



## Health and Social Security Scrutiny Panel

### Quarterly Review Hearing

## Witness: The Minister for Social Security

Thursday, 12th November 2020

#### **Panel:**

Deputy M.R. Le Hegarat of St. Helier (Chair)

Deputy K.G. Pamplin of St. Saviour (Vice-Chair)

Deputy C.S. Alves of St. Helier

Deputy T. Pointon of St. John

#### **Witnesses:**

Deputy J.A. Martin of St. Helier, The Minister for Social Security

Mr. I. Burns, Director General, Customer and Local Services

Ms. S. Duhamel, Head of Policy, Strategic Policy, Performance and Population

[14:00]

#### **Deputy M.R. Le Hegarat of St. Helier (Chair):**

Good afternoon, everybody. Thank you for tuning in. This is the quarterly hearing with the Minister for Social Security and the Health and Social Security Scrutiny Panel. I am going to ask members to introduce themselves, and we will start with the Scrutiny Panel and then we will move to the Minister and Assistant Ministers and any officers who are going to contribute this afternoon. I am Deputy Mary Le Hegarat, District No. 3 for St. Helier, and I am the Chair of this panel.

#### **Deputy K.G. Pamplin of St. Saviour:**

Good afternoon, everybody. I am Deputy Kevin Pamplin of St. Saviour District No. 1, and I am the Vice-Chair of this panel.

#### **Deputy C.S. Alves of St. Helier:**

Hello, everybody, I am Deputy Carina Alves of St. Helier District No. 2, and I am a member of the panel.

**Deputy T. Pointon of St. John:**

Hello, all. I am Trevor Pointon. I am Deputy of St. John and I am a member of the panel. If you hear a dog in the background, it is a black Labrador.

**Deputy M.R. Le Hegarat:**

I will just send apologies for Deputy Southern, who has a commitment this afternoon.

**The Minister for Social Security:**

Good afternoon, Deputy Le Hegarat. I am Deputy Judy Martin, St. Helier No. 1, and Minister for Social Security. I am giving full apologies from my Assistant Minister, Deputy Maçon. He is sorting out matters for students and the possibility ... my other Assistant Minister has also got a lot on, but he will try and join. Thank you. In the room ...

**Director General, Customer and Local Services:**

Good afternoon, panel. It is Ian Burns. I am the Director General for Customer and Local Services.

**Head of Policy, Strategic Policy, Performance and Population:**

I am Sue Duhamel, Head of Policy at S.P.P.P. (Strategic Policy, Performance and Population).

**The Minister for Social Security:**

That is it, thank you.

**Deputy M.R. Le Hegarat:**

Perfect, thank you very much. We will start straight away: social security regulations and social security review. P.148/2020, Draft Social Security (Amendment of Law No. 15) (Jersey) Regulations 2020 and Social Security Review. Under P.30/2020, Government Plan 2021-2024 proposals, it states that last year's Government Plan identified the need for a review of the future balance of funding between the States grant, employer contributions and employee contributions but that this work has been delayed in 2020 due to COVID-19. However, under P.148/2020 it is stated that no decision to stop the States grant in the years 2021, 2022 and 2023 will be taken until the full review of the Social Security Fund has been completed and actions agreed to maintain the fund at a fully sustainable level. Following recent changes to social security funding brought about by COVID-19, how sustainable do you think the States grant is as a mechanism for social security funding?

**The Minister for Social Security:**

We did want a review last year as that was put in the Government Plan to make sure, because it used to be a third and a third and a third. Then obviously that has been delayed. As you know, Deputy, we had to come to the Assembly last year and ask for the £65 million not to be transferred from the taxpayers' part because of the unprecedented spend that we needed. We are asking again the same this year. I am only asking, because of being social security, for the one year in law. That is the proposition you just spoke about. It will not be taken until after everything in the Government Plan is agreed. When you ask if it is sustainable, this is why we want to do a review. We know we are not putting money in from last year, this year if the States agree, obviously, with that, so we need this review urgently. We are already doing a big review on incapacity benefits and this will be married together. So we will be bringing this report back and some hard decisions, I have said there will probably be some hard decisions, but on the F.P.P. (Fiscal Policy Panel) advice we will not be putting anything up, everything will be mooted with the timing until at least 2024. Sorry if I have not answered all the question.

**Deputy M.R. Le Hegarat:**

Thank you, Minister. Please can you clarify the status of the social security review and what outcomes have so far been determined in relation to maintaining the fund at a fully sustainable level?

**The Minister for Social Security:**

As I have just said, Chair, the review that we wanted to carry out last year to look at whether it was still fair, and it definitely is in a third and a third and a third, that absolutely got delayed, but now it is imperative. It is sustainable; we have £1.9-something billion, £200,000 million, in there. We have 5 years' worth of spend if we do not collect another penny tomorrow. It is sustainable. It is in the Government Plan, but to be prudent as the Minister I am only coming to the Assembly to ask for a one-year delay. Some Ministers may have wanted me to go a bit further, but I want the review. I want to know exactly - and you are right asking me that question - that this is sustainable going forward so it is one year spend of non-taxpayer money going into the fund. At the moment, as I say, it will be sustainable. It has that money to spend, but there will be, once the review is out ... the review is just starting now. People are talking. It has to be done quickly and then, as I said to you I think in the Government Plan hearing, we will have confidential talks with you as my panel and then further, but nothing will be agreed, it cannot be agreed, it is all in law, it will have to go to the Assembly. The Assembly's decision, our decision, that things if they do need to go up, do need to change - there could be other ways to do it - will not start before 2024, and again reading and being in the States Members' briefing from the F.P.P., that was their advice as well. They had obviously said that ... they did not say it was a wrong thing to do to sort of borrow from ourselves for a few years instead of going and borrowing an extra amount of money from outside, basically.

**Deputy M.R. Le Hegarat:**

Okay, thank you. Can I just confirm you said ... and we are obviously aware that the review was delayed because of COVID-19 and it is about to start now, but maybe I missed it. Did you say how long the review is likely to take, please?

**The Minister for Social Security:**

We are trying to do it as fast as possible. We want to bring whatever the outcome of the review, obviously discussed around C.O.M. (Council of Ministers), then Scrutiny, the Assembly ideally about July next year. So it is going to be quick. If we start now, if we are going to bring things to the Assembly by July, we are hoping it will probably be finished March or April. If you work the timeline, if we miss that, it might have to go into the Government Plan, but ideally I would like this sorted before the Government Plan to know exactly where the next lot of funding is going to come from, keep it sustainable, what is being spent out of the fund. As I say, that is all in the review, but it will be quick. It is not going to be months. The difference now between the other review that was put in the last Government Plan, it was sort of a look at and review: is it still right as we used to do things? Was it right that we are getting this money? The States grant kept going one way and that was only up, and it should never have been like that. But now with what has happened, the spend that is needed and because we are not putting the taxpayers' money across into the grant, the review is absolutely urgent now, so we are doing it.

**Deputy M.R. Le Hegarat:**

Okay, thank you, Minister. P.124/2020, Draft Social Security (Amendment of Law No. 14) (Jersey) Regulations, family friendly. As stated in P.124/2020, the previous Minister for Social Security made a commitment in 2018 to introduce equality in contributory parental benefits as part of the social security review. If one of the primary aims as part of the social security review was to achieve equality in contributory parental benefits, please can you explain the rationale for also extending contributory parental benefits from 18 weeks to 32 weeks?

**The Minister for Social Security:**

The money for the extra payment was something I took to the Government Plan last year. So people above the standard ceiling - I think it is around £54,000 - are now paying another half per cent. These are employers, not employees. So that money is coming in and it is there, and these benefits, ideally we would have done them in July when I introduced the extended rights to parents. With the help of my officers, we got a non-statutory scheme up so employers of men would not be losing out. Because they only under the law that you have just quoted would get ... the men would then under my new laws would have got 6 weeks' pay, but they could only claim back for 2. So that scheme was set up and running and this is the finishing off of all the family friendly that I put in. But the money is there, Deputy. It was an amendment in the Government Plan last year and it is being paid for by employers of people who earn over around £54,000, yes.

