

Children, Education and Home Affairs Scrutiny

Panel

Quarterly Hearing

Witness: The Minister for Children and Education

Monday, 26th July 2021

Panel:

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

Senator T.A. Vallois

Witnesses:

Deputy S.M. Wickenden of St. Helier, The Minister for Children and Education

Deputy T. Pointon of St. John, Assistant Minister for Children and Education (1)

Connétable R. Vibert of St. Peter, Assistant Minister for Children and Education (2)

Mr. M. Rogers, Director General, C.Y.P.E.S.

Ms J. Lancaster-Adlam, Head of Inclusion, C.Y.P.E.S.

Ms. N. Mulliner, Head of Early Years, Education Department

[10:30]

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

Good morning, everybody, and welcome to the quarterly hearing with the Minister for Children and Education. I will start with our introductions. I am Deputy Rob Ward and I chair the panel.

Senator T.A. Vallois:

Senator Tracey Vallois, member of the panel.

Deputy R.J. Ward:

Minister, do you want your team ...

The Minister for Children and Education:

Yes. Deputy Scott Wickenden, I am the Minister for Children and Education.

Assistant Minister for C.Y.P.E.S. (1):

I am Deputy Trevor Pointon, Deputy for St. John, and I am an Assistant Minister to the Minister for Children and Education.

Assistant Minister for C.Y.P.E.S. (2):

Constable Richard Vibert and I am an Assistant Minister to the Minister for Children and Education.

Director General, C.Y.P.E.S.:

Good morning, Chair. Mark Rogers, director general for Children, Young People, Education and Skills.

Head of Inclusion, C.Y.P.E.S.:

Jane Lancaster-Adlam, head of Inclusion for C.Y.P.E.S. (Children, Young People, Education and Skills).

Head of Early Years, Education Department:

Morning, everybody. I am Nicola Mulliner, head of Early Years within the Education Department.

Deputy R.J. Ward:

Is there anyone else?

The Minister for Children and Education:

I think, Chair, we will be joined shortly by David Berry.

Deputy R.J. Ward:

Okay, they can introduce themselves if they speak, I think, is probably the best thing. Okay, to kick off, so to speak, the first thing, Minister, congratulations on your appointment. In your ministerial role, how do you intend to manage your time and capacity appropriately, considering your Assistant Minister roles as well, Assistant Chief Minister and an Assistant Minister for Social Security?

The Minister for Children and Education:

I have resigned from my post for Social Security as Assistant Minister. I resigned from the Jersey Police Authority and I resigned from the Planning Committee when I took up this role to assure the capacity that I am required for the other roles that I undertake. I have got plenty of time to deal with

all of my capacity as Assistant Chief Minister and Minister for Children and Education, which are my priorities, as well as my constituency work.

Deputy R.J. Ward:

Okay. The Assistant Minister for Social Security role is the one I asked, so ...

The Minister for Children and Education:

I resigned from the Assistant Minister for Social Security when I took up this post.

Deputy R.J. Ward:

Okay, cool, okay. Could you outline your immediate priorities with regards to your work programme? Most importantly, I think, because obviously we have a short time left before our next election, any tangible deliverables that you hope to implement in the time that is left and I mean in terms of the election and not anything else.

The Minister for Children and Education:

I will start on that one. A lot of the work that we are doing crosses the political boundary, so the work programme that was set up by Senator Vallois that looks across a lot of different programmes, which increases funding and outcomes for education, will carry on across political terms as they should do. My priority right now really is a lot to do with COVID, is making sure that we are set up, we have got questions for the next school term, that we know what effect COVID is having across children, even though the school holidays have started in early years and through the summer holidays with all the different educational programmes and young people programmes that are going on. That is a lot of my focus right now, is just over the summer holidays making sure that we are in the best possible place for children while COVID is still going on in this Island. Tangible benefits before the next election, I am hoping we have got the inclusion review that we are looking at. We should see something to do with preliminary, what the results from that scene are going to be by the second week in August and that will look at how we are going to react with some of the inclusion review. We have got the young people emotional well-being and mental health. We have got looking at what higher-education funding will look like and making sure that it is inclusive. We have got the Children's Law. Some of these things we will definitely want to have up and delivered before the next elections. But, as I say, most of them will cross the boundary of elections because children's education does not stop in an election term.

Deputy R.J. Ward:

No, of course not. But the question was about tangible deliverables; so are there any specifics? You say, yes, these will definitely be done but these will be in progress as the election comes and into the next Assembly, hopefully, they will be in progress and irreversible, so to speak.

The Minister for Children and Education:

I expect that we will have the Children's Law set out before the next election. We will have the due regard law set out and delivered through the Assembly. Hopefully, the Assembly will support both of those pieces of legislation we have done.

Deputy R.J. Ward:

Sorry, it is just format as much as anything. Apologies for the interruptions. When you say "set out" do you mean lodged?

The Minister for Children and Education:

Lodged and, hopefully, agreed, Chair. They will be lodged, they will be debated within the Assembly and I really hope that the Assembly will support such really important pieces of legislation that will benefit children going on long into the future within this Island. The education reform programme will have the new funding formula, which we are starting this month, which is the new funding formula that we will talk about in the education reform programme later when you get to those questions. The inclusion review will be done and we will start looking at implementing those recommendations, which I think we should be able to deliver in pretty short order. We have got money set out in the Government Plan to be able to deliver once we get the recommendations and we start moving forward, so they are some of the tangible differences and benefits we will see delivered before next elections.

Deputy R.J. Ward:

Okay. You noted in the letter to the panel that the priorities have been primarily shaped by your predecessors. What concerns do you have with regards challenges to progressing and delivering your priorities can you see in the time that is left?

The Minister for Children and Education:

There was absolutely nothing wrong with the deliveries and the programme of works that were set out by my predecessors, being Senator Mézec and Senator Vallois. To bring in anything new now, which would be my own priority, would just delay and slow down the good work that is happening already. I do not have any concerns about my priorities because my priorities are the consistency of approach that is being set out across this political term.

Deputy R.J. Ward:

They are the ones that were already set but you do not see any obstacles in the way to them, any particular challenges that you may have identified. It is like a risk assessment really when everyone would get anything done, yes.

The Minister for Children and Education:

COVID has been our biggest challenge across all of the priorities that have been set up, that is to do with either recruitment or getting pieces of work started by getting the likes of N.A.S.E.N. (National Association for Special Educational Needs) and their advisers over to speak to stakeholders and start that piece of work. Delays that have been happening, are currently happening, which is COVID; we still do not know what that looks like going forward. We are expecting that with our vaccination programme things will get a lot better. But COVID is the only real concern I have for delays within delivering any programmes of works, which it has been for all of us for the last year and a half.

Deputy R.J. Ward:

I think that is a good time to move on and talk about the Government Plan because that is obviously the vehicle for work that will go on into the coming year. Senator Vallois, do you want to ask your questions on the Government Plan next?

Senator T.A. Vallois:

Yes. Thank you, Minister, and good morning. In terms of the Government Plan, you and your colleagues will currently be, I would imagine, debating about what should or should not be in there in terms of funding and what funding we have at present. Would you be able to elaborate for us on the projects for the Education remit within the forthcoming Government Plan and what the priorities will look like and whether there is any new growth funding?

The Minister for Children and Education:

There is new growth funding within the Government Plan which looks at some of the things like the inclusion review. It looks at underfunding within the educational system and deficits. But I can hand you on to Mark, I think, who will be able to go through line by line and let you know what is there.

Director General, C.Y.P.E.S.:

Good morning, Minister. Can you hear me?

The Minister for Children and Education:

Yes, Mark.

Senator T.A. Vallois:

Yes, we can hear you.

Director General, C.Y.P.E.S.:

Yes, great, thank you, okay. The Minister outlined some of the elements of next year's Government Plan. There are some continuation activities you would expect and then there are 2 areas in particular that we are seeking to argue, should be in next year's plan and, potentially, secure any available resources. The 2 new areas are broadly based up, one is demographics and that is particularly looking at the growth in the special education, so anticipating, I guess, in many ways what might be the findings of the inclusion review, as and when that reports. But we think we have got a good idea and Keith Posner and Hona(?) have done a fair amount of work thinking through what the full range of demographic pressures are, but particularly those relating to children with special educational needs and disabilities, which is a growing area of needs. The second area that we have been ... obviously is to do with, I guess we would call it targeted youth support at the moment. I think we are all familiar with a small but not insignificant group of young people who have had troubled upbringings and had been just giving public services, including S.o.J.P. (States of Jersey Police), some challenges during the whole COVID period. We are looking at whether there should be some targeted investment to create an additional, what we would call, the targeted youth support service to help in terms of their education, mental health, in terms of positive activities and making that kind of broader contribution to community safety. Those are the 2 areas that we have been discussing with the Minister. We have been working out proposals that could go into next year's Government Plan, of course all subject to current discussions and availability of resource. The kind of main areas that have been - I think both of you are more than familiar with - continued work on C.A.M.H.S. (Child and Adolescent Mental Health Service), the education reform programme, as you would expect. Some further work on the children's legislative ...

