



Education and Home Affairs Scrutiny Panel

Quarterly Hearing

Witness: The Minister for Education

Tuesday, 27th November 2018

Panel:

Deputy R.J. Ward of St. Helier (Chairman)

Deputy R.E. Huelin of St. Peter

Deputy T. Pointon of St. John

Witnesses:

The Minister for Education

Assistant Minister for Education 1

Assistant Minister for Education 2

Group Director, Education

Director General, Children, Young People, Education and Skills

[9:02]

Deputy R.J. Ward of St. Helier (Chairman):

Good morning. Welcome to the quarterly public hearing with the Minister for Education. Minister, I draw your attention to the notice in front of you. You have probably read it before. We have an hour and a half, so plenty of questions to get through. I will ask you to be as succinct as possible. If I do push you on, please forgive me, I am not being rude, it is just we want to try and get through as much as possible. We ask there are no interruptions from the public and electronic devices are on silent. If you could do that, that would be great. Anyone who is filming, you can for the first 5 minutes, but the whole hearing is recorded and available anyway, and the transcript; it is available to everybody. For the benefit of the record, I think it will be useful if everybody introduced themselves just very briefly. I will start. Deputy Rob Ward, chairman of this panel.

Deputy R.E. Huelin of St. Peter:

Rowland Huelin, Deputy of St. Peter.

Deputy T. Pointon of St. John:

Trevor Pointon, Deputy of St. John.

Assistant Minister for Education 1:

Deputy Jeremy Maçon of St. Saviour, Assistant Minister for Education in this meeting.

Group Director, Education:

Sean O'Regan, Group Director of Education.

The Minister for Education:

Senator Tracey Vallois, Minister for Education.

Assistant Minister for Education 2:

Senator Sam Mézec, Assistant Minister for Education.

Director General for Children and Young People, Education and Skills:

Mark Rogers, Director General for Children and Young People, Education and Skills.

Deputy R.J. Ward:

Thank you very much. Minister, can I ask you: what have your main achievements been during the first 100 days in office?

The Minister for Education:

Everybody will be aware of the Les Quennevais School with regards to the compulsory purchase. We are grateful that it did not end up as compulsory purchase. We ended up with an agreement in the end. That is going full throttle, in terms of the building works now. Trying to get everything in terms of a Policy Development Board for early years. The Common Strategic Policy, which we have tried to thread education through, all the way through the Strategic Policy. We have also done anti-bullying awareness training days. We have been away to London with pupils in our schools in order for them to do more ambassadorial work. Also, signing up with the Children's Commissioner has greatly provided some funding to the schools to bring them up to Rights Respecting Schools. Of course, there are different levels with regard to those. Now it is just taking lots of pieces of work that we have done behind the scenes, in terms of the early years, skills, higher education, all those areas, which we will come on to, I am sure, in terms of vision and what we would like to do, in order to start next year full throttle, in terms of the areas we want to develop.

Deputy R.J. Ward:

You mentioned vision, what would you say your vision is for Jersey's education system in the coming 4 years and beyond?

The Minister for Education:

Education is not one of those things you can just turn on a light and switch over night. It is a huge mountain to get over because there are so many people involved. It is an extremely sensitive issue. What I want to look at, in terms of a Minister for Education, is not just the next 4 years. I want to look at the next 20, 25, 30 years. We all know the landscape is going to change in those 20 to 30 years in terms of the way that education is provided, as is society and the economy as a whole. What I would like to try and achieve in the next 3 and a bit years left is trying to set the foundations correctly to ensure that we can move forward with that respect.

The Deputy of St. Peter:

You started on your priorities for the next 4 years; can you expand on your strategic priorities for your term of office, please?

The Minister for Education:

Under the Common Strategic Policy, we have managed to embed in that an Early Years Policy Development Board. The idea behind this is to concentrate on conception to 5 years, looking at all children in terms of early years and early help and early interventions, but also trying to join everything up. In the Island we have some really spectacular things going on in terms of early years. It is about signposting. It is about assisting parents. It is about supporting parents and the people that provide care and education in the early years. It is trying to join all of that up and ensuring that we have the right funding model. Within all of that, of course, we have concerns around the nursery education funding. That is a very short point of the Early Years Policy Development Board. There are a raft of issues with regards to skills and higher education, which I will pass to Jeremy to speak on further, because I delegated him skills, higher education and further education during this term. One of the big issues that I have when I set out talking about setting the foundations right for this term is, of course, school funding. We need to get that on the right level and on the right basis to ensure that we invest properly, and with regards to how we provide more opportunity and flexibility in terms of education for children, but not just children, everyone. It is that focusing on life-long learning, changing careers, changing job roles. Like I said, in the future the world is going to be very different, so it is enabling that flexibility and movement to change and adapt as and when we need to. Education has a crucial role with regards to that.

Deputy R.J. Ward:

What are your concerns over the N.E.F. (Nurse Education Fund), in a nutshell, if you can? I know it is a huge topic, but just to get a context.

The Minister for Education:

The nursery education funding model was a good concept and it was set up very well about 11 years ago now. The problem is that over the years it has been adapted and changed around the edges. We have had lots of Comprehensive Spending Reviews. Last term it came to a crunch with regards to how that model was going to be changed with regards to means testing. What is really vital for us is having that partnership and working together with the private sector. We cannot do it as a public sector on our own. That partnership is extremely important in terms of how we move forward and ensure that we are providing the right provision and parental choice for all parents, and also for our children, early help and early intervention side of things. The issue with regards to the nursery education funding is it has reached the point where we are overspending on it, because of the access to the nursery education funding. That was the point in them wanting to do the means testing last term. I am a former Education and Home Affairs Scrutiny Panel member and we did a review on that particular topic. That is where the concerns were identified by speaking to various people involved in the nursery education funding model. It is also about whether we are providing the money in the right way. Whether there are appropriate free hours, what those free hours are looking like and what the provision looks like. We have a difference between school nurseries and private sector nurseries. There needs to be some form of standardisation and quality assurance across the piece, not just one size for different situations.

The Deputy of St. Peter:

This is a crystal ball question. You pointed out about the next 10, 20, 30, 40 years, if I heard you correctly. Clearly, in terms of robotics, whatever you want to call it, is going to have a big impact. Really it is a crystal ball, I get that, it is a visionary one, but what other things do you see and how do you see that and what do you think we can genuinely start to put in place now to prepare for this huge change in the world we are going to live in?

The Minister for Education:

I personally think we are slightly behind in terms of ensuring that we are ready for the types of technology that are coming forward. That does not mean that we cannot start setting the right foundations now. What I mean by that is what we should be looking at is digital technology areas, specifically things like science, technology, engineering and maths; the S.T.E.M. subjects, ensuring that we are investing in those in a way that it is identified as equally important as your literacy and numeracy. Like I say, crystal-ball wise, I do not know what is going to happen in 20 to 30 years, but what we want to try and do is prepare our children now for that 20 to 30 years' time so they have all the necessary skills to ensure that they can adapt and change as necessary.

The Deputy of St. John:

A lot of girls are not taking up the option to go into I.T. (information technology) in secondary education. Are you taking measures to address that wrong?

The Minister for Education:

To a certain extent it is not just education. It is a society and a cultural issue that we all have to recognise that they are not one gender type subjects. The times are moving and the times are changing. When I talk about us being slightly behind, that is one of the examples. It is becoming obvious across the board. I would not want to force people into a particular area that they do not feel they have the potential or comfortability to go into. We should encourage people to reach their absolute potential in whatever field they want to. We need to know that opening up those opportunities for all genders is the right thing to do.

Deputy R.J. Ward:

Do you think it might be a view of what I.T. is as a subject in its own right that might be the problem? Information technology is used across the skills that we need. If you go to a modern hospital the staff are very I.T. savvy with just about everything they do. Perhaps there are vocations which have more traditionally been attracting women, whether that is right or wrong, which are also using technology, but it is just not so pronounced.

The Minister for Education:

There are lots of different types of work within technology. Recently I was at a cybersecurity briefing for teachers. There is a demand in terms of the cybersecurity market for jobs. When you look at the kind of curriculum we provide ... when I was at school we just followed a book to learn about I.T. and how to work on a spreadsheet or on a Word document, those types of things. Technology has advanced so much since then. I am only 35, so it is moving rapidly. There are things like computer sciences, the way you pull apart a computer and put it back together. There are so many different nuances to technology. It is not just about how to use a computer or how to use spreadsheets anymore.

The Deputy of St. John:

Yes, I used to pull them apart and not put them back together again.

Assistant Minister for Education 1:

If I can pitch in there? Part of it is also looking at the other skills which perhaps might attract more girls into I.T., so looking at the web design, the arts, the graphic side of it, the creative side of science. You are quite right, I.T. can be seen as being quite a sterile thing of dots and dashes, but the world

that we need to prepare ourselves with is looking at the more comprehensive aspects of I.T., which we within the industry are promoting and, yes, we obviously need do more.