**Deputy M.R. Le Hegarat:**

Okay, thank you. Please can you advise the estimated additional costs of this extension of the contributory parental benefits?

**The Minister for Social Security:**

Around £3 million. What we have to do is we have to make sure that we budget for everybody taking the full money and the full 32 weeks. It probably will not, but that is the budget if everybody does. As I say, that money has been coming in from that other source that was agreed in the Government Plan last year.

**Deputy M.R. Le Hegarat:**

Okay, thank you. The outbreak of COVID-19 has resulted in the decision to withhold the States grant and make numerous other efficiencies to offset the impact of COVID-19. Please can you advise how you intend to protect these extended contributory parental benefits from future departmental efficiencies?

**The Minister for Social Security:**

The parental benefit? Well, sorry, I thought I explained that. So we have put up some employers' contributions and it is in law. They will carry on paying it, so that is exactly ... when the regulations go through, hopefully this week, it is in law and the money is coming in and that is what the benefit will be, 32 weeks maximum. As you say, it is for either parent. Yes, it is protected by law.

**Deputy M.R. Le Hegarat:**

Okay, thank you. How will you measure and quantify whether these proposals will meet the strategic priorities for the Common Strategic Policy 2018-2022 to ensure that they put children first, improve Islanders' well-being and mental and physical health, create a sustainable, vibrant economy and skilled local workforce, reduce income inequality and improve the standard of living?

**The Minister for Social Security:**

Well, it is only part. Obviously, the parental benefit and the extra year will not do all of those things, but it gives a lot more parents longer with their children and some more money coming in. It is a lot better than we had before. I think going back 6 years we had no parental benefit at all, so from standing still at zero to the best in Europe and probably in the world if you look around, a year for each parent and 32 weeks paid by the Government. Obviously, if there was more money ... I am surprised that somebody ... they were in the Government Plan last year when this was mooted, there was a good few amendments to this, but nothing has come through at the moment. Maybe a bit

more money was tried or a bit longer and people on different benefits keep more of it or keep the benefit plus the maternity or paternity grant.

[14:15]

Sorry, parental grant. I am slipping into the ... but it will not solve everything. Putting children first, there is 6 weeks with mum as mandatory, a mother who gives birth. That was a little glitch we had. When we were bringing them through, it took that away but now mum must take the first 6 weeks. She must get full pay and that is the best for her and the best for her child as well. As I say, it is not going to help every one of those C.S.P. (Common Strategic Policy) priorities but it goes a long way to where we were.

**Deputy M.R. Le Hegarat:**

Okay, thank you. Before we move on to Deputy Alves, is there any questions or back-up points that any of the panel wish to make in relation to this first section of questions? Okay, that is perfect. We will now move on to Carina Alves. Thank you.

**Deputy C.S. Alves:**

Thank you, Chair. So, this afternoon, Minister, I am going to be asking you questions about the Spend Local card. The Government recently announced that the Spend Local debit card scheme had been an economic success, with over 2,000 businesses benefiting and over 103,000 cards activated. The Government also announced that approximately £10 million had been spent in the local economy through the £100 Spend Local card scheme. So my question is: please can you advise how much exactly of the £11 million originally allocated to the scheme was returned to the Treasury?

**The Minister for Social Security:**

Well, I think the spend is between ... just gathering it up, is between 10 and 10.2, so there is about £800,000 that has not been spent approximately. The officers now are going through where it was spent, how it was spent. There were lots of schemes around that added to the money; if you spent it in my hotel you would also get a free dinner. There are lots of things that they are finding out about. You have obviously seen in the *J.E.P. (Jersey Evening Post)* today that it has been such a great success that Northern Ireland is trying to ... well, they are basically saying they are going to try the Jersey scheme. So it could not be any clearer. I think everyone who spoke to me ... I know people were doubtful at first, saying it should be means tested. We had to get it out quickly. It was one of those: "Where do you put the bar?" Somebody who was on £50,000 might have just dropped to £30,000. It was just easier and it was about everybody in the community going out and spending on whatever they liked. A lot of people have told me they have put their £100 payment to a bigger

purchase. They had been waiting to spend £300 that they were not prepared to spend, but they have spent it because they put the £100 towards it. It was how to get money out there quickly. The scheme is brilliant. I think it is brilliant. It was done on a card. It was easy. If anyone has their card, please hang on to it. We are not saying that definitely there will be more money, but if there is anything to stimulate the economy again, I would not try to do it any other way. It was just one of the tools but it was brilliant and only being spent in Jersey was the main thing, and it was.

**Deputy C.S. Alves:**

Thank you, Minister, you covered quite a lot in your answer there, so I just wanted to pick up on a couple of your points. You spoke about how the data and the findings were currently being collected and looked at. Can you tell us how you will present the data and the findings about how and where the Spend Local cards were used?

**The Minister for Social Security:**

I have Ian Burns here, whose team is doing that, so I would not want to give you anything wrong and he will be a lot more knowledgeable on that because it is really technical. Would you mind if he answers that question?

**Deputy C.S. Alves:**

No, that is absolutely fine, thank you.

**The Minister for Social Security:**

Thank you.

**Director General, Customer and Local Services:**

Good afternoon. So the Minister is right, the scheme has ended. We are currently looking at, along with the Treasury team and the Chief Economist, the data and they are preparing a report which will go to the Council of Ministers to show the full economic impact of the scheme and whether it achieved its objectives of delivering fiscal stimulus. It certainly feels like it delivered a lot of energy and confidence on Island and excitement around spending the card, but did it deliver the fiscal stimulus? That is the report that we are working on. That will go to the Council of Ministers and then I think the intention is to publish the data that comes alongside the scheme to provide and inform the public and obviously States Members about how the card was delivered and where it was spent in broad sectors across the economy.

**Deputy C.S. Alves:**

Okay, that is great, thank you. So my next question is: how will the unspent funds returned to the Treasury be used?

**The Minister for Social Security:**

I personally have had no discussion about that yet, Deputy. It will probably go back in the COVID pot or it could go back in the fiscal stimulus, but I could not answer that truthfully. I absolutely have not asked that question. I do not know.

**Deputy C.S. Alves:**

Okay, thank you. You also mentioned advising people to keep a hold of their card. So do you think it is likely that an additional payment to the card will be made this year or next year?

**The Minister for Social Security:**

Again, I think what Ian Burns has just said ... but we do know that it was well received. When we know more data, when it helped ... we also need to keep an eye on our economy. It is doing quite well at the moment compared to other places, but what we have said is if it is an easy way to put the money on ... every penny that was on it on 31st October, it went back very quickly. So once you have the card, it would be easy to do. We have not spoken about it yet, but we would not like people to start chucking their cards away because that is an easy way to do it. We have not discussed it yet.

**Deputy C.S. Alves:**

Okay, thank you. My final question on this section is: can you advise us whether you were made aware of any Islanders or local businesses who experienced issues with the Spend Local card?

**The Minister for Social Security:**

I did not. It was just people who chatted to me. Ian says he would like to answer that because he might have had more ...

**Director General, Customer and Local Services:**

Yes. So obviously the concept of giving out 105,000 cards or more to Islanders is reaching everybody on the Island. Not everybody would be used to handling a prepaid card or activating a card, although we made it as easy as possible for people. We did help some sectors of the community to activate their card over the phone and to use it for the first time. For many people, particularly as it also involved children of all ages, there was quite a bit of uncharted territory for people. So they were learning for the first time in some cases how to use those things. So, obviously some individuals had a bit of difficulty but we were able to help coach them through it. The same for businesses. Most businesses found that they could accept the card with no problems at all. There was a small number who perhaps did not have their card reader registered in the right country or to the right purposes, and we helped them convert it and make sure that it was able to be used.

So we overcame most problems, I think, over the period and in that respect I am really pleased how well it worked. Even right up to the last day there was always a risk that people would, for whatever reason, not be able to use the card but there were very few stories of people not being able to do that and, in fact, far more stories of people being able to spend it on things they were looking forward to and experiences with their local businesses on Island. That is a really positive thing. We have had lots of thank you cards from the public and on behalf of the Minister for Treasury and Resources that we have received at C.L.S. (Customer and Local Services) and that has been great to see as well.