Deputy R.J. Ward:

Sorry, Mark, your line is very, very bad, it is very garbled, I am afraid.

Director General, C.Y.P.E.S.:

Okay. That is just me, Chair.

Deputy R.J. Ward:

I do not know if switching off ... if the Education Department's Wi-Fi needs to be improved in some way. Could you just repeat the last bit just briefly because I am sure we have some more questions?

Director General, C.Y.P.E.S.:

The areas that pull through from this year are C.A.M.H.S., the education reform programme, the children's legislative transformation programme and we will obviously want to go further with the recommendations of the Early Years Policy Development Board and, clearly, taking forward any recommendations in the inclusion review. I hope it is a bit clearer.

Senator T.A. Vallois:

Thank you, Mark, that is helpful. Going back to the Minister, if I possibly can, you highlighted to the chair the concerns that you have got around COVID and of course that is taking up the majority of your time as Minister, so what are the risks around those other pieces of work, those priorities that are coming on board with the Government Plan? What is the risk of COVID affecting the ability for those to come to fruition?

The Minister for Children and Education:

The risk is still the same risk when it comes to programmes that work, which is around resources, it is around the ability to go and speak to people for reviewing such things as the inclusion review and the likes. COVID's risks are pretty generic across most departments, which is around can you go and have the staff that are working? Can you recruit in the right places to get people within programmes of work? That has not changed at the moment and COVID has not reduced in that way and they are the risks.

[10:45]

Senator T.A. Vallois:

Okay, that is understandable. Mark referred to a growth piece around targeted youth support. Can I ask the Minister how that meets with what we would have formerly known as the Building a Safer Society strategy, the B.a.S.S. strategy, and the cross-departmental work in terms of that prevention in early intervention provision that is provided within the Island?

The Minister for Children and Education:

This is the early years' work that has been going on?

Senator T.A. Vallois:

No. Mark referred to a growth provision for the Government Plan called targeted youth support around mental health support, around supporting the police with particular groups of children. I understood all of that worked under what we would have referred to as the B.a.S.S. strategy. I am not sure where the Government is with regards to the B.a.S.S. strategy at present. But I just wanted to know how that fits in with that piece of work, if that is still ongoing because it is very much across departmental initiative.

The Minister for Children and Education:

Mark, is that ongoing from the previous piece of work or is it ... I believe it is just continuing, is it not?

Director General, C.Y.P.E.S.:

I think, principally, Minister, essentially, it has been prompted ... what we have seen over the last, I guess, 12 months really, prompted by the COVID lockdowns. Its origins are much more in us understanding better the kind of needs that some of our adolescents are demonstrating now, rather than connecting it specifically back to any other historic strategy work. This has arisen because between the police and ourselves we have just realised the ... and some of these youngsters are quite troubled, as well as obviously they have been troubling the community somewhat. Really, Senator, you can see its origins going back before COVID but COVID has really prompted it, in our view, and that is why we have focused going forwards on trying to set something up that is formal, be currently resourced because we think that these issues are going to continue into the future now.

Senator T.A. Vallois:

Okay. Sorry, I think the chair had a question.

Deputy R.J. Ward:

Yes, sorry to interrupt you, Senator. Just when you say they have come to the fore now, these issues have been around for many, many years. There have been cohorts of children from our schools who have been challenged for many, many years. In the 20 years that I worked in teaching we identified them then. Are you saying it is COVID that has now highlighted the need for funding? What has previously fitted in to solve the issues for these children?

Director General, C.Y.P.E.S.:

I think with lots of things, Chair, COVID has exacerbated it, it is more complex and it has made it more severe, which is why we have been working with the Minister to propose that there is a new resource to create a specific targeted youth support service because we also think that the impacts of COVID are almost certainly going to kind of persist into the future and, therefore, a longer-term response is required. I am certainly not denying that we have not seen youngsters who can present and have presented with challenges historically but this does not feel ... it shows that it is more persistent, it is more complex, it is more severe and more public services are having to get involved in trying to remediate the situation. COVID has not created it but it has definitely exacerbated it. I think probably the underpinning piece of data that you have seen previously is about how much more demand we have got in adolescent mental health; that is one of the key signifiers that have reached the kind of profile of need in this group of young people.

Deputy R.J. Ward:

Okay, I am sure we will come back to you. Sorry, Senator.

Senator T.A. Vallois:

No, that is fine. Just in terms of the funding that is being put in place and bearing in mind we have 2 particular pieces of really crucial work, I believe really crucial work, the inclusion review and the C.A.M.H.S. consultation that is going on at the moment. What assurance do you have, Minister, that the estimation for the funding required for 2022 that will be in the Government Plan will be appropriate, considering we will not necessarily know the outcomes of those particular pieces of work when the Government Plan is lodged?

The Minister for Children and Education:

Do I have like assurances? I think that the team that are working around the mental health and C.A.M.H.S. and the likes, I think we all know that there is a need there. They know where the need will be because they work on the coalface every day. We are just getting the evidence to back that up. Do I have assurances that the money will be absolutely right and there will not be too much or too little? I do not think we ever have that assurance when we put growth funding in for the Government Plan. Because the staff that are giving the assumptions for how much money is required are the people that are working day in and day out. I have to trust their best estimates on what will be required.

Senator T.A. Vallois:

Given the financial year is very different to a schooling budget, compared to a normal States department annual financial budget, would you, as Minister, be prepared to go back and request an amendment to the Government Plan if the outcomes of those reviews identified that the funding was not sufficient to get on and deliver action for our children and young people under those strategies?

The Minister for Children and Education:

Vociferously I would, yes. Absolutely, Senator, I would definitely come back and challenge for more money and I would start with Treasury and see about getting the money first. If I could not resource the money through existing budgets somewhere within Treasury, then I would bring an amendment to the Government Plan or a proposition to the Assembly, absolutely.

Senator T.A. Vallois:

That is good to hear, we look forward to seeing if that happens or not but we will be, of course, scrutinising the Government Plan. Just in terms of the budget at the moment for 2021, do we have an idea where we are in terms of forecasting for end-of-year spend? Because we had some growth funding last year for education ... well, we had growth funding in the Government Plan for this year and just identifying where we are because we know that there was an overspend last year and the year before. Where are we, we are almost beginning of August, our spend to date, do we know what that looks like?

The Minister for Children and Education:

Department spend to date, I can do from 30th June because we are still in July and our department spend to date is £75,000,035 from 30th June, which is £964,000 underspend to the year-to-date budget, which is currently £75,999,000. That is what we know from the end of June.

Senator T.A. Vallois:

In terms of that £964,000 underspend, do we have an idea of why that has occurred?

The Minister for Children and Education:

We do. I may have to hand on for the detail on that. I have been trying to get as much information. It is a lot to do with COVID and the likes. Who is best to answer the underspends because it crosses lots of different areas?

Director General, C.Y.P.E.S.:

Yes, so I am happy to pick that up. I think it is principally the answer you have given. For example, some of our recruitment has been slower than we would have wanted it to for obvious reasons, so some of it is just delayed expenditure, Senator.

Senator T.A. Vallois:

Okay, I understand that. Would it be possible, Minister - we did ask this of the Minister for Home Affairs - but to have access to the quarterly financial reports for Children, Young People, Education and Skills, as part of our work with regards to the Government Plan?

The Minister for Children and Education:

Of course, transparency in that area is absolutely essential.

Senator T.A. Vallois:

That is great, thank you very much. I will pass back to the chair now.

Deputy R.J. Ward:

Thank you very much. I have got some questions I just put into here on behalf of the Jersey Youth Parliament, so I am just going to ask them as they have sent them to us. The first question is: why is not P.H.S.E. (Personal, Health and Sexual Education) continuing to be taught to students in all year groups in all schools? Can you confirm whether that is the case? If it is the case that it is not taught to all students in all year groups, why is that the case? P.H.S.E., I think it is called P.H.S.E., not P.S.H.E.

The Minister for Children and Education:

Sorry, can I hand over to David Berry or Mark? I think David Berry is probably best for this one.

Director General, C.Y.P.E.S.:

Yes, David has joined the meeting.

Deputy R.J. Ward:

Is he there? Dead air time on live radio and T.V. (television) is not good. Shall I answer the question?

The Minister for Children and Education:

I do not know if David is in there at the moment.

Deputy R.J. Ward:

No, someone will answer the question.

The Minister for Children and Education:

I do not think he is. No, David is not in the meeting, by the looks of it.

Deputy R.J. Ward:

Okay. Do you know, Minister, is it taught through all year groups in schools, P.H.S.E.?

