
STATES OF JERSEY



REVIEW OF WORK PERMIT HOLDER WELFARE (S.R.2/2024): RESPONSE OF THE MINISTER FOR JUSTICE AND HOME AFFAIRS AND THE MINISTER FOR SOCIAL SECURITY

**Presented to the States on 2nd July 2024
by the Minister for Social Security**

STATES GREFFE

REVIEW OF WORK PERMIT HOLDER WELFARE (S.R.2/2023): RESPONSE OF THE MINISTER FOR JUSTICE AND HOME AFFAIRS MINISTER FOR SOCIAL SECURITY

Ministerial Response to:	S.R.2/2023
Ministerial Response required by:	
Review title:	Review of Work Permit Holder Welfare
Scrutiny Panel:	Work Permit Holder Welfare Review Panel

INTRODUCTION

This response is an update to the previously presented Ministerial Response [S.R.2-2023](#) that was issued by the former Minister for Justice and Home Affairs. It has been updated further to the change in Government at the request of the Panel, and reflects the position of the current Minister for Justice and Home Affairs and Minister for Social Security, who were both Members of the Panel prior to the Vote of No Confidence.

FINDINGS

	Findings	Comments	Update
1	<p>The number of work permits issued by the Jersey Customs and Immigration Service has increased by approximately 800% since 2019, and the drivers for this include Brexit, the outbreak of COVID-19, changing migration patterns, the cost of living and salary considerations. Furthermore, data from the Jersey Customs and Immigration Service indicates that:</p> <ul style="list-style-type: none"> • Almost 39% of work permits granted in 2022 were granted to Kenyan and Filipino nationals. <p>More than 50% of the work permits issued in 2022 were</p>	Noted.	No update.

	Findings	Comments	Update
	issued to work permit holders in the seasonal hospitality sector.		
2	Work permit holders are not provided with guidance on the Work Permit Policy, the process of applying for a work permit, and are not involved in the work permit application process.	<p>The work permit policy is essentially guidance to employers on how to apply for work permits and what they are expected to provide in support of the application. The policy has evolved to include information for employees, but this was not the intention when it was first developed at the end of 2020 for a post-Brexit world.</p> <p>Employers will have already completed a robust recruitment process, part of which one would expect employers to advise their prospective employees on what to expect in Jersey or for the employees to ask those questions.</p>	Work is underway on reviewing webpage content and providing a more accessible version of the work permit policy.
3	The survey results indicated positive feedback from most work permit holders about their experiences of living and working in Jersey.	The Minister welcomes this finding.	
4	Details about the information provided to work permit holders prior to their arrival in Jersey, highlights inconsistencies in the experiences of different work permit holders and stakeholders.	<p>Historically all work permit related information was sent to the employer with an instruction to forward to the employee – based on feedback this was amended, and additional functionality added to the application form.</p> <p>Now, as part of the application process the employer must provide a valid email address for their prospective employee – the employee is copied into an</p>	When a work permit is issued, a copy of the permit, a notice providing information about the permit, employees' rights notice, and visa application instructions are sent to the employer and the employee.

	Findings	Comments	Update
		email to the employer when the work permit is issued with notices on how to apply for their visa via GOV.UK (or further leave to remain for in-country applications) and separate notices to employers and employees detailing restrictions associated with the permit that has been issued along with links to local information and key contact information (this was in place from April 2023). We will also be signposting to the new 'Your rights as an employee working in Jersey' leaflet which will be uploaded onto the Moving to Jersey webpages.	
5	The data available to work permit holders on the Moving to Jersey webpages about the cost of living in Jersey is limited.	Noted.	No update.
6	The Minister for Treasury and Resources highlighted that information about income tax, social security contributions and Long-Term Care contributions should be provided to work permit holders in time to inform their decisions about working in Jersey.	Noted.	No update.
7	Appendix 7 of the Work Permit Policy is not explicit that deductions (other than those for food and accommodation for minimum wage earners) should be supplied prior to signing a contract.	Noted.	No update.
8	The Work Permit Policy does not point to the consequences for employers who do not provide	This is a contractual agreement between the employer and employee. We would expect this to be in the contract. The work permit	No update.