**Deputy C.S. Alves:**

Just another question on the same kind of theme: did you have any issues with people who said that they never received a card and were, therefore, not able to receive a card in time? Also, I heard of one person, for example, that got 2 cards in their name at 2 different addresses. So was there many instances of that, for example?

**Director General, Customer and Local Services:**

We used data from what was effectively the social security benefit arena and used health data and tax data to try and build that address quality up as much as possible before we sent out the original 105,000 cards. That itself was quite unique and a first for Government to be able to use the data in that way, but the idea was it was to deliver that fiscal stimulus and avoid people needing to apply for a card. We felt that if we asked all Islanders to apply for the card, then not everybody would necessarily be able to navigate that as easy as it would be giving people a card in the first place. So we were able to use all that data to improve our address quality, but obviously that would not pick up everybody and it would not ... we did not have everyone's current address across Government, although we ran a campaign throughout August to try and encourage people to update their addresses. So overall there would have been cards delivered for people who had moved or had left the Island and those were returned to us. We had about 4,000 cards returned to us for people who had left or had moved, but we managed to reissue about 1,000 of those cards to people who had moved address and who then asked and applied for a card. After the initial despatch we made it easy for people then to apply and if we had already had a card for them that had been returned, we would just issue that card back out. There was another probably 2,000 people who applied for cards and who received cards who were not in the initial batch. So, in total overall, I think about 106,000 people, unique people, had cards. Some people had more than one card because they lost their card, their card was damaged, et cetera, but I think the last card we issued was possibly about 5.00 p.m. on the 31st to somebody who needed a card. The idea was that we were trying to get the cards to everybody so nobody missed out and so they could spend it and boost the economy.

**Deputy C.S. Alves:**

Great, okay, thank you. I will be moving on to social security contributions now. It was recently reported in an article by the *J.E.P.* on 14th October that a statement by the Chief Minister that social security contributions may need to rise to replenish the £300 million set to be withdrawn from Jersey welfare reserves in response to the outbreak of COVID-19. However, the Chief Minister advised during a recent C.S.S.P. (Corporate Services Scrutiny Panel) hearing on 13th October that the Social Security Reserve Fund was in a “very healthy position” and was larger than had been projected. So, in your opinion as the Minister for Social Security, if the Social Security Reserve Fund is in a healthy position and larger than projected, why can the Government not rule out increasing social security contributions to replenish the fund?

**The Minister for Social Security:**

It may be slightly ... than we thought. The up-to-date figure I have today is £1.91 billion in it, but we did not put £65 million in last year. We are hoping the States agree we do not put £65 million in this year and nothing in for the next 2 years. That is what the review will do. Now, we have not said it will ... so, yes, that was on the 13th and this was a Corporate Services scrutiny hearing with the Chief Minister, who said contributions may need to rise because we have just spent about £100-and-something million on COVID and that is not stopping any time soon. I am not saying it will be that. We are looking at everything. That review that I was talking to Deputy Le Hegarat about at the beginning will take everything into account. As I said to Deputy Le Hegarat, nothing can happen until it is all discussed, we come up with a plan, it comes to the States. As you are my panel, you will get a view first. As soon as we have anything, you can have it. Then there will be some debates. What I say ... sorry, it is not really me but the F.P.P., and, yes, it is really me and other Members around the Council. You need to announce if anything is going up but you would not put them up next year when we are just trying to get out of this ... keeping the economy going. But if you had a plan and let us say it has mainly worked over the years, if you want to put something up or you want to take something away, like the pension went up but that has been a 10-year running. I mean your pension age, it has been a 10-year running and then it has gone up a few months a year. So what happens next year, what the decisions are, what to-ing and fro-ing we have in the Assembly, it will not come in until before 2024. That is if we do have to do anything. So, so many ifs, but with the money going out, with all the things being equal, it could possibly have to rise. It could be something else, a different way we pay tax. There are a lot of things. We are looking at a health charge. At the end of the day it is money out of people’s pockets. We want to do it in the fairest way. We want to make sure it is definitely the fairest way and that it is something that the States will agree to, probably with a good few amendments. That is really where we are.

[14:30]

**Deputy C.S. Alves:**

Okay, thank you. So, I know obviously you have stated that all the options have to be explored, but are you able to advise us at all whether you have an estimate for the future social security contribution rate increase that would need to be applied to replenish the welfare ...?

**The Minister for Social Security:**

No. No, honestly, we have not got to those discussions. I do not know. We are doing this review. It works out nicely because we are doing a massive piece of work on the incapacity benefits and this review will look at them. They are not not paid at the right price, they are just not paid sometimes for the right reason and it keeps people out of work. Once they have been out of work too long, like the L.T.I.A. (long-term incapacity allowance), they can be out of work for a year. In fact, on S.T.I.A. (short-term incapacity allowance) they can be out of work for 6 weeks. If some people have lost their confidence, they just stay on the S.T.I.A. for a while and then they transfer to the L.T.I.A. Then it is very hard for them to get back into work. But a lot of their anxieties and nervousness gets worse the longer they are out of work. So we want to make sure that people are ... we would like there to be someone they can talk to early days, not just be given a 4 to 6-week certificate and then go away. That is fine if you have broken your leg. That is fine if you have a terrible cold. But if it is anxiety or anything like that and feeling low, sometimes being at home on your own does not always do it. So, that is one review. The whole thing, everything that we pay out, everything that is in it we can look at.

**Deputy C.S. Alves:**

Okay, thank you. I believe Deputy Pamplin has a question he would like to ask before we move on to the Deputy of St. John, so I will let him come in now.

**Deputy K.G. Pamplin:**

Thank you, Deputy, and good afternoon, Minister. I will be brief because I will be back later, but I just wanted to pick up on your response to Deputy Alves' question because I think it is a very important one. Because at the moment for a large majority of people social security contributions are reduced because we agreed your proposal over the next few months. So I think it is important to clarify for anybody watching this that when the normal rates return, which I cannot remember off the top of my head, that ...

**The Minister for Social Security:**

June. Oh, sorry, July.

**Deputy K.G. Pamplin:**

... July, that they will not then go to ... they will increase again. So I just think it is really important to pick up on what the Chief Minister said and what you said really clear, that when the rates return you do not want then to see an increase of social security contributions at that stage.

**The Minister for Social Security:**

They will go back to exactly what they were when we reduced them. There is no plan to put them up.

**Deputy K.G. Pamplin:**

I just thought that was really ...

**The Minister for Social Security:**

I think you were one of the Members that were in the F.P.P. briefing as well and that was absolutely their advice: "It is good what you have done, deferring the G.S.T. (goods and services tax) and the contributions for the first 2 quarters, giving people time to pay" and that time to pay is over the next 2 years. There is lots going on and lots of businesses have been hit so hard, they are saying: "Government, have a plan but do not do it now. The earliest you can do it, and that is F.P.P. as well, is 2024." I am saying here now when they go back up in July they are exactly the same, the percentage will be exactly the same as it was when we took them away in October.

**Deputy K.G. Pamplin:**

Good. I think that is really important to crystallise for anybody watching that because there is a bit of concern. The final point then, what you also mentioned about tax rises, the health charge, that was defeated in the previous Assembly. If it came down to it, I know there has been very raucous decision making and conversations around the Council of Ministers table going into this Government Plan. If it is a rise in taxes or a rise in social contributions, that seems to me, from what you were just saying, could be a ... are you suggesting that you will be saying no to social security contributions unless the advice is there from the F.P.P. or would it have to be a new tax or a different tax rate or would it be both? I do not know.