The Minister for Children and Education:

All year groups in all schools, I know that there is a P.H.S.E. curriculum that starts in primary and goes on to secondary, with key stage 1 and 2 have levels of P.H.S.E. curriculum in it and then it goes through. As far as I am aware, it does go through across the curriculum. Mark, you are going to have to come in in case you know something different, but I believe there is a key stage 1, a key stage 2, key stage 3, key stage 4 and there are different levels of P.H.S.E. that go across them.

Director General, C.Y.P.E.S.:

Yes. Let me find out where David Berry is because I want to give you a definitive answer, rather than just something that I am quickly assembling in my head now. I thought he was in the call but I do not know where he is.

Deputy R.J. Ward:

Okay. The second question from the Youth Parliament was: do you think that teachers are given the right tools to tackle discrimination in schools?

The Minister for Children and Education:

As in the right tools, I think that each school has a policy that is to do with discrimination and bullying. They all have a policy and we allow head teachers in schools that know their pupils and their schools better to have the ability to deal with them. We give them the autonomy to be able to deal with discrimination and bullying within their schools. They do have to report at what level that happens. But head teachers and teachers know their students better than anyone, so we do not restrict them and we allow them to set up their policies and deal with discrimination and bullying within their school environment.

Deputy R.J. Ward:

Do you think there is a consistent approach in tackling discrimination in particular in schools or do you think it can be improved?

The Minister for Children and Education:

Chair, I have asked that very question. I have asked Sean O'Regan to collate a copy of the policies for discrimination and bullying from each school, and that is including private schools I have asked of as well, to bring it all together. Because I want to make sure there is a consistent approach across the schools in the way that not only do they tackle discrimination and bullying but also how they report discrimination and bullying and how they report when something has been resolved. It is a piece of work that I am concerned about and I have asked for the information to be collated recently. When I get all of that information together I will be looking at it to make sure there is a consistent approach in reporting and policy.

Deputy R.J. Ward:

Senator Vallois, did you have a follow-up there just quickly?

Senator T.A. Vallois:

Yes. Can I just ask whether the Minister believes that there may be a possibility of one of the tools being part of changes to the curriculum and how our curriculum is provided in schools, whether that would be a good tool to tackle discrimination?

The Minister for Children and Education:

Of course because you can only tackle discrimination through better understanding of what discrimination is and that is learning. It is part of the P.H.S.E. curriculum in treating and respecting all people equally, it is in the curriculum. But that is definitely one of the tools that we have. Discrimination and bullying happens within a school environment but it also happens outside and there needs to be more done in society to understand what discrimination and bullying is.

Senator T.A. Vallois:

Okay, thank you.

Deputy R.J. Ward:

Okay, I think we have got an answer there. The third question that came from the Youth Parliament, a question was put to the Environment, Housing and Infrastructure Scrutiny Panel on 6th July and it was suggested that the Minister for Children and Education work with the Minister for Infrastructure to address inconsistencies in school recycling schemes. What progress has been made in this area?

The Minister for Children and Education:

The department officers work closely with I.H.E. (Infrastructure, Housing and Environment) - I think they are called at the moment - of recruiting a new recycling manager at the moment. There is an existing contract for all schools, they are able to have their paper and cardboard collected for recycling free of charge. The schools just need to register that they want to be part of it. In terms of other recycling, it is understood that there are no plans to introduce Island-wide recycling for schools. We are informed that the environment perspective reducing or preventing waste is much better than recycling and I.H.E. are working with schools focusing on that message; the need to reduce or eliminate waste from being produced to begin with.

[11:00]

Deputy R.J. Ward:

Right, okay. Are there projects in schools to stop children bringing in plastic containers with their lunch each day because of better access to hot food, for example?

The Minister for Children and Education:

All schools kind of try and do a lot of learning, I believe, in that area. I do not know if there are specific programmes. Again, I would have to see if David has managed to get himself in or not, because very operational at a school level.

Deputy R.J. Ward:

Okay, he does not seem to be here, so perhaps we can come back to them at the end. Just to move on then, the N.E.F. (Nursery Education Fund). You note in a letter to the panel that the implementation of the N.E.F. changes for September 2021 was a priority for you, could you outline the changes that have happened in terms of the implementation of the Nursery Education Fund?

The Minister for Children and Education:

The Nursery Education Fund has started. We have had money in the Government Plan that is being used up for the 30 hours of nursery education funding. There has been full engagement. We have not seen a current change in the numbers for private and school nurseries. For September 2021 there are 397 children in private nurseries, which is 44 per cent and 510 children in the school nurseries, which is 56 per cent. We have not seen the kind of a move anymore between the 30 hours. In 2014 there was more of a 50:50 split between them but I think the increase in school nurseries has meant that there is much better capacity in that way.

Deputy R.J. Ward:

Okay. The changes are the move to the 30 hours.

The Minister for Children and Education:

Yes, and funding.

Deputy R.J. Ward:

Yes. The work has progressed.

The Minister for Children and Education:

Yes.

Deputy R.J. Ward:

The implementation is completed or when will it be completed?

The Minister for Children and Education:

All children have the access to it. Parents have the choice and the flexibility to choose whether their child is assessed, access to funding, funded hours. It is being implemented. It is an option for parents to choose and the funding is there, Chair.

Deputy R.J. Ward:

Okay. There was an Early Years Policy Development Board report, will you ensure that that is published and that the recommendations are resourced and implemented?

The Minister for Children and Education:

This is currently sitting with the Chief Minister and I remind him regularly that this needs to be read and we need to publish it with the recommendations. It is a piece of work that I am constantly reminding.

Deputy R.J. Ward:

What do you think the timeline for that is?

The Minister for Children and Education:

I hope for when we get back from the summer recess that will be done, well I will certainly be pushing for it.

Deputy R.J. Ward:

Okay, so it will be published in September, is that what we are looking for?

The Minister for Children and Education:

I absolutely will be trying my hardest to make sure that happens.

Deputy R.J. Ward:

Obviously you are aware of the report, are there many recommendations that you believe can be resourced and implemented quickly and what would the timeline be for those?

The Minister for Children and Education:

A lot of the funding that we have for early years has been taken up with the 30 hours' term time funding, so we do need to make sure that once we go through that we have got extra money that will go into the Government Plan to be able to resource some of the recommendations.

Deputy R.J. Ward:

Okay. How long has it been with the Chief Minister, this report?

The Minister for Children and Education:

I absolutely do not know the amount of months on that one, Chair.

Deputy R.J. Ward:

I believe it is from December. Have we not missed a trick with implementation of the recommendations if it has been completed since December and we are now in July and we are waiting until September for the report to be looked at and published?

The Minister for Children and Education:

I do not think we have missed the trick. We could have got there earlier but missing it would mean that it would not be possible in the future, of course, and these recommendations will still be available to be able to be delivered, that they are not going to time out.

Deputy R.J. Ward:

Okay. But we are looking for September for this.

The Minister for Children and Education:

Yes, well I definitely am.

Deputy R.J. Ward:

Okay. I am sure we will come back to that. Senator Vallois, do you want to ask the questions we have on the school starting age?

Senator T.A. Vallois:

Yes, thank you. Just briefly on the school starting age, we do have a lot of questions but we are going to send a large proportion of them to your department, if that is okay, Minister, but we will just get an idea with what is happening now for time's sake. Is there any policy work being undertaken regarding the school starting age for children in Jersey and, if so, could you explain what that work may encompass?

The Minister for Children and Education:

The school starting age is set out within our law. Is there any work to change the school starting age? I think there are 3 different times that school starting age can be taken into effect. Who is the best person policy wise?

Director General, C.Y.P.E.S.:

I can or Jane probably can say something about this at the moment.

The Minister for Children and Education:

I think we have definitely got Jane in here.

Head of Inclusion, C.Y.P.E.S.:

I am here. Yes, so statutory school starting age obviously is the term before their fifth birthdays, as they turn 5.

Senator T.A. Vallois:

That has been the case for quite a while. There was a report done by the previously formed panel last term on school starting age. Have you been approached by any parents that are looking for alternatives for their children with regards to the starting age, particularly what we have seen in the past is summer-born children? Is there any consideration around that area?

Head of Inclusion, C.Y.P.E.S.:

There have been a couple of parent put in requests and obviously each case is taken as an individual case and looked at as a by-panel of people.

Senator T.A. Vallois:

Roughly how many would you say a year would that affect in terms of children? How many are coming to look for change in starting the different terms; maybe the spring term or it might be a move to summer term? How many are we seeing in terms of parents moving their children to the term starting instead of the actual annual school year starting?

Head of Inclusion, C.Y.P.E.S.:

I have obviously only been here since March; I am only aware of 2 applications in the time since I have been here.

Senator T.A. Vallois:

Okay. In terms of the circumstances around it, I understand each individual case is taken very differently but in terms of circumstances that are taken into account, what would that allowance be for the child to delay their start of school? If they were a summer-born child, instead of starting in the September after their August birthday, they might want to request a move to the following year, as an example. Are there circumstances that that would be enabled?