	Findings	Comments	Update
	information about deductions prior to the signing of a contract.	policy states that an employer should manage the expectations of their employer and ensure that they are fully aware of any deductions.	
9	The Employer Standards Oversight Board was established to look at the standard of treatment of all employees in Jersey and is a cross-departmental group led by the Minister for Home Affairs.	The Employer Standards Oversight Group meets on at least a quarterly basis and reports to the Population and Skills Ministerial Group (PSMG).	The Employer Standards Oversight Group will continue to meet, and officer support is provided by SPPP. The Population and Skills Ministerial Group (PSMG) has not been reconstituted under the new Council of Ministers.
10	In addition to the Employer Standards Oversight Board, the Government established the Population and Skills Ministerial Group and the Labour Shortage Taskforce are examples of cross-departmental working within Government.	Correct.	See above.
11	There is no clear, single and reliable pathway for support offered to people arriving in Jersey on a work permit.	Noted.	No update.
12	The 'requirement' to leave within 7 days of the end/breakdown of a contract makes it less likely that a work permit holder will raise an issue about their employer, especially work permit holders that rely on their employer to provide accommodation.	A decision on how long to grant a person who has their leave curtailed is based on length of time in the island, reasons for leaving their employment, their last working day and personal circumstances i.e., entirely based on individual circumstances. There is no blanket requirement to leave within 7 days. JCIS can	No update – the section in the work permit policy dealing with curtailment/cancellation of immigration permissions is being updated to provide more detail and clarify that each case is assessed individually, and the curtailment period reflects individual

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		<p>extend or shorten curtailment periods when appropriate.</p> <p>One of the reasons for curtailing leave with relatively short time period is to ensure that employees do not become destitute because they cannot accommodate and maintain themselves in the Island as they do not always have access to public funds.</p> <p>(This point is developed further, below, in response to recommendation 13).</p>	circumstances (i.e. there is no standard duration).
13	The Work Permit Policy has taken compliance with the policy on trust or relied on reporting by individuals or their representatives.	JCIS are developing a more proactive approach to compliance work.	No update – development of proactive compliance processes is still ongoing and JCIS continue to react to intelligence relating to non-compliance of employers and employees.
14	The Common Population Policy Annual Report indicates that 2 officers have been recruited to ‘encourage compliance’ with the Work Permit Policy.	Noted.	No update.
15	There is some confusion about the function of immigration officers and whether they provide an ‘advisory service’.	JCIS are not an advisory service but do assist customers with a range of general immigration queries, signposting customers to relevant information or offering options. We cannot provide immigration advice on matters which result in JCIS having to assess an application, particularly visa	No update.

	Findings	Comments	Update
		and work permit applications.	
16	Employment tribunal judgements are a matter of public record and are published on the Jersey Law Information Board website.	Noted.	No update.
17	The 12-month restriction preventing work permit holders from moving between employers places more power with employers than work permit holders.	Noted.	No update.
18	The experience of some work permit holders does not match the expectation that they will be provided with a minimum 40-hour working week.	<p>Zero-hour contracts are not permitted under the work permit policy. Work permits have only ever been issued where full-time employment is being offered.</p> <p>In response to allegations of zero-hour contracts being given in a very limited number of cases, JCIS investigated and the employer reissued contracts to meet requirements of the policy. JCIS now require copies of signed contracts before the work permit is issued and employers should notify JCIS if any changes are made to a contract. The work permit policy was updated in April 2022 to include that an employee must be paid the going rate for their role based on employment of a 40-hour week which must be reflected in the contract of employment, if it is not then the work permit application will be refused.</p>	No update.