**The Minister for Social Security:**

No, it is even bigger than that. I am not saying no to anything. I think I said this when I was in the Government Plan scrutiny hearing. It is so early and it so has to be quick, but you cannot rule anything out. As I said, we are doing it with the benefits we have as well. They will be looked at. Are we doing that the right way? Are the right people involved? Where is the money coming from? As I say, it used to be a third and a third and a third. But what I am saying is, and I think that is what the Chief Minister was saying when he was talking to corporate, we are trying to keep the economy going. There is fiscal stimulus, but we know at the end of this ... that is why we do the reviews early,

warn people in 2024 this will be either staying the same, done a different way or it could go up. But until we get this done, it is more like what do I think or is that a good way. I need to see. Let the review go ahead, let us see what comes out. We will have input from everybody. You as scrutiny will get it early and then it goes to the Assembly, and then if somebody thinks that is a good idea, this is a good idea or ... there will be some really ... I said it last time. There will be some tough decisions made next year of what is going to happen in 2024, but it gives people warning, it gives them time to adjust.

**Deputy K.G. Pamplin:**

I guess the final point, and to put my cynical hat on, which I do not like to do, there is an election in 2022 so that could be a very important factor. No Government wants to go into an election doing something and the Assembly will have big decisions to make, but there could be a new election and we could provide a new Government, we do not know the future. So are you saying because it will be important to get it out next year, before the election, or wait until afterwards? It is just a crucial element that is just hovering there and I guess it is in everybody's minds.

**The Minister for Social Security:**

Deputy, I think you have hit the nail completely on the head. Would I be able to bring lots of things to go up in 2022, even if they were not going to start until 2024? 2021 is the ideal. It is not about the elections, it is about keeping all these funds and making sure people have the right money in the fund so there is enough money to pay out. Because the elderly population is still getting bigger, the working population is getting smaller or they are not earning as much. That is why we have the grant because everyone should be paying ... if they are earning higher without paying more contributions you would have less money going in the grant. So, the ideal thing, in an ideal world, if we can decide this, the law, the regulation, should come through next year. Everyone knows what is going to happen in 2024. When you are in an election in 2022 you will be able to tell people ... people do not probably like to hear taxes are going up, but then other people you can say: "No, we might not put taxes up but we might halve that benefit." So you would have to decide which way we want to do that. Tough decisions and you need to do them at least a year before any election. That is why I want them done next year. Again, I cannot emphasise enough nothing will start before 2024. It might even be 2025. I am saying the earliest it will be is 2024 and then some things might be able to go out to 2025. It might be staggered. I do not know what it looks like but I do know there are people and that is the only way we get taxes and contributions, employer, employee. We call it a healthcare charge. At the end of the day, it is working people that we get our money from.

**Deputy K.G. Pamplin:**

Yes. I think this is one we are going to be discussing quite a bit as ...

**The Minister for Social Security:**

Oh, yes. [Laughter]

**Deputy K.G. Pamplin:**

Depending on what has happened. On that note, let us go north of the Island and go to the lovely parish of St. John. Deputy Pointon, all yours.

**The Deputy of St. John:**

Thank you. Minister, we would like to move on to the co-funded payroll scheme now and ask you a few questions on that. According to phase 3 of the co-funded payroll scheme, the Government subsidy has now been reduced to 40 per cent for November and down from 60 per cent in October. Please can you advise us whether there have been increases in the numbers of persons registering as actively seeking work and/or reductions in the numbers of persons paying contributions following this further reduction in the co-funded payment scheme?

**The Minister for Social Security:**

No, and if you look at the F.P.P. report on page 12 the people claiming from April has gone really down in September. We have less people actively seeking work. People are finding jobs. You are asking about whether less people are paying contributions?

**The Deputy of St. John:**

Well, you have answered one part of the question; that is that the numbers actively seeking work have reduced.

**The Minister for Social Security:**

Yes.

**The Deputy of St. John:**

But then the co-funded payment scheme is still being utilised. Have the numbers of people utilising that or the number of businesses utilising that reduced?

**The Minister for Social Security:**

Oh, yes, that has been reducing as well, yes, because ... not in all industries. I do not have all the specific industries, but construction and some hospitality even, they have been doing really, really well and they have not been claiming. As I say, they have just come out of the scheme because they do not qualify, and that is what we were hoping, as it goes down they will meet each other. Basically, with the winter COVID and things, it is what it is. Yes, I am trying to talk on something

which the co-funded payroll scheme is not mine. I was in early talks with it but Ian does administer it, his team, so he probably has all those technical answers for you. Would you like that?

**The Deputy of St. John:**

Well, certainly. I am afraid, Minister, you ...

**The Minister for Social Security:**

Honestly, I do not do it but I thought I would try and be helpful.

**The Deputy of St. John:**

I was going to say you are the only person we can ask because we do not meet with ...

**The Minister for Social Security:**

No, absolutely. Yes, Ian?

**Director General, Customer and Local Services:**

So the scheme is the Minister for Treasury and Resources and C.L.S. administers it on the Minister for Treasury and Resources' behalf. The Minister is right that the economy has recovered and the F.P.P. have highlighted that in their report. We have seen the numbers of people claiming Income Support, the number of people actively seeking work. Both of those have reduced. You have asked about contributions. I do not have up-to-date contributions. They are reported perhaps on a slightly different cycle that takes slightly longer to get to understand how many people are paying contributions, but the Income Support is a good, positive indicator, as is actively seeking work numbers. We have also seen less people claiming the co-funded payroll because their businesses are doing better and they are perhaps not, therefore, meeting the detriment test. That is important to see, but obviously, as the Minister says, the winter period, coronavirus, Ministers are keeping a close eye. The Minister for Treasury and Resources is keeping a close eye on the economy and, of course, the co-funded scheme can be updated as we have done a number of times over the early part of the pandemic. The scheme was updated quite a few times by the Council of Ministers to ensure that it was being responsive to meet the economic need of the Island. That still remains under review depending on that economic factor. The claim process is really straightforward. Businesses have been getting money straight away and that is positive because people can rely upon that. The advantage of setting out, as the Council of Ministers has done, the next 6 months in terms of what you will be able to claim each month also gives businesses certainty that they will be able to rely upon that support should their turnover fall for any particular reason and they meet the detriment test. So, yes, it is early days for the claims from October and November but, as the Minister said, we have seen slightly less claims so far in November that have been made for the month of October.

**The Deputy of St. John:**

Okay. You have your ear to the ground, given that you are administering the scheme. Do you have any notion that there are some people out there who are experiencing difficulty because of the reductions in the rates? You mentioned the people who are surviving quite well and turnovers have increased, but are you aware of any people out there who are suffering?

**Director General, Customer and Local Services:**

We have obviously already talked today about the Spend Local card. That ran until the end of October, so that would be influencing businesses' claims for the month of October, which they would make in November. From October also we have the other fiscal stimulus measures that the Minister has linked to, which is the reduction in contributions. So that means employees would have received at the end of the month typically, when payday occurs for most people or for a lot of people, they would have received more money in their pay packet which they will spend in November. So there is a secondary fiscal stimulus effect that Ministers have planned and that should start to come through. So, in terms of claims we are not seeing higher levels of claims so far in November. The other thing which is always careful to keep an eye on is we have not seen throughout the pandemic, apart from a few exceptional cases, large numbers of redundancies, which is what was feared at the beginning. Back in March we were very fearful of that and we have not seen the Minister being notified of, thankfully, very few large-scale redundancies.

[14:45]

So there are positive signs there but, as I say, Ministers are keeping a close eye on economic factors, alongside Public Health to try and get that balance of health concerns around coronavirus but also the economic impacts.

**The Deputy of St. John:**

Thank you for that answer. I want to continue on the same subject, because all around us countries are in lockdown. We see it regularly in our press that most of England is red, most of France is red, and frankly we are not going in the right direction ourselves in terms of daily cases. Are there plans afoot to deal with any effect that a significant change might have on our economy and the ability of businesses to continue trading? Are we considering any increase in the co-funded payments arrangement?

**Director General, Customer and Local Services:**

As I said, Ministers are looking at the economic effects of coronavirus. If Public Health, for example, are making recommendations around changes to Public Health's advice, then at the same time

Ministers would be considering what might be needed to support the economy. There are already a number of fiscal stimulus activities that are taking place and right now we are benefiting from the Minister for Social Security's cut in contributions, which will see 55,000 people with more money in their pay packet. Ministers are looking at that alongside Public Health advice, so it is something that has been under review constantly since the pandemic started.