The Deputy of St. Peter:

A piece of trivia: only 10 per cent of the workforce in cybersecurity are ladies, which is really not enough.

The Minister for Education:

Hopefully we can change that.

The Deputy of St. Peter:

Absolutely. The key is the S.T.E.M. subjects. However, even I can remember, they are not the easiest of options, because they are mentally challenging and you are less likely to get an A, unless you really, really are determined if that is what you want for university.

[9:15]

How can we promote those subjects? They are the most fundamental subjects and we must increase the number of people taking those subjects if we are going to address this particular challenge. How can we make it attractive or interesting for them to do that? I know it is a big question. It is an opening question.

The Minister for Education:

Just a few ideas off the top of my head; I do not have anything concrete. In terms of how we make these subjects exciting is recognising what they mean and what it could mean for the students in the future. It is planting that understanding that it is not just about learning at a desk in a school room or doing it within a school building, but how that then translates into what you could do outside in the real world and how exciting that could be, especially things in engineering, the world is your oyster type of opportunities. It is giving those children the confidence and self-esteem to realise that they are capable of doing that. We are at that particular juncture at this point in time where there is a slight conflict in the way that children feel and their own self-awareness in terms of society. That conflicts with a very jam-packed curriculum that we have in terms of education and how we are providing that education.

Deputy R.J. Ward:

Do you think that the emphasis on pure achievement in terms of a grade in English and maths, which is a huge driver in our schools at the moment and is driven by the school review system, has become an obstacle to the S.T.E.M. subjects, which are being second-rated, because the most important

thing is the English and maths result? That is, result makes the school looks good. Those students can then allegedly go on, even though they are unsure as to what they want to do. Do you think we have the wrong drivers in our education system to allow the S.T.E.M. subjects to come through, to some extent?

The Minister for Education:

I will give Seán an opportunity to give a factual point in terms of where we are at the moment, because this new framework is fairly new and there has been a lot of work going into it. So if I can give Seán an opportunity just to give you kind of a background. I will give you my view following that.

Group Director, Education:

The Deputy is absolutely right, the focus has been on English and maths. They are the 2 subjects named in the accountability measure that has been common currency across the British Isles and the Channel Islands, which is students at 16 obtaining 5 good G.C.S.E.s (General Certificate of Secondary Education) or more including English and maths. That has been the measure. That is changing now for some of the current year 11 students, the 15 and 16 year-old boys who are studying. The measure is called Jersey 8. That tells you immediately that we are looking at a basket of 8 subjects rather than 5 or more. Jersey has a very different system to the one in England, because Jersey places science as a primacy in there. All Jersey should be studying sciences - plural - until they are 16. We have also given R.E. (Religious Education) equal status with history and geography. We have given Portuguese value as a language, because it is so culturally significant in our Island. We are broadening the base. So if there has been an unintended consequence of a narrowing just on English and mathematics ... English and mathematics will always be important and maths is the M in S.T.E.M., obviously. We are broadening the base, so if schools have felt that pressure perhaps to focus down, it is a much broader base. It also gives value to technical and vocational qualifications at 16. Last week within one of our schools where young people are doing business and enterprise qualifications that sees them every week working at Digital Jersey, working with businesses. These are 15, 16 year olds, year 10 and 11 students, running their own businesses. It is an area of work that we are focusing on.

Deputy R.J. Ward:

One of the things we noticed recently when we were looking at colleges in the U.K. (United Kingdom) and then we went to an interesting conference, was the driver to everybody to retake their English and maths. There are students who have done it 5 or 6 times, who are just not achieving in their post-16 qualification in the U.K. That may be gone, there may be a recognition at last, I would say, that within vocational subjects the English and maths that you need is specific and does not have to

be measured by that one exam. Are we going to take that on board? That could be an obstacle as well to some of the engineering subjects in particular later on.

Group Director, Education:

You are absolutely right. A previous Secretary of State for Education in England, not Jersey, decided that retakes were wrong and you had to do your first one. Then that same Minister decided that everybody should retake their English and maths. Jersey never took that step. However, there are young people, for example Highlands College, I think the leadership went to the same conference as you, looking at those issues, offer English and mathematics. The pass rates for those young people retaking is very high, but it is not compulsory. If it fits with the suite of subjects and technical areas you are studying at Highlands it is offered to you.

Deputy R.J. Ward:

Of course it is if you want to go to some university courses. That is one of the reasons to retake.

Group Director, Education:

Indeed, to become a teacher, for example, you need English and mathematics, but that is laid down at university level.

Deputy R.J. Ward:

There is no problem with use of the I.G.C.S.E. (International General Certificate of Secondary Education) in access to university?

Group Director, Education:

No, we have improved those qualifications.

The Deputy of St. John:

Minister, what is the biggest challenge that you perceive?

The Minister for Education:

There are a lot of big challenges in education, to be honest.

The Deputy of St. John:

If you had to choose one.

The Minister for Education:

For me, I believe the biggest challenge that I have at the moment is probably going to be changing the Education Law. That will be the foundation of everything that we do in terms of how we provide

the education, the flexibility and opportunities that I was talking about. Of course, we now have a Minister for Children and Housing, who is also the Assistant Minister for Education, and it is having that discussion about where areas within the Education Law should sit in terms of regulatory requirements, ensuring the appropriate governance and support from the Education Department into the schools. So we have that appropriate accountability system. However, it is not just about accountability, it is about recognising that teachers are teachers. They have a profession. They are capable of doing those jobs and we have a role to play in terms of supporting them in achieving.

The Deputy of St. John:

A new law would be an enabling law and would also hold the profession to account in the Island in relation to its direction. Is that ...?

The Minister for Education:

The legislation as it currently stands is almost 20 years old. As I have said to many of my colleagues sitting here, it reads as if it was written in the Victorian times in some areas. We have a huge opportunity here to have a bigger discussion as a society about what education can look like, providing that groundwork in primary law. At that moment we have governing bodies that sit underneath the Education Law and they all work slightly differently. Also, we have no governing bodies for primary schools. It is not just about hitting teachers over the head, when I talk about accountability. It is a 2-way street. It is enabling them to hit the Education Department over the head as well. It is about that right check and balance between the 2. It is about getting it right in the legislation and then follow through with the right policies to ensure that everybody knows where they stand and there is clarity and understanding. Ultimately one of the biggest issues, I believe, is having the correct support there.

The Deputy of St. John:

Will you be referencing levels of funding or the inadequacy of funding in the new law?

The Minister for Education:

Probably not in legislation, but if something in the legislation needs to be changed it has to be consulted on. Of course, there is an amendment coming in for the Common Strategic Policy particularly about headroom funding. It is recognised that school funding is one of my priorities and how we would place that in the legislation. Because it is primary law, it would have to be fairly loose, but we have to ensure that accountability is held against whoever the Minister for Education is in whatever term comes after that legislation in ensuring that they are applying the right funding for the schools.

The Deputy of St. John:

That brings me on to the fact that we are concerned about headroom funding.

The Minister for Education:

Yes.

The Deputy of St. John:

We are wondering where that features in your development.

Deputy R.J. Ward:

I must declare an interest here, because it is my amendment. I think for the public record I should declare an interest that it was my amendment to increase headroom funding in schools.

The Minister for Education:

Okay. With regard to headroom funding, I do have concerns around it. I have concerns around whole school funding, not just headroom. This refers to what we call the Age Weighted Pupil Unit. It works when you hit a certain amount of children in a school, particularly in secondary schools. We have, of course, this system where we have 14 plus, where there are children moving out into Hautlieu, year 10 and 11, and that changes the dynamics in terms of the funding. This causes huge issues, particularly for secondary schools; not just funding-wise, morale-wise. That is a concern, of course. School funding in the whole in terms of primary and early years; at what point that early years' provision is; how that transitions into primary schools; and what kind of provision you have at early stages of primary school. Then into secondary schools, what we should be looking at in terms of the whole school funding is where you have your fixed costs, the required costs. We were having a discussion yesterday: we have pots of money for specific things, like special educational needs, Jersey Premium, all those other little bits and pieces, which absolutely rightly are put there to support the individuals, to enable them to reach their potential. There is a bigger question about ensuring we are having the right baseline funding for schools in the first place, so everyone is on a level playing field. Then ensuring that whatever additional money we have on top of that, in terms of the Jersey Premium or special educational needs, is targeted in the right provisions and ensuring that it is meeting the aims that it was originally intended for.

Deputy R.J. Ward:

I meant to ask before you carried on, in terms of changing any Education Law and the consultation on that. Will you ensure that there is appropriate representation of teachers? There are 2 different unions and will you ensure that they are equally consulted? I would suggest they are consulted together in these consultations. I am sure they agree on what they are going to say, to be quite frank, but will you ensure that that will happen?