Head of Inclusion, C.Y.P.E.S.:

As I said, yes, each case is taken individually and all considerations would be taken into account. It could be somebody has moved country, for example, come to Jersey, it could be due to age, it could be due to developmental delay, all sorts of things. We take all of those into account when a decision is being made.

Senator T.A. Vallois:

Okay. Just understanding, in terms of the communication to the wider parental side of Jersey in terms of consideration around children in nursery or children who are pre that nursery phase, what is the communication to parents in order for them to understand what they can do if they are considering changing their school starting age for their child?

Head of Inclusion, C.Y.P.E.S.:

Obviously there are certain policies and we are currently at the moment undertaking a review over this summer of all of those policies to ensure that they are up to date and can be shared with the wider community; then be on, obviously, the gov.je website.

Senator T.A. Vallois:

Just my final question. In terms of the review that you are doing on these policies, will you be taking into consideration the 5 recommendations that were accepted in the previous Scrutiny Panel report into account when reviewing those policies?

Head of Inclusion, C.Y.P.E.S.:

Yes, we will.

Senator T.A. Vallois:

Thank you very much. I will pass back to the chair.

Deputy R.J. Ward:

Okay, thank you. I am going to ask some questions on the inclusion review, at the hearing in April it was noted that the inclusion review had commenced with the best top research on policy and legislation. However, the in-person stakeholder management part of the work had not commenced. Can you update on the progress of the work stream and has the stakeholder management aspect commenced - perhaps you can explain what stakeholder management aspect means - and, if so, what was involved?

The Minister for Children and Education:

Thank you, Chair. The stakeholder management was going out to people that give educational outcomes to children across the Island, that is from the third sector in charity space, that is from private school, secondary school, our schools and pretty much anyone that deals with education and children. There was a very large list of stakeholders that were set out within the initial scoping document. A lot more came to light as we carried on through to Digital Jersey that had been involved in their area. N.A.S.E.N. have gone out and had conversations with lots and lots of stakeholders across the Island. There has been an amazing uptake of people that have wanted to be involved in this review. We extended it because there were so many more people that wanted to be part of it and give their submissions within this inclusion review. That is what has happened, that has now happened. We are expecting a slight delay. We were hoping by the end of July that we would get the preliminary report but because there were so many people that want to be involved in a stakeholder we extended that. We are expecting the first kind of preliminary report back from N.A.S.E.N. by the second week in August, which should give us a good understanding of what we will expect to see within the inclusion review.

Deputy R.J. Ward:

In terms of the stakeholders, how many people were involved then? How many submissions did you receive?

The Minister for Children and Education:

I do not have those details until I get the review. I am going to have to wait for them to come back and tell us how many people got involved in that manner, unless Jane has got a list of those. But I would suspect that we will get that when we get the first iteration of the review in August.

Deputy R.J. Ward:

It is just that it was said that so many people wanted to be involved you had to delay it, so I would have thought ...

The Minister for Children and Education:

Yes, well they asked. Yes, we were informed that there were more people that wanted to be involved. We thought it was right that we get as broad a review as possible. Jane, do you know or ...

Head of Inclusion, C.Y.P.E.S.:

I have got some feedback. We know that at the point of ... there were several different groups, so we had the stakeholder questionnaires. They were parents, groups that work with young people, staff and children. I know that at the point the questionnaires closed they were closing on 400 replies from parents. They far outweighed what they were expecting to get. There was also then the option to have chats, talks with N.A.S.E.N. themselves directly, and we had a very large number of charities as well become involved in that. We extended the one-to-one interviews and small group interviews as well.

Deputy R.J. Ward:

In terms of inclusion, this is inclusion in education, yes, in schools in particular.

Head of Inclusion, C.Y.P.E.S.:

Yes.

Deputy R.J. Ward:

How many teachers did you talk to?

Head of Inclusion, C.Y.P.E.S.:

All teachers have the opportunity to complete the questionnaire and so they had a significant number of returns there as well. They were also spoken to in small groups and so they visited 19 schools. Of those schools obviously they were able to talk to the reviewers at the same time as well.

Deputy R.J. Ward:

Okay. What was the format for teachers to complete that? Was it an email sent to them?

Head of Inclusion, C.Y.P.E.S.:

It was an email that went out to all schools to be disseminated with all staff.

Deputy R.J. Ward:

Right, so it did not go directly to teachers, it went to ...

Head of Inclusion, C.Y.P.E.S.:

Yes, it went to head teachers to be disseminated out from the head teachers but it also was on the gov.je website, so it could have been accessed directly.

Deputy R.J. Ward:

Are you certain that head teachers asked all members of their staff to complete that?

Head of Inclusion, C.Y.P.E.S.:

I cannot obviously directly answer that question but I did personally, myself, go to many schools asking them to do it.

Deputy R.J. Ward:

Okay. I ask because obviously inclusion is most important at the point of contact with education in the classroom and without that feedback I do not know how you can complete an inclusion review, particularly in our very selective system that we had. In the inclusion review, do you believe you have addressed that selective system that we have? Because it is a fact that the vast majority or the concentration of educational need in terms of special educational needs and challenges are focused within, in particular, 11 to 16 schools and particularly the schools in primary. Do you feel that you have addressed that in the inclusion review?

[11:15]

Head of Inclusion, C.Y.P.E.S.:

Yes, I think that we ensured that the group of schools that were visited gave a reflective balance of the schools and the educational system on Island.

Deputy R.J. Ward:

Do you have a brief summary that you could give us of the review or ...

Head of Inclusion, C.Y.P.E.S.:

No, we have not had that shared yet. That will not be in until the first week of August.

Deputy R.J. Ward:

The first week of August, okay. Do you anticipate any potential changes to legislation off the back of any recommendations that you have made?

Head of Inclusion, C.Y.P.E.S.:

I think, potentially, there may be things that come out that to make a change in legislation.

Deputy R.J. Ward:

Okay. It is very difficult to ask about this obviously because it has not been published, so I am going down a bit of a rabbit hole here but never mind. Regarding school exclusions, Minister or anyone else, can you summarise how an exclusion is defined?

The Minister for Children and Education:

Jane, do you want me to pick that up or do you want to ...

Head of Inclusion, C.Y.P.E.S.:

Yes. No, I am happy to do that. A school exclusion takes place ... we have a policy but then they are defined within schools themselves. They are for a number of reasons and those will be linked to the schools' behaviour management policy. Exclusions are for half a day initially but they can be for up to 2 days or more but they cannot be for more than 5 consecutive days and more than up to 15 days without seeking permission. They fall into a number of categories, so those categories are ... if you can give me one moment. They may be for a number of things, so it may be for abuse or sexual misconduct, theft, racist abuse, inappropriate use of social media, bullying, use of threatening language or verbal abuse, damage, physical assault against an adult or another young person, drug or alcohol-related reasons or persistent disruptive behaviour, physical assault against a pupil.

Deputy R.J. Ward:

Okay. What is the process for exclusion that is used here then; it is the head teacher's choice because we do not really have governing bodies as such? It is the same ...

Head of Inclusion, C.Y.P.E.S.:

Yes, that is right. Something will have happened within the school environment; that will then be discussed with the head teacher. The head teacher then makes the ultimate decision. But with some of the secondary schools if you have a larger number of days for an exclusion, that will be discussed as well with the governing body.

Deputy R.J. Ward:

Okay. What were the numbers of exclusions during the academic year? The last academic year might be a strange one because a lot of the time children were ... I suppose they were not. What are the number of exclusions during the last academic year and the main reasons for those exclusions?

Head of Inclusion, C.Y.P.E.S.:

In the last academic year there were a total of 406 pupils that were excluded, which led to a loss of 1,532 school days. The shortest of these was for half a day and the longest period was for 39 days but that was over 28 episodes. They were predominantly in the years 9 to 11 and the highest number of exclusions were young people with social, emotional and mental health difficulties. They were largely for verbal abuse, threatening behaviour and physical assaults against other young people.

Deputy R.J. Ward:

Okay. Those 406 pupils, what has been done to help solve or change that behaviour?

Head of Inclusion, C.Y.P.E.S.:

We have currently started tracking very closely the exclusion data and looking at the categories of young people. We are now working very closely with schools with the S.E.M.H. (Social, Emotional and Mental Health) team to look at the reasons why this is happening and how we can mitigate it not happening again. Support packages, training and development of staff but also looking at why they are happening in the first place and what needs to be done and how the environment needs to be changed.

Deputy R.J. Ward:

Okay. Is that your role? Are you now employed by C.Y.P.E.S.?

Head of Inclusion, C.Y.P.E.S.:

Yes, my role is part of C.Y.P.E.S., head of Inclusion.

Deputy R.J. Ward:

Okay. You undertook the inclusion review, did you, or was that a separate company?

Head of Inclusion, C.Y.P.E.S.:

That is separate, that is N.A.S.E.N. and they are independent, from the U.K. (United Kingdom).