**The Deputy of St. John:**

Thank you for that answer. I am going to move on now, Minister, to Income Support overpayments and ask you a few questions about that. It was stated in your response to a written question on 30th June 2020: "Final decisions about enforcement of overpayments to a claimant are made by the relevant Determining Officer according to departmental guidelines and within the financial limits of the departmental scheme of delegation." I am going to ask you to put some clarity into that. Can you advise how a Determining Officer applies the departmental guidelines and departmental scheme of delegation to make a decision about enforcement of overpayments to claimants?

**The Minister for Social Security:**

I will give you the knowledge that I have. As you say it is departmental. The way we pay Income Support is in advance. It works fine in advance, if people have got no other income and they just live on benefits. It normally works great. If somebody has got a job and it is only for a few hours and then they might do a few extra hours and they get a bit more money in, it is sometimes the case that the partner might move in and a couple of weeks go by and we are not informed. That partner might be bringing £500 a week in and then it is acknowledged, so we add up what they did have coming in, what they should have had coming in and then realise there is an overpayment of benefit. When I was not the Minister I used to talk with the officers who go through the incomings and the outgoings of the family and this has never changed. When it was introduced in 2008 the minimum payment that they would take back per day is £3. Now again that does go lower if there is real hardship and that is how it is paid back. With regards to enforcement, are you talking about legal enforcement, Deputy?

**The Deputy of St. John:**

I suppose ultimately the Petty Debts Court is available to you, is it not?

**The Minister for Social Security:**

It could be. Ian can come in on that one. It is very rare that we use it.

**Director General, Customer and Local Services:**

Most people with an ongoing claim will repay any overpayment via their ongoing benefit. As the Minister said, if they receive too much money one week often they will pay it all back the next. It is

a conversation that takes place with the Income Support household and the department. Most people, if they have an overpayment, will pay it from their ongoing benefit. Should someone move off Income Support and they have an overpayment left then that turns into a debt owed to the department and that continues to be serviced outside of the Income Support system and they will pay us a regular amount. If somebody for some reason is not able to pay us then obviously we will have those conversations but ultimately that could lead to enforcement action and there are from time to time people who are required to pay it back and we do take legal steps to recover money.

**The Deputy of St. John:**

Thank you for that. I will just pursue that a little further, Minister. Personally in my work in the constituency I do not have much to do with this particular difficulty. It tends to be my colleagues in the town, St. Saviour, where there are a lot of Income Support claimants. Many of my colleagues have established with certain claimants that the overpayment has been through no fault of their own; it has been something that has happened, continued, and then suddenly somebody sees that an overpayment exists, yet that individual is still required to repay that overpayment, invoking hardship for some people.

**The Minister for Social Security:**

I do not know what sort of money but, yes, for some people it goes on for a while and some people have had, let us say, £10,000. The family next door was not getting that £10,000 and if it was our mistake they still had £10,000. I understand, obviously, the majority have spent it. If not, and they are saving it, a lot of people give it back. It does work the other way. We make mistakes the other way and we pay out the payment if we have not been paying it right. The question I have had from Deputy Southern many times in the Assembly, and I know he is not here to defend himself, is would it not be best to write it off. Well, to be honest it is not my money. If I started writing money off I think the taxpayer - this is not a contributory benefit, it is a taxpayer benefit - would not be very happy. We try to be as fair as we can. We try to not make mistakes and on balance I think normally it is the client who sometimes innocently forgets to put their extra hours in, or they have been with their partner who may have moved in, or they are spending a lot more money and they do not tell us. Sitting down with the family to assess their hardship, we have gone down to £2 a day. That is still out of their benefit. So their benefits are going up, they are having the full rent paid or the majority of the rent paid, but it is on individual cases. I have always said to the Deputies who come to me on an individual case, if they think they are taken too high they will sit down with an officer and it is normally resolved. They have already had the money, where the person next door in exactly the same circumstances has not. It has got to be paid back because it is taxpayers' money.

**The Deputy of St. John:**

Thank you for your answers, Minister, on that. I will move on to the blessed BBC and explore this arrangement that the BBC have arrived at, that they will accept Jersey's assessment of an individual's need for a subsidised TV licence over the age of 75. I see you are getting advice there.

**The Minister for Social Security:**

No, I was getting confused. Could you rephrase that?

**The Deputy of St. John:**

There was a news article on 26th October that the BBC would fund TV licence fees for some pensioners over the age of 75, provided they met the eligibility criteria applied in the U.K. (United Kingdom).

**The Minister for Social Security:**

No. That is what I thought you said. Absolutely not.

**The Deputy of St. John:**

What I was going to go on to say was that the BBC has now announced that they will accept the criteria of the Government of Jersey in relation to TV licences for the over-75s. Can you explain that to us?

**The Minister for Social Security:**

They may have said that because we would not accept them setting our rules. We have had our over-75s means-tested TV licence for a long time. Talks started in 2016, which was not fair because we all watch the BBC but we do have our own rules. At that time for the BBC all you had to be was over 75 and you got a free TV licence. There was no means test, nothing. I do not know if you remember about 18 months ago I think it was the final straw for Theresa May, the BBC said: "We are not going to be so generous. We cannot do it. We are going to means test." The scheme looked very similar to ours, it is not really based on anything but it is around the same sort of money and so they were looking at us, they are going to fund us, Guernsey and the Isle of Man. We are all slightly different but we are not changing our scheme. Our scheme is if you are a single household over 75 and your income is under £16,070 it is free and if you are a couple it is £26,170 and there is no capital threshold. If you live in a nice, big house we are not worried. You do not even have to have residency. As long as you have got a TV licence we will pay for it once you present proof of licence. That is in a nutshell our scheme. They have not interfered in our scheme and they will not be allowed under the Regulations to touch our scheme. That is our deal and they just give us the money.

**The Deputy of St. John:**

That is quite clear to us. Are you publicising this to the population of over-75s in the Island and what routes are you using, if you are?

**The Minister for Social Security:**

For the over-75s on the Island or people coming up to 75 they know how to get their TV licence. Nothing changes for them, absolutely nothing, how they have got their TV licence, if it has got to be renewed. As I said, coming up to 75 it was already being paid for and now we will get that refunded back from the BBC. I did go on the radio and we advised people of what benefits you can get in general. Nothing has changed. If you are over 75 and you meet those 2 criteria, I think one of our sister Islands do take into account assets like a house, but it is just low income and then you have got the over-75s on an income threshold.

**The Deputy of St. John:**

What forms of media are you using to get this message out to those people coming up to 75 or who are in fact 75? Are you leafleting?

**The Minister for Social Security:**

Ian will be doing all this through the department, so he is going to tell you what they do.

**Director General, Customer and Local Services:**

In the past we have written to all pensioners who are in receipt of the Social Security benefit on-Island to give them an update on their pension, but also to make them aware of the other financial support that is available. That will include things like Pension Plus, which helps with healthcare costs, and Income Support, of course, for those on low income, but also the opportunity for those who qualify to get their TV licence covered. We do write to people on an annual basis in that way. We always look to see if that is relevant and what the response rates are like but that is how we have done things in the past.

**The Deputy of St. John:**

Thanks for that. I am about to hand over to Deputy Pamplin who is going to talk about unemployment data.

[15:00]

**Deputy K.G. Pamplin:**

Before I do, with the BBC thing, I have to remind you, Minister, that back in 2015 I think you could argue that you won the day in that debate to ensure that TV licensing and the benefit remained, by one vote if memory serves me right, when you were then in our shoes in scrutiny against the Council

of Ministers of the time. That was certainly a ferocious debate and there was an argument then, of course, and it is still an argument now should over-75s be means-tested for a thing like a TV licence if we give away free bus passes, which the Minister for Infrastructure and the people who run the buses would argue is a significant cost? They do not means test pensioners there. The BBC provides obviously people of all wealth the services of radio and television. For people who are on their own, regardless of where they find themselves later in life financially, it can be a significant companion in their lives. You could have all the money in the world but if you are an elderly person living in the community where your radio is your companion that is a very important part of your life. I do not want to drag you back into the argument that you so ferociously stood up and fought for back in 2015, but it is a philosophical one and while we are here I know the BBC will be taking the payments on from this point, but is it right that a TV licence should be means-tested for the over-75s now?

