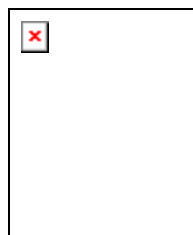


# STATES OF JERSEY



## STATES EMPLOYMENT BOARD: ANNUAL REPORT 2008

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Presented to the States on 27th March 2009  
by the Chief Minister

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STATES GREFFE

## **REPORT**

### **1. The Constitution of the Board and changes made during the year**

1.1 For the main part of 2008, the States Employment Board (The Board) constituted of the following members –

Senator F.H. Walker, Chief Minister (Chairman)  
Senator T.A. Le Sueur, Minister for Treasury and Resources  
Senator M.E. Vibert, Minister for Education, Sport and Culture  
Senator F.E. Cohen, Minister for Planning and Environment.

1.2 Deputy I.J. Gorst of St. Clement, as an Assistant Minister in the Chief Minister's Department, attended Board meetings.

1.3 On 15th December 2008, the newly appointed Council of Ministers elected to reconstitute the Board as follows –

Senator T.A. Le Sueur, Chief Minister (Chairman)  
Senator P.F.C. Ozouf, Minister for Treasury and Resources  
Senator J.L. Perchard, Minister for Health and Social Services  
Connétable M.K. Jackson, Minister for Transport and Technical Services.

1.4 Deputy J.A.N. Le Fondré of St. Lawrence, as an Assistant Minister in the Chief Minister's Department, was invited to attend Board meetings.

### **2. The number of meetings held during the year**

2.1 In 2008, there were 19 Board meetings, of which 5 were conducted by electronic mail/telephone. The Board elected to continue utilizing the service of a Committee Clerk from the States Greffe to prepare an independent record of its proceedings.

### **3. A summary of the key matters considered by the Board in 2008**

#### **A. Manual Workers' Joint Council**

3.1 The Board recommended to the States that the following persons be appointed on behalf of the States to constitute the Employers' Side of the Manual Workers' Joint Council –

Senator J.L. Perchard  
Deputy I.J. Gorst of St. Clement  
Mr. J.M. Pollard (Chief Officer, Health and Social Services)  
Mr. J.D. Richardson (Chief Officer, Transport and Technical Services).

3.2 These recommendations were approved by the States.

3.3 The Connétable of St. Helierwas, in line with the constitution of the Council, appointed by the Comité des Connétables to be the fifth Employers' Side member of the Council.

3.4 The main functions of the Council are the determination of pay and conditions of service and the resolution of grievances and disputes. Given its role as Employer of all States manual workers, the Board also plays a crucial part in these activities and clearly needs to maintain a close relationship with the Council.

#### **B. Pay award negotiations for the period 2008 – 2009**

3.5 The Board determined a pay policy for all States pay groups for the year 2008 – 2009. The policy, as agreed in the States Business Plan, was that awards should not exceed the Retail Price Index as at March, 2008.

3.6 The Board had meetings with the Trade Unions representing both Manual Workers and Teachers on this issue during the year.

### **C. Introduction of a pay protection policy for employees**

3.7 A new pay protection policy for employees who are down graded through no fault of their own – e.g. in restructurings – was approved by the Board. This will provide time-restricted protection, based on length of service, and will apply to new recruits from 1st February 2009. Employees employed before that date will continue to benefit from existing agreements and practices.

### **D. Minimum retirement age for uniformed services personnel (P.176 and P.177/2008)**

3.8 The Board determined that the minimum retirement age for uniformed staff (Police Officers, Prison Officers, Firefighters, Airport Firefighters and Paramedics) was, at age 50, too low, and proposed to increase this to age 55. In arriving at this view the Board was influenced by 3 factors –

- (i) increasing longevity in the population generally and the need in time to raise retirement ages for all;
- (ii) In the UK, the minimum retirement ages for Police Officers and Firefighters has been raised to age 55;
- (iii) In his report in 2008 on pensions, the Comptroller and Auditor General had advised that the States should not allow its staff pensions schemes to get out of sync with the UK public sector schemes.

3.9 The revisions to the scheme, applying to new recruits from 1st March 2009 only, were approved by the States in January 2009.

