

**WRITTEN QUESTION TO THE MINISTER FOR INFRASTRUCTURE  
BY DEPUTY G.P. SOUTHERN OF ST. HELIER  
ANSWER TO BE TABLED ON TUESDAY 11th SEPTEMBER 2018**

**Question**

Further to the Minister's responses to Written Questions 82/2018 and 121/2018, which showed a reduction of 88 staff employed within Parks and Cleaning Services, will the Minister state –

- (a) how many staff were engaged by outsourced companies to deliver parks and cleaning services, the hourly rates of pay that those staff were engaged on, and any differences in comparison with States rates of pay;
- (b) any other differences in terms and conditions that exist between those outsourced workers and those previously employed by the States; and
- (c) what arrangements are in place, if any, to provide a break clause in the 5-year contract duration of the new provision?

**Answer**

- a. The Department does not hold, nor have access to, the information requested.

Whilst the tenderers were required to give general indications on expected staff numbers and terms and conditions of employment in order to demonstrate whether the company was a 'Responsible Employer', the full contractual terms and final numbers for individuals employed by service providers was outside of the procurement process and is commercially confidential between the private sector employers and their staff.

As set out in a previous response:

A 'Responsible Employer' in this sense is an employer:

- that can demonstrate a track record of compliance with employment legislation;
- is not reliant upon the need for employment licenses to fulfil the services they are tendering for;
- committed to the delivery of appropriate training and the development of skills as befits the role;
- that has policies and processes consistent with the responsibilities they have as employers under the relevant legislation; and
- that uses terms and conditions of employment appropriate to the sector they are operating in.

If the question is intended to relate specifically to former DfI staff being employed by successful contractors, then at the time of outsourcing within Cleaning Services and Parks & Gardens the department proactively set up introductory meetings between employees and the contractors. The contractors did not provide the department with information about the numbers of former States of Jersey employees they contracted with. The department does not have information regarding the contractual arrangements between former States of Jersey employees and the contractors.

- b. As we do not hold the information as explained in the above answer to question (a) we are unable to answer question (b).
  
- c. In general the contracts term is for a 3 year initial term with the possibility of a further extension of 2 years in annual increments at the Client's discretion and dependant on performance. The contract term does not prejudice the Client's right to exercise any of the remedies for poor performance nor any break for convenience clause that may exist within the contract.