that needs to be looked at. I am not going to be drawn into it.

3.8.4 Deputy J.A. Martin:

It is a very wide question and it is the whole package that concerns me. The Minister states in a written question to Deputy Truscott that the size of the hospital and the care going forward is admission avoidance, admission prevention and early discharge. Is the Minister absolutely confident we have got this right at the moment let alone going forward with the increase of over-65s? We do need to maintain and improve the highly trained care to keep these people and the 3 aims of P.82/2012 - '*A new way forward.*' I would like the assurance of the Minister he thinks he has got it right at the moment and it will get better as we go forward.

Senator A.K.F. Green:

Yes, I am absolutely convinced we have got it right. It is essential we do this to improve facilities in the community, which informs the size of the new hospital. That is why we are fully funding district nursing; fully funding health listing; fully funding rapid response, a new service relatively so; fully funding reablement; fully funding Children's Services, including sustained home visiting. That is about investing in the community.

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

Can I ask: does the Minister have any concerns over the management of Family Nursing and Home Care and if so, what ability does he have through the service level agreement that is currently in place to hold them to account?

Senator A.K.F. Green:

I currently do not have any concerns over the management at Family Nursing and Home Care. If I were concerned then my officers, currently through the regulation part of the department, would be speaking to them.

3.8.6 The Deputy of St. Ouen:

Does the Minister not agree that a failure to pay staff for travel time leads to employees carrying out additional hours in order to earn the same income that they did before? This demotivates staff and affects the levels and quality of care carried out? Why does the Minister persist in saying that a failure to pay staff for travel time is none of his business?

Senator A.K.F. Green:

Because it is exactly that. It is a matter for the employer and the package that they offer staff.

3.8.7 Deputy S.Y. Mézec:

The U.K. is currently experiencing a crisis in care with hundreds of care professionals leaving the job every day and this is attributed to the fact that there have been government cutbacks up there and the terms and conditions and pay of those care workers has got so poor that they see their prospects of a good life in another profession as being much higher. Is the Minister genuinely not worried about that becoming the case here where these workers are put on poor terms and conditions, where they are overworked, where their lives are disrupted because of the changes to their terms and conditions, and it will get to a point where this job is simply seen as not worth doing and anybody with a decent level of professionalism would prefer to go somewhere else. Is he genuinely saying that that is not his business as Minister for Health and Social Services to be concerned about the impact on the profession that his policies are clearly having?

Senator A.K.F. Green:

What I am saying, that we must be in a different situation in Jersey compared to the U.K. because we now have 20 approved providers in the Island.

3.8.8 Deputy G.P. Southern:

The Minister refers to best practice. Is it not the case that each of those fully-funded services have completely different terms and conditions for their workers than do home care workers? Is that not the case? Does he think best practice should be extended from those fully-funded services he often mentions to the full home care service and the home care assistants who are delivering the high quality that they are now?

Senator A.K.F. Green:

I do not know how many more times I have to say employment matters are a matter for the employer and how they divvy-up the skills within their department, within their organisation, is a matter for them, not a matter for me.