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8 Deputy R.J. Ward of the Minister for Social Security regarding the balance between flexibility and fairness for employees in the use of zero-hours and short-term contracts: [OQ.26/2019]

Further to the answer to Written Question 18/2019, how will the Assistant Minister ensure a balance between flexibility and fairness for employees and workers in the use of zero-hours and short-term contracts; and is it the plan that the current model of using such contracts should not continue indefinitely?

Deputy J.M. Maçon (Assistant Minister for Social Security - rapporteur):

I thank the Deputy for allowing me to take this question on the Minister's behalf. Just for context: the previous question the Deputy refers to was specifically in relation to social security benefits and services being delivered by the new Customer and Local Services Department. Therefore, there have not been any changes to the contracts of staff providing social security benefits and services or to their Civil Service terms and conditions since the written question in November. In addition to social security, Customer and Local Services delivers services under the responsibility of the Minister for the Environment, Treasury and Resources, Home Affairs, Housing and the Chief Minister. But to look at the question posed by the Deputy specifically as outlined in that written question. It is under review and what the department is doing is trying to identify where permanent posts would be appropriate or if and when, when there was bulge in the workload and appropriate uses of, for example, short-term contracts, would be appropriate. There is no reason to move away from that operating model, although we are going into some operational matters.

3.8.1 Deputy R.J. Ward:

Does the Assistant Minister believe that it is good for service to have staff on contracts without pensions, sick pay, maternity rights or paid leave, and with total uncertainty about their employment? Is that really the best thing we can do for the delivery of what is, after all, social security?

Deputy J.M. Maçon:

Again, it is about the appropriateness and depending on the workload. As an employer, as with any employers, the States need to be aware that, for example, when we know there are bulges throughout the year, if for example we know tax was done in May there is a bulge of workload then, it might be more appropriate to have a short-term contract in order to be able to manage that workload. But that particular level of work may not exist for the rest of the year and therefore it may not be appropriate in order to employ staff throughout that period. What I would say to the Deputy, as outlined in the written question, that work is under review and it is something that the entire service is looking at about whether these posts should be deemed permanent or whether a more flexible approach around the short-term contract basis is appropriate. But that work is still ongoing.

Deputy R.J. Ward:

Can the Assistant Minister confirm how many employees are employed on ...

The Deputy Bailiff:

Deputy, you have already had a supplementary. You will have your final supplementary in just a moment. A light went on but I am afraid I did not catch up.

3.8.2 Deputy C.S. Alves of St. Helier:

Is it not the case that some 12 posts for income support assessors, permanent and full-time posts, are currently being filled by agency workers on reduced terms and conditions that Deputy Ward specified earlier, with no sick pay and no pension? Does the Minister consider that this is a poor example to set and in breach of J.A.C.S. (Jersey Advisory Conciliation Services) guidelines on zero-hours contracts?

Deputy J.M. Maçon:

As I have stood in for this question, I am not within purview to that particular element of information. I will get instructions obviously to look into it and respond to the Deputy as and when I have the information.

3.8.3 Deputy R.J. Ward:

Would the Assistant Minister agree that some of the long-term problems found by our most vulnerable members of our society are caused by the use of temporary workers? For example, there were a number of cases that I deal with in my constituency where mistakes and payments made and omitted by Social Security some years ago now require long-term repayment from people who are absolutely unable to do that but there is no go-back to the person who made that mistake because they are no longer working there and temporary workers have no actual reason to be as accurate as others. That is not blaming the workers, it is blaming the structure.

Deputy J.M. Maçon:

There can be all types of reasons why people may come and go from the States employment; retirement, maternity leave, whatever, so to have a continuity of service from an individual would not be possible to manage. Of course what the Deputy does allude to is absolutely right, in saying that it is about having proper and adequate systems and training. If there is a deficiency, I am more than welcome to have that conversation with the Deputy in order to address those concerns. I would agree in that part of his question he is absolutely right.

The Deputy Bailiff:

We come to question 10 that Deputy Morel will ask of the Minister for Treasury and Resources. [Aside] He is absent, I am sorry.