**The Minister for Social Security:**

Yes, it was me, but the TV licence that existed was means-tested here. I won the vote to keep that because it was means-tested here. If I had gone to a vote to bring it in and give it to every over-75 I do not think I would have won it. I think you just said the BBC give free TV licences to everyone over 75. That is their change. They are now means-testing, and that is why they have come nearer to us because they think it is easier to have a reason to pay out. The Government used to subsidise the BBC after the licence money and the Government said: "There is your money. You now have to decide how you fund it" and they had to go out and means test the over-75s. From what I can see it is a bit meaner than ours. I have seen their level. I would not have won the day if I had tried to get that. I won it by one vote keeping it as it is.

**Deputy K.G. Pamplin:**

It is what it is. We will leave that for today. I want to move on to employment data. Following your response to a written States question on 8th September by Deputy Morel and it was then reported in a *Jersey Evening Post* article in June 2020, approximately 5,000 fewer Islanders were paying contributions compared to a year earlier. With the substantial reduction in contributions we talked about earlier and the information provided by the F.P.P. economic indicators report, which does suggest individuals often seek employment through other means nowadays, private agencies, social media for example, rather than registering as actively seeking work - some may do that as well - do you agree that it would be beneficial for the department to have access to data about individuals who are seeking employment but not registered as actively seeking work, so we can finally get a true number, as much as possible, what the reality is for people seeking work for whatever reason?

**The Minister for Social Security:**

I have asked these questions myself, Deputy, over the years. It is not as easy as it sounds. We could try through the private employment agencies how somebody gets work or if they are actively seeking work. There are also people who are unemployed who do not need to work but they are unemployed because they may have gone off and had their first child or a second child and looked around and they are not ready to go back in, but they are not working. If you were looking at data we would like to know why they are not working. I do not mean because they need to work moneywise, but it gives you an idea of what the population is, the skill set. There are a lot more things we can do, but it is how we get there. Ian can add to that, but I do not think we have got an answer as to how we get there for everybody.

**Director General, Customer and Local Services:**

The Minister is right, actively seeking work numbers are mainly based upon those who are claiming Income Support, but anybody who is out of work can come and register as actively seeking work. We tend to prioritise support for those who have been here longer than 5 years, even if they are not on Income Support, but on a regular basis the Statistics Unit do forecast unemployment, i.e. everybody on the Island who is not working but wanting to work, so they do have a regular International Labour Organization number that they produce on a regular basis. It is more difficult for them to produce that number the further away they get from the census but they do produce that number on a regular basis even though it may be every couple of years. That is a measure of unemployment. The contribution numbers that I think the Deputy referred to, they are unique contributors. They are people who may have more than one job but are paying contributions, so each person, and that did see a drop-off because of the effects of a number of things. One is the pandemic. The other is the deferral of contributions, so we did see a number of businesses and self-employed individuals who did not pay. Therefore, that is one of the reasons why we needed to really try to validate the numbers of contributors we were seeing, the movements between Q4 in 2019 and also all the way through to June 2020. The impact was spread across a much longer period because of the way people do their returns and the quarterly cycle that exists around contributions. The other information we had recently is the Labour Market return and that shows the number of jobs in the Island, so it is not quite the number of unemployed people but it shows a movement in the jobs. Of course, that is not unique jobs, so a person who has maybe 2 part-time jobs and also does some zero-hour work occasionally could potentially be counted 3 times in the job numbers that are published by the Labour Market report. We have a number of bits of information but the real number that I think you are referring to is published by the Statistics Unit as I mentioned.

**Deputy K.G. Pamplin:**

To pick up your point about the census, that is due next year and I think it is going to be highly impactful when we get the true numbers and data out of that. I think the point is the richer your data,

the more combined and available it is from whatever avenue it is, be it Statistics Jersey or the private companies, will only help, will it not, Minister? The understanding of what the reality is of the local jobs market, let us be honest, the world has changed since the pandemic and it has created new ways of working and people reviewing how we go about daily life. The better the data it will help also I guess in the fiscal response to COVID but equally going forward the things we were talking about earlier, about social security increases and tax increases. The quality of data is going to be important. How do we get a true measure of what the real impact of the COVID situation is? I do not know what the answer is but how do you tackle this and pull in everybody and get as rich a data as possible?

**The Minister for Social Security:**

As Ian said, Statistics do some and we do some. That is the point that I gave about the lady who has had 2 children and her husband can keep her because he is on enough to keep her. Even getting right down to the data, what is her skill set? When would she like to come back to work? You might have people saying: "We want to bring someone in to Jersey" but you have got a really good person in Jersey. I am only saying one person, it could be lots of people who are not in either of those statistics and who are actively seeking work and are not on any form of benefit down at Social Security. It is hard. We are getting better at collecting data across the board but I do not have the complete answer, but if you do ...

**Deputy K.G. Pamplin:**

I am always happy to share, if there are jobs going. One issue for me that is important to me personally is knowing the real number of people not working, the unpaid carers of this Island, the people who go the extra mile for their loved ones, people who raise their children, they are not working but their job is to be there for the child, because if they were not there what would happen? Also the gender equality of where we are and understanding that. There are a lot of people doing a lot of work in the Island that is unpaid, the carers of family members and parents, be they female or male. I am really passionate about this, to understand what is the reality of what people are living and going through on this Island. They are not actively seeking work because they are working, they are just not getting paid for it, if that makes sense.

**The Minister for Social Security:**

Yes, that is a totally fair point. The value in that and also when we did the family friendly we were looking at where women were ending up, again gender equality. Because the majority have taken time off, exactly what you say, it might not always be youngsters, they were taking time out of work for a couple of years to look after their elderly relative who wanted to stay in their own home. We do not gather that data as well as we should.

**Deputy K.G. Pamplin:**

Generally speaking and historically speaking it falls to more female balance. Those are the ones staying at home caring for elderly parents, children. That is the thing. We do not know the true number and I think that is a really good point and I am glad to hear what you just said there. We will move on. Recently the Child Personal Care Benefit has been in the public domain a lot. I know I have asked a couple of questions of you in the Assembly of late. For those watching, a reminder. It was recently reported in the *Jersey Evening Post* and other media, to be fair, that a mother of a child who undergoes paediatric dialysis 5 times a week for 10 hours at a time lodged a petition that she thought at the time would be a good thing to do for other people to be aware of the situation she went through, not for her personally. It gained 1,159 signatures. It was calling for the Government to review the law surrounding the Child Personal Care Benefit. That is the situation. Could you advise what decision-making process is followed by the department when considering an applicant for a Child Personal Care Benefit, for those who are unaware of how it works?

**The Minister for Social Security:**

As I say you cannot really discuss personal cases but it is all done correctly. In fact, Sue Duhamel is going to answer this because you want to know exactly how they go through and I have got the statistics but, Sue, could you please answer?

**Head of Policy, Strategic Policy, Performance and Population:**

The benefit is paid under the Income Support law but it is an exception to the rest of Income Support in that it is not means-tested against the parents' income. The process would be that a parent would be provided with an application form and that application form runs through 20 separate sets of questions in respect of everything the child does in terms of their ability to make physical movements, have cognitive abilities, so how well they can think about things or communicate, and whether they need help with medicine or to go into (inaudible). That information is then checked against any available medical advice and that produces a score and the score produces the relevant level of benefit. The benefit is available at 2 levels for parents without means test. There is a third, lower level for parents who do set aside the means test for Income Support. Basically it is a very comprehensive test of the child's personal care needs, how much extra help they need compared to another child who does not have a disability of a similar age, because all children will need a certain level of care and so the tests do change slightly depending on how old the child is. For example, there is a test around walking, and because babies cannot walk you do not expect the baby to walk, but a child of 5 would be expected to be able to walk, so a child of 5 who could not walk would need more care than a child of 5 who could walk. There are 20 tests. As I said they are all set out in the Regulations and it is a very transparent process. The decision-maker in the department will check the questions provided by the parents against the information provided by the

medical people who are looking after the child and any external evidence that is provided. There is a full decision-making process for children and parents in that situation.