The Minister for Education:

In terms of public consultation, everybody will need to be consulted on this. Of course, there will have to be a route, but it is early days. I am going through the legislation at the moment. I am pulling it to pieces. I am questioning literally every Article in terms of what it means, how it works, how fundamentally it supports and assists us in supporting of children; all education provision that we have on the Island. Then the next step is to put that into some form of template to ensure that we can go out to consultation and ask people what their views are and how they see it working. We can certainly from this point then go to unions. I would like all teachers, every member of staff that works in an education facility in the Island to play a part in this, because it is fundamentally important.

The Deputy of St. John:

How soon will it be before the legislation is ready to bring forward?

The Minister for Education:

Like I say, I am working on the Education Law at the moment to put together all those questions and then we put in some formatting, in terms of how we will go out to public consultation. But we will keep you in touch when we get to that point, so you are aware of everything that is going on and so there is no double consultation going on. We would appropriate you scrutinising whatever comes forward out of that.

Assistant Minister for Education 1:

For the purposes of your work programme, it is not imminent.

The Deputy of St. Peter:

You have alluded to some various funding challenges. I think the M.T.F.P. (Medium Term Financial Plan) is around the corner. What areas are you going to be fighting for to get the necessary budgets for education? What would be your priority areas? You covered a little bit before, but it is a way of answering the question in an overall way.

The Minister for Education:

One of my biggest priorities will be school funding, to make sure we have that baseline that is required. That will be one of my huge areas. Council of Ministers are extremely aware of that. I make a point of it every moment that I possibly can. Also, of course, another priority is early years. Early years sits within the Common Strategic Policy. One of our main priorities is about putting children first. More importantly about that early intervention, early help, to ensure we get in at the right time to support people and support children. It will be identifying how we apply that funding, what funding is available. It will be what we need to change in the system to provide that really good provision, in terms of the support, not just from an education point of view, but from a care point of

view and from a private provision point of view, in terms of early years. It is making sure we get that right, so there will be a discussion about the pot of money and what that pot of money looks like. Then there will be that discussion about how we apply that and at which phase and if we could get the full funding. Whatever comes out of the Early Years Policy Development Board, if we could get the full funding to put it in place at a certain point and to get the programme up and running straight away from then, that would be great. However, there are pressures in all areas, I recognise that it is not just education. There will have to be discussions about whether things can be phased in an appropriate way that does not harm what is at the centre of this, in terms of the child.

Deputy R.J. Ward:

In the last Medium Term Financial Plan, we were told that there was growth funding money for schools, which turned out to be just an increase in money that would go with the increase in school population in real terms.

[9:30]

There was a £2.8 million cut to school funding over the course of the M.T.F.P. I do not think there is a transparency in the reality of what was going on in schools in the last M.T.F.P. I think it is very important that we do have transparency. A lot of that growth funding was spent on consultancies and so on, whereas perhaps it is teachers who need to be consulted a lot more on about what they want to do in their classrooms and in their schools.

The Minister for Education:

I will start off and then I will ask Seán to follow up, because he was within the department last term, so he can give you some facts around what the particular issue was in terms of the funding. Of course, I was sitting on the other side, where you are, in terms of Education and Home Affairs Scrutiny Panel the last 2½ years. We recognise in terms of the funding that what was being suggested as investment in education was just investing in capital. The investment that was being provided was just demographic, so it was not really extra money, from our point of view, and I still hold that view. But in terms of what I can do going forward, I do not think I can make myself any clearer to the Council of Ministers. I have made my point many times and I continue to do so. I am not prepared to put in savings that does not mean we are doing things for the right outcomes of children. We have had time and time again Comprehensive Spending Reviews that are salami-sliced things and cause more problems than what they are worth. So if we are going to make savings we are going to do them properly. But I do not believe Education has any room for savings and I would challenge the Minister for Treasury and Resources to come in and look at the books and show me where exactly those savings can be made. Over 80 per cent of our funding is paying for staff; those very front line people that do the job in terms of supporting and educating our children. So it

would be a very, very difficult world if I was to suggest we can go away and make £2 million or £3 million savings; I just do not think that is possible.

Assistant Minister for Education 1:

It is also worth noting that the previous Education and Home Affairs Scrutiny Panel did manage to reverse some of the cuts that were proposed for the panel, so just to let you know that is the mindset of the team who are currently in place.

Deputy R.J. Ward:

It is very welcome that you are aware of the reality of the last M.T.F.P.; I put that simply.

The Deputy of St. Peter:

We have a world that is changing where the children of today will have to be far more qualified to lead fulfilling lives and certainly to get jobs that (1) can earn decent amounts of money for their futures, but (2) to give them the job security; more qualifications can mean more job security, stickability in that particular role. If that is accepted, which I think it probably is, then there is clearly a case that education funding should be increased. While, okay, spend rationally and sensibly and not waste it, but it should certainly be increased. To that end, what support do you need or are you getting in order to try to achieve that?

The Minister for Education:

At the moment of course we have the Budget and the Common Strategic Policy up for debate, which will be next week, and of course the Budget only talks about income. We are currently sitting under a former Government's Financial Plan. There will be transition planning for next year's spending. I have already put a line in the grass in terms of the savings that were initially asked for in the M.T.F.P. I do not believe we can make next year. I have stated that quite clearly and openly to my colleagues and I am concerned about how that will impact what is already a very difficult environment in terms of, not just education, but the public sector as a whole. But in terms of the education funding going forward that will be a fight that we have to make, ensuring that we have all the evidence, evidence is really important in this, in terms of how we want to achieve the outcomes and have that fight in the next financial plan, which will hopefully be debated next September.

Assistant Minister for Education 1:

What is also important for the Education Budget is knowing what is happening with our population policy. So if we do want to go down a more restrictive visa-based one in order then to develop the skills and talents of our own people means that education has to be a focus, which, to answer your question, if that is an agreed position of the States, that means that the budget for Education of course has to be appropriate in order to achieve that.

The Deputy of St. Peter:

It is probably unfair to ask you what that budget should look like at this stage. I would suggest it is a work in progress. We will come back to that another day. But are you beginning to build a picture of the sort of budget you require to deliver all of your strategic plans going forward?

The Minister for Education:

I set out right at the beginning that I wanted work being done on school funding. I have met with one particular school, which I am fully aware of how I believe they are underfunded and if that applies across all the schools there is serious investment needed. I cannot give you a particular figure now. I would rather give a figure when I have the evidence and the information to do so, which will of course come next year and of course I am sure you will be happy to scrutinise me on that particular basis. But if I can ask Seán just to give a roundup about where we are.

Group Director, Education:

I am very happy to comment on the last administration, their spending, because I was an officer and clearly the forward plan for budget-setting would be led by the Minister and our Director General. Deputy Ward is quite right; some of the growth identified in M.T.F.P.2 was demographics. Our statistical people have done really good work, we knew the new live births in Jersey, we had a sense of inward migration and immigration, so we built 14 new classrooms and some of the revenue spend was for teachers, teaching assistants; that bulge of children is moving through the school system so we are planning ahead for that. So part of our growth was purely demographics. There was other growth. There was no funding for any children with special educational needs under 5 prior to the M.T.F.P.2 and that was put in place so we have a network of teachers who are S.E.N. (Special Educational Needs) specialists working in the private sector nurseries, voluntary sector and States sector. The centrepiece of that growth was the Jersey Premium, very significant public funding to address the potential educational impact of socioeconomic disadvantage. So, yes, we had to make savings and there were significant savings to be identified. I would say the general thrust of that was to protect schools as much as possible, so the senior management team in the old Education Department shrank and as people left were not replaced and central teams got smaller to try to protect schools. But the growth was significant, the Jersey Premium S.E.N. I mentioned.

Deputy R.J. Ward:

I will just come on to Jersey Premium, we were going to ask some questions about the success of that. There is a suggestion, and I think it has a modicum of truth, as they say, that Jersey Premium was really an attempt to replace the underfunding that was so endemic in our schools and still is and Jersey Premium was not as high as the U.K. even though costs are more here. The reality of costs of schools is they are more expensive, you have to ship stuff over, as simple as that, and we

do not have the economy of scale. So do you think that Jersey Premium has been a success or would you have got the same sort of success with the right level of funding in schools? I just want to get to the bottom of funding because I think it is very important for the future and, I will just say again, you talk about investment, but what you have not said is costs, you have said investment and I think that is the way we need to view it and that is a very healthy approach that I hope we can stay with.

Group Director, Education:

I am very happy to answer the question because it is dear to my heart because I wrote the bid for Jersey Premium that did make it through the current growth M.T.F.P.2. But, to be very clear, the effectiveness of Jersey Premium will be properly subject to scrutiny on outcomes for our children and young people. So we have just published this week a report on outcomes for key stage 1; that is children at 7 or for summer-born babies that is still 6. Key stage 2 are children leaving primary at 11. As we do the G.C.S.E. reports, so at every point in our data releases we share how children in receipt of Jersey Premium are faring compared to the mean and to all. So far, the early signs are very, very positive and that is feedback from the children and young people themselves, from their parents, from teachers, from school leaders, it is in the data. Some caution, you are absolutely right, the funding is not as high as the English scheme, which is called Pupil Premium, which was launched in April 2011. It is very clear from the evidence, that is probably one of the most scrutinised areas of public funding there and here; it took 3 to 4 years to see a feed-through to G.C.S.E.s. A young person is on a 5-year programme really for G.C.S.E., certainly a 3-year programme, so the added benefits ... so we had a pilot year in 2016, 2017 was the first year, so those young people in year 11 had maybe 3 months of support, so they still made more progress than the previous year and higher retention. But it is a long-term project, it will go beyond individual terms and one administration.