	Findings	Comments	Update
19	The 9-month work permit with the requirement for the work permit holder to leave for 3 months between each permit incurs additional travel expenses for returning work permit holders and employers.	Noted.	No update.
20	Neither Appendix 7 to the Work Permit Policy nor the Moving to Jersey section of the Government website provide comprehensive advice or guidance regarding work-related support.	Appendix 7 contains information collated by SPPP as part of the Labour Shortage Taskforce. This is an overview and has been amended following input from other Government departments and JACS. The updated document is due to be made available on the Moving to Jersey webpage where it will be more accessible to anyone coming to work in Jersey.	A new GoJ leaflet has been produced by SPPP in response to this action and is available on the Moving to Jersey webpages and has been translated into Filipino, Polish, Portuguese, Romanian and Swahili. Temporary Employment Leaflet.pdf (gov.je) Moving to Jersey: Work (gov.je)
21	There is a need for a coherent, comprehensive and clearly signposted central hub for information which is provided physically and online.	Noted.	Agreed – Ministers would like to work towards this.
22	The Work Permit Policy lacks specificity in relation to the protection of work permit holders from Modern Slavery and exploitation.	Noted.	Agreed.
23	Modern Slavery legislation can be an effective tool in raising awareness of the existence of Modern Slavery and lead to an increase in reported cases of Modern Slavery and exploitation.	Noted.	Agreed – the Minister for Home Affairs has asked officers to progress development of local legislation as priority.
24	The United Kingdom Gangmasters and Labour Abuse Authority operates a licencing	Noted.	No update.

	Findings	Comments	Update
	scheme which assesses labour providers against licencing standards established by the Gangmasters and Labour Abuse Authority.		
25	The Work Permit Policy sets out a broad Ministerial expectation for a standard of accommodation that supports health and wellbeing but does not provide a definition of this standard of accommodation or for enforcement or checks to accommodation.	The legal standards apply through the Public Health and Safety (Rented Dwellings) (Jersey) Law 2018. The scope extends to staff accommodation. Checks on accommodation can be carried out provided the enforcement team are aware of the details of accommodation, which is the intention of P.40/2023, implementing a Rented Dwelling Licensing Scheme. The principles of these Regulations have been approved with the detail due for debate on 28 th November 2023.	No update.
26	It is not immediately clear to employers what their responsibility is in relation to the standard of accommodation where it is chosen and leased privately by the employee.	The work permit policy states that an employer must take into consideration the wellbeing of their employees, and that they have access to accommodation that supports their wellbeing. It does not stipulate that the employer must provide accommodation.	No update.
27	The high cost and shortage of suitable accommodation is a contributory factor to the cost of that accommodation	Noted.	No update.
28	The Work Permit Policy and Appendices to the Work Permit Policy, does not include information about access to healthcare in Jersey, or links to	Noted.	This information is now provided within the employee rights notice that includes information about access and entitlement

	Findings	Comments	Update
	information about healthcare in Jersey.		to emergency care, GPs and non-emergency hospital treatment.
29	The Work Permit Holder Survey indicated that most work permit holders had not been made aware of how the Jersey healthcare system operates prior to their arrival on-Island.	Noted.	No update.
30	Returning work permit holders are no longer required to re-complete the 6-month qualification period before being eligible for access to non-emergency health care provided that person returns to Jersey within three years.	Noted.	No update.

RECOMMENDATIONS

	Recommendations	To	Accept/Reject	Comments	Target date of action/completion	Update
1	The Minister for Home Affairs should ensure that the language of the Work Permit Policy clearly communicates employer obligations under each category of work permit, regarding work permit holder recruitment and employment.	M HA	Accept	The language of the work permit policy is currently under review with a view to clearly communicating all aspects, including employer obligations.	Q3 2024	Further to the previous response, work has also commenced on a campaign to improve the information available in relation to immigration, and specifically with regard to work permits. This is due to be implemented by the end of Q1, early Q2 2024

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						The Minister for Social Security is looking at communications with employers regarding other policies and will consider whether there is any work that can be undertaken in this area that could support this recommendation.
2	The Minister for Home Affairs and the Minister for Economic Development, Tourism, Sport and Culture should undertake a process of consultation with key stakeholders from community groups and industry representatives to identify gaps in the information provided to work permit holders.	M HA ED TS C	Accept – complete.	A range of stakeholder engagement has already been undertaken, which resulted in the creation of the ongoing Employer Standards Oversight Group and the creation of the ‘Your rights as an employee working in Jersey’ leaflet. This has been delivered on a cross Government basis, under the direction of the Population and Skills Ministerial Group and the leaflet on employee rights has been developed as discussed with the Panel. This will be available on Moving to Jersey webpages and links to it via JCIS notices and webpages.	Complete	<p>https://www.gov.je/SiteCollectionDocuments/Working%20in%20Jersey/Temporary%20Employment%20Leaflet.pdf</p> <p>A workshop with the Jersey Hospitality Association took place in January 2024 attended by representatives from across the sector as well as relevant GoJ departments and Chamber of Commerce.</p> <p>In addition to this, officers are in the process of arranging a similar event with Chamber of Commerce – date to be confirmed.</p>