**Deputy K.G. Pamplin:**

Thanks for that. I have seen the form and I have obviously tried to look into it as best I can. As part of the decision-making process around the form-filling exercise and what you have explained, is part of the process a meeting with the family in the round?

[15:15]

So after they have put their form in and you are doing the processes you have described, the family are then interviewed, so to speak, as part of that process, for the fact-checking process that you have just outlined and to meet the family in the round to fully understand? Because, as you could probably imagine, every case that comes forward could be similar in patterns, depending on what the disability is, what the situation is, but every family is unique, every illness is unique, there might be different circumstances. Is that a factor of that process?

**Head of Policy, Strategic Policy, Performance and Population:**

Gathering the evidence is a very important part of the process. Whether that gathering evidence requires a person meeting with the family would depend on the individual case. You do not have to do it but it is helpful to do it and to help with the decision-making process that will be included. At the end of the day the decision to be made is in respect of the person attending to the child, so the written evidence is often enough. It would depend on a case-by-case basis.

**Deputy K.G. Pamplin:**

It is not statutory in the law. The process is to meet the family. It is only there if you felt it was required, am I right?

**Head of Policy, Strategic Policy, Performance and Population:**

Yes, that is correct. The law does not require a meeting but the law does allow the decision maker to gather expert evidence and take evidence if they feel it is relevant so that could be included if it is important.

**Deputy K.G. Pamplin:**

Thanks, Sue. Back to the Minister now. Minister, upon hearing that and looking at some cases myself, and obviously we are all aware of the one individual case - and you are quite right you cannot talk about it - but there are interesting things that seem to come out of this about advice being given, and I quote, this was relayed to me: "I was told to stop working and claim Income Support instead."

Could you confirm that the proper procedure following a second refusal by C.L.S. for Child Personal Care Benefit is to direct applicants to make an appeal via the independent tribunal as set out in the Child Personal Care guidance notes? Having now heard what we have just heard, do you not think part of the process should be statutory meeting the family to fully understand any needs around the child? That would only help the decision-making process. Sorry to put you on the spot.

**The Minister for Social Security:**

I can look into that part. As you say it is not statutory but I think it is probably done more than it is not done for the complicated cases. I know not every illness is different but the child may be affected slightly differently. I could look at that. This form and this process came in at the same time as Income Support and in the written answer I gave you, in 2017 we had 173 children, 2018 we had 185 and in 2019 we had 209 children. I understand ... I have been accused or some people are saying the form is ridiculous, that nobody would get it. It is going up, children are getting it.

**Deputy K.G. Pamplin:**

Sorry, Minister, but I think the thing is the form is ... I have seen the form, it is intensive. When I was in my previous jobs outside of here, I had been part of a similar process. I think the form does as much as it can in the process that Sue outlined but now because of the pandemic and everybody is making decisions about their jobs and their workforce that if you have a parent who - and I am just saying it off the top of my head - is a nurse in our hospital and then has a child that is really ill and then suddenly goes: "Do I stop working?", we do not want to lose a nurse, do you know what I mean? Is there a way ... maybe it needs to be relooked at and that is why I ask about the statute of meeting the family in the round and to discover the uniqueness about every child, to get the fuller picture, because, as you say, they are increasing which is good to see. So the process seems to be fine, it is just this weak element that has led to it. Am I making sense?

**The Minister for Social Security:**

Of course you are making sense, absolutely. I have been through that form with family over many years. Some have ended up with the benefit, some have fallen short, some have appealed. It works for most people but I am not sure ... I think what you are trying to say is if we met the family that there would be another test. I understand what you are saying. I am not averse to it. It is not statutory but doctors ... sorry, the decision makers can do it. I do not know we would make ... I suppose we could make it statutory.

**Deputy K.G. Pamplin:**

I will give you an example. When I was at the brain tumour charity, every family we supported, they were different. They may have had a similar tumour but it affected them in totally different ways and how we would support them, practically, emotionally and financially. I am saying here again, the

system that seems to be in play seems to be fair, distributing taxpayers' money, the process Sue has outlined seems to be the right one, but it just seems to me this missing element where you look in the round at the family instead of just the child because it impacts everybody differently. People do not want to stop working, that is the other thing. People want to keep working and not drain the system even more. They want to work but they also want to support their family in whatever scenario. I guess I am beating the drum a little bit too much.

**The Minister for Social Security:**

No, no, I understand but what I will do is I will try and find out when and how many families are met. Is it a small number, is it a high number? I can find out. Obviously, we do not have that here today because I did not ... I knew you were going to ask the question but I did not know you were going to ask that question. I will do what I can. Also, because there is a very high-profile case, it is very awkward to ...

**Deputy K.G. Pamplin:**

I think it is important for anybody watching if they want to talk about their personal circumstances to come and talk to their Deputy, their local politician and ...

**The Minister for Social Security:**

Yes, absolutely.

**Deputy K.G. Pamplin:**

... you and deal with the cases individually. I think that is always a good approach. I think this is one we could come to an agreement on as a proposition or however. I am glad to hear you are on board with that and looking at it. While we are on the subject, just for people watching and listening, could you advise how applicants for the Child Personal Care Benefit can escalate their claim to the independent tribunal? It was just a query that came in from the public they wanted me to ask so I asked the question.

**The Minister for Social Security:**

What do you mean escalate?

**Deputy K.G. Pamplin:**

Yes, so if they are applying for the Child Personal Care Benefit and they want to take their claim further, maybe it has been knocked back, for example, and they want to go to an independent tribunal, how does that process work?

**The Minister for Social Security:**

I have done it and I cannot think.

**Deputy K.G. Pamplin:**

It is open to anybody.

**The Minister for Social Security:**

I think it is their decision and you send a letter to the appeal. I have done it myself but probably the last time I helped someone go to an appeal was 6 or 7 years ago with children.

**Head of Policy, Strategic Policy, Performance and Population:**

It is a statutory benefit of the Income Support (Jersey) Law so all parts of the Income Support (Jersey) Law have the same decision process and appeal rights. So a decision is made whether you qualify or do not qualify for the benefit, you get sent a letter and that letter says if you do not agree with the decision you can ask for a review. It tells you how to ask for that review. That review is an internal review, so that is a different officer will look at your claim again, check there has been no mistake made, check all the facts that have been taken into account, meet the family, meet the people involved to make sure everything has been taken into account. Then that second decision is also told to you in writing, and then that letter will say to you: "If you do not agree with this decision you can then make an appeal to the independent tribunal." So if you want to appeal at that stage then you go to the Judicial Greffe, to the independent tribunal department, and they will help you make your appeal and that takes you to an independent tribunal. That process is clearly set out. Each time you get a decision as a claimant, you get an explanation of what to do if you do not agree with that particular decision.

**Deputy K.G. Pamplin:**

Sue, is that information readily available online as well?

**Head of Policy, Strategic Policy, Performance and Population:**

Yes, available online, in the letter you get and there is also a leaflet, I think, about your appeal rights that you can get from the Tribunal Service.

**Deputy K.G. Pamplin:**

That is very helpful, thank you.

**Director General, Customer and Local Services:**

Deputy, sorry, if I could just add that is for if you are unhappy with your benefit decision. If you are unhappy with service across Government then there is a OneGov customer feedback policy that applies that has 3 stages to it. So if you have challenges about service or are unhappy with the

service you have received across Government then that is also a route for the public to register their complaint and have that investigated.

**Deputy K.G. Pamplin:**

That would have been the process for this, the tribunal, if you were looking for ...

**Director General, Customer and Local Services:**

Correct.

**Deputy K.G. Pamplin:**

I think that is very clear. Sometimes people get confused which way to go but it is very clear what Sue said is for the tribunal process for the claimant but what you are saying is across the board.

**Director General, Customer and Local Services:**

Yes, I am just making that clear that people still could complain about their service even if they have received a benefit decision that they agreed with but they were not happy about how it had been ... how they had been spoken to or the service they received. There is 2 separate things but the one you are referring to is definitely for statutory benefits and does end up in an independent tribunal.