Deputy R.J. Ward:

If there is success in increasing school funding, baseline funding, do you see Jersey Premium as continuing?

Group Director, Education:

I think, quite apart from the school funding model, whatever the level of Jersey funding, if Jersey had the highest funding of any English-speaking world equivalent of a local authority or a national Government, I would have been pushing for this, because it is fundamentally a school improvement tool to help schools, teachers, the school leaders, focus on children who, because of their economic and social background, might be disadvantaged. Some of the very highest achieving Jersey students are in receipt of Jersey Premium. I know you know this, but it is not just ...

Deputy R.J. Ward:

No, thank you, that is a very acceptable answer. Shall we move on to higher education funding because we have looked at it all here and I think from funding it is clear that we do want to look at per-pupil funding as we move on. In terms of higher education funding, there is a question that needs to be raised in terms of higher child tax allowance and what work is being done to communicate the changes to the public and particularly the year that we have, because if people claim that this year they will have it clawed back again next year, and I know you have a difficult situation if people do not claim it in terms of where the money is.

Assistant Minister for Education 1:

I think you are pushing a Treasury question towards me but I think what I would say is, during the whole development of this scheme, from the work done by the previous Scrutiny Panel, looking at the tax allowance in order to fund the new scheme in that under the previous scheme the tax allowances that could be claimed, which were a year after, not at the same time that a student necessarily was going to university. So the justification in order to change to the new scheme, the tax system was overtly used in order to do that and that was well covered in papers. So if you are questioning should people be unaware that the tax allowances were going to be touched, the answer of course is no because that was well publicised during the whole progression of the scheme and the debate. There is an issue as well with what people are entitled to when they get the grants. So at the moment it is not the case that they will get the tax allowance and the grant, there is a calculation about what, so basically they are not getting a double benefit. So they do not benefit from the tax allowance and the grant; there is a calculation that is done between those 2 aspects of it so that it balances out. So what you are entitled to is what you are entitled to. I have been on the record to say, while it was good obviously to bring in the new scheme, that has allowed many, many more students to be able to obtain it. I am sure Seán will be able to give those figures. The issue was at the same time it was rushed and that is something which of course led to the issue we are dealing with.

Deputy R.J. Ward:

The issue is that the year before people applied for their tax allowances, you could before the scheme had been passed and not being aware that there would be a claw-back of £2,000 and something. It may have been in the proposition but I think there were a lot of issues over the public being aware that they would not receive the full grant; they would have that removed. That has happened and there have been issues over that. My question is: what are we doing to stop that happening again this year? Do you think the public are aware that if they claim their H.C.A. (Higher Child Allowance) this year it will also be clawed back next year from whatever the grant made towards their young people being at university is? Do you think there is enough awareness of that?

Assistant Minister for Education 1:

It is there within the documentation. If you are going to get something from the States it is down to the individual about how well you read it and how well you research it. Yes, okay, there are some parents who have raised concerns about this, but if you look at the number of parents who would be entitled to tax relief who have raised queries with the department, it does not tally to say that people are totally unaware of the situation. There has to be some personal responsibility in how you research and particularly when you are sending your child away.

[9:45]

The information is there, it was promoted, there were drop-in sessions; Student Finance did do drop-in sessions if there were any parents wanting to raise concerns about the schemes. But of course if there is any other way in which we could communicate that information of course we would be welcome to it. But there is a balance between individuals and what the department ...

Deputy R.J. Ward:

So you would say that the communication has been adequate in your opinion?

Assistant Minister for Education 1:

I would say it would be very difficult to ask Student Finance to promote more about the changes than what they have done.

Deputy R.J. Ward:

Do you think we could be writing to every parent about this year's tax allowance, because people will be filling in their tax forms and if they claim the H.C.A. they need to be aware that it will be taken back? So you can either have your money now over the year or you can have it in one go with a grant, which is the way it works; you can correct me if I am wrong, but I think that is the way it works. I have had quite a few communications about this so I have sort of become a bit of a mini-expert on it myself, which I will say personally I was not aware of it and I was surprised to have lost a great proportion of funding for my children at university this year.

Assistant Minister for Education 1:

But it is not lost; it is just claimed in a different way.

Deputy R.J. Ward:

Exactly, but it comes in one go and so you have to pay that in one go. I can understand the financial challenge for parents who perhaps were not aware of that. What I am saying is we have learned

that. What are we doing about next year, and I would just say if there is anything else that you can do I think we should encourage that happening so that parents do not have that surprise next year?

Assistant Minister for Education 1:

Again, if anyone has any suggestions about how that could be better communicated of course we will take that on board.

The Deputy of St. John:

Would it not be simple enough just to put a leaflet into everybody's tax return reminding them of the change in circumstances if they are going to be a claimant?

Assistant Minister for Education 1:

We are happy to take that on board and to the Treasury.

Deputy R.J. Ward:

That leads on to the funding of higher education into the future because obviously that is an issue. The last thing we want is students starting university and funding running out. I know that you are aware of that. Do you think the new M.T.F.P. will continue the funding?

Assistant Minister for Education 1:

There are 2 things we need to make the panel aware of: the first aspect is of course the States agreed an interim scheme. I signed the Order to bring in the new aspects of it. Given the fact that it was rushed there are still tweaks to the Order, which we will have to do, which, because it is a new scheme, there are anomalies that have been identified. So just to make the panel aware that there will be changes to the current scheme under the Order, which the department can do. As for what then the new scheme will become of course is something, which is on our radar of a piece of work that does need to be done, because it is only an interim scheme that we have at the moment, and of course we need to develop that. There were roughly 14 proposals that were worked up by the previous administration, which of course will be something we will be digging out and looking at again. The issue about what will be funded and how it will be funded is a question, which of course we need to answer, because you need to know what the scheme is before you can decide what the funding is going to be, so that debate still needs to happen but we know this because the current scheme is an interim scheme.

Deputy R.J. Ward:

When does that interim scheme run out, sorry?

The Minister for Education:

I believe it was 2 years. But the other thing that we are waiting for is of course the U.K. are reviewing their university fees at the present time, so we are doing lots of scurrying around in the background making sure we have all our data, all the information that was done previously. There were many different models done by Treasury in terms of how and which way you could do it; it is about fees and loans and all those types of things. The Council of Ministers decided on the scheme that they decided on and brought that particular scheme forward. There are minor issues, like Jeremy says, around in terms of the Order, maintenance on Island and how that works between Income Support and Education, so there are a few things that we need to tidy up there for next year, but that is just a tidying-up exercise. In terms of how higher education funding is modelled in the future, we are going to be prepared for whatever comes out in terms of the U.K.'s review, in terms of the university fees, and we will look at the appropriate scheme. But we are hoping that whatever scheme that we do eventually fall on will be long term and it is not just something that is changed every year, 2 years, 3 years, but it is something that is a bit more sustainable.

Deputy R.J. Ward:

Depending on the U.K., it could become a lot cheaper overnight. Just one more question ...

Assistant Minister for Education 1:

Well provided we are treated as home students because the worst situation is to find ourselves as being classed as overseas students again.

Deputy R.J. Ward:

Yes, that is a concern. Just one more question on higher education funding then. There was an increasing cost for Jersey University College for fees for their degrees. Is that money that goes towards University College Jersey ring-fenced for university courses for H.E. (Higher Education) courses?

Assistant Minister for Education 1:

I believe so. Seán, can you comment?

Group Director, Education

I would need to check that for you.

The Minister for Education:

I believe it is. I think you asked me a question on this in the States.

Deputy R.J. Ward:

I think it is important.

Group Director, Education:

We will get a proper response to that question.

Deputy R.J. Ward:

Because the fees went up a lot and there was an issue. The reason I raise it is because it was something that came out of some of the things that we saw over the last week that there was a real issue, if you are talking about training skilled people here, of not those who are 16 to 19 moving into higher education but those who come back to it. They may not get funding because they may have had a go before and when they come back, if the funds go up, it means they are less likely to be there because they cannot afford to be there. But that is the skill base that we need if we are going to train on-Island and so therefore it is very important that, if they are paying that money, it is going back into the higher education budget and not just being used as a pool of money for the rest of the college to deal with the inadequate funding elsewhere.

Group Director, Education:

I am pretty sure it is discrete. Obviously, it is a key part of Highlands College, but it is quite separate from their fee function and the adult and community education functions.

Deputy R.J. Ward:

So you believe that it is separate funding?

