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# STATES OF JERSEY



## JERSEY CONSUMER COUNCIL: ANNUAL REPORT FOR 2018

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**Presented to the States on 16th December 2019  
by the Minister for Economic Development, Tourism, Sport and Culture**

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**STATES GREFFE**





# 2018

# Annual Report

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@jerseyconsumer @jerseyfuelwatch @JsyTelCoWatch

**Making the Jersey consumer voice heard and making it count**



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## Chairman's Introduction

2018 was a time of major change at the Jersey Consumer Council ('JCC') with the retirement, at the end of her term of office of the Chairman of 6 years, Advocate Rose Colley and all the then serving Council members. In addition the Executive Officer of 8 years, Mrs Anne King also left to move on to a new career. Our sincere thanks for all they achieved are extended to them all but in particular to Advocate Colley and Mrs King for the pivotal roles they played.

These changes naturally provided an appropriate moment to undertake a full review of the role that JCC plays in Island life. With increased pressures on public funding, an overhaul of government, the threat of Brexit and how it will affect consumers and the ever-increasing cost of everyday living, there has never been a greater need for a strong, effective and impactful consumer voice.

In order to conduct that review effectively and within budget, and while at the same time maintaining strong representation for consumers under a dwindling annual States grant, which equates to less than £1 per head of population, the JCC needs to make a number of changes to enable it to focus on the needs of consumers and how it will represent them in the future. The lack of working capital within our grant funding has been well-documented previously. Moving forward it remains a concern.

The JCC plans to achieve these changes by focusing its time and efforts on matters which directly affect consumers, and gradually pull away from areas of community projects where the JCC has been used as a 'tick-box' exercise for more wider public consultation.

The newly appointed JCC members have also collectively prioritised their three main aims for the year ahead and will go about achieving them in the hope of making a real difference to Islanders' lives. These aims, or objectives, have been selected and prioritised on the basis of where we can deliver meaningful benefits and a positive impact for Jersey consumers through the next three years.

I hope that the following review of the Council's activities throughout 2018 will be of interest to all. As a team we look forward to serving Islanders' consumer interests and maintaining the good name that the Jersey Consumer Council has built for itself through the work of its predecessors.

## What we aim to do as Jersey's Consumer Council

- To strive to be a strong and well-informed voice for the consumer
- To continue to investigate and publicise anomalies in consumer affairs in the Island
- To provide Islanders with accurate and timely information to help them make informed decisions



## Background of the Jersey Consumer Council

The JCC was originally established by Act of the States on 25th April 1995. In February 2011, the States adopted P.182/2010, which set out a new mandate for the JCC. It included for the first time a provision that the Chairman would not need to be a States Member.

Part of the proposition also required the Minister for Economic Development to take the necessary steps to establish the JCC as an appropriate legal entity. Subsequently in July 2011, the States adopted P.89/2011, which recommended that the JCC be established as an Incorporated Association under Article 4 of the Loi (1862) sur les teneures en fidéicommiss et l'incorporation d'associations. The benefits of achieving this included greater independence for the JCC, as well as the ability to enter into employment, research and consultancy contracts in its own right.

Following legal work on drafting a formal constitution, the Royal Court granted an Act of Incorporation on 11th November 2011 and directed that a copy of the Constitution be lodged with the Judicial Greffe.

In April 2018, the States approved the appointment of former Deputy Editor of the Jersey Evening Post Carl Walker as the third chairman of the JCC since its inception.

## JCC Structure

The constitution of the JCC sets out the rules regarding the appointment of the Chairman and members.

Article 12.3 states: "The Chairman shall hold office for a term of three years and may be appointed to hold office for a further term of three years but shall not hold office as Chairman for more than six consecutive years."

### i) Chairman

The role of Chair is a high profile one, requiring awareness of the sensitivities of public and political opinions on consumer issues. Excellent communication and social skills are essential to engage with stakeholders, government and the media.

The Chair needs to be pivotal in setting and achieving business plan objectives in line with the grant and the associated partnership agreement with Government. This is an important and influential role that seeks to empower individuals by representation through a strong consumer voice.



## ii) JCC Members

One of the first requirements placed on the newly appointed Chairman in May 2018 was to recruit a new Council, as the members serving at the time of his appointment were nearing the end of their term of office.

Accordingly, in mid-2018, the then Council members retired and a lengthy and detailed recruitment campaign began. This attracted much media attention, saw 27 applications made and, ultimately, eight individuals appointed (one short of the maximum allowed).

The JCC is now made up of representatives who make up a broad section of Island life with varied working experiences and with an age range from teenager to pensioners.