	Recommendations	To	Accept/Reject	Comments	Target date of action/completion	Update
3	The Minister for Home Affairs and the Minister for Economic Development, Tourism, Sport and Culture should introduce specific guidance to work permit holders about the potential costs of travelling to Jersey and the potential costs incurred from meeting the requirements of their United Kingdom visa and Jersey work permit, as well as agreeing the responsibility for these costs.	M HA ED TS C	Partial accept	<p>JCIS are in the process of amending the Work Permit Policy to provide clarity in relation to how to cost of the Work Permit should be met.</p> <p>The costs of travelling to Jersey, and relocating more broadly, will clearly vary between individual circumstances. This is, and should continue to be, a matter for the employee and employer to agree.</p>	Q3 2024	<p>This will be addressed in forthcoming amendments to the Work Permit Policy.</p> <p>This will include clarification that it is expected that employers agree this with their employees in advance of travel, and provide relevant information.</p>
4	The Minister for Home Affairs and the Minister for Economic Development, Tourism, Sport and Culture should consult with Government departments to provide more detailed information about the cost of living in Jersey for work permit holders.	M HA ED TS C	Accept.	<p>This has been led by SPPP on a cross Government basis and the leaflet on employee rights was developed as one of the outputs, which includes this information. This will be available on Moving to Jersey webpages and links to it via JCIS notices and webpages.</p> <p>There is a responsibility on GoJ departments to ensure that the information on the Moving to Jersey webpages are accurate and kept up to date.</p>	Q2 2024.	<p>https://www.gov.je/SiteCollectionDocuments/Working%20in%20Jersey/Temporary%20Employment%20Leaflet.pdf</p> <p>Moving to Jersey: Cost of living (gov.je)</p> <p>In addition to the information available above, Ministers will explore the options for providing Cost of Living information that is</p>

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						<p>specific to work permit holders, noting of course that the personal circumstances of individuals and their families will vary.</p> <p>Separately, the Minister for Social Security will be working with other ministers to establish Minimum Income Standards for various household types, which will help to inform this area.</p>
5	The Minister for Home Affairs should introduce a requirement that the Seasonal and Temporary Workers Guide is provided to work permit holders prior to signing a contract of employment to undertake employment in Jersey.	M HA	Accept	<p>Unclear how this would be enforced.</p> <p>This information is made available after a Work Permit has been secured but, crucially, before a visa application is made to allow potential employees to make an informed decision.</p>	Q3 2024	<p>A new GoJ leaflet has been produced by SPPP in response to this action and is available on the Moving to Jersey webpages and has been translated into Filipino, Polish, Portuguese, Romanian and Swahili.</p> <p>Temporary Employment Leaflet.pdf (gov.je)</p>

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						<p>Moving to Jersey: Work (gov.je)</p> <p>This is currently provided to Work Permit Holders after a Work Permit has been granted, but before a visa application is made.</p> <p>It is noted that the Panel's intention is that this information should be made available at an earlier point.</p> <p>We will explore options for how this could be achieved.</p> <p>Ministers also undertake to discuss this with recruitment agencies with a view to understanding whether they can amend their processes to give effect to this.</p>
6	The Minister for Social Security should introduce a mechanism	MS S	Partially accept	The review provides no evidence to support this recommendation.	Q4 2024	The Minister for Social Security will consider the

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	to refund the employee paid pensionable component of social security contributions for work permit holders who do not transition to a Skilled Work permit or remain in Jersey for at least five years to qualify for a pension.			<p>Social Security contributions support a worker by providing access to both working age benefits and old age pensions. An old age pension can be claimed anywhere in the world once a worker has a record equivalent to 10% of a lifetime record. At present this requires 54 months of contributions – these do not need to be consecutive. For workers with less than a 10% record, reciprocal agreements with some countries allow these contributions to count towards their overall pension entitlement.</p> <p>Until a person is within 54 months of their own pension age it would not be possible to know if they would qualify for a pension or not.</p> <p>It would be complicated and time consuming to track non-residents over time (possibly decades) and make refunds of relatively small amounts, including the administration involved in making sterling payments into non sterling areas (or converting those payments into local currency).</p> <p>It would also be inappropriate to refund the contributions if the worker</p>		Long-Term Care contributions aspect to understand whether this can be removed for people on work permits. This will include looking at how feasible this would be to implement, as well as considering any unintended consequences.