Group Director, Education:

I believe that it is but I think to give that to ...

The Minister for Education:

The purpose for it, if I understand it correctly, when the decision was signed off, was that by increasing those fees was releasing the subsidy that Highlands was providing for those higher education models so that it was paying for higher education, the fees were paying for that particular area and that the funding that Highlands was subsidising for those higher education courses falls back into the Highlands' budget. That is how I understand it but we can get an absolute answer for you.

Deputy R.J. Ward:

In which case it would be quite important that it is ring-fenced because that is the nature of the fund.

Assistant Minister for Education 1:

Just with my Social Security hat on, the discussion that we have had, which is about as you are probably aware there is a list within Social Security for approved courses, so courses that you can get funding for; we have had a greater discussion, so at the moment it is teachers, nurses and we have just added social workers. We have had a discussion about whether that needs to be reviewed, perhaps not only to look at key essential States functions, but if we are looking at re-skilling our population whether that needs to be a bit wider, maybe that should be digital, so it is something that we have asked officers to look at and to talk to Education about, just to make you aware.

The Deputy of St. Peter:

Early years, you have mentioned your Policy Development Board a couple of times and clearly it goes without saying that, if you get the foundations right, the future has to be brighter, has it not? Can you expand on that with, say, the terms of reference and what you are hoping to achieve in more detail with the Policy Development Board and some of the deliverables you would hope to see from it?

The Minister for Education:

The Policy Development Board is currently running in its shadow form. There is myself, there is Deputy Maçon, Senator Mézec, of course the Minister for Children and Housing is quite important from a children's perspective because it is not just about education. So the issue that we have here is in terms of the nursery education funding we knew was a problem and I did not want to focus just on nursery education funding for 3 to 4 year-olds, what I wanted to look at was the bigger picture and that was conception to 5 years and what that means and what that looks like; it is not just education, so it is the care of that child, so it is bringing the 2 together. It is just because we have not had the Minister for Children and Housing before is that it has sat under Education. So ultimately one of the big questions that we have to ask is where, going forward, this sits in terms of regulation and oversight of early years, whether that still continues under Education if we are talking about conception to 5 years or whether that sits under the Minister for Children and Housing or whether it sits under the Minister for Health and Social Services; there is a bigger conversation there about governance around how this works. But in terms of earlier, so there is the early childhood education, which of course is the Minister for Education's area, which is the nursery education funding, transition to school reception, which is vitally important as well because it is that, it is not necessarily the age that they go into school, but it is the provision that they have when they enter into school. So it is that question about whether they go from an early years' setting, which is very play-based usually, moving into an extremely academic system, because of course the push on testing and assessments that go on in schools now kind of moves further down to increase that attainment at G.C.S.E. So the question around how that early years' provision works in terms of supporting those children into a different provision for foundation stage that might be the case, and of course integrating current nursery provision with wider childcare parish to improve access and flexibility for

all parents. Of course, attached to all of this is then the question around maternity benefits, parental leave, at what stage that then points for parents. Of course, then kicks in the early years' provision, so if the child is with their parents you have the support mechanisms in place, whether that is through charities, whether that is through the Health Service, whether that is through Family Nursing and Home Care with their health visitors, and then of course it is into early years settings if the parents decide to go to work; it is having that choice. But knowing that when you are leaving your child at that door it is a quality setting and that quality assurance is provided and everyone meets the same standards in terms of that quality assurance. One other area is of course I have been previously in the last term looking at the higher child allowance, which you just referred to with regards to university funding. There is a bigger issue here about direct and indirect funding for early years, so we have lots of little pots all over the place. So we have the nursery education funding, we have provision at Social Security, we have childcare tax relief, there are all these different provisions, which amount to over £3 million in terms of what we have as a whole there, and it is looking at how that is properly targeted as well.

The Deputy of St. John:

We are hearing about your big picture now, but what was it that was happening in the previous Government that led private sector providers to believe that they would all be going out of business?

The Minister for Education:

That would have been the means-testing issue with regards to early years' provision.

Assistant Minister for Education 1:

That is means testing just in the private sector, not in the public sector.

The Minister for Education:

So it was creating a disparity between nurseries that were attached to schools and then the nurseries that are providing day care, earlier settings, from the private sector. I do not know whether you want to add anything on to that?

Group Director, Education:

There was the hourly rate paid to private providers under the Nursery Education Fund was frozen for a number of years and that made it tighter. It was the same with public sector pay restraint, so whether you a nursery teacher or worker in a States school or in the private sector it was flat. When that changed. we put the rate up last year. and the Minister has had us all look at modelling the rate. So I think partly it was pressure, secondly the means-testing issues, and I think thirdly looking over the water to England when the Government made a commitment that there would be 30 free hours

for all. That was not funded and many private providers in the U.K. have stopped serving or certainly feel the pressure, so I think partly it anticipated things that did not happen.

The Deputy of St. John:

So do you think you have resolved those issues now with the private sector? Is there greater communication because I know there was not a great deal of communication at all with the private sector at the time?

The Minister for Education:

I have carried on my communication with Jersey Early Years Association from being on the panel previously, but I have spoken to them a couple of times since then. What we want to try to achieve is next month provide them with a position for next September so they are absolutely clear when it comes to January, and parents want to know where they are wanting to put their children in terms of nursery provision that they have certainty over funding, so in terms of the nursery education funding. So what I am saying at the moment is, as of September next year, we will carry on under the current Nursery Education Fund system, I am hoping, if we can obtain the increase in terms of the funding for that, then we can operate the hourly rate for next September in accordance with requirements for them to provide the provision that they do. So they will have that certainty for the September to the July 2020. We are hoping that what we can do coming out of this Early Years Policy Development Board is put in the initiatives with proper funding in place for the next term within the financial plan that will be debated next year.

The Deputy of St. John:

Can the private sector currently ask parents to top up the funding?

The Minister for Education:

I think some settings do, do they not?

Group Director, Education:

Not within the free hours. The free hours is at that rate. But certainly for extra hours, outside the 38 weeks early and the day longer, so many parents in private voluntary independent sector do buy additional hours.

The Deputy of St. John:

I am just wondering if you are creating monkey; if you feed monkeys peanuts you get monkeys.

[10:00]

The Minister for Education:

This is the big issue though, is that at the current moment in time we have lots of different elements of different schemes all over the place and the bigger issue here is about direct and indirect funding and what is the best and most timely way in terms of achieving outcomes for those children. So the child care tax allowances, if a parent is spending £16,000 in child care for their child they can claim that back on their tax. Of course that does not mean in real terms that they have an extra £16,000 in their pocket, that is not the case, it usually is 26 per cent of that £16,000. But the fundamental issue here is that of course there must be a problem in terms of the market as a whole if we are providing a tax allowance of that magnitude to support parents. It is a big question of whether it is targeted and whether they feel it. Our tax system plays on a year-before or a current-year basis depending on your particular situation. If you are paying on a previous year you are not going to feel that benefit in the year that you need it.

Assistant Minister for Education 1:

Can I just add though, just on the issue of the Policy Board looking at early years, something which is very important is we did have a debate about whether it should be brought to 5 and I said, no, it must be conception to 5, so also within that work is looking at the parent, how we support the parent in that time, because it is about families and what their child is brought into.

Deputy R.J. Ward:

Will that board look at other models of early years education around the world? There are some very, very successful places. We always talk about Scandinavian countries but they do seem to get an awful lot right. They also have huge investment in their ...

Assistant Minister for Education 1:

They also have a 60 per cent tax rate.

The Deputy of St. Peter:

You have described a very, very ambitious programme bringing a lot of things together. This Island is not very well known for bringing things together. What pitfalls do you see and what do you see are your risks that you want to flag to yourself and publicly that you know you are going to have to overcome that are going to be your greatest challenges?

The Minister for Education:

My biggest challenge or risk at the moment is, of course, everything is slightly up in the air in terms of public sector reform. I am quite concerned at the capacity in terms of enabling us to get on and do the work. I think there is a lot of firefighting going on because we are trying to deal with a great deal of legacy issues. I am not talking about just the last Government, these are issues that have

been going on for a very long time. There are some very serious things that we need to address and we need to be brave enough to do it. The risks are always politicians, myself included. Of course, everybody has got their own view and own idea. Early years and schooling side of things is extremely personal and it is an extremely sensitive area. But I am hoping that if we can move this forward in terms of evidence and facts and show actual outcomes and how it supports and works, ultimately for that child's end development, then it will help the conversation. We are not going to encourage everyone to agree. There is always going to be risks and pitfalls around these particular areas, maybe depending on what funding we can get and at what stage we can get it. If we cannot get it for whatever the end product may be in terms of early years, if we cannot get the full funding for that particular term, we need to be able to find a way to phase this in a way that does not harm the child who is at the centre of the early years' provision.

The Deputy of St. John:

How is the Chief Minister's announcement that he is going to be saving £30 million over the next period going to affect your vision for development?

Deputy R.J. Ward:

Particularly vacancy management, which, as you said, 80 per cent of the cost of education is staffing.