The new members have been appointed, in accordance with the processes approved by the Jersey Appointments Commission, on one, two and three year terms (all with the option to extend) so as to provide continuity and to avoid the necessity of another mass recruitment process.

### New members:

Carl Walker - Chairman (appointed 14<sup>th</sup> April 2018)

Amanda Shaw

Curt Volpert

Sheila Ponomarenko

Dave Crocker

Michael Sampson

Pat Le Masurier

Mike Le Galle

Laurent Ybert

The first Council Meeting of new members was held on 24<sup>th</sup> July 2018.

An interim part-time officer was also appointed in October to help with the administration of the JCC while a full review of the future role of the JCC in Island life is undertaken.

During the last quarter of 2018 the new Council met on two occasions and focussed on the delivery of its 2019 Business Plan and its objectives for 2019.



## **Achievements in 2018**

Despite a prolonged period of transition, which lasted from the beginning of 2018 until the end of September, the Council continued to maintain its high standards of communication with the public through its handling of matters of general concern and answering queries and its attendance at events and the publication of its quarterly newsletters.

The Council continued to set up new projects to investigate consumer issues as well as working on other established projects as highlighted below.

Several new pieces of legislation that were of potential interest to all Islanders were introduced during the year and in the first quarterly newsletter in March 2018 the Council summarised the key points to help raise awareness of these changes. Some topics were also featured in the free Lunch Time Talks sessions.

The laws related to Data Protection; Lasting Powers of Attorney; Consumer Protection and Unfair Practices; Mental Health; Jersey Living Wage and Disability Discrimination.

Engagement with the general public through the Council's social media accounts remained active with topical matters being regularly highlighted for consumers' benefit.

## **Projects undertaken**

### **The Caring Cooks recipe project**

This project was started in the New Year and ran through until December 2018. Four family recipes were chosen and data of the food costs of the items needed to make the recipes was collected on a regular monthly basis throughout the year from Co-op; Tesco-Alliance; Food Hall; Iceland and Waitrose. The recipes were selected as being food that an average family might regularly make and eat: chicken pie; shepherd's pie; apple crumble and flapjacks.

The results were periodically published: in May they showed an increase in the prices of the items of 5% and overall by December of 6.39%. These results, together with the number of queries the JCC receives about food costs, have prompted the new Council to consider research into island





food costs a priority for 2019.

However, In the May 2018 Newsletter the Council made the following comment: *'although in isolation a food cost rise may not be a show stopper .. let's add in energy costs .....*' The reality was that not only food costs had risen during the period but also oil; fuel; electricity and gas prices.

### **The Primary Healthcare Watch website**

This was scoped and meetings were held in the first part of the year with healthcare providers to discuss the content of the site. The website page was designed and set up for consumer use in the autumn of 2018.

It allows citizens to check prices of doctors and dentists and it will show whether or not some surgeries offer 'discounted' fees for under 5s or for students; who offers the longer doctor consultations and guidance on how the Island's healthcare system works.

There is a lot of evidence to show that healthcare costs to government can be reduced if people lead healthy lifestyles. One part of that is to enable individuals to be able to afford a visit to the doctor if they feel unwell. It is hoped that this Consumer Council initiative will assist in this by encouraging Islanders to attend a dentist or doctor as it shows a range of consultation prices which are available.

It will also help Islanders to:

- find the best-fit doctor or dentist for you or your family
- get the most out of your appointment
- clarify and plan the questions you need to ask
- understand how primary health care is funded in Jersey

### **Fuel watch**

The Council maintains data on its Fuel Watch site on oil and fuel prices in the island.



Fuel prices are recorded on average every two weeks for both diesel and unleaded fuel. This site also allows Islanders to enter their own price observations. At any one time price differentials can be observed.

The prices of 500, 700 and 900 litres of oil are entered weekly and tracked on a graph, which allows Islanders to get an idea of how much their oil will cost them and how market prices are reacting. By the end of 2018 the records show that, on average, oil prices for all three quantities had risen by 13.8% over the period January – December 2018.

## **Membership of Groups and Forums**

Through involvement with a number of consultative and partnership forums the Council retains first hand awareness of issues that affect all Islanders. This enables the JCC to have a background understanding of issues as they arise and upon which it can add its voice if deemed appropriate to further support the consumer cause.

During 2018 the Council was represented at the following groups:

### **Energy Forum (Chair)**

The Energy Forum is a body of volunteer representatives from the energy industry, businesses and the third sector. Led by the then Environment Department the Forum's particular focus was to look at energy affordability as per Pathway 2050 and An Energy Plan for Jersey Action Statement 26 which looked at understanding affordable energy and fuel poverty. The work is ongoing.