Deputy R.J. Ward:

Okay, but you were part of that review?

Head of Inclusion, C.Y.P.E.S.:

Yes, I have been very much a part of the review.

Deputy R.J. Ward:

Okay, so you will be writing the report with them.

Head of Inclusion, C.Y.P.E.S.:

No, they are writing the report. My role will be, along with the team at C.Y.P.E.S., to interpret that report and put into place a relevant action plan moving forward.

Deputy R.J. Ward:

Okay. Senator, did you have a question then, sorry? I wondered if you had your hand up.

Senator T.A. Vallois:

Yes, just quickly. Just to thank Jane, it is very useful feedback in the answers we have had. But just on the checks and balances that are made around the teachers determining an exclusion, what does that look like if there are any at all?

Head of Inclusion, C.Y.P.E.S.:

It is very much around and obviously if there is an incident you will look at what has happened in the incident. It is recorded, so all of the data is recorded. You are able to see what has happened on the system and relevant people are questioned and asked what has happened and then the head teacher makes the ultimate decision.

Senator T.A. Vallois:

But in terms of the checks and balance from the department, I am not suggesting that the head teachers are just doing this off the likes of them wanting to do this, I just think if somebody has got such power like that to exclude a pupil from school and there surely is a check and balance from the department just to make sure that the head teacher is not only just resourced and supported to assist those children but to make sure that it is not just being done on the hoof.

Head of Inclusion, C.Y.P.E.S.:

Absolutely, which is why we have got all of the ... they have to record all of the data, so all exclusions are recorded and the reasons behind those. From that we are now generating the data to look at that, so that we look at peaks and troughs. We are looking at what is happening in individual schools and then the S.E.M.H. team will go and support where needed.

Senator T.A. Vallois:

Have any head teachers provided any form of solution, problem-solving feedback for particular incidents in their school that may support and futureproof any of these incidents from happening again?

Head of Inclusion, C.Y.P.E.S.:

Yes, absolutely. We are working very closely with head teachers to ensure that and we can ensure that it does not happen. You cannot say it will never happen obviously but that you are reducing the number of exclusions from any one school.

Senator T.A. Vallois:

Okay, that is great, thank you. Chair, I do not know whether you have got anything to finish on this area.

Deputy R.J. Ward:

Just one thing in terms of when there is a physical assault, if a member of staff is involved, for example, what is put in place to support both the child and the member of staff? It could be a very difficult situation to go back into the classroom and face somebody who has assaulted you, particularly when children are bigger, when they are in year 11 and 10 they can be quite large and they grow very quickly nowadays. What is in place to support staff who may have been seriously affected by that? I have seen careers ended due to an assault. What support is there for the family and children of the child as well? It is not about apportioning blame, it is looking at successful outcomes.

Head of Inclusion, C.Y.P.E.S.:

There are 2 components to that, the first one is the restorative part. After any incident and exclusion and anything like this, then there will be discussions that take place with both members of staff, with families, with young people and in many cases the best way forward is to bring people together obviously if we can afterwards. But it is the educational psychology team that do that work. Again, part of the inclusion team who work very closely with the S.E.M.H. team, they will put in a support package where required to go and support both staff, families and the young people themselves after a significant incident.

Deputy R.J. Ward:

Are you convinced that is happening because I am not, if I am honest?

Head of Inclusion, C.Y.P.E.S.:

If I am completely honest, I think it is happening and I have seen it happening since I have been here. We were understaffed in the educational psychology team because there were 3 members of staff, however, we are out to recruit 3 more educational psychologists this summer and it will be considerably easier when there is a larger team.

Deputy R.J. Ward:

Okay, so you believe it is happening. The next question, Senator Vallois, I think you are going to talk a little about the Rouge Bouillon site.

Senator T.A. Vallois:

Yes, just briefly. Minister, of course we have just recently had a debate on this particular area and I see that you supported the proposition that was brought forward. Can you give us an update where you are with regards to the feasibility work for C.Y.P.E.S., in particular?

The Minister for Children and Education:

I think the best way I can put this is there was a piece of work that was done by Property Holdings that we looked at sites around St. Helier where a 2-form or 3-form entry school could be situated. That included Gas Place, there was the waterfront and other areas, so that piece of work happened. In C.Y.P.E.S. we have been looking at where the need is, we are not just interested in is there a site available or is there a site big enough? We want to make sure that whatever we are looking at is about where the need is, where children are growing up, where they are within the town centre bowl. It is not just St. Helier of course, it is St. Saviour as well. We want to make sure that that piece of work is done properly to make sure that we look at need and not just at sites. We are not happy yet but that piece of work is being all joined up together in the way that we are happy with it, C.Y.P.E.S. We are continuing to challenge in that area. There has been a piece of work that has looked at sites such as Gas Place and what that could look like already. But we need to make sure that the need is looked at and that is where we really want to make sure that piece of work is done vigorously and thoroughly before anything goes forward.

Senator T.A. Vallois:

When you refer to need, and I get your point and I think it is really important, but can you define what you mean by "need"? Is it just demographics? Is it the need in terms of special educational needs? Is it English as an additional language need or is it looking at the whole scope that education provides?

The Minister for Children and Education:

It has to look at the whole scope, Senator. It is about where are the buildings going up? We see that there is a lot going on in my district certainly round near Havre des Pas and Colomberie and

those areas. Where is the need for the fact that we can kind of ... we can guess how many children will probably be in the flats that will be going up at La Collette because we can see the kind of demographics that happen. There is that need. How long does it take to walk to a school from where you are? There is the English as an additional language. If we are going to look at what our schools should look like in the town centre, a new school, we have got to make sure that it meets needs such as special educational needs and multilingual children and those types. Yes, we want to make sure that we are not just looking at numbers, that we are looking at need and that is what need looks like to us and it has to be done right.

Senator T.A. Vallois:

I get that and I understand that. Of course, I am sure you would agree, Minister, it is not just Rouge Bouillon; we have to look at Janvrin and the likes of Springfield too. Of course Springfield only being a one-form entry and the demands and the lack of space in some of those areas. Are you taking all those current demands as well in those schools and bringing it together with a forecasting?

The Minister for Children and Education:

Absolutely and we have to. St. Luke's, there are real challenges, much worse than Rouge Bouillon for their amount of space. They are doing an amazing job there with some issues they have got. But we have got to look across the board; what do proper educational facilities look like for the children that live within the town centre bowl? It is Janvrin, it is Haute Vallée, it is all of the schools and where the need is. We are looking across the board. We think it is important to make sure that job is done properly across it, not just about sites, about need is where we are really focusing.

Senator T.A. Vallois:

On that basis then, can I ask: you said you were not happy with the work that was going on and that you were taking into account the needs, which is absolutely applaudable and absolutely right, but how long will it take for us to see the outcomes of this piece of work? What will it end up as looking? Is it going to be in a Government Plan? Is it going to be a proposition to the States? What is the outcome expected?

The Minister for Children and Education:

The outcome will be a report that will show across the board what the need for the future of education facilities within. Very much it will start with a report that will lay out what the needs will be for the future of educational facilities within the town centre bowl and then it will lay out what we require.

[11:30]

We cannot start looking at a site first and then need, we need to look at need and then look at the site.

Senator T.A. Vallois:

Okay. In terms of the timeline ...

The Minister for Children and Education:

We are working on it. Let us be honest, the reason that I amended Deputy Gardiner's proposition and supported it was to make sure that there is as much rocket fuel pushing this one as possible. We are working as fast as we possibly can to get it out. I do not have a timeline but as soon as I do I will inform the panel.

Senator T.A. Vallois:

Okay, that is great. I will pass back to the chair, but thank you, Minister.

Deputy R.J. Ward:

Just linked to this as regards school buildings and infrastructure, because obviously nothing is going to happen quickly to build new schools, it is the panel's understanding that any needs requirements regarding school buildings, including safety of the buildings and road safety aspects in particular around schools, are dealt with by the Infrastructure Department or whatever it is called now. Can you outline the process involved in directing these needs to the Infrastructure Department for assessment?

The Minister for Children and Education:

I will probably have to pass over to Nick or somebody who deals with the Infrastructure Department in these areas. Is Nick Jewell here in this one?

Director General, C.Y.P.E.S.:

I can certainly say a few words anyway. As and when all the information that we require is assembled in a way that the Minister is happy with, then the Corporate Asset Management Board will look at all of those things in the round, Chair. So that is kind of where the discussion is supposed to take place and then ultimately there is a political discussion in the R.S.G. (Regeneration Steering Group).