The Minister for Education:

I will just make it quite clear now, I was not impressed about the £30 million saving being announced. I was not aware of this £30 million saving having to be made. I am extremely concerned about it. As you have heard before, talking about investment for education is extremely important. It is not just early years, it is actual school funding as well. I have made my views known to the Chief Minister, to the Council of Ministers and I have asked for specific evidence; the numbers, the information around that. I have written a letter to Treasury ... only last week I have written a formal letter to Treasury asking them for all the specifics around it and what it means for the Education budget and then particularly about £2.8 million next year.

The Deputy of St. John:

It is very odd. Did they just put £50 million into a strategic reserve but we have still got to save £30 million?

The Minister for Education:

We have not yet because it is in the budget.

The Deputy of St. John:

Right.

The Minister for Education:

It has got to be agreed by the States Assembly. If the States Assembly do not agree the £50 million going into ...

The Deputy of St. John:

I will hold my fire until the Budget ...

The Minister for Education:

It is part of the Budget.

Deputy R.J. Ward:

It might be a quite difficult question, given you have got so many officers here, can I ask you: are you getting the ministerial support that you need?

The Minister for Education:

Can I say what I want?

Deputy R.J. Ward:

You can say whatever you want, you are the Minister.

The Minister for Education:

I am now but it has been a difficult 6 months. The first 4 months we were without, particularly, a private secretary because, of course, I have not got just Minister for Education, I have got 2 other roles that I carry out. It has been a particularly tense and difficult time trying to gate-keep all of the information. We get emails day in and day out about a variety of different issues and having to deal with those. But also trying to get policy in place; dealing with the Common Strategic Policy, dealing with the Budget information. In terms of the support, like I say, I am really ...

Assistant Minister for Education 1:

We only got the secretary appointed, what, this week?

The Minister for Education:

Yes, last week.

Assistant Minister for Education 1:

Last week.

The Minister for Education:

In terms of the officers, I think they are doing what they can because there is only so much room; you are only human. Time is pretty precious and I think officers are doing absolutely everything they can. But this particular issue about capacity within the system to achieve what we need to do, as I understood it, there was supposed to be a policy support unit set up to help and assist in terms of driving some of these through. I am lucky to have the board for the early years' side of things, so I have got support with regards to that. But so many areas keep falling off of the train slightly just because of a lot of the pressure on changing the public sector.

Deputy R.J. Ward:

It is a work in progress then, there is room for improvement.

The Minister for Education:

There is always room for improvement.

Deputy R.J. Ward:

A nice phrase that Seán will know all about. We have got a relatively short time left and we did want to talk a little about the findings of the teachers' survey and your reaction or your view on those. Because obviously we talked to the staff, like 80 per cent of the budget and are absolutely the crucial part of education. Obviously, I am biased but teaching is a profession and an incredibly important one. I am just very interested to know, taking ...

The Deputy of St. John:

No, carry on; it is your field, so ...

Deputy R.J. Ward:

Your view on the recently published teachers' survey really.

The Minister for Education:

There are both positives and negatives in it. I think what positives we can take out of it is in terms of ... I think the areas where working with, in particular, unions; trying to deal with workload issues, trying to deal with some of the specific issues around, of course, the changes that have been made around the view framework. I think one of the big things that came out of it was the concern around the constant change in education. But I think on page 12, I was having another read through this last night, which gives you some kind of indications or just messages from teachers, which I think is more telling. Statistics, you can use numbers for anything but listening and hearing directly in terms of the views of people. There is a lot of pressure on the teaching profession at the moment in all different areas. In terms of their time, their availability, the support in terms of ... we have got a

great deal of issues with regards to mental health, special educational needs, behavioural and making sure that we have the right support mechanisms in place for that I think is vitally important going forward. More so I think in terms of the secondary school area but if we can intervene appropriately in the right places at early years in the schools. But, of course, we have got to deal with them now and also deal with those kind of early intervention programmes. But the teachers' survey, there are positives in it but, like you say, there is always room for improvement and I think this gives us a good baseline to raise those improvements.

Deputy R.J. Ward:

There seem to be some real differences between the non-fee-paying schools, particularly 11 to 16 schools, and the fee-paying schools in terms of the satisfaction of staff and what are you doing to address that in terms of supporting those staff, who seem to be under phenomenal pressure from all angles? The same review system is used across those schools with a very different demographic; do you think that is hindered in terms of those teachers feeling even more pressured?

Group Director, Education:

I think you are right, there are differences by sector. The most pronounced difference is between primary and secondary within those sectors. The review framework you mentioned is being pilot; there are schools being reviewed this week and next, just about to complete the pilot, so it will have run for 2 years and months. Because we have been working with teachers' feedback and school leaders' feedback, we wanted to make sure that every school had been through the review process once and all school leaders the opportunity to serve on the peer review teams and it has changed as we go. There is one framework but that, itself, has had several iterations over the last 2 years, so we worked to get it right. We will be reviewing that between January and March in 2019, getting feedback to see, have we got that model correct? Because it is very sensitive to the nature of the school, the phase, the intake. What is interesting is in our pilot version of it the number of schools coming out or areas of school work coming out good or outstanding; it cuts across all types of school, which you might not see in other jurisdictions. I have mentioned particularly countries in the United Kingdom, for example, the whole country, that is not the case; it is much more level here.

Deputy R.J. Ward:

You think the review system has enabled teachers to feel more positive about it all, do you? Do you think it has alleviated pressure on them? Do you think it has enabled them to lower their workload?

Group Director, Education:

No, I am not saying that. I think it is a profession; I think that was your opening phrase and they work very seriously. Teaching is hard work. When you are under scrutiny, whether it is by your head of department, your school leader or an external observer, I think people feel that because

they have got professional pride. They want to show themselves at their best and want to learn. We are striving absolutely to have a system that does hold schools to account but it is developmental, so that out of the process people should see that their strengths are celebrated and the next steps identify them and to be supported. Where that has not been the experience of people, we take cognisance of that and improve our framework.

Deputy R.J. Ward:

How do you monitor that? Just to link into the bullying and harassment report that is certainly reflecting in education as well in terms of staff being unable to speak out, unable to say when they feel there is about their roles, do you think that that is bettering education in other areas of the States or do you think that is a real experience for staff, teachers and others in the Education Department?

Group Director, Education:

First of all, we are talking about the teachers' survey, which we have just published last year but you are quite right, there was a separate engagement survey run across all States of Jersey Departments. We have got that breakdown. We have got breakdown by people who work in primary schools' sector, secondary schools, the central development in the team. What is interesting about how education compares to other departments is in the school workforce people less identified as States of Jersey employees; their identity seemed to be with their school, which may be not a bad thing. The thing that gets you up in the morning when you are feeling a little ill is your commitment to your school. I would not have compared. What I have compared is the teachers' survey outcome with surveys from the U.K. and the outcomes in this are much stronger. The fact that 83 per cent of teachers in Jersey this time say they are satisfied or very satisfied with their job; it dropped from 2 years before from 87 per cent but that was a very high base. That is way above union surveys, for example, of the U.K. teaching workforce.

Deputy R.J. Ward:

Yes, I think you can do a lot with statistics. If 87 per cent of lessons were satisfactory a school would be in trouble, would it not? In a review you would be looking for good or outstanding lessons as satisfactory; that is a strange indicator. One of the reasons I ask is, and I would like to ask with regards to the bullying and harassment report, and I have been asked this by a number of ... and so I think this is a question from members of the profession.

[10:15]

The current informal disciplinary process relies upon head teachers bringing the disciplinary and then head teachers making the decision on that disciplinary, do you not think that that can lead or fuel bullying and harassment, particularly in very small schools where there may be personality

issues and there may have been an issue in the past? Have you got any plans to change that? This is a long question. It is interesting that you say that teachers identify with their schools but what we have are States-wide policies that were imposed upon those teachers, which you could question as to whether they are suitable.

The Minister for Education:

I think it is an issue, and I go back to right at the beginning when I was talking about governance and this accountability issue. I was involved in a few bullying and harassment cases, educational-based, which was one of the very many reasons why I wanted to go for Minister for Education. Bullying and harassment is, I believe, a serious issue, not just in the public sector but across the Island. When I was talking about whistleblowing back in August, I had many people from the private sector contacting me about whether that would be applied as a whistleblowing piece of legislation for the whole Island. Because we live in a small community, everybody knows everyone and there is always the conspiracies or rumours or something that goes round. There should be a clear delineation between when cases are brought in terms of disciplinary cases, that whoever is at the forefront of that is not involved in any kind of board mechanism or any kind of determination on what the outcome of that should be because that is wrong; that is fundamentally wrong. The H.R. (Human Resources) Lounge report that was done earlier this year about bullying and harassment right across the piece, yes, it needs to come from the centre. With another hat on, from the States Employment Board there needs to be an appropriate policy, a principle-based policy. We have got a job, as an Education Department, to support those schools, to ensure that they have got the right tools to carry out the job in the appropriate way. When the issue of bullying and harassment comes people feel they will be treated fairly and appropriately. There has always been in the past, when I have raised bullying and harassment issues and when people have come to me, concern about them being vexatious or malicious or those types of things. There needs to be, I think, a better understanding about bullying and harassment and what it means. It is not just one particular type of thing, it is how it impacts on that person that is receiving that. Sometimes you can resolve it just by a conversation but if you do not resolve it by a conversation it escalates and it gets worse and worse and worse and just causes so many more problems as needed, and we do not need that in schools; we really do not. We need to do a piece of work where we can ensure we have got that provision in terms of the support, that the policy from the centre is about not just putting a policy out there like we have done in the past. We write a new policy, just put it out there, hope people read it; it is about training people. That is a piece of work that is ongoing but we will, hopefully, continue as part and parcel of personal development.