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				<p>had made a claim for a working age benefit, such as short-term incapacity allowance. Although not all work permit holders will satisfy the contribution conditions for a working age benefit, the increasing use of roll-over 1 year permissions will make it more likely that workers will qualify.</p> <p>Workers may be reluctant to claim these short-term benefits (e.g. if they are ill) if they will forfeit a lump sum repayment at the end of their contract. This may encourage workers to continue to work during periods of illness, to the detriment of their overall health and wellbeing.</p> <p>Social Security contributions are also used to fund the Health Insurance Fund, having made 6 months of contributions in Jersey, all workers are able to make use of the Health Insurance Fund which supports the cost of general practice services and fully meets the cost of prescribed medicines.</p>		
7	The Minister for Social Security should introduce a mechanism to refund the employer paid pensionable component of social	MS S	Partially accept	As above.	Q4 2024	See response to recommendation number 6.

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completi on	Update
	security contributions to employers of work permit holders, whose employees who do not transition to a Skilled Work permit or remain in Jersey for at least five years to qualify for a pension.					
8	The Minister for Home Affairs should ensure that the Work Permit Policy is updated by no later than 31 December 2023 to make it clear to work permit holders and employers that information about any deductions should have been provided prior to signing a contract and should make it clear what the consequences are for employers who do not do so.	M HA	Accept	This is already covered in the policy, which places a responsibility on employers to manage the expectations of their employees, including what deductions should be taken from their salaries.	Q3 2024	Unclear why this was previously a 'reject' – the Policy already provided that employers should agree any deductions in advance. This will be further clarified in forthcoming amendments to the Work Permit Policy.
9	The Minister for Home Affairs should consolidate guidance about the type and nature of salary deductions that may apply to work permit holders, into a breakdown of deductions, prior to signing a contract of employment to undertake employment in Jersey.	M HA	Accept	This has been addressed as a planned revision to the next iteration of the 'Your rights' leaflet. The Employer Standards Oversight Group agreed that it would be a living document and able to be added to as required. Additionally, for note, there is a new work permit application form currently under development. It is intended that this will ask employers to provide	Q3 2024	A new GoJ leaflet has been produced by SPPP in response to this action and is available on the Moving to Jersey webpages and has been translated into Filipino, Polish, Portuguese, Romanian and Swahili.

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				<p>information about intended deductions, and any payment plans, as part of their application.</p> <p>This will ensure that JCIS has sight of this information when considering the work permit application, and can take action if needed. However, significant further development is needed before this can be brought into use.</p>		<p>Temporary Employment Leaflet.pdf (gov.je)</p> <p>Moving to Jersey: Work (gov.je)</p> <p>More information will also be provided in the updated work permit policy in relation to deductions. This is set out in the above leaflet but relates to those on minimum wage.</p>
10	The Minister for Home Affairs and the Minister for Economic Development, Tourism, Sport and Culture should undertake a process of consultation with key stakeholders from community groups and industry representatives to establish a centralised portal of information for work permit holders to access prior to signing a contract of employment to undertake employment in Jersey.	M HA ED TS C	Partially accept	<p>This has been done by SPPP as part of the work being done by the Labour Shortage Taskforce and the leaflet on employee rights has been developed – this will be available on Moving to Jersey webpages and links to it via JCIS notices and webpages.</p> <p>It is anticipated that further work in this space may be undertaken by the International Cultural Centre.</p>	End of 2024	No update.
	The Minister for Home Affairs should consider additional	M HA	Accept – complete.	It is unclear exactly what support is envisaged by the Panel, however, JCIS	Complete.	No update – accepted and complete.