Deputy R.J. Ward:

Right, okay, let us just go back to that. So there is a problem with safety around Springfield School, around road safety. As the ring road comes through and goes past the school, there is a serious problem and danger to children. What is the process for getting that to Infrastructure to make a

change? When I have been involved there we have been told there is at least a year's waiting list before we even look at it, but to me it seems to be a massive priority about children's safety. Can you just go back to what you just said and explain what it will look like for something to happen around that school, without the jargon and the groups? I think what people want to hear, what the parents of the children of Springfield School and other schools want to hear, is that their children's safety around that school is going to be prioritised and something is going to be done about it now. How does the Education Department or C.Y.P.E.S. interact with the Infrastructure Department to make those priorities?

Director General, C.Y.P.E.S.:

I cannot avoid some jargon because the place in which these discussions are pursued is the Corporate Asset Management Board and that is where they will take place. The assessment of potential sites, based on all those kind of criteria that the Minister was outlining earlier, needs to go into that forum because you have all the relevant department leads coming together for those discussions. Whether it is safety, whether it is site suitability, et cetera, all of those things in the round then get debated and possible options will then be able to go forward to the R.S.G.

Deputy R.J. Ward:

Okay. So, right, okay, I think we just got the same answer again.

Director General, C.Y.P.E.S.:

The reason you get the same answer, Chair, is because that is the answer.

Deputy R.J. Ward:

Okay. So the question is: what happens to something, for example, around Springfield School? It goes to that board and then a decision is made at that board in the round; that terrible phrase "in the round"; I do not know what that means. How can that school ensure that safety around it can be prioritised or does it just wait?

Director General, C.Y.P.E.S.:

No. Okay, so where there are known issues, for example if there are, as you said, issues around road safety relating to Springfield, then that is one of the things that will be taken into account when considering future existing site developments or new site developments. That is exactly kind of how this process is supposed to proceed, is that all the different departments and all the different issues that arise in relation to existing or future sites get discussed in terms of bringing forward options for Ministers to consider. The Corporate Asset Management Board will be bringing forward options or recommendations. It will not be making the final decisions. Those decisions will be made by Ministers.

Deputy R.J. Ward:

Okay. You are talking about site selection. I am talking about the situation that exists now for those schools with traffic flying by as children are leaving. What is the process of making a change around those schools, for example putting in a crossing or changing the signage or putting in speed humps or changing access around school times? What is the process? It goes to that Corporate Asset Management Board and then what?

Director General, C.Y.P.E.S.:

So, for example, if a new crossing is required outside a school then I would expect that that will already have been identified as part of our plans in terms of safety arrangements around schools and then that will go into a planning process. Let me be really clear, some of the strategic decisions will be run through the Corporate Asset Management Board, some of the shorter-term safety issues will be taken forward on the basis of safety assessments made around particular schools and where there are particular responses needed, whether it is a crossing or whether it is a safe travel plan or whatever. So those things can be progressed outside of the Corporate Asset Management Board if a case has already been made for a particular initiative to be pursued. The Minister, of course, would be both advised and then support or not support those kind of proposals going forwards.

Deputy R.J. Ward:

Is that the Minister for Infrastructure?

Director General, C.Y.P.E.S.:

It starts with the Minister for Infrastructure. We would want it clearly to be supported because that collaboration between the 2 Ministers would make it more likely to happen but ultimately decision-making sits elsewhere, but we also have to remember that we have a planning committee that would have to consider some of these things as well. Planning is a separate function from the Minister for Infrastructure's decision-making. Putting something into planning is not the same as granted, is it, as we have seen on multiple occasions?

Deputy R.J. Ward:

Yes, I can see why nothing actually gets done outside the schools. How does that fit into the safer schools travel policy, or is that just something for the country schools?

Director General, C.Y.P.E.S.:

No, it is not just something for the country schools.

The Minister for Children and Education:

Sorry, Mark, can you turn your camera off?

Director General, C.Y.P.E.S.:

Yes. So it is not for country schools. We would expect each school to have a plan relevant to their own circumstances and if we need to help them with that then somebody like Nick Jewell would become involved.

Deputy R.J. Ward:

Okay. It might be worth, outside this meeting, arranging a meeting with myself to try to sort out the issues. I know about Springfield but I am sure there are other town schools who face similar issues.

The Minister for Children and Education:

Let us organise a briefing on where we are with those. I think that is probably a really good idea.

Deputy R.J. Ward:

Yes. I know for a fact we have been told it is a year before it will even be looked at, which to me simply is not good enough. Okay, let us move on because we have got a timescale here. In terms of COVID impact on the education setting and then return to school, schools have now closed. However, considering the impact of COVID-19, and there was a failure in the contact tracing system on the education setting, do you think the approach carried out within schools over the last week was the right approach, given the number who are isolating and the number of cases in schools?

The Minister for Children and Education:

Yes, I do. If we take into consideration the amount of pupils that were in school before the Christmas break, there was 18 per cent of children in school and secondary school or somewhere around that figure. I do not have them in front of me. We had far more students in school learning before the summer break than we had during Christmas because of the changes that we made in the policies where entire classrooms were being excluded from education because of direct contact. When education is the most important factor and having children learning, we absolutely did the right decisions in making sure that as many children as possible attended school and had education before the break.

Deputy R.J. Ward:

Okay. In terms of transition days, did they go ahead for all year groups and, if so, in terms of the risk assessments, have you tracked any outbreaks or spread of COVID that have come from the transition days? I would have thought if there was a risk assessment there would be a follow-up as to whether the risk assessments led to that sort of link to increase in cases that we have seen recently.

The Minister for Children and Education:

Transition days are really important for children to be able to go and see the school that they will be moving to and meet some of the other children. We wanted to make sure that these utterly important days went ahead, so we did some risks, we did mitigations about masks, about where mixing could and could not happen. So they did go ahead and I think that is really important. There was a level of some contact tracing that did happen because of the transition days, I believe, but it was not a massive outbreak in any way, shape or form. It was just a small number, but they are really important days for children, the transition days.

Deputy R.J. Ward:

Okay, we will not go into that. In terms of going back to school in September, what plans do you have for September in terms of children going back? It is unlikely they are going to be vaccinated by that time and we do not know what is happening in regards J.V. whatever it is called, the vaccinations board in the U.K. So what are your plans for September? What I would like to ask you from the panel is to get an agreement that you will have a plan ready at least 2 weeks beforehand and brief the panel on that plan so we are clear as to what is happening with schools. Obviously we get a lot of questions as regards that.

The Minister for Children and Education:

Yes, and of course it is always good to hand those questions on when you get them and not just wait for a hearing. Mitchell, who is probably the most health and safety aware person I have ever met in my life, is making sure that we are looking at how many COVID cases are happening over the summer break. My policy will be we need to make sure that schools are open and they are open as safe as possible for children. We are looking at the plans across the schools with the schools about how we can open in September. Obviously we will keep an eye on what happens over the summer holidays and we will definitely have a plan that will be ready to share with you 2 weeks before schools go back. I am sure I am absolutely happy that we go and do an update with you about what that would look like.

Deputy R.J. Ward:

Will that include any possible risks that come from people travelling off-Island and coming back? Would you have something in place for new variants, for example? As with any risk assessment, you plan for the worst and you hope it does not happen.

The Minister for Children and Education:

Yes, absolutely and we need to make sure that we are planning for the worst but of course we need to make sure that children get their education. If schools cannot open, we need to make sure that

we have got the home schooling all set up and ready to go or the like. So we will be looking across the board at what it would look like over the summer. New variants, travel, of course, all of that will be taken into consideration but it is about making sure that if schools are open that they are open as safe as possible and make sure that it does not increase in spread across the Island.

Deputy R.J. Ward:

Are further testing options being considered for groups returning, particularly for more year groups? I do not think the lateral flow tests were actually particularly successful, were they? They were not being fed back from all schools.

The Minister for Children and Education:

Well, the option was there and there was a lot of work done on the lateral flow to make sure that uptake was as high as possible. Of course, we cannot force anyone to take tests in that way but we made sure that the availability for the lateral flow tests was within the schools. We made sure that everyone was aware and continued to make sure that everyone was aware that they were available to be taken. The uptake possibly was not as high as I would like to have seen but you cannot force people to do the tests.

Deputy R.J. Ward:

Okay. Just a couple of other areas quickly before we move on to the education reform programme. In terms of examinations, can you update on the plans as regards the examination process for students sitting exams next year?

The Minister for Children and Education:

Currently, the U.K. Government have set out that they are planning on next year's examinations happening in a normal environment. They have not changed that advice from a U.K. Government point of view and we will wait to hear what they have got to say on that. Mark, do you want to add anything?

[11:45]

Director General, C.Y.P.E.S.:

I think you have covered it at the moment. So, we had the English Secretary of State announcing it a little while back. We have not heard anything different to that point, so we are just waiting to hear more.

Deputy R.J. Ward:

Okay. One of the concerns is we will have a cohort who will go back into full examinations next May but they have had quite a disruptive year in year 10 going into year 11 or year 12 or going into year 13, for example. What is Jersey going to do? Do you have a plan for dealing with that cohort who will need reassurance that they are not going to miss out or be disadvantaged by what they have experienced?