**Deputy K.G. Pamplin:**

Very good, that makes it a lot clearer. Not that anybody would be wanting to complain, I am sure. Minister, that is it. It would be good to meet personally and talk about this. It has been very busy of late, to put it mildly, but it would be great to sit down and talk about not just this one case but this in the round.

**The Minister for Social Security:**

Okay.

**Deputy K.G. Pamplin:**

That would be very helpful. That is it from me. Before I hand back to the Chair, I have just one quick question about the card system. If it was decided by the Government that it worked really well, and seemingly it did, and we wanted to do it again, how does that work? So people who have still got their card they will just get activated again? What is the likelihood of that to happen? I know you could not answer that part of question but how would that work?

**The Minister for Social Security:**

Hopefully, seamlessly because now you have the card ... getting the card was the ... get the card, activate, I am presuming it would be all the same P.I.N. (Personal Identification Number) and

everything. It is your card now, it is your card with no money on it and it will ... how they magically put that money on it, I do not know, but it is a system and it should be seamless. The decision has not been made but it should be as easy as that, Kevin. I am getting the nod from Ian Burns, I do not know if he wants to add anything, do you?

**Director General, Customer and Local Services:**

Yes, just on that. The scheme does allow us to add further monies to adult cards. Adult cards have an expiry date of October 2022, whereas as children's cards, because of the nature of issuing debit cards to children, they did expire in October. So if the Council of Ministers wanted to repeat the exercise to the same audience, we would be issuing new cards to children but adult cards would still be active and obviously we would need to make sure that people knew the money was there to spend. There would obviously need to be quite a bit of communication around the fact that that was now enabled. But as the Minister said, the same card, the same P.I.N. number but the Government, if it wanted to apply further restrictions to be more targeted, we could restrict the spending of the card to a particular sector, which is quite tricky to do in terms of getting all those businesses identified in the right sector. But it could be done if we wanted to. Likewise if you wanted to allow people to withdraw cash or remove the online part of the card, that could also then stop being a spend local product rather than just a spend product.

**Deputy K.G. Pamplin:**

Two quick questions on the children area. Originally it was not going to be cards for children, it was going to be vouchers distributed in schools, and then obviously it did remain the cards. You just said something there that pricked my conscience there about giving children debit cards. Yes, your thoughts on that? Secondly, what age does a child need to be to qualify for a card? So let us say somebody has had a baby this year, would that baby qualify for £100 which the parent would then go and spend?

**The Minister for Social Security:**

Before the 31st, yes.

[15:30]

**Director General, Customer and Local Services:**

Yes, so just picking up the baby question first. Obviously, we had an initial cut-off of 30 June for needing to be on Island to qualify. We were able, though, to provide cards for babies born up to 31st August as we had that information and Ministers were happy for us to extend that. Yes, everybody who was a child got a card from zero all the way through to those just under 16. Sixteen was the age above which you would have received your own card ... you would have effectively

received an adult card at 16 that would expire in October 2022. All children under the age of 16 received a card that expired at the end of October 2020. While we quite quickly had certainty about how we wanted to do things for adults, there were some hereditary issues we had to consider along with our card provider about how we could issue cards to children and, indeed, how we could get them to children as well. I am pleased that we were able to find a route that allowed us to operate just one scheme entirely and we were able to issue cards to children in the way we did, directly to their houses based on the addresses we had. That made it much easier, I think, for everybody to know that things would be coming through the post. It was one system. For retailers, shops and businesses, it was also pretty much the one type of card that they could accept. If we had issued a voucher scheme, while that may seem straightforward to issue a voucher scheme, a really important part of that is getting the money to the businesses and shops because you then need to cash in those vouchers to get cash from Government. That does provide quite a logistical nightmare which we were pleased to avoid and the businesses, therefore, were able to get their money very quickly in the normal way, through the normal routes and that has been, again, a positive boost to employers and businesses who have been able to take advantage of the card.

**Deputy K.G. Pamplin:**

The one interesting thing, my daughter using it, she accidentally had taken her mum's and tapped and it was spent. I guess that is the problem, they look the same and that could easily happen. That was an innocent thing but there could be another one where people could be just tapping these cards and using the child's card. Do you know what I am saying? Should it not be a signature so at least a child could have signed for it so we could have kept a check on whether people were using them sensibly? Do you have a data or information that says that people were taking their children's cards and using them for themselves or the fact that these things could have happened?

**Director General, Customer and Local Services:**

Obviously, the cards operate exactly like any other credit or debit card in terms of contactless and we had a security requirement built in that for the first transaction, and I think every seventh transaction, you had to put your P.I.N. number in but, yes, absolutely people could use contactless as they would do with any other card and if somebody else had the card and used it by mistake or deliberately then that is the risk you take with contactless transactions. But we have - perhaps apart from your example there - very limited examples of problems where children were unable to use their cards or activate their cards, and obviously parents helped younger children understand how to spend it, but many people allow children to use it in shops. I saw it with my own eyes and certainly that is the feedback also from shops like The Entertainer and Toymaster where they were used a lot. That is, I think, a minor issue but overall if we were issuing children's cards again then we would issue them in the same way because it allows us to pick up all children whether they are at school or out of school. While we did think about distributing vouchers or cards through school, the timing

of it would have meant that schools were obviously, at the time, getting back into the swing of things post lockdown, post pandemic closure and it would have created a distraction potentially that would not have been helpful to the teachers. So it was a consideration but the way it worked would be exactly how we would do it again.

**Deputy K.G. Pamplin:**

I guess that everybody has been told to hold on to them but for me I gave mine away to a single mum who benefited from it but I got the card back and that is the ability ... you could do what you want with it because it was in your name. The risk is, therefore, because it is in your name. So if you do give it away it is still in your name, I guess.

**Director General, Customer and Local Services:**

Yes, our advice was to keep the card and if you want to give something to a charity or to somebody else, then you should use the card yourself to buy something for that charity or for that individual. So, I accept what you did, Deputy, we were encouraging people to do something slightly different so they would retain the card. The risk would be that they would give the card away and would not get it back and then further top-ups, if that does indeed happen, would go to somebody else who had the card. I am pleased to hear you took your card back. But that was the general good advice we were giving out, was to use your card to buy something for a charity or if you want to treat somebody else then go ahead and buy something for somebody else.

**Deputy K.G. Pamplin:**

I guess forward in time you will be able to release as much data as you have about how the scheme works so we can look at all the numbers and stuff. Honestly, this is my final question. How much data are you able to collect on the scheme? Because obviously data protection and everybody was a little bit nervous, are you tracking what people are buying? Just for the record, what data do you have from the scheme?

**Director General, Customer and Local Services:**

The answer is we have a high level. We will be looking at which sectors/businesses benefited from the scheme, where was the money spent and we were looking also ... we would be looking also at the broad demographics to understand who had the cards and whether they were activated and how much was spent. So we were looking very early on to make sure that there were some concerns that perhaps the elderly Islanders would not be using the card or would not know how to use it and might need more help, but the 76 to 85 year-olds were one of the highest activation groups across the Island. There are lots of reasons for that, mainly because we have better address data for that group. There was a very high level of activation. The concerns we had at the beginning were prudent but quite a lot of people from that age group were also registering online as well with their

cards, not just activating it over the phone. We have data but obviously at a very high level. If somebody phoned us and said: "Can I understand where my transactions were?" obviously we could help them with that or they could find that information out online. When the analysis comes it will be at a high sectoral level and by demographic, obviously not by individuals.

**Deputy K.G. Pamplin:**

That, you will be pleased to hear, is my final question of the day. Back to the Chair, thank you.

**Deputy M.R. Le Hegarat:**

Thank you all for this afternoon. I will leave it at that, it is now 15:38. Thank you, Minister, and to your officers for contributing and obviously, as always, to the Health and Social Security Scrutiny Panel. Thank you very much, no doubt we will see you again.

**The Minister for Social Security:**

Yes, thank you. Good afternoon.

[15:39]