Deputy R.J. Ward:

Just to go back to the informal disciplinaries, are they monitored? Do you monitor how many there are, how frequent they are and the outcomes clearly?

Group Director, Education:

Absolutely, that is part of the H.R. function. On the big piece, when that report came out our Director General wrote and messaged every single member of staff saying: "If this is a concern of yours, tell us." Instructions that had been pushed through that everybody leaving a school has an exit interview, the offer and I personally ...

Deputy R.J. Ward:

That is not the case, is it?

Group Director, Education:

The offer is there and I am talking to representatives of all unions but the 2 main teaching unions, that if somebody does not want to do that with the management in their own school, the H.R. function and every member of staff who is leaving is asked what they would like done with that. Where H.R. are providing personal improvement plans is the first informal step of what may be a capability issue or might not.

Deputy R.J. Ward:

That is another issue that I would raise. You used the word providing personal improvement plans; I do not believe they are seen like that by teachers. They are often used as a stick, if you like, as a precursor or pre-capabilities, which does not exist and it is a very blurred issue. Again, it leads to pressure, stress and, I would suggest, poor outcomes for teachers in a profession. You do not become a bad teacher overnight; it is a lack of support that is there and when you link that with the disciplinary policy. What I want from you is some sort of assurance that you understand what is happening with formal disciplinary and whether you think that is the right way to go in terms of head teachers being both judge and jury. Because at the moment, and if I am a head teacher and I want to bring a disciplinary, I have to prove myself wrong. I get myself in an existential loop if you are not careful and you cannot get out of it. Is that really the way to go forward with treating professionals, who, I would suggest, that the school survey does not say they are all hunky-dory about what is going on and there are huge concerns?

The Minister for Education:

I think there are 2 issues here, so one particular issue is secondary schools have governing bodies and it is quite interesting when you read the schedule they are responsible for. In terms of how that works and in terms of accountability structures, the next person above a head teacher at a secondary school is the governing body and they have got an accountability function there. Where we do have an issue and I think where I have seen some problems and issues in the past, trying to get a handle and make sure that that is not the case now. But in terms of primary schools, and we have not got

governing bodies in terms of primary schools, so it jumps straight to the Education Department. Poor Seán on his own in terms of having to deal with a lot and some difficult issues and that is how many, 22, 24 primary schools?

Group Director, Education:

Twenty-four State primary schools, 7 private primary schools, yes.

Director General for Children, Young People, Education and Skills:

Chair, I think there are probably 3 issues here that we are trying to grapple with. The first one is, and you have asked the Minister: do we have policies and procedures across the States that are relevant to schools? I would say the answer is yes. I think you have had that answer from the Minister and I think it is appropriate that there are States-level policies and procedures that ...

Deputy R.J. Ward:

In terms of what?

Director General for Children, Young People, Education and Skills:

Whether it is capability, whether it is dignity at work, whatever but we should have those policies at the States-level ...

Deputy R.J. Ward:

You are telling me that those are suitable for schools, you are absolutely certain that those States-wide policies are suitable for schools.

Director General for Children, Young People, Education and Skills:

Yes, I think the policies are suitable for schools because I think there are 2 other issues that are coming out in this conversation. The second one is about conflicts of interest. I would say that for the vast majority of the time, but maybe not always, there is a proper consultation with the departments and its H.R. business partner around the best way for an issue to be investigated that arises in the school, okay.

Deputy R.J. Ward:

Can I ask you, how do you know that that is the case?

Director General for Children, Young People, Education and Skills:

First of all, we have a departmental business partner for H.R. matters and, as Seán has said to you, we are made aware of allegations that are made in a school, whether they are about somebody's capability or whether about their behaviour, so there will be an opportunity to have a conversation

at the very early stages about the best way to resolve something and the best person to be resolving it. Obviously, these matters will remain confidential in this respect. Occasionally the department will step in where it is appropriate that the conflicts of interest is taken away from the school and some independent management of the issue is undertaken. I think the third bit is the most important bit and it is the bit that the Minister has referred to, that the way people can behave is not just a school's issue, it is not just the department issue. The reviews that have been done earlier this year show that more generally there can be a pervasive culture of bullying of staff and that what we really need to get to grips with is, why is that the case? Why is it in the culture that people feel that there is more bullying and harassment going on here than they perceived to be the case in other places? That is more significant for me than have we got a States-wide policy, have we got a means of determining the best person to investigate something? Both of those things should be relatively straightforward and standard processes. I know that that is not always the way it turns out in reality because ...

Deputy R.J. Ward:

I would suggest that one of the things that came out of the H.R. bullying review was that too often managers are relating back to policy as a sort of a crutch to their inability to deal sensibly with the situation. As soon as policy is engaged the policy has failed dramatically, particularly in schools and in formal policies. I would suggest that every single time virtually there is an informal warning given the outcome is that something is made on that teacher's file.

Director General for Children, Young People, Education and Skills:

I think I am probably in agreement with an aspect of what you are saying there, which is we most often find that the reason that there are difficulties in managing, let us call it complaints, whatever that complaint may be about, is because managers sometimes are not either experienced enough or otherwise well-equipped to deal with them in the way that they need to deal with them. They can just fall back on policy because you are comfortable then, can ...

Deputy R.J. Ward:

Is that not a product of having an essential H.R. hub? That is not specialist to education because we used to have that.

Director General for Children, Young People, Education and Skills:

I am not sure. I think it is much more an issue of: do we have systematic, rolling training and development for leaders and managers about the very best way to manage challenging issues with other human beings? I often think it is a lack of experience or a lack of skill in managing a very difficult situation; that is why we get poor outcomes sometimes. Then we blame the policy because that is the convenient thing to do, whereas the much harder thing to do is say: "Can I have a

constructive challenging conversation with you about an issue that has been raised, without it tipping into me wagging my finger at you and then getting into bullying?”

Deputy R.J. Ward:

Do you think there might be somewhere here a place for a review of those informal procedures that have happened in the past, that have been poor because of those reasons?

Director General for Children, Young People, Education and Skills:

I think that the States Employment Board earlier this year changed their policies ...

The Minister for Education:

May change their policy but on the back of that is training. This has been the problem and if you are going to change a culture and encourage people and show people their support, you have got to have the training in place. At least those people understand where they can go, what they can do, what it means to address the situation in a proper or fair way, so that they are not just, as Mark was saying, going: “Here are the policies, let us just rely on that as a reason why it ...”

Deputy R.J. Ward:

Sorry, I know I have dwelling on this but I think it is something that came up.

The Deputy of St. Peter:

It is an important subject.

Deputy R.J. Ward:

One of the biggest issues is that with the informal process sometimes the phrase “safeguarding” is used, in my opinion, very poorly and a total lack of understanding what safeguarding means. But if that is used, and remember that the outcome is determined by the person bringing a disciplinary, so there is no actual comeback and there is no process of review, that safeguarding warning, if you like, can be left on someone’s file for the rest of their career and can be incredibly detrimental to their career, particularly if we have got a poor outcome because of the person involved. Is that being removed from the informal review process?

Group Director, Education:

I think Mark has already said we will not go into individual cases but I think you are alluding to a case where you just said there was no comeback, where in fact it was removed, it was in error.

Deputy R.J. Ward:

Yes, I understand that, I was not alluding to any individual case. I was alluding to a number of cases that could happen, that, I think, if you look back are there.

The Deputy of St. Peter:

You mentioned, I think I picked up from that, that it was basically training and personal development in the more senior management within the schools. It is required, and I buy that, and it has got to start at the top as well as the bottom; it is a 2-way thing. Is there or have you implemented or are there plans to implement the total training review of all the senior management within the schools of the Island, to make sure they have the skills required in order to handle these potentially very delicate and career-threatening situations?

Director General for Children, Young People, Education and Skills:

I do not think that there is a decision to do that review across schools. The first step that has been taken by the H.R. service in the States though, just in the last week or so, is to seek to recruit on a voluntary basis people who are interested in undertaking investigations and, therefore, to go through a training programme in order to be equipped to do that. I think one of the responses that the States has made to the summer reports that the States Employment Board considered is to say: "It would be a good idea if we had a much greater resource across Government to provide investigatory capability, so that you can bring people in from ..."