The Minister for Children and Education:

I do not think we will allow children to be disadvantaged, certainly from a policy point of view. We need to wait and see what happens, but we will keep an eye on what is going on within the schools and within disruption, and we will make sure that we have processes in place to allow and make sure that children are getting the education they require and getting tested appropriately.

Deputy R.J. Ward:

Okay, so keep an eye on it, right. In terms of the education reform programme, in the April hearing it was noted that it was being undertaken in 2 phases. The first phase regarded allocation of structural deficit to schools had been completed in the main. You highlighted that you were committed to work on the second phase, more detailed planning, and anticipated end of May 2022 as the completion date for that phase of that work. Can you update on the progress of that work and has the second phase of that work commenced?

The Minister for Children and Education:

Jonathan obviously has had to go to a hospital appointment because of his accident and he has not been able to come back in. So the first phase was really about making sure that the deficit funding, as you said, had happened within schools. So that was extra money for the schools, there was extra money for Highlands that they had received and then there was the special educational needs and other funding that is required, and then there was the school funding review money. So we have started the formula for the school funding review to change that formula. I do not know exactly where that is. I know it was starting this month and I expect it to happen but Jonathan obviously has had an accident so he has been off at the moment. There has been extra money that has already been allocated for special educational needs and there is work going on right now and we expect it to be put in place by, I believe, September, for what is currently known as English as an additional language that I think we need to rebrand and rename because it is just not appropriate. So it is going ahead now, the second phase is happening right now.

Deputy R.J. Ward:

Okay. Do you still anticipate May 2022 as the completion date for that phase of the work?

The Minister for Children and Education:

I cannot answer that question directly.

Director General, C.Y.P.E.S.:

At this time, yes. We are under some pressure, as you can imagine but, yes.

The Minister for Children and Education:

Mark says that it is.

Deputy R.J. Ward:

Okay. It sounded a little bit like the ... I was going to make a reference to Smash adverts but it is probably beyond people's age and time. It is just the age reference there. When do you expect to see a detailed implementation plan ...

The Minister for Children and Education:

I get that one.

Deputy R.J. Ward:

Yes, a detailed implementation plan for the education reform programme. When will we see it?

The Minister for Children and Education:

I can sort out a review for you on where we are with the education reform programme with Jonathan, if that is what you would like, Chair.

Deputy R.J. Ward:

A briefing, yes, that would be useful. We use the term "education reform". This is something that occurs to me every time we talk about it. Education reform to me is so much wider than just ... I mean, we have looked at the deficit. That was inevitable. That needed to happen because schools were on their knees, but when you talk about reform, are you talking about the way in which we deliver education in terms of what happens in the classroom, in the structure of our education system, the selective education system post-16 where we have 14-plus transfer? Is that being included? Is that the level of reform? The way in which the private schools are funded; is that what we mean by the second phase of the reform programme?

The Minister for Children and Education:

So the education reform programme was set out before my time. It was a lot to do with looking at the funding mechanisms and the deficits that were going on. There is within the school funding review that looks at things like the post-14 transfer and private education funding ... that is within a review that is being looked at. Is that the second phase of this area? I think it is just a wider piece

of work that we need to be looking at within education and making sure that we understand what those challenges are and how we would deliver them differently. Do we change the way that we do funding for private education, public-private? It needs to be looked at, it needs to be considered. I think there is a real challenge around the post-14 transfer to Hautlieu. Is that right? A lot of people will say that is absolutely right and there is a lot of people will say that it tears out the heart of schools halfway through the year. I think that that needs a much broader review to look at. It is a complicated subject and it is very Marmite. It is very 50:50 across that one.

Deputy R.J. Ward:

Minister, what is your view on that as Minister for Education?

The Minister for Children and Education:

That it is very complicated and I did not go to Hautlieu but I did see what happened when you took a whole load of students out of a school and said: "You are better than the rest of them" and then sent them off to a different school. It did have an adverse effect on the school and the students that were left behind but it also creates a lot of very good educational outcomes for the students that do move, so it is complicated. Senator, I know you have a view.

Deputy R.J. Ward:

Sorry, Senator, I was just going to say as well, do you want to come in there because I have got another question on that? Go on, Senator.

Senator T.A. Vallois:

No, it does not matter whether I have got a view or not. This is Scrutiny asking questions on some legitimate and important things, but in terms of thinking out of the box and future proofing education and the way that we can provide education in Jersey, do you not see opportunities as regards to the 14-plus, particularly with working with Highlands, like Grainville does, with a different curriculum offering in terms of vocational rather than just academic?

The Minister for Children and Education:

Absolutely. It certainly is somewhere that we have pushed in just one direction and we have not broadened those horizons. It is absolutely somewhere that when I first spoke to N.A.S.E.N. and we were looking at what the review for inclusion should look like, I did ask to be included that very subject about the post-14 in that area. So they will be looking and making recommendations in that area but, Senator, you are absolutely right that we push everyone to this academic area rather than vocational when it comes to post-14, which is not right.

Senator T.A. Vallois:

If I can just quickly follow up on that, Chair. One of the concerns I always had, and I still do have, is the ability to mould and put different types of learning together, like A-levels with vocational courses. We do not have the ability to do that here in Jersey. If you are not going to address the 14-plus transfer with regards to Hautlieu, how would you square that hole in terms of enabling a wide variety of opportunities in terms of educational outcomes for our students? If they wanted to become a vet later on, retraining strategy type of things, if they had not gone to Hautlieu and got a science A-level, they can do that going forward because it is not offered at Highlands or it is not offered in other areas. So trying to square that hole, what do you think needs to happen?

The Minister for Children and Education:

It is tough with how we do education in Jersey at the moment, is it not, with our campus, with our Highlands and with the way that we do schools? So I do not have an answer, I am afraid, Senator. I really do not have an answer to that question, but the inclusion review is looking across the board at these areas and I do look forward to seeing what the recommendations look like, as I know you do, Senator.

Senator T.A. Vallois:

Just finally, taking into account - and I understand you may not have an answer to it - the very valid and important feedback we received from the public on the Big Education Conversation, would you consider taking that into account and developing a view of what that might look like going forward?

The Minister for Children and Education:

The Big Education Conversation is being taken into consideration across all the work that we are doing as well, because that was the views of people on the ground, parents and teachers and people who had done education but are not now. So, of course we will take those into view when we are looking at making any changes because they are the people who have been through the system and they understand how it works for them personally, or does not work for them.

Senator T.A. Vallois:

No, exactly. Thank you. I will pass back to the chair.

Deputy R.J. Ward:

This is such an important topic. There are 2 things. One is the education funding review said that the 14-plus transfer costs £1 million a year. So is that money well spent? The second thing is: what has happened to the new campus for Highlands? I remember seeing plans in Scrutiny from that 2½ years ago with the old head of Highlands. We went up and talked about that and in the post-16 review that we did, we did recommend a campus for Highlands be created to provide the sort of

facility for our post-16, which is not fit now. If you look at what is happening in the U.K. with T-levels and so on, do you see a role for T-levels in Jersey?

The Minister for Children and Education:

There were 2 questions, or 3 probably, in there. The first one was the £1 million spending for the past-14; is that a duplication of monies that we spend across education? That is part of the review that is going on right now in that area. The work on a new campus is going ahead about what a new campus would look like, and again that is what would the space and the needs be for creating a new campus to rebuild it on a fresh new green site and then repurpose the Highlands campus or do we look at doing something like they did at Grainville with a phased approach because there is a lot of land. So we need to know what a new campus will look like and what it will deliver and then what the size of the site would need to look like and how we do it. So that work is ongoing. Mark, do you want ...

Deputy R.J. Ward:

Could I just ask what happened to the plans that we have seen, because we saw some plans? There was a whole picture and there was a presentation up at Highlands. Are they just being put on the backburner and we are starting again with that?

The Minister for Children and Education:

I have not seen them myself, Chair, but, Mark?

Director General, C.Y.P.E.S.:

Yes. So, those plans are paused because there is an important piece of policy work to be done that, as you can see, relates to some of the issues raised in the independent school funding review programme. So we are looking at resuming feasibility work on the college next year while doing a piece of policy work for the Minister that sets out exactly what functions a F.E. (further education) college with some higher education delivery needs to look like for the future. So rather than moving straight to building plans, we thought it was important to look at what is the purpose of the college going to be for the next 10 years, what will it need to deliver? That piece of work is being done before Christmas and then the resumption of feasibility can start subsequently.

Deputy R.J. Ward:

Right. Just the last thing on the education reform programme, because we have got a couple more questions and we are coming to time, I note that one of the focuses has been on teachers' terms and conditions and supplementary allowances. Is it not best to start with the structure of our education system first? Are we not going to restructure teachers' terms and conditions and

allowances, then just get them to fit into what we already have, which is showing that it is not working as well as we want it to?