### **Consumer Protection Network**

This group grew as a result of a Citizens Meeting facilitated by the JCC in 2018. It comprises a membership of the States of Jersey Police, Trading Standards, Channel Islands Financial Ombudsman, Office of the Information Commissioner, Citizens Advice Bureau and Channel Islands Competition Regulatory Authority. Regular meetings ensure an exchange of information between the parties which can incidentally enhance projects or work that is ongoing by members for the benefit of the public.



## Access to Justice and Legal Aid

The Council were invited by the Legal Aid Scrutiny Panel to respond to their call for 'evidence' regarding the planned changes to the Legal Aid Scheme. The Council responded albeit it criticised the management of the scheme and commented that it was complex and needed to be discussed in a wider context with all the relevant facts and history.

## Jersey Fraud Prevention Forum

The Council has remained active within this group with particular focus being given by the Council to advising people of any scams that are notified.

**A number of other initiatives featured in the 2018 Business Plan** were also considered but have either been consumed into other work programmes or their purpose has been achieved. The Consumer Protection (Unfair Practices) (Jersey) Law 2018 together with government consultation on proposals to regulate consumer lending and pension business in 2018 addressed issues raised in the Codes of Practice, Best Practice and Self-Regulation initiative. Meanwhile the work of the Jersey Condor Consumer Group has achieved its immediate role and overall responsibility for customer service passed to the Ports of Jersey. The Patient and Public Advisory Group initiative will effectively be taken up by the future Citizens Panels set up as part the new hospital project.

Two other initiatives did not go ahead primarily due to budget and resource issues. One of these, the proposed University Funding project, was effectively addressed by the new government Grant Funded Scheme. The other initiative that had been considered was a full-scale survey on customer service. Although not possible for the JCC to proceed with the survey customer service remains an issue regularly considered in the work of the JCC; Trading Standards and the Jersey Financial Services Commission as well as other organisations such as the Jersey Retail Association and Jersey Business and many other island businesses themselves.

## Lunch Time Talks

These talks are now a well-established feature of the JCC's work. First set up in 2015 the talks aim to provide Islanders with free information on a wide variety of topics all presented by experts in their field. Over 50 talks were offered in 2018 with several being provided on the highly topical subjects of



the new Long Term Care Scheme and Lasting Powers of Attorney. These talks in particular were often full to capacity but others proved of substantial interest also.

Topics included: Customer Service; Divorce and Inheritance; Making a Will; Estate Planning; Mental Health; Bankruptcy; Family Mediation; Data Protection; Shopping Safely Online; Pensions; Cyber Crime; Identity Theft and Dementia Awareness.

## **Schools Education Programme**

The Schools Education programme was maintained with four Island secondary schools asking the JCC to deliver sessions for Years 7, 9 and 10. The Council works alongside Trading Standards; the Jersey Financial Services Commission; Community Savings and the Office of the Data Protection Commissioner when delivering the programme and each year sessions are adapted to meet the needs of the schools' Key Stage educational requirements.

## **Communicating with the Public**

The Council continued with its use of social media to alert the public to events and matters of interest. However, many members of the Island's community still do not use the internet and so the JCC Newsletters remain a vital part of the JCC's communication options.

Three quarterly newsletters were published and although quite costly to produce they are delivered to all island households, some 43,000 in all. Publication of the final quarterly newsletter of 2018 was put back to early 2019 to accommodate the various changes taking place at the Council at the time.

### **Topics covered in the 2018 Newsletters included features on:**

Complaining or Complimenting

New laws affecting individuals

Savvy shopping

Food prices

Data Protection



Keeping your Eyes Healthy

Jersey Health Watch

Broadband speeds

Written contact from the bank

Customer service

Home energy bills

Proposals to tax online shopping

## Media interviews and features

The Executive Officer and Chair were regular contributors to the media, especially BBC Radio Jersey. The Council's voice has grown to be a respected source of opinion on consumer issues and the JCC hope that by contributing in this way the Council can raise awareness of issues amongst consumers and encourage debate.

The JCC firmly believe that we can all be guilty of complacency, government included. However, it also believes that the Council has an important role to play in drawing attention to matters of concern and to issues that many members of the Island's population might find confusing.

## Financial report

Grant Thornton has audited the financial matters of the Council and the audited accounts have been submitted to the Growth, Housing and Environment Department under whose remit the Council now falls.

The Council's expenses in 2018 were met by a core grant of £91,000 from the Minister for Economic Development, Tourism, Sport and Culture. However, during the year additional sums were received from the department to fund the ongoing work relating to the Condor Consumer Group and the updating of the Council website due to the introduction of GDPR. A further additional sum was received by way of administrative expenses from the Public Health Strategy Group for certain fizzy drinks costs obtained for the department during the food cost survey. Total income received was £95,200.