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completi on	Update
	support should be available, especially for small employers, to ensure compliance with the Work Permit Policy.			<p>have already increased the support available to employers to ensure compliance with the Policy.</p> <p>As of earlier this year, any employers applying for the first time are invited in for a meeting to discuss their application and ensure they understand their responsibilities. The team have also been able to undertake increased compliance.</p> <p>JCIS will seek to increase awareness of this via the Employer Standards Oversight Group.</p>		
	The Minister for Home Affairs should review the 12-month restriction in place preventing work permit holders to switch between employers consulting with both employer representatives and support groups. This review should consider human rights legislation and modern slavery legislation.	M HA	Accept	<p>The Minister has committed to reviewing this.</p> <p>Any change in the length of the restriction would maintain the current exemption in place for exceptional circumstances.</p>	Q3 2024	<p>The Minister for Home Affairs will be reviewing this with a view to updating the work permit policy, and with reference to the relevant recommendation of the report of the Violence Against Women and Girls (VAWG) Taskforce.</p> <p>The Minister expects to be able to confirm the position in Q3 2024.</p> <p>Additionally, officers have been</p>

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						<p>asked to prioritise development of modern slavery legislation and they have begun the initial scoping work.</p> <p>At this early stage it is not possible to provide a precise target date for delivery of that.</p>
	The Minister for Home Affairs should consider ways in which the Work Permit Policy can be strengthened with a temporary stay for work permit holders who are pursuing a dispute or grievance.	M HA	Partial accept	<p>The principle of a curtailment period is to provide certainty about when an individual is expected to leave the island, and is intended to prevent someone who no longer has an income (by virtue of no longer being employed) and has no recourse to public funds, becoming destitute or acquiring debt in order to support themselves.</p> <p>It is important to clarify that the current policy is to allow a sufficient amount of time for work permit holders to put their affairs in order prior to being required to leave the island. This will necessarily vary depending on individual circumstances, and in particular the length of residence in Jersey. There is not a blanket policy, as</p>	Q3 2024	<p>Whilst it is recognised that officers do look at individual cases on their merits, officers have been asked to consider options for amendments to the policy in respect of those work permit holders who are pursuing a dispute or grievance with their employer as well as looking at how those individuals can be better supported more broadly.</p> <p>It is noted that this was also a recommendation of the report of the Violence Against Women and Girls (VAWG) Taskforce.</p>

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				<p>has been suggested, of a set period of 7 days.</p> <p>It is not agreed that there is a need to strengthen the policy. However, it is agreed that there is a need to clarify this process.</p> <p>JCIS are also reviewing the process around curtailment to ensure work permit holders are fully informed about the reasons for this decision.</p>		
	The Minister for Home Affairs and the Minister for Economic Development, Tourism, Sport and Culture should consult with industry and trade unions to ensure that work permit holders have access to trade union representation and support.	M HA ED TS C	Accept	<p>The ‘Your rights’ leaflet includes reference to how to join a trade union in Jersey. This information is regularly reviewed and kept up to date.</p> <p>However the Minister for Justice and Home Affairs, whilst supportive of the principle of this recommendation, does not consider this is an appropriate role for the Immigration service, or Government more broadly. Industry bodies may be best placed to take this forward and/or encourage membership.</p>	Q3 2024	<p>The previously referenced leaflet provides the contact details for local unions to assist work permit holders who wish to access representation.</p> <p>Additionally, the Minister for Social Security will liaise with unions and ask them if they can enhance their offering to work permit holders.</p>
	The Minister for Home Affairs and the Minister for Economic Development, Tourism, Sport and	M HA ED TS C	Accept	Changes to the Work Permit Policy are already subject to consultation with industry bodies.	Q3 2024	This remains under active consideration, and will be subject to consultation with

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	Culture should commit to a regular review of the permit lengths which should be conducted in close consultation with industry bodies and support agencies to ensure that both employer needs and the rights of individuals are met.			The Minister for Justice and Home Affairs is committed to revisiting this on a regular basis.		industry and support agencies.
	The Minister for Home Affairs should work with the Minister for Economic Development, Tourism, Sport and Culture, the International Cultural Centre Steering Group and the Minister for Social Security to determine where a physical support resource should be located and provide detail of the information which will be provided. This should be reported back to the Panel by no later than 31 December 2023.	M HA ED TS C MS S	Partially Accept	Physical support resources are already available at the Customer and Local Services Department. Staff are available to support work permit holders with information on Jersey tax, contribution and benefit information. Ministers will work together to confirm the range of printed and online information that will be available. This information will also be accessible through the International Cultural Centre, based at the Town Library.	End of 2024	The Minister for Home Affairs intends to explore options to ensure that JCIS are not acting as an advisory service, which is not an appropriate role for that service, working closely with the Minister for Social Security. This requires further discussion with ministerial colleagues to understand how we can best achieve that. This recommendation will also be considered further as part of the Government's office move.
	The Minister for Home Affairs should work	M HA	Partial accept	The Jersey Advisory and Conciliation Service	Q4 2024	The Minister for Social Security

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	with the Minister for Economic Development, Tourism, Sport and Culture, the International Cultural Centre Steering Group and the Minister for Social Security to ensure that the physical support resource includes independent and confidential support for work permit holders on matters related to employment disputes. This should be reported back to the Panel by no later than 31 December 2023	ED TS C MS S		<p>(JACS) has a statutory duty to provide advice and assistance in relation to employment issues.</p> <p>To create a separate function would be confusing and lead to a duplication of responsibility for advice services. JACS have carried out this statutory duty since 2003, which was extended to employment-related discrimination issues in 2013.</p> <p>Having seen an increase in the number of employees on work permits seeking advice in 2022, JACS have worked with JCIS and other bodies to offer clear advice to such employees. This has included the creation of a video 'Working in Jersey' and various additional online resources that are available, and to which employees are signposted by JCIS. Work permit advice from JACS is clearly signposted and no additional advice resource is necessary or desirable.</p> <p>The 'Your rights' leaflet includes details of how to approach JACS or Citizen's Advice.</p>		<p>has asked Customer and Local Services to look at how support can be provided to work permit holders, and this work has commenced.</p> <p>Assistant Chief Minister Alves has recently taken on responsibility for the ICC. The Minister for Social Security will work with the ACM to consider how the ICC can play a role in improving the information and support available.</p>

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	The Minister for Home Affairs and the Economic Development, Tourism, Sport and Culture should ensure that the information provided to work permit holders is inclusive for people who speak different languages.	M HA ED TS C	Comple te	The Employee Rights leaflet has been translated into a number of different languages. This approach has been reviewed by, and amended following feedback from, community groups. For example, the Kenyan Jersey Committee provided advice about whether it should be translated to Swahili.	N/A - comple te	No update – complete.
	The Minister for Home Affairs should amend the Work Permit Policy to improve the specific protections from Modern-Slavery and exploitation.	M HA	Accept	The Work Permit Policy includes specific provisions designed to protect against modern day slavery, which is appropriate given our current legislative framework. These protections are targeted at prevented behaviours that are recognised as contributing to modern day slavery.	End of 2025	Officers have been instructed to prioritise the development of modern slavery legislation in order to improve the specific protections in this regard. Once in place, the Work Permit Policy will require amendment to ensure that it reflects the updated legislative position.
	The Minister for Home Affairs should consider the introduction of a Jersey employer licensing scheme and licensing standards, with clear sanctions for noncompliance, for local labour providers.	M HA	Partial Accept	The Population and Skills Ministerial Group (PSMG) considered this option in order to meet the policy intent to improve standards for employees. Given the relatively low levels of data that indicate this being a widespread issue and the feedback	End of 2025	As part of the work being undertaken on modern slavery legislation, consideration is being given to what extent it is necessary to provide for the

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completi on	Update
				from stakeholders, it was agreed that a first stage would be to establish the Employer Standards Oversight Group to drive better practice in industry and support employees through the 'Your rights' leaflet and engagement.		regulation and oversight of employers and those who recruit individuals on work permits from overseas. This work is still in its early scoping stages, so it is not possible to be definitive about the direction of travel at this stage. The Minister would be happy to provide further updates to the Panel as it progresses.
	The Minister for Home Affairs should undertake a process of consultation with key stakeholders from community groups and industry representatives on the introduction of Modern Slavery legislation for Jersey.	M HA	Accept	The Minister will ask policy officers to commence work on this, when resources allow.	End of 2025.	I would envisage that this would form part of the policy development process which officers have begun to scope.
	The Minister for Home Affairs and the Minister for Housing and Communities should introduce guidance to employers and work permit holders about the definition of accommodation that supports health and wellbeing and set out	M HA M HC	Reject	The responsibility for public health and safety of rented dwellings sits with the Minister for the Environment under the Public Health and Safety (Rented Dwellings) (Jersey) Law 2018. The scope is defined in Article 2, which includes staff accommodation.	N/A	It is noted that since this response was initially published, P.40/2023 the Draft Public Health and Safety (Rented Dwellings) (Licensing) (Jersey) Regulations 202-

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	the enforcement mechanisms in place to ensure that work permit holders are 'suitably accommodated'.			<p>The enforcement mechanism is dependent on the approval in the States Assembly of P.40/2023.</p> <p>These Regulations, which were approved in principle on 18 July 2023, introduce a Rented Dwellings Licensing scheme.</p> <p>The second and third reading are due to take place on 28th November 2023. If adopted, the scheme will provide the enforcement team with the data they require in order to carry out inspections.</p> <p>The Minister for the Environment, in his response to the recommendations published by the Environment, Housing and Infrastructure Scrutiny Panel (P.40-2023(Com)), has given a commitment to publish a Code of Practice, ahead of enactment.</p>		have been adopted by the States Assembly. The Panel may wish to seek further comment from the Minister for Environment on how this will affect this recommendation.
	The Ministers for Social Security and Health and Social Services should introduce specific guidance to work permit holders that includes information	MS S M HS S	Accept & Comple te	This requirement was already identified by the Population and Skills Ministerial Group in Q4 2022, following engagement with employers and operational groups. The 'Your rights' advice leaflet has already	N/A	No update – accepted and complete.

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	about their rights to healthcare in Jersey.			been distributed for employees coming to live and work in Jersey. It is available in online form and in various relevant languages. This is a joint effort between departments and representatives from the various employment sectors in the Island. The leaflet includes information about healthcare services.		
	The Minister for Home Affairs should introduce a requirement to the Work Permit Policy to ensure that all work permit holders are covered by an appropriate travel insurance policy during the first six months of living and working in Jersey, and that the costs associated with this travel insurance requirement are met by the employer.	M HA	Partial accept.	It is not clear whether travel insurance would provide the cover required/envisaged by the Panel. Equally, whilst the intent is understood and supported, it is not considered that this would be something for the MHA to mandate.	End of 2024	Whilst it has been identified that travel insurance may not be the appropriate mechanism to deliver the intention, the Minister for Home Affairs would support a requirement for some form of insurance cover to work permit holders for the period during which they are not otherwise able to access non-urgent hospital care without charge. The Minister recalls that during the Review it was noted that some employers already secure insurance

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						for their employees for the first three months. The Minister will consider further how to encourage other employers to do the same.
	The Minister for Health and Social Services and the Minister for External Relations should work with the Minister for Economic Development, Tourism, Sport and Culture to ensure that reciprocal health agreements are made with countries where formal arrangements have been established by the Government of Jersey regarding the employment of work permit holders in Jersey.	M H S M E R E D T S C	Reject	<p>Reciprocal Health Agreements (RHAs) by their nature require all jurisdictions involved to benefit from the agreement. For those agreements in which the Island is a signatory in its own right (rather than by extension through the UK) this is the case. The UK RHA benefits both UK and Jersey residents as there is tourism and working between both jurisdictions.</p> <p>The Island would not necessarily benefit from a blanket approach of introducing RHAs with all jurisdictions where formal arrangements have been established. The numbers of individuals from X jurisdiction travelling to the Island for work/tourism purposes is likely to be greater than the number of Islanders travelling to X jurisdictions and therefore reciprocity is limited.</p>	N/A	This recommendation sits principally with the Minister for Health and Social Services. The Panel may wish to ask that Minister for further comment.

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				The absence of an RHA does not prevent individuals accessing healthcare on the Island; however, it is recognised that accessing healthcare may incur a cost. Costs can be met through private insurance where people are in Jersey for an extended period for the purposes of work, and through most standard travel insurance policies for tourism purposes.		