Director General, C.Y.P.E.S.:

That is a very big question. I think it is “both and”. In the immediate term there is a commitment to, and I think an interest in, looking at allowances and making sure that they are available on a kind of fair and equitable basis, but I think there are bigger questions that again play back into what are the policy options that the Minister wants to pursue out of the funding review. As you can see, and I have posted already, there is a lot of work already being commissioned as a result of that review.

Deputy R.J. Ward:

Okay, and it is difficult for us in Scrutiny to get a picture really of where we are going with this. That is the issue. I suppose we need to see some of the reports first. We have got some questions which we will have to send you in writing. One of them is staffing in schools but perhaps we will try and get to that. Senator, do you want to ask a couple of questions with regards Hope House? I know it has come up recently.

Senator T.A. Vallois:

Yes. Minister, what is your response to the recent news articles that expressed concern over Hope House not being used for referrals although it is available?

The Minister for Children and Education:

Hope House has got a very defined ... I sent you an email, Senator, regarding this. I spoke to the Care Commissioner. I do not know if the panel has spoken to the Care Commissioner. They have a very defined use for their statement of purpose. Hope House is a 28-day therapeutic substance misuse programme.

[12:00]

We have been working with Hope House that if we do have any children whose therapeutic needs fit the use of Hope House as defined within their statement of purpose, which I think we have at the moment, we will absolutely utilise those facilities. What we cannot do, and what the Care Commissioner has been very clear to me, is we cannot use Hope House for a purpose that is not set out in their statement of purpose. We cannot use it as an overflow or something. If we were to do such, not only would we be written up by the Care Commissioner for breach of the law in the use of facilities but so would Hope House.

Senator T.A. Vallois:

I understand and I know I received an email from you, but I think it is important that you explain to the public the reasonings why, and this is an opportunity to do so. In terms of working with the likes of Silkworth and Hope House in terms of supporting our children and young people, what approach have you or your department made to Silkworth to determine whether the statement of purpose needs to be changed in order to provide action on the ground now for our young people?

The Minister for Children and Education:

I think as soon as I knew there was contention between ourselves and Hope House, I organised personally a visit to go and see Hope House. It is an amazing facility and the programme they are looking to do is fantastic. What we cannot do is put children there that do not meet the need. On the statement of purpose, I know that Hope House have spoken to the Care Commissioner and they have spoken to our officers about whether they would like to amend their statement of purpose. The Care Commissioner has given me, and I do believe themselves, a commitment that if they were to wish to change their statement of purpose to broaden the use of the facility, the Commissioner would give it absolutely priority to make sure it happens as fast as possible, but until that time, until there is a change in the statement of purpose, we can only use the facility for the purpose that is set out within the statement of purpose with the Care Commissioner because that is how the Care Commissioner reviews and audits the use of a facility as set out within their statement.

Senator T.A. Vallois:

I think the chair has got a question but before I just move to the chair, can I just ask then whether Hope House is actively considered in terms of recommendations to the court by social workers or whether because of the statement of purpose that that is not allowed?

The Minister for Children and Education:

The statement of purpose sets out that, I believe, from what the Care Commissioner tells me, that they will not accept children into that facility under legal order. There has to be an agreement that that child wants to be there and if the child wishes to leave then the child should be allowed to leave within that statement.

Deputy R.J. Ward:

I suppose it is just a reassurance that some children who are under secure accommodation orders that Hope House is not a better form of accommodation suitable for their current needs and to address their behaviour and their communication difficulties, et cetera. Are we sure that there are not children who would be better in Hope House but are in secure accommodation at the moment?

The Minister for Children and Education:

Secure accommodation is something that is set by the courts. Hope House is not a secure unit. Hope House is a therapeutic service and it is there for a 28-day therapeutic care facility for substance misuse. If we have children who would absolutely benefit within their care plan, the 28-day facility that is set out within that statement of purpose, absolutely we will be asking and speaking with Hope House to be able to have children go and attend that. Of course we would as long as it is within the best interests and the care plan for that child's needs.

Deputy R.J. Ward:

So is it the problem that as soon as the court puts, if you like, an accommodation order then something that could actually help becomes unavailable? Just for clarity, that is the issue in your eyes, is it?

The Minister for Children and Education:

So it is the statement of purpose that sets out what the facility can be used for and that is what is there. We do not, as Government, define the statement of purpose. That is for the owners of the facility to set out what they want their facility to be used for. They register with the Care Commission of what their statement and what their use is so that the Care Commission can regulate that use under the terms of the licence that has been set out with the Care Commission.

Deputy R.J. Ward:

Just one last thing: do you think that the courts are aware enough on the role of Hope House as an option in their decision-making on a case-by-case basis, as an alternative to Greenfields so they may change their outcomes if they see it as a real alternative?

The Minister for Children and Education:

I do not think I can answer that question on behalf of the courts, Chair. There has been a lot of media about this but it is not for me to know whether the courts are aware or not of such.

Deputy R.J. Ward:

As Minister for Children and Education, I just wondered whether that is something you should be pushing for, given that it does seem that this sort of punitive approach of secure accommodation perhaps may not be best suited for children.

The Minister for Children and Education:

We are already working on a restorative care home. We have got a facility and we are already working towards that ourselves as well. But it has been a very public situation with what has been going on. I would be surprised if the courts had not taken a keen interest in what is going on as well

but it is not for me to tell the courts what they can and cannot do and it is not for me to tell Hope House what they should be setting out within their facility and what they want to deliver in there.

Senator T.A. Vallois:

Just to wrap this particular bit up, Minister; you did state to us not so long ago your intention or your thinking around Greenfields to be turned into a form of therapeutic unit rather than a secure unit. How do you, therefore, account for what you said previously and what you are saying now? What does that mean in terms of the ability to do so going forward? Does this create a problem?

The Minister for Children and Education:

No, Senator. So we are setting up a therapeutic care home that is a secure unit that is not about locking up in the way that Greenfields is, the big metal doors and the feeling of being within a cell. We want to create a restorative, therapeutic care home for secure accommodation that is more about therapeutic care than the punitive style of locking somebody in a big metal-doored jail cell kind of approach. So we are looking to set that up. Our statement of purpose will be laid out very much in the way that its use is for Greenfields but with a much different setting. I want Greenfields gone as a secure unit. I do not want children to feel like they are in a mini-jail. Yes, they will be in a secure unit but it will not be looking like a La Moya or a Greenfields. It will look like something that is more like a home.

Senator T.A. Vallois:

Okay, that is helpful. I wanted to clear that up. It is not pushing at any particular point. So the statement of purpose is the issue here. When you talk about the home that you are setting up, a secure therapeutic unit that is not like Greenfields, like a prison, does that mean that Hope House does not have that secure within it, it is just therapeutic?

The Minister for Children and Education:

The statement of purpose does not set out the secure and it is only for the 28-day programme of substance misuse within the statement of purpose. It can be changed and it can be broadened but that is up to Hope House to decide what their facility should be used for and how it should be used. It is not for us to dictate.

Senator T.A. Vallois:

Okay. Thank you very much. I will pass back to the chair.

Deputy R.J. Ward:

I am conscious that I think we are 10 minutes over, Monique, I believe. We are meant to be finishing at 12.00 p.m., but just one quick question to finish. We published a recruitment and retention report

and we are always concerned about staffing levels at this time of year. Now that schools are closed for the summer, what is it looking like for September in terms of recruitment? Are we staffed appropriately? Are there still vacancies and, in particular, are there any specialist teaching roles that are being covered by non-specialists this September?

The Minister for Children and Education:

Our vacancies and turnover are about the same. It has not really fluctuated in any way, shape or form, so we are still in a good position for there. Mark, who can I hand over to for the detailed stuff?

Director General, C.Y.P.E.S.:

I can say a few words about this. We are seeing broadly similar types and levels of vacancies as we have in previous years, interestingly enough. Recruitment has not presented itself to us as particularly more challenging, therefore, than any other year. Most schools have now either completed or are in the final stages of embarking on any recruitment they might still need for September but that is more support staff than teaching staff. There is a little bit to wend its way through, Chair, but we are not hearing of significant issues being raised by schools at the moment. Clearly it is a bit more challenging where recruitment might be from off-Island but on the whole the small number of issues that we have been made aware of have been resolved.

Deputy R.J. Ward:

Okay. We have run out of time. We have gone over as well. I will just say thank you for your time, unless there is anything you want to ask. If there is anything you want to ask us as a panel before we go or if there are any other questions, Senator, before we go, speak now or for ever hold your peace.

Senator T.A. Vallois:

I have no further questions. I think we have kept the Minister long enough.

Deputy R.J. Ward:

I think so, yes.

The Minister for Children and Education:

Can I thank you for your questions and your time and I certainly would like to get some of those briefings put together, the education reform? I think it is important that you know what is going on, but thank you very much for your time.

Deputy R.J. Ward:

With that, I say thank you to everybody and I call the hearing to an end. Thank you very much.

[12:11]