



Gender Pay Gap Review Panel

Gender Pay Gap

Witness: The Chief Minister

Thursday, 17th January 2019

Panel:

Deputy L.M.C. Doublet of St. Saviour (Chairman)
Deputy K.F. Morel of St. Lawrence (Vice-Chairman)
Senator K.L. Moore
Deputy J.H. Perchard of St. Saviour

Witnesses:

The Chief Minister
Senior H.R. (Human Resources) Manager
Policy and Strategy Director

[15:02]

Deputy L.M.C. Doublet of St. Saviour (Chairman):

Good afternoon, everybody, and welcome to this public hearing with the Chief Minister. We are the Gender Pay Gap Review Panel. I would just point out to the public that all phones should be turned off please and we would like silence from the gallery during the proceedings. I want to ask the Chief Minister whether he has the Scrutiny Panel policy in front of him, if he would take a minute to note that. I am the chair of the panel, Deputy Louise Doublet of St. Saviour 2. I will ask my panel to introduce themselves and then I will ask the Minister to introduce himself and his team.

Deputy K.F. Morel of St. Lawrence (Vice-Chairman):

Deputy Kirsten Morel, vice-chair of the Gender Pay Gap Review Panel.

Senator K.L. Moore:

Senator Kristina Moore. I am a member of the review panel.

Deputy J.H. Perchard of St. Saviour:

Deputy Jess Perchard, member of the review panel.

The Chief Minister:

Senator John Le Fondré, Chief Minister.

Senior H.R. Manager

Chris Stephenson, Senior H.R. Manager.

Policy and Strategy Director:

Sue Duhamel, Strategy and Policy Department.

Deputy L.M.C. Doublet:

We have our Scrutiny Officer here, Andrew Harris. Thank you for attending, Andrew. A word about timing. We are aiming for about a 4 o'clock finish but we do have a little bit of extra time. I think we have asked you to attend until 4.30 maximum, but we will aim for 4.00.

The Chief Minister:

I did not get that message.

Deputy L.M.C. Doublet:

We will definitely aim for 4.00 then. So we will try and keep answers straight to the point, so we have quite a lot to get through. Have you had a chance to look at this statement, Chief Minister?

The Chief Minister:

Yes.

Deputy L.M.C. Doublet:

So you fully understand?

The Chief Minister:

Hopefully I still remember it.

Deputy L.M.C. Doublet:

You are very familiar with that statement. You will have had our question areas and I just wanted to open with a very general question as to what your understanding of the definition of “gender pay gap” is, just so we all start with a shared understanding.

The Chief Minister:

It is quite a good way to start because, no, I have to say I have certainly learnt a little bit more on the subject more recently. One thing that would be useful from the whole review is what definition we use. I have seen the one, which I will not repeat, that you are using, but obviously there is another one which the Office for National Statistics use, which is fractionally different. Originally, I was probably, along with many people - and I now appreciate the difference, by the way - that it was around that if you had somebody of one sex doing a particular role and somebody of a different sex doing that same role they should be paid the same, assuming they are working the same hours, and all that type of stuff, which is absolutely clear. But obviously we are basically in that position because that is discrimination legislation and employment legislation. But obviously what we are talking about is a great societal change, which I think probably means that is an issue around changing culture. Where we are now is probably the result of perhaps the last 10, 20 or longer years, type of thing. Obviously, what you are trying to do is change attitudes going ... a better attitude to achieve a better outcome going forward. So fundamentally, I suppose sometimes that gets wrapped up in the term “the glass ceiling” and depending on where it is, but it goes through all salary scales. It is not just here, although there is more evidence there. It is about essentially being, I will use loosely the words “a fairer society” with better life choices and better flexibility across the board.

Deputy L.M.C. Doublet:

Can you summarise what you think the definition of the gender pay gap is?

The Chief Minister:

The O.N.S. (Office of National Statistics) statistic, the definition they have used ... I will read if it helps for the recording but they define: “The gender pay gap is not a measure of the difference in pay between men and women for doing the same job” which is kind of what we referred to: “But is the difference between average hourly earnings (excluding overtime) of men and women, as a proportion of average hourly earnings (excluding overtime) of men’s earnings.” So essentially, if that outcome is 100 per cent or one, depending which way you look at it, that means men and women broadly speaking are in the same territory. If there is a difference one way or another it means one area is out of kilter compared to the other. I think that is where it does become quite important. From a Jersey perspective, I would be interested in the recommendations you have as to what ... perhaps you have a conversation with Statistics Jersey as well as to what definition you think we should be using. The sooner we have got that point then we can start working out how we can properly measure it and then we can start seeing how we can address it.

Deputy L.M.C. Doublet:

Okay, I will try and summarise. The gender pay gap can be defined as a measure of the difference between the average earnings of men and the average earnings of women in any particular sector. Okay, so is everybody agreed that is the definition we are working from? We have prepared a glossary because there might be some terms. You alluded to it yourself, Chief Minister, that there was quite a learning curve and, as a panel, we have had a learning curve ourselves in learning some of the meanings of these terms. We thought that would be helpful if we all had the same definitions there. Do you think, Chief Minister, there is a gender pay gap in Jersey?

The Chief Minister:

I am going to say probably. The reason I say that is I think we would probably be unique if there was not one. If you then move on to what does that look like, at this stage we do not know. I know there was an initial piece of evidence sent to you by Senator Vallois, when she was the chair of S.E.B. (States Employment Board), but essentially we have asked Statistics Jersey to do a piece of work but also because of the nature of how you get the information, things like that. I know it is going to take a while to get that. So the basic position is, almost certainly, cannot quantify it at this stage.

Deputy L.M.C. Doublet:

Have you any thoughts on what you think the causes might be if we do find there is a gender pay gap?

The Chief Minister:

Again it comes down to, I think, if we are looking here and now, my view would be it is societal attitudes and matters that have arisen over, say, the last 10, 20, 30 years but it is not the last 2 years, if you see what I am trying to say. It is a long-term shift. Part of that is around: is it more women taking career breaks in order to look after children and men or to look after elderly parents or something along those line. There is a cause versus how do you address. Is it girls at schools not being encouraged whereas hopefully they are being more encouraged and can we do more to go into things like sciences, I.T. (information technology), digital, all that side of things? That is just 2 factors. I suspect there are other elements. I would imagine it is quite a complex picture as to how you identify that shift but that would be some flavours of where we are.

Deputy L.M.C. Doublet:

Just to confirm, you do think it is more due to societal attitudes and cultural factors rather than any particular fundamental biological differences between men and women?

The Chief Minister:

Yes, bluntly.

Deputy L.M.C. Doublet:

Just checking.

The Chief Minister:

Happy to be corrected, but sorry that never even crossed my mind, I have to say.