The Deputy of St. Peter:

Investigatory training or not investigating them because that is going to be counterproductive.

Director General for Children, Young People, Education and Skills:

Right, so what has gone out in the last week or so is: would you like to be somebody who is asked to investigate a complaint? Would you like to be an investigator? Then provide those people with the necessary training and support to do that really well, so that if, for example, you had a conflict of interest either in a school or in a department, where the more senior person perhaps should not do the investigation, somebody from a completely different part of the States can do that on your behalf, that is the plan.

The Deputy of St. Peter:

You were answering Rob's question about investigating, which I get. My question is very, very specific. If there is a start of any form of potential, shall we say, bullying and let us say it is perceived to come from the top because it nearly always is top down, not in all cases, usually top down, have we got a training course in place to make sure those senior management totally understand how their responsibility in their roles, to ensure that they are ensuring that there is the right development

going on, taking away the potential conflict that might arise through bullying, giving them those soft skills in order to create a better environment within the school, yes or no?

Director General for Children, Young People, Education and Skills:

I cannot give you a straight yes or no because it is halfway between the 2, so I am not avoiding doing yes or no. What has happened is those officers who are at tier 1 and 2 of the organisation will have gone through a reasonably rigorous psychometric profiling exercise. Okay, sorry to speak gobbledegook but we have ...

The Deputy of St. Peter:

I have a theory on psychometric testing and, you and I, we do not need it now.

Director General for Children, Young People, Education and Skills:

Yes.

Deputy R.J. Ward:

Can we ask for the results of that ...

Director General for Children, Young People, Education and Skills:

We can share your theory, I will share my gut reaction and then my turn to ...

The Deputy of St. Peter:

It is probably the same.

Director General for Children, Young People, Education and Skills:

What that is exactly designed to do is talk about people's strengths and weaknesses and where they need development. This is why it is not a binary yes or no at the moment. Within that, of course, directors general and directors, because that is the focus at the moment, will be getting personal, professional development to make sure that they have got all of the skills they need to ...

The Deputy of St. Peter:

It is leadership skills. Stand and watch the Army for a bit, it is leadership skills.

Director General for Children, Young People, Education and Skills:

This is also behavioural skills, maybe those are the same things. Perhaps I am ...

The Deputy of St. Peter:

I think we are probably at cross-purposes, let us bring it back in a few months' time.

Deputy R.J. Ward:

Are we still going to have the person bringing an informal disciplinary being the person who judges that because I think that is a fundamental error in any structure? You can do whatever you want with training but, as I say, while you have got that I am afraid that you do not have a fair disciplinary substance.

Director General for Children, Young People, Education and Skills:

My view is that we should not be in that situation. If there is somebody who has a conflict of interest because they have brought the complaint, we cannot investigate you ...

Deputy R.J. Ward:

Thank you.

The Deputy of St. John:

Chair, we have a positive answer to that. We look as if we are running out of time. There are just a couple of questions, which I think we will probably finish on and that is to do with your current vacancy rates. The questions are: what is the current vacancy rate in the non-fee-paying schools and what is the current vacancy rate in the fee-paying schools?

The Minister for Education:

I do have these numbers somewhere, so just bear with me. If not, I will hand it over to Seán if he gets them before I do.

The Deputy of St. Peter:

They are normally off the top of your head those things.

Director General for Children, Young People, Education and Skills:

Less than 1 per cent in both.

The Minister for Education:

There you go, less than 1 per cent in both. That is the correct one, is it not?

Group Director, Education:

Yes, this one.

The Minister for Education:

Yes. It is fee-paying provided schools, vacancy of 3.6 and non-fee-paying provided schools minus 3.9, so ...

Deputy R.J. Ward:

Is that percentage or the number of posts?

The Minister for Education:

I do not believe so, I think it is F.T.E.s (full-time equivalents).

Group Director, Education:

Yes, it is F.T.E.s.

The Minister for Education:

Yes, full-time equivalents.

The Deputy of St. Peter:

Full-time equivalents, yes.

Deputy R.J. Ward:

Can I ask, when you do advertise posts, how would you characterise the call that you get because one of the issues, I know in the U.K., is you will get one applicant? You may get lucky and be the best applicant on earth but you are going to be lucky. I was going to make some facetious comment there about a States job but I am not going to do that.

Director General for Children, Young People, Education and Skills:

Chair, I think you just have.

Deputy R.J. Ward:

Sorry, I am just thinking out loud. In terms of the field ...

Group Director, Education:

I am directly involved in the appointment of head teachers and good spectrum deputy heads too. In the last year the minimum applicant number has been one and the maximum 46 for a head or deputy head person. We have had 20-odd of those in the last year.

Deputy R.J. Ward:

Yes, and how about teaching posts?

Group Director, Education:

That is done at a school level, so I think we can ask H.R. analysis. You know that in certain shortage subjects, especially in secondary school at key central and especially at A Level and other 6th form qualifications, there may be no people on the Island with the qualification, other than the poor person who has fallen sick or is leaving for whatever reason, so that is a big challenge.

Deputy R.J. Ward:

Yes. I assume that imposing a below-inflation pay increase is not going to help with that situation.

Group Director, Education:

Was that a question?

Director General for Children, Young People, Education and Skills:

I think that might be a question for the Minister.

The Minister for Education:

That was a bit of a cheap shot, was it not?

The Deputy of St. Peter:

We were not going to go there.

Deputy R.J. Ward:

We were not going to go there. I think there are various ...

The Deputy of St. Peter:

Withdraw the question.

The Minister for Education:

That is all right, I am used to it.

Deputy R.J. Ward:

Shall we close? Is there anything else that you want to add or are there any final comments that you want to make? I am conscious that the Assistant Minister has not had a question yet and ...

The Deputy of St. Peter:

He has got a sore throat. Have you got a sore throat?

Assistant Minister for Education 2:

I have a problem with my ears, I am seeing a doctor later.

Assistant Minister for Education 1:

Yes, I wonder if you could just advise us of your work programme. We know you are working on the 16-plus education, can you just tell us what else you are working on, just that we are aware of the timeline?

Deputy R.J. Ward:

Because obviously we take on Home Affairs as well, there is some work with cybercrime, there is some work with ... settlement status may come up and that was perhaps something I was going to ask you. The 16-plus is the main focus and we want to have a particular finish to that. It has been very successful in terms of the amount of information we have gathered, so that is the main crux of what we want to do and we are conscious of getting something finished before we move on. I think that will generate some other areas of work. There is some work on school libraries but we have postponed that for a while because of what is happening in terms of the Budget and so on and everyone is really busy but that will come back in the new year; that is particularly for Education. What are the other areas that we have talked about? There were school legacy issues from the previous panel that we will look at.

The Minister for Education:

Now you have got a whole list of my priorities, which will be coming too.

Deputy R.J. Ward:

You have got a whole list of your priorities that will be coming to us and that probably will be quite busy and that is about Home Affairs as well.

The Deputy of St. John:

We will, of course, be asking the Minister for Children and Housing about the mental health provision because there is a survey going on at present in the health plans.

Deputy R.J. Ward:

We have not finished, I was going to ask one more final question, which was I asked you about the Minister for Children and Housing; I believe you should be consistent and ask whether you think that charging the children of E.U. (European Union) nationals £12.50 to stay in Jersey really puts children first on this Island, the settlement scheme?

The Minister for Education:

I have not looked at the complete policy side of things. If we had an ideal position where we had all the money in the world, like giving pay rises and all those types of things, I would love to be in a position to do so. If we have the budget, then the £12.50 side of things and the number of people, then I think it would be appropriate for us to provide that provision, recognising it is not their fault for being here and for another government making the decision. It was not even this Government that made the decision.

The Deputy of St. John:

The Minister for Home Affairs anticipated £500,000 and that it is going to be funded by the people who are being forced to apply for and the right to reside here.

The Minister for Education:

In old Government terms you turn around and talk about the whole means-testing and people who have got the money to pay for it should pay for it and all those kinds of things but I think now we have to live in the real world. I just think in terms of the fairness of it side of things, it is not their fault that they are in that position.

The Deputy of St. John:

It is not their fault at all.

The Minister for Education:

That is where I feel that it is potentially wrong. But, of course, it comes back to the money subject; we live within our financial plan. I am already getting crucified with regards to pay. I have to ...

Deputy R.J. Ward:

There is money left in the Brexit budget; that would have been detailed ...

The Deputy of St. John:

It is worth raising ...

The Minister for Education:

I do not think it is sufficient for that ...

The Deputy of St. John:

Yes, it is worth raising the issue.

Deputy R.J. Ward:

Thank you very much for your time.

The Minister for Education:

Thank you. Thank you very much.

Deputy R.J. Ward:

Thank you very much to members of the public. We will draw the hearing to a close. Thank you very much.

The Minister for Education:

Thank you very much.

[10:38]