### **E. Pensions**

3.10 The board gave detailed consideration with its actuary to proposals from the Committee of Management of the Public Employees' Contributory Retirement Scheme for restructuring the funding methodology for valuations of the scheme. These considerations have extended into 2009.

### **F. Employee engagement in political activity (P.22/2008: Draft Employment of States of Jersey Employees (Amendment No. 3) (Jersey) Regulations 200-)**

3.11 The Board successfully asked the States to amend the Employment of States of Jersey Employees (Jersey) Law 2005 to enable certain classes of States employee (representing by far the majority of the workforce) to take part in political activities in the Island, including standing for election to the States as either Senator, Connétable or Deputy.

3.12 These amendments to the appropriate Law in the form of amending Regulations: R&O.45/2008 (Employment of States of Jersey Employees (Amendment No. 3) (Jersey) Regulations 2008) were completed by April 2008 – well in time for the 2008 States' elections.

### **G. Ongoing monitoring of staff suspensions and related policy matters**

3.13 In May 2006, the Chief Minister issued to States Members a copy of the guidelines which the Board had issued to States Departments on how staff suspensions should be effected, managed and monitored. The Board received and considered 2 bi-annual reports from the Human Resources Department updating it on all staff suspensions during 2008.

**H. Independent Inquiry into Human Resources' policies and procedures in relation to disciplinary matters**

- 3.14 Following an unfair dismissal application to the Jersey Employment Tribunal, which was “settled out of court” by the parties part-way through the Tribunal Hearing, the Board appointed an eminent Professor in Employment Law, and previous Employment Tribunal Chairman in the UK (Professor Robert Upex) to conduct an independent inquiry into the circumstances surrounding that case and to make recommendations for improving our Human Resources policies and procedures in the area of staff discipline and dismissal. Professor Upex made a number of recommendations for improving practice, all of which were approved by the Board. The States were informed accordingly and the recommendations are currently being implemented by the Human Resources Department.

**I. Endorsement of a report on succession planning (R.14/2008)**

- 3.15 The Board approved the recommendations of a small group of States Members, supported by the Director of Human Resources, concerning succession planning, and leadership and management development in the public sector. The report was presented to the States on 12th February 2008.

**4. Key Manpower Statistics**

Attached at the Appendix are key manpower statistics for 2008.

**Key Manpower Statistics**

**Headcount** (the number of people actually in post as at 31st December 2008): 6,654

| <b>Department</b>                               | <b>December 2008<br/>Actual exc multiples in departments</b> |
|---|--|
| Chief Minister's Department                     | 192  |
| Non-Executive Departments                       | 219  |
| Treasury and Resources                          | 239  |
| Economic Development                            | 66   |
| Planning and Environment                        | 119  |
| Transport and Technical Services                | 551  |
| Health and Social Services                      | 2,562  |
| Education, Sport and Culture                    | 1,899  |
| Home Affairs                                    | 659  |
| Social Security                                 | 137  |
| Housing   | 38   |
| <b>Total</b>                                    | <b>6,681</b>   |
| <b>Less multiple appointments across depts.</b> | <b>-27</b>   |
| <b>Total reported actual December 2008</b>      | <b>6,654</b>   |

**“J” category employees**

(the number of employees, as at 31st December 2008, with a “J” category housing licence):

659: 10% of headcount. Of these 659, 600 are employed in Health and Social Services and Education, Sport and Culture.

**Non-locally qualified employees**

(the number of employees, as at 31st December 2008, non-locally qualified under the Regulation of Undertakings Law):

62: less than 1% of headcount.

**Sickness absence**

|   |           |
|---|-----------|
| Percentage of total possible days lost to sickness absence: | 4.12%     |
| Average number of days lost to sickness per employee:       | 9.14 days |
| Ratio of certified to uncertified absence:                  | 37/63     |

**Turnover**

(the movement in and out of established posts):

|  |       |
|--|-------|
| Internal movements (between States Departments):   | 2.9%  |
| External movements (into and out from the States): | 12.3% |
| Total turnover during 2008:                        | 15.2% |