Deputy L.M.C. Doublet:

Just checking. If the evidence does find that there is indeed a gender pay gap, and you stated that there probably or almost certainly is, what do you think the impact of a gender pay gap has been or will be on Jersey?

The Chief Minister:

There is impact and benefit versus removing it, so they are kind of 2 sides of the same coin, if that makes sense. So if you get rid of a gender pay gap you are removing barriers. It is about improving choice and it is about individual potential. So if that is kind of the benefit of improving matters then the converse is that you have less of those now. In terms of individual choice, that is across man or woman, if that is the right expression. Then you get into parental leave and all that sort of terminology, which I am sure you will move on to fairly shortly.

Deputy L.M.C. Doublet:

So the gender pay gap is having an impact of creating barriers and lack of choice for men and women?

The Chief Minister:

I think that would be a fair comment.

Deputy L.M.C. Doublet:

Thank you. I am going to pass on to my vice-chairman.

The Chief Minister:

I am going to look to my side occasionally just to see if there is anything there.

Senior H.R. Manager:

Feel free to direct questions if you need to.

Deputy K.F. Morel:

In your earlier answer you said “probably” Jersey has a gender pay gap. One of the reasons I think that is probably the only answer you could have given is the lack of data around it. So I was wondering whether you have any plans for Jersey to introduce statutory measures to force companies to publish gender pay information?

The Chief Minister:

There are a couple of issues. We obviously have the power to do so because of the Statistics (Jersey) Law. There is also the issue because obviously the U.K. (United Kingdom) - I am trying to find my notes - I think the U.K. already does have statutory provision, if I remember correctly.

Senior H.R. Manager:

Yes, it does. Yes.

The Chief Minister:

I think firms employing more than 250 people. In an ideal world, you still have to offer the voluntary side and see what response you get and then go there. Because one of the differences we do have here ... so as a principle there is no reason why not. It is better to try and approach a voluntary way first. The other issue which, from memory, I have got that figure down here. Hopefully I will be corrected if I get it wrong. I think it is about 80 per cent of our businesses employ between one and 5 employees and one thing we have to just watch is the burden on small employers and making sure it is not ... well, there are 2 issues. One is that it is not too onerous on top of all the other things we do. The other thing is about data protection and privacy because with very, very small samples, as we know, from stuff that we already publish in terms of the States, you do not want to identify individuals and their earnings. Can we do it? Yes. Would I prefer to try a voluntary method first? Yes. Then hopefully that will start again as that move is starting to shift attitudes.

Deputy J.H. Perchard:

Just on the idea of ...

Policy and Strategy Director:

Sorry, can I just clarify one thing on the Statistics Law. The Statistics Law does give the power to collect that information but it would have to be published completely anonymously. You would not be able to draw attention to any ... it would not help you address issues because nobody would know who was who.

Deputy L.M.C. Doublet:

Could you tell it by sex thought?

Policy and Strategy Director:

I do not know. You would have to ... but the point about the Statistics Law to be able to collect information for statistic purposes and the idea is it does not have any kind of personal information associated with the output of it at all. The U.K. rights to other publications sits within the Equalities Act in the U.K., which is a piece of law we do not have in Jersey. It is 250-plus employees so these are very large firms.

The Chief Minister:

They are large firms in the Jersey context. Sorry, 2 things I wanted to add, and I said it earlier that Stats Jersey is doing some work on it but it is going to take them a while. I think they wanted initial results by the end of this year but it is going to take a while to get that information. It is probably worth making the point, depending on funds. It is a question planned down that came through. Obviously, you have got the societal change side of things but there are some more legislation changes coming through, which would be hopefully lodged around Easter. I think it is going to the relevant Scrutiny Panel next week. That is about, rather than having ... that is under the employment law side of things, which is in terms of things like maternity and paternity leave, it refers to parental leave. I think it gives better rights on breastfeeding and things like that.

[15:15]

Then the aim is for that to be implemented by about September. That will kind of complete, certainly from our point of view, that statutory framework, which you can then start building on to achieve the cultural change.

Deputy L.M.C. Doublet:

It is definitely all linked, is it not? You seem to have a fair understanding of that. We have several questions in that area. I think we will come on to those in a minute. Did you have more general ones?

Deputy J.H. Perchard:

Yes, just on the idea of volunteering that information. I am aware of a C.E.O. (chief executive officer) of a very large company in Jersey who said that they would have loved to have trailblazed in that way by volunteering pay gap information but because there inevitably was going to be a pay gap it was not worth the bad press for their company. So having a statutory requirement could be perceived as more appealing because if everybody has to put it at the same time and everybody

has a gender pay gap then everybody is in it together and we can perhaps move forward a bit more effectively and quickly. I thought I would just pose that to you as an idea.

The Chief Minister:

It is an interesting observation. As I said, this usual thing about if you can get more people to buy in initially on a voluntary basis and then you start building up versus do you just bring it on day one for everyone. You kind of pose that it might even be a choice. It depends on the size of the organisation you are talking about. Let us say there were 10 of that size and they were the only organisation that did not publish does peer pressure then put them under pressure to publish without having to do statutory changes? Or if all 10 do not publish then you are definitely into the statutory appointment. It is just that balance that it is a judgment call and you can only really make that judgment call if you want to go down that voluntary route first of trying it first and seeing what the reaction is. It will take time to generate the legislation in any event.

Deputy L.M.C. Doublet:

In terms of the size of the companies, have you thought on where you think the balance might be appropriate for Jersey rather than 250 employees, like the U.K.?

The Chief Minister:

The short answer is personally not, but obviously a lot of this area falls under the remit of the Minister for Social Security so that might be a question to put in her direction. That is certainly right, as it were, because we ... that size of the organisation is quite large for Jersey so how much benefit do you get from that?

Deputy K.F. Morel:

That is about 5 businesses.

The Chief Minister:

Exactly. The States will be one obviously. Yes, but over and above that. So how much benefit there is I do not know. As I said, it is always that trade off if 80 per cent of our businesses employ up to 5. It might be potentially too onerous at that level.

Deputy K.F. Morel:

Sticking to that, and talk about the voluntary side rather than the statutory side, do you think this is an area where the States could lead in terms of collecting and measuring and publishing its own gender pay gap statistics?

The Chief Minister:

I would have certainly thought there was no reason why we should not be. The other thing I think, and we were discussing it, and the review you are doing is quite good timing because we know we are the only organisation that can do the statutory changes but we did kind of think the Government Plan is coming through later this year, is there any scope - and I am talking small amounts of money, by the way - but whether you could do a little bit of seed corn to just do that slight ... just starting currently that extra engagement with the private sector side to start moving that cultural change forward. But please do not get the impression I am unlocking the purse strings, bearing in mind all the other constraints we have.

Deputy L.M.C. Doublet:

We would never place reliance on your purse strings, Chief Minister.

Deputy K.F. Morel:

My last question is: you have mentioned a couple, but what other initiatives do you think could be undertaken to help enlighten people and potentially reduce the gender pay gap?

The Chief Minister:

Obviously, I have referred to one. I get very cautious, especially sitting opposite Deputy Perchard because she will know far more than me on the teaching front, but it seems to me that if you are starting at the youngster's level, education and all that sort of stuff has got to be a crucial point. I have some understanding of what happens but probably not enough because I do not get told because my daughter is 14 and does not talk very much. But I have always understood that certain schools do have programmes where they do try and expose - we are talking about girls - to what might previously have been perceived as more male subjects. So there is a greater push on I.T. and coding and on the feedback. Sometimes on sciences and stuff like that. So that is definitely a positive. Can we do more? What do you do about careers in terms of exposure to? Is there somebody who can do that? Can you do more work experience in so-called non-traditional areas that might tie into Project Trident? I do not know. I did recall seeing the list on Project Trident and it seemed quite varied from what I could see. Where else do you go? I mean I think there are various initiatives. You get the statutory framework finished and then from then on, which is really end of close of play this year and going forward, you see what the ... it is the softer incentives that you can try for. But obviously at the younger age level it has to be at the education system improving what we do.

Deputy L.M.C. Doublet:

Just on the education system ...

The Chief Minister:

And that is definitely the Minister for Education.

Deputy L.M.C. Doublet:

You mentioned that girls should be exposed to more ...

The Chief Minister:

It does work conversely ...

Deputy L.M.C. Doublet:

Yes, I was going to ask, what would you do for boys to help change the culture?

The Chief Minister:

I do think part of that is starting. Again, there is a family member, I am aware they seem to be exposed to more cooking and things like that, which might not traditionally be perceived ... having said that, I have a number of cousins who are chefs. But it is not necessarily perceived at the age of 10, 12, 14 as a boys' thing to do, but I would have said that attitude probably has changed. So I will use that as an example. I am sure there is other things one can be doing in that kind of territory.

Deputy L.M.C. Doublet:

Anything else that we could do in the education system, rather than at home?

The Chief Minister:

That was education system.

Deputy K.F. Morel:

I was saying the other day my daughter is going to a home economics class in an all girls' school and I was wondering if they do home economics in boys' schools.

The Chief Minister:

They brand it differently.

Deputy L.M.C. Doublet:

That must have changed since my days.

The Chief Minister:

I know, I was surprised. I thought it was very good and I was very impressed with the outputs as well.

Deputy L.M.C. Doublet:

I think we might move on to some of the maternity, childcare related areas.

Deputy J.H. Perchard:

Chief Minister, is there any evidence to suggest that women face particular barriers to promotion and if so, what could be done to address this?

The Chief Minister:

Barriers to promotion in terms of evidence. My feeling is in terms of evidence, no, on the basis that discrimination and employment legislation should be in place. Now does that mean ... it goes back to this issue about do we have the evidence in the gender pay gap type of scenarios? We do not have any evidence but we think it exists. So is there evidence that barriers to promotion exist? I am going to say no. I am going to look to my left and right on that front to be corrected.

Policy and Strategy Director:

I think the Chief Minister has made the point that from a statutory point of view there should not be any barriers at all these days for an individual woman trying to get an individual promotion. So if there was any suggestion that she should not be given that job because of her sex that would be absolutely straightforward direct sex discrimination; so she has a legal case against her employer. As you said before, the gender pay gap is not about that. It is about the all women versus all men. So there are wider societal changes to be made, which is important. You only get that over time and across the blocks of people because in any one particular situation sometimes women will get the job or the man will get the job. That is just the way it is. So I am not quite sure we can ... there are always broader issues, there are always the broader ways of doing that.

Deputy J.H. Perchard:

Do you believe, Chief Minister, that the statutory provision is effective?

The Chief Minister:

Do you mean the Discrimination Law?

Deputy J.H. Perchard:

Well you say that there are no barriers from a legislation point of view. Would you say that legislation is effective, looking at your spread of men and women across the States as an organisation?

The Chief Minister:

I am slightly worried. I am going to pause, I am slightly worried we are mixing 2 things, that is why.

Deputy J.H. Perchard:

The gender pay gap is about promotion to a great degree because of course if you are not promoting a particular demographic, a particular sex, whether it male or female, the result is the gender pay gap but the cause is a lack of promotion, lack of access, lack of opportunity. So I am asking if you think that the legislation that apparently removes those barriers is effective.

The Chief Minister:

One of the reasons I paused is because obviously our legislation has only really been in relatively recently. This is my perspective again, I am happy to be corrected at the technical level, but from my perspective, if the whole thing is about a cultural societal change it automatically is going to take longer. I am trying to think when the relevant section of the laws came in. But the fact we are only talking about the final change being done at the end of this ... in by September 2019, potentially this year, I am not entirely sure that we have had long enough to see whether it has been effective or not. That is what I am trying to say.

Deputy J.H. Perchard:

How long would you expect for that to take before we start seeing the changes?

Senior H.R. Manager:

Before the Chief Minister answers the question you just posed, could I just add to it because it might be helpful?

Deputy J.H. Perchard:

Of course.

Senior H.R. Manager:

I think the panel would absolutely understand that it takes time to change things, legislation is a basis on which you build and then from that the cultural and societal changes evolve from that. That is what happens in any society. Jersey is no different to that. Where if you look at Jersey's industries, public sector, finance sector and so forth, the legal sector, these are all industries where there is a very strong commitment to equality of opportunity. It exists within the public sector. It exists within the financial services sector. It exists within the legal sector. I think as you move forward over the next 5 to 10 years you will see some of the concerns that quite legitimately you are investigating and reviewing, will ... I will not say be resolved because I am not naïve enough to say that. But they will be mitigated by the legislative framework that has recently come in and by actions such as the recommendations that undoubtedly will come from this panel, I am sure, because that is one of the purposes, I am sure the panel is in existence. The Jersey society will pick up on that and develop that not least with something your colleagues ... the C.E.O. comment that you made in

one sense, while I understand the comment that was made, I was personally slightly disappointed that they did not want to take the opportunity to be a trailblazer. I did not mean to cut across your question to the Chief Minister but I think it was important to make those comments.

The Chief Minister:

If I can, it just gave me pause for reflection because I was thinking about my work-life, as it were. A lot of my work time I suppose I have often had female bosses or managers as you work your way up the chain. But in the large firms I worked in mainly the partners at that point were male. I am in no position now in the particular organisation I used to work for but I was thinking of a female friend, who is the managing partner of a reasonable-sized practice now. Whether that would have deliberately been the case or not 20 years ago, I do not think that is the case. This is what we are all trying to address but the fact that she is there now and has ... I cannot remember how many children she has, implies that things in certain areas have improved. So in other words, it is implying that there is an element of an improvement but obviously what we are all trying to do is make it a lot more.

Deputy L.M.C. Doublet:

Can I just refocus on this issue about change over time? Are you satisfied with the pace of change currently or do you think that this issue is serious enough to warrant either further legislation or further policy measures from the Government to hasten that pace?

The Chief Minister:

I am not entirely sure how one legislates for it, if that makes sense, because ... and that is where I make the point if you are going to ... if you regard the legislation as enabling the life choice, individual choice type of areas, that is what we are completing. Then it is the issue around the cultural change and the relevant policies or encouragements at the education level. For example, if you focus at the education level you are automatically talking about children generally below 16, so that is going to take some time to percolate up. How do you do it? If somebody is already employed in post you cannot get rid of them, if that makes sense, so that is your other end. Naturally there is going to be a time lag in there before you see or ... it is just my opinion, again you may have a different view and I again have to be corrected, but in my view that automatically means there is a timeframe there. As I say, can you do some incentives to help speed up that awareness and attitude and exposure? Yes. That is what I was saying. Perhaps that is why I think the review you are doing is probably quite good given the Government Plan coming through.

Deputy L.M.C. Doublet:

So is it fair to say you would like to see the pace of change a bit quicker?

The Chief Minister:

Bearing in mind what I have just said, yes. It is within that thing of encouraging and enabling rather than ... when I say “forcing” there is a subtlety in there.

[15:30]

Senator K.L. Moore:

May I ask if you see your current role as an opportunity for you to lead by example and offer those opportunities to your colleagues? For example, the Council of Ministers has some female Ministers however the majority of voices who speak on government matters tend to be men. Would you be aware of that?

The Chief Minister:

When I put my original list together, I think there were 5 women on the list and 4 were voted for. So I did try to do my best out of the list we had. I think that was more than we have ever had before but I was more going for ability rather than whether they were male or female, as far as I was concerned. When you imply who speaks on what, can you elaborate on that?

Senator K.L. Moore:

For example, for a period of time the chairman of the States Employment Board was a female, however the vice-chairman often was the spokesperson during that time.

The Chief Minister:

I think that is a matter of choice for the States Employment Board at the time how the chairman wished or wishes to run their affairs. If that is the decision of the then chair that was her decision. I think that is the point. What I am trying to say is within the roles and responsibilities we have, people will speak according to whatever roles they need to answer. Does that make sense?

Senator K.L. Moore:

This is more the reason for asking the question, is asking whether there is consideration given or an awareness of who is speaking and the symbolism of who they are addressing and who is addressing the public on government business.

The Chief Minister:

If you use the States Employment Board as the example, I would have assumed, and I do not know, Senator Vallois would have made a decision as to whether she wanted to speak on the matter or whether she wanted her vice-chair to speak. That would be a matter for her.

Deputy L.M.C. Doublet:

Shall we broaden it out a little bit because I think you have a ...

Deputy J.H. Perchard:

Yes, I just wanted to pick up on something you said about ability. We are going back to the idea of looking at the causes of a possible gender pay gap. I am focused on the States because we have the statistics of the States. We already know where we are with that. Do you believe that the reason why there is a gender imbalance at a senior level in the States of Jersey is because of ability? Are you proposing a meritocratic argument for the gender pay gap?

The Chief Minister:

Sorry, can you say that again?

Deputy J.H. Perchard:

You suggested that your choice for Ministers was driven by your assessment of their individual ability rather than an issue with their gender. I was just taking that concept and extrapolating it to the States as a body and asking if you believe that the reason why we have one woman and 7 men at the top of the organisation is to do with ability rather than other ...

The Chief Minister:

I am not saying that men are more ... I am sorry, if you are going to say there are more men in the organisation than women, I am not saying that is because men are more able because a variety of people would shoot me and I think that is wrong as well. I was trying to make the point that when I put my team together it was based on a whole variety of attitudes but I did not pick someone because they were a man or because they were a woman. I chose on ability.

Deputy J.H. Perchard:

What barriers do you think women face ... apologies.

Senior H.R. Manager:

I was just going to pick up on your point about the sort of senior 8, which I think you are referring to; the director generals, I would guess.

Deputy J.H. Perchard:

Yes.

The Chief Minister:

Sorry, I thought you meant across the organisation.

Deputy J.H. Perchard:

Sorry, my apologies; the director generals.

Senior H.R. Manager:

If you permit, I will perhaps just add to that because I think it will help. Bear in mind that Jersey has the Jersey Appointments Commission and for jobs of that seniority each appointment is overseen by one of the commissioners.

Deputy J.H. Perchard:

Yes, I am aware.

Deputy L.M.C. Doublet:

Can I just pause you there; would you prefer the Chief Minister answer the question?

Deputy J.H. Perchard:

No, it is fine.

Senior H.R. Manager:

I am going to stick to fact as opposed to anything else in that respect. There was a clear process put in place overseen by the Commission and the organisation went to open competition, many of those postal. The Treasurer had been one where the job was appropriately slotted, and I do not think anybody would disagree with that approach where it is necessary. But the other ones that went to open competition, there were assessment centres, there were proper interviews by a panel that was a mixed panel and so on and so forth. I will not go into all the detail but you get the gist of what I am saying, which is that I think the process was absolutely built around merit and fair competition irrespective of gender.

Deputy J.H. Perchard:

May I interrupt you? I am absolutely aware of all of that and I am absolutely not suggesting that the people in those positions are not able to do those roles. What I am trying to dig out is the fact that perhaps we did not turn over enough rocks when it comes to gender. So if you only have 7 men apply for 7 roles or if you only have men apply for a role you cannot possibly hire a woman. But what I am suggesting is that there are barriers to women in society that prevent them from applying for certain roles and I am trying to ask what you perceive those barriers to be. If you acknowledge they exist and what you perceive them to be.

The Chief Minister:

Sorry, I was thinking the answer to your first part and I just missed the second part ...

Deputy J.H. Perchard:

What barriers do you perceive women to face when it comes to applying for senior roles and how do you intend to tackle them?

The Chief Minister:

Let us just deal with a couple of things. I was just looking down the hiring side. What might be useful is to get somebody to send you some data because I think ... if I have understood this correctly, at the director general level I have a note. I will have to seek clarification but I have a note that says of the 22 permanent hires, 50 per cent male and 50 per cent were female.

Deputy J.H. Perchard:

That is the next level down, which is great.

The Chief Minister:

So I was just saying so there is not ...

Deputy L.M.C. Doublet:

Can I just rephrase the question? If we go back to the beginning, we have talked about education and if we accept there is evidence that girls outperform boys at all levels of education, and we can send you evidence of that. Why then, when we get to the other end of the scale, is the percentage of women in the very senior roles so low?

The Chief Minister:

Part of it, as I said, is what I will call the historical inertia, or whatever you want to call it, of the last 10, 20 years of whether it has been about ... predominantly it has been the women who have been seen to take the career breaks for caring. That will be a factor. I think that is partially what you will see. So it will depend then, I am talking about across the organisation, not necessarily at the top level now, as long as that was an overall change. Trying not to second guess the Appointments Commission, if that makes sense. I suppose I do not know on that front but if you are looking across the overall organisation, I think it is about inertia of change because the people you are recruiting will either have been in post for a while or because of career breaks and has that a drag on career? In terms of things you can do to improve matters, I know one of the areas around is when jobs are advertised is not putting down pay to negotiate or something or pay subject to negotiation, is giving a range of pay. In other words, this job is worth between X and Y because I am sure I have been told there is in evidence somewhere that says that women are naturally not inclined ... they tend to be a bit soft. That is probably the wrong expression.

Deputy L.M.C. Doublet:

Do not worry, Chief Minister.

The Chief Minister:

What I mean is less inclined to negotiate on that type of area.

Deputy J.H. Perchard:

There is absolutely evidence.

The Chief Minister:

So are there areas you can do to address that? The answer is yes. That is what I am trying to say. I think it is a very complicated subject on a whole range of factors that come through. That is an example. But as I say, going to the top tier 8, I do not have a direct answer. I might go away and think about it, but I think one of them is that, as Chris was referring to, the Appointments Commission has got proper processes in place. However they did that eventual shortlisting, and I was just looking if there was some data in there. I am sure if not we have probably got it. As to how men and women versus who got to the shortlist.

Deputy J.H. Perchard:

There were women shortlisted but we were told that they dropped out due to caring-like duties. So they made it to interview, which is fantastic. There is not a barrier there, but there was a barrier when it came to the idea of moving to Jersey, balancing home and family and work.

The Chief Minister:

That is interesting.

Deputy J.H. Perchard:

Specifically the women.

The Chief Minister:

In other words, that goes then back down to our cultural change and how do you start to address that. I think we would be interested to see your results to see if there are any recommendations we can do.

Senior H.R. Manager:

That is entirely accurate. I know you have got the Appointments Commission letter there. That is something that we ... and it is not as if when we get that sort of feedback from candidates we do not

sit down with them in detail and try and work through how we can help. But at the end of the day that becomes a personal choice that an individual makes. We will do the best that we can and we do work hard to do that because we are no different to yourselves. We want to get the best people in the job and if that person happens to be a woman then that is what we should do. The recent director general appointment for Health and Community Services is a good example of that. It is not as if we just walk away from the point when they make that. We do work hard to try and resolve that. Sometimes we are successful and sometimes we are not.

Deputy L.M.C. Doublet:

It is interesting when there is a pattern of hundreds and hundreds of people making that same choice.

Senior H.R. Manager:

We are the largest employer on the Island and we, I think, and I genuinely believe, work very hard to make sure that we do resolve these matters properly. There is work going on at the moment about improving the way that we onboard and bring people into the Island, and that again will hopefully assist.

The Chief Minister:

If the next level down is 50/50, I would have said that was an indication that something good has occurred, if that makes sense.

Deputy J.H. Perchard:

Yes, it is very good.

Deputy K.F. Morel:

Can I just ask, and it is purely about your feelings on the subject, nothing else? Do you find it troubling that of all the director general posts only one has been filled by a woman and one of the reasons about that is for matters not to do with the women who applied, it is nothing to do with their ability, it is to do with potentially society's view that they should be caring and not men?

The Chief Minister:

It goes back to the earlier point about barriers; how do you remove those barriers? So I suppose the short answer is yes. But I am accepting it is a far more complicated picture because it is a whole layer of issues and how you address them. That is what I was saying, if you can, in terms of statutorily we get that framework in place, which I would deem a positive. That is the end of this year. Then you deal with the culture. Now is there stuff we can do within our organisation to make

things better? I shall await the outcome of your report. I am sure you will probably be telling us there is.

Deputy L.M.C. Doublet:

Back to the questions of Deputy Perchard, do you have any further ...

Deputy J.H. Perchard:

You go. You take that.

Deputy L.M.C. Doublet:

How would you describe Jersey's prevailing culture towards family friendly flexibility in the workplace?

The Chief Minister:

I am going to say it probably depends on the size of the organisation and probably the sector it is in. That was a little bit of a guess. But I would hope it is improving. That is probably partially as a result of the legislation that has been put in place and all statutory changes and societal attitudes already. I will perhaps hand over to Sue on that.

Deputy L.M.C. Doublet:

Can I just ask before you hand over, what would you like to see in an ideal world in terms of a family friendly set up for men and women employees?

The Chief Minister:

I will talk about attitude. That is about change. I will talk about my experiences, so when we had our first child things like maternity benefit were very rigid. So essentially, this is loosely because this would have been 14, 15 years ago, but you had to pretty well guess when you were going to give birth as to when you could put the claim in effectively, and I think if you did not get it right you effectively lost part of your entitlement to that benefit. That has changed. When in the States, and I am going to compare the 2 of us, Deputy, our second child was born and I am going to say probably a week-ish after around that time I seem to remember laughter and congratulations when default excuse was asked for but it was not granted for me.

Deputy L.M.C. Doublet:

I would rather if we did not go into any personal ...

The Chief Minister:

No, I was not going there but I was just talking about whereas I think more recently there had been a much greater appreciation of those kind of issues. My 13 years, I think it is, there is a change in attitude within the States.

[15:45]

So in terms of am I seeing a change in attitude, yes. But, boy, is it taking a time.

Deputy L.M.C. Doublet:

So in terms of in an ideal world, in terms of what employers could offer, what would you say would be the ideal set up for male and female employees in terms of flexible working?

The Chief Minister:

So part of that is around then flexibility. Is it about a recognition between I think it is parental rights and things like that? It leaves the choice to the individual as to how that works. There is one thing, I think, that is worth referring to because I want to get my terminology right, which is around the period of leave and how we deal with it. I think it is shared parental leave, is it not, versus the periodic.

Deputy L.M.C. Doublet:

We have got now 6 months of shared parental leave.

The Chief Minister:

Yes, whereas I think in other jurisdictions essentially one partner gets it and the other partner can potentially dip into it, for want of a better express, but often I think the evidence is or the experience is that we do not ... often it is the woman who keeps it all whereas under our system there is a right to the period of both the mother and the father.

Policy and Strategy Director:

So Jersey looked at the concept of ... so we did not have the broad rights we have now so building up towards that we looked at what happened in other countries and shared parental leave is quite common. But the evidence is strongly that the mother tends to take it and she has to give it to the father and not an equal relationship. So the decision was taken that when we moved towards this part of the legislation we should provide equal rights to both parents. As of the minute, there are equal rights supplied to the mother and father and to adoptive parents. The new legislation that we are bringing forward now will extend those from 26 weeks to 52 weeks and also include surrogate parents.

Deputy L.M.C. Doublet:

It is slightly different to shared parental leave, is it not?

The Chief Minister:

That is why I paused, so we do not do shared parental leave.

Policy and Strategy Director:

It is absolutely saying the gender is irrelevant. There are 2 parents with a child, this can be any kinds of parents and each parent in their own right has the right to unpaid leave and it will be the same amount, it will be 6 weeks paid leave in September, subject to the States agreeing that the last piece of legislation, which will come into view, as the Minister said, quite soon. There will be up to 6 weeks paid leave for the employer and then a further 46 weeks of unpaid leave, then taking in a variety of periods of time appropriate. The parents can then decide how they want to share that. The Government's role there is to provide an absolutely equal framework to parents as to what they want to do. If the woman wants to return to work slightly earlier, then perhaps I think we will do then ... and she wants to carry on breastfeeding or expressing milk, there ought to be a right to that, so a right to unpaid leave but also a right to take breaks; she comes back in after 2 weeks. There is considerable effort to make sure it is as fair as possible within a statutory framework.

Deputy L.M.C. Doublet:

Thank you. I just wanted to ask 2 more questions, if we make them quick-fire questions because I am aware of time. In terms of where Jersey is with their parental leave, how do you think we sit in comparison to other jurisdictions? Do you think we are beyond what other jurisdictions are doing or behind?

The Chief Minister:

I am going to hand over to Sue on this one because we are getting down to the technical levels, I think. My impression is that we have made massive improvements over the last few years. Where that puts us I would ... well, I am going to hand over, I would have thought that in terms of U.K. experiences we are doing pretty well, as is for the rest of Europe, for example, but I will hand over to Sue.

Policy and Strategy Director:

I cannot quote you exact figures but 52 weeks each, i.e. 2 years altogether, I think is good on an international comparison, yes.

Deputy L.M.C. Doublet:

Okay, thank you.

The Chief Minister:

It feels like it is ...

Deputy L.M.C. Doublet:

Okay, and another quick-fire one, the way that it is structured at the moment most of the burden will fall on businesses and some of the anecdotal evidence we have heard tells us that businesses might be less inclined to employ women. Because culturally women are still more likely to take their parental leave; that businesses will still be less likely to employ them because it is businesses that will be funding the leave. Is there anything that you think we could do from the States to try and address that cultural issue and help the businesses?

The Chief Minister:

I think from the employment side of things we have done it or will have done it from the end of year, depending on your view of which bits come in because obviously it is the combination, that discrimination legislation and the employment legislation. But then I think it is about the cultural change, about saying certain behaviours need to change.

Deputy L.M.C. Doublet:

I mean in terms of who pays for it because it is unpaid, is it not, at the moment beyond the ... is it 6 weeks?

Policy and Strategy Director:

Subject to the States agreement to the final phase, the burden on employers will, potentially, increase in September when there will be 6 weeks of paid leave per person per parent. At the minute it is 6 weeks for the mother and 2 weeks for the second person, so that will put an increased burden. At the same time the States does provide maternity allowances for up to 18 weeks; that is not particularly long in international terms. That is a separate issue and that issue is being looked at at the minute but there has been no ...

Deputy K.F. Morel:

Can I just confirm, maternity allowance, is that paid to the employer or is that paid to the individual?

Policy and Strategy Director:

Maternity allowance is a benefit paid currently to the mother. The impacts of maternity allowance on the employer is the employer does not have to pay the money twice. The employer is required to pay the wage, the normal wage of the person. But if the mother is collecting £210 a week from a

maternity allowance, then the employers have to make up the extra bit, to make up the full amount of the wage, so they would have to pay for ...

Deputy L.M.C. Doublet:

For the 6 weeks.

Policy and Strategy Director:

For the 6 weeks, yes. You would have your full wage for 6 weeks, paid partly by your maternity allowance and partly by your employer and then a further 12 weeks of maternity allowance which is paid, which is a standard amount of money. The Minister for Social Security has expressed a desire to review the period of the maternity allowance, so that is under review at the minute; there is no decision been taken about that just yet.

Deputy L.M.C. Doublet:

Do you think, Chief Minister, that there is more that we could do, as a States, to reduce that burden on businesses?

The Chief Minister:

One of the early points you made, the difficulty on everything we do is that with 80 per cent of firms being with 5 or less employees, anything one does creates a burden on them. But it is that balance then, if it does not fall there it falls on to the general tax purse. I am probably not going to comment at this stage because if you know me well enough before I say yes or no, I would like to know what the impact looks like.

Deputy K.F. Morel:

Just so you know, we have had in evidence from professionals in the Island that employers are choosing not to employ young women because they are worried about the burden on them and that has come through in evidence, so that would form part of the report as well and that is why these questions ...

The Chief Minister:

Yes, that is interesting. Is that across the board or for small companies?

Deputy K.F. Morel:

No. I do not want to go anywhere more about identifying them, so it is information that we have received.

The Chief Minister:

That is interesting. Okay, I think basically then what we need to do is, as ever, understand the impact and then see if there is a way of mitigating it but you have got to understand the impact first because if it is significant there are other consequences and that is why you have always got to make that judgment call.

Deputy L.M.C. Doublet:

This brings us nicely on to some questions about general employment policies, which Senator Moore would like to ask.

Senator K.L. Moore:

Going back to the theme of leading by example and, as it is been referred to, the States of Jersey is the largest employer in the Island, so well positioned to do so. In the revised policies that we have seen there is an updated version of the answer to a question that was put by Deputy Doublet originally in April of last year, which showed the number of men and women in the organisation at £10,000 pay brackets, which is extremely helpful because it shows a very clear bubble effect or balloon effect rather in that there are distinctly more women in the organisation than there are men but the majority of those women are in the lower-pay brackets. Then there comes a point around about the £70,000, £80,000 mark where that swings and then the majority of the men are in the upper-pay brackets. What further is being done to change this balance?

The Chief Minister:

Sorry, I am just having a quick look at the figures. Is this the one, 12th October 2018?

Senior H.R. Manager:

Yes, so that is the one that Senator Vallois ...

Senator K.L. Moore:

Yes, that is the updated version, yes.

The Chief Minister:

I think it is a matter for Chris on the technical side. Obviously, I think by its very nature when you get to that £70,000 to £80,000 bracket there are more men, which is what you have referred to, so 180 against 99 men, then it switches £80,000 to £90,000, 121 male versus 80 female. Then the next bracket, £90,000 to £100,000, broadly speaking half, 50 men, 26 women, not that looking into very, very low numbers. The £100,000 to £110,000 is 15 against 14, 13 against 12. I mean what I am trying to point out is the trouble is when you get to very small samples it is certainly ...

Deputy K.F. Morel:

To be fair, they are not that small, £120,000 is 33 people.

Deputy L.M.C. Doublet:

There is a huge jump at the £120,000 ...

Deputy K.F. Morel:

It is two-thirds in favour of ...

The Chief Minister:

I know, there is 23 against 11, is it not?

Senator K.L. Moore:

Of course, this is one ...

Deputy L.M.C. Doublet:

Then 21 against 4.

The Chief Minister:

Yes, the £130,000 against £140,000 is quite striking but ...

Deputy L.M.C. Doublet:

£150,000.

The Chief Minister:

I do not know what the roles are in that and does it matter?

Senator K.L. Moore:

Yes, of course. If I may, my next question is there are always many different ways of looking across an organisation and understanding and this is a purely financial grouping. But if you were to look perhaps at the pay groups, has the States of Jersey got the data that looks at the individual pay groups and what the gender balance is within the pay groups themselves? Because then we are looking more at whether people are being equally valued for work of equal value.

Senior H.R. Manager:

Do you want me to take that?

The Chief Minister:

Yes, I think if you were to ...

Senior H.R. Manager:

To be fair to the Chief Minister, I think that is a technical question, yes.

The Chief Minister:

I think we can get the equal pay and equal value; that is definitely ...

Senior H.R. Manager:

I mean that is a technical question. I think 2 observations that I would make, the first one and it is worth just recognising that we have a relatively old demographic in the States of Jersey in terms of the age of the workforce. I suspect some of these numbers will change quite radically in the next 5 or 6 years, as, I have to say, my generation moves out of the workplace going forward. I think sometimes you have to look at that side of things, which reinforces your point, Senator, about it is not just one measure that you look at, you have to look at a range of measures to get a proper and holistic view of what the reality is, so that is the first observation. The second observation, the organisation of the States of Jersey, probably since around about 2010 onwards, has been trying hard to resolve issues such as equal pay for equal value. It has made a number of significant changes in its policy framework. When I first arrived here there were 5 separate maternity policies, depending on which pay group you were in; that was a rather ridiculous place to be which we resolved that very quickly. The point I am making, using that as an example, is the States has got on and done things, it has not waited for legislation. It has recognised where there are anomalies and it has gone out, using your observations about it is a leadership role, and tried to solve those issues. It has not always been successful but it has made steps and it has improved, which I think is the reasonable expectation, both politicians and society should have a mixed leading employer and I think we are doing that. Looking forward, I think one of the things I have been gratified by at a personal level is that this group formed because I think it has been hard work on occasions internally to get attention to these matters that are genuinely important. But now I think, as there always is, there is a wind behind these issues and the role that the States of Jersey, both as an employer and a public authority, is to provide some leadership and I think we are doing that within the workforce.

Deputy K.F. Morel:

I am sorry, and I know that you are not responsible for these appointments, the one thing that flies in the face of everything you have just said are the recent appointments at director general level. I know you have mentioned them but only having one female appointee out of is it 9 or however many? I have always been brought up to understand that an organisation's culture is led from the top and it is the top that creates the culture. We have just installed a top, which is 90 per cent male at the end of the day.

Senior H.R. Manager:

Rather than you and I get into a debate which we could equally ... and I am perfectly happy to have offline, I think I have referred to the fact of how the recruitment process worked, which was done openly ...

Deputy K.F. Morel:

No, I appreciate that and that is why I appreciate this but it is a serious concern.

The Chief Minister:

That is the main point, the Appointments Commission is at arms' length, so however they have done it that has been the issue and I think that we have touched on some of the ...

[16:00]

In fact, as Deputy Perchard made the comment, obviously there are obviously some other issues around some of the people who were shortlisted.

Deputy L.M.C. Doublet:

Their submission, it does point to the cultural practice that you yourself have referenced. I think that has come full circle and it is back to us, as policy makers, especially you, Chief Minister, with the overview of all policy areas, you saying kind of the ball is in your court, as it were.

Senior H.R. Manager:

Just to finish the point for the Senator, if I may, because, as I said, offline it would be useful to have a conversation or something, we could have a healthy one. I do think that you should judge the organisation, this is reinforcing your point, by the actions that it takes and I think that is perfectly reasonable. But I go back to my other observation, it has to be holistic, is look at the actions it takes across the board, not just necessarily pick out one item that may or may not reinforce the hypothesis. The expectation is quite realistically you should expect us to do the best possible job creating the right public service for this Island that reflects the population of the Island; that is what we are about and I think we do work hard at that. But it has got a long way to go, it is not a done deal by any means.

Senator K.L. Moore:

Are there any plans? You mentioned that in the past perhaps it has not been a topic of general conversation, are there any plans to talk more about the issue and better illustrate ...

Senior H.R. Manager:

Yes, I think there is. I noticed the Senator had over there our Equality and Diversity Policy, if ...

Deputy L.M.C. Doublet:

Deputy, but thank you.

Senior H.R. Manager:

Sorry, probably I am looking to the future, I apologise absolutely, I apologise. Yes, and I think that is an example of something that we have done in the last 2 or 3 years, which we did not used to have. I think that creates the framework for getting on with this. Notwithstanding the Deputy's observations about, say, one recruitment, the quality of the recruitment process that has gone in this time round; I think it is significantly better than historically has been the case. The work that we tried to do in workforce modernisation and have equal pay for equal value, which obviously was not as successful as we would have liked but, nevertheless, it was another example of the States trying to resolve some of these anomalies that are longstanding; that, as the Chief Minister pointed out, have been in existence for 20 or 30 generations and I think that is the journey we are on. Looking to the future, I think there is no doubt in this administration these issues are front and centre. My team are talking about it all the time in terms of refreshing our H.R. policies, the work that Team Jersey has been hired to do, it is all part of that process. It is a long burn, it is not something you are going to fix overnight, apologies.

Deputy K.F. Morel:

Could I ask one very quick technical question? Sorry, I just want to know, do workers in the States of Jersey have a right to part-time or flexitime work? Do they have that right to ask for it? I just wondered ...

Senior H.R. Manager:

Yes, absolutely, and people do. If you look at our stats, it is very clear that there is a lot of part-time work. There are occasions when a request for flexitime is turned down but that is very rare.

Deputy K.F. Morel:

Thank you.

Deputy L.M.C. Doublet:

Did you have further questions on employment areas?

Senator K.L. Moore:

What are the next steps in terms of introducing? Are there any policies that are still on the to-do list?

Senior H.R. Manager:

Yes. Obviously, as you would appreciate with a new administration and a new target operating model, we are revising and refreshing our people strategy. A big part of that work will reinforce many of the issues that we have talked about here. I will not go into sort of chapter and verse because, to be fair, it is still being evolved, it has still got to go to the States Employment Board for their endorsement and sign off and it is still going through the sausage machine of policy making. I think you can be assured there will be enough positive aspects in there to feel confident and, hopefully, any of the recommendations that you make are clearly going to be part of that process.

Deputy L.M.C. Doublet:

I am just aware of the time, so we are going to ask just maybe a couple of more final questions. But, briefly, you mentioned a target operating model, can you summarise in a couple of sentences what you mean by that because I am not sure there is a shared understanding of ...

Senior H.R. Manager:

All right. My definition, as an officer, is the target operating model is, effectively, the restructuring of the States of Jersey public service to ensure that we provide efficient and effective public services with the right structure and the right people in place to deliver that; that is where I am at. That is an officer definition of it ...

The Chief Minister:

I would go with that, I have got a shorter version, yes.

Deputy J.H. Perchard:

Is it encapsulated in a document? Is there a target operating model document that is kind of shared or ...

Senior H.R. Manager:

Yes, I think, to be fair, documents are published.

The Chief Minister:

Yes, each one, as they are approved, has been published but certainly they work their way up. Deputy, I think I have yet to see one on S.E.B. personally but they then come into comm and then I think ...

Deputy J.H. Perchard:

Are they divided by departments?

The Chief Minister:

Yes, under the new departments, et cetera. Essentially, it is new jargon, in essence, for it is a revised organisational structure by the new departments; that is it.

Deputy J.H. Perchard:

Okay.

Senior H.R. Manager:

It may be helpful and if you are comfortable, we can send you a link to an overarching philosophical statement about what that is.

Deputy L.M.C. Doublet:

Sure, that would be helpful.

Senior H.R. Manager:

Then, as the Chief Minister referred to, each director is going through a process, as we speak, of revising its organisational structures, which then goes to S.E.B. to be approved.

Deputy J.H. Perchard:

Okay, thank you.

Deputy L.M.C. Doublet:

Did you have any further questions in that area?

Senator K.L. Moore:

In the document that they sent to us, it was helpfully pointed out that it has got a calculation that was given for the average and median gender pay gap, as worked out by yourselves, yes. It is either 11.3 on an average basis and 13.6 on a median. What steps are being taken to change those figures?

Senior H.R. Manager:

There are 2 things there, the first thing is, as you would appreciate and which is what you are referring to, it is important to get the evidence very clear and get our data sets absolutely accurate. We are refining that because if we are going to be regularly publishing this sort of data, as expressed in that document, which the S.E.B. could provide to Senator Vallois' committee, we have got to make

sure our data sets are accurate, so that is the first thing. The second thing is, and part of that data set, getting an absolute clarity about what the definition is, which is why I found the dialogue on this quite interesting because I personally prefer the O.N.S. definition, with no disrespect to your definition but that is the one because I think that is a much more practical one to enable analysis and comparison. The reward team will be developing that as we go and we are due to do a presentation later in the year to S.E.B. as part of its governance reviews.

Deputy L.M.C. Doublet:

I think that is the definition that we have used and maybe just worded it slightly differently. We have gone with the definition that is being used by the U.K. Government in their legislation and reporting requirements.

Deputy K.F. Morel:

There was a slight difference but I just want to check you do not mean equal like people, I just want to make sure you were talking about ...

Senior H.R. Manager:

No, I am very clear on that distinction between the 2 because you might explain ...

Deputy L.M.C. Doublet:

One more question on the equality and diversity policy, is there a Minister or an officer at senior level that is accountable for ensuring that this is implemented?

The Chief Minister:

Diversity from policy level if it is not there but ... sorry, there is a sign off to do for it to go to the Minister for Social Security.

Deputy L.M.C. Doublet:

The Minister for Social Security, okay.

The Chief Minister:

Yes.

Additional note following the Hearing: At this point, the Panel were referencing the SEB equality and diversity policy, and had a copy of it on their desk. The SEB policy will continue to be the responsibility of SEB itself.

The reference by the CM is to the overall policy of diversity in Jersey as a whole.

I am not sure if this distinction was fully explained.

Deputy J.H. Perchard:

Who is responsible for making sure it is implemented on the non-governmental side of the States in a public sector? This is obviously for all employees, those ones there are contracts for everybody who is employed by the States.

Senior H.R. Manager:

Correct.

The Chief Minister:

I presume that would be S.E.B., would it?

Senior H.R. Manager:

Yes, the S.E.B. is the employer of all public servants, so that is where the sort of statutory authority sits and obviously that is one of the delegated responsibilities that goes to the Chief Executive and hence on to the Director Generals.

Deputy J.H. Perchard:

Okay, so it does go from S.E.B. to the Executive.

Senior H.R. Manager:

Yes, it is a proper ... yes, absolutely.

Deputy J.H. Perchard:

Each of the director generals will be ensuring that this is implemented in their own departments.

Senior H.R. Manager:

Yes, and this particular board have been very explicit in wanting to ensure and assure themselves going forward that the codes of practice, which is part of the process that they use to manage governance, are properly adhered to. It is on annual basis and they are saying they will provide financial assurances, will be in the future providing H.R. assurances that policies have been followed.

Deputy J.H. Perchard:

Okay. Sorry, just for my own understanding, so the S.E.B. will be responsible for ensuring, for example, the chief executive implement this, so someone is watching the next person along.

Senior H.R. Manager:

Correct.

Deputy J.H. Perchard:

He is responsible, yes, okay.

Senior H.R. Manager:

Absolutely.

Deputy J.H. Perchard:

Fine, thank you.

Deputy L.M.C. Doublet:

I think we have just got maybe one final question and then ...

Senator K.L. Moore:

Given the comments that we have heard today and the commitment to equality and diversity from an operational standpoint, would you, Chief Minister, perhaps express any regret in not accepting the amendment to your Common Strategic Policy that asked for consideration to be given to equality and diversity in our community?

The Chief Minister:

No, not really. The point was we thought it was best cited, if you like, as a theme because it cuts across. As I said and as you will be aware as a former Minister, if we look at the experience last time round when St. Helier was a key strategic objective, in reality nothing happened. Just because it is placed off at that level does not mean you are going to achieve something. I am very committed, using St. Helier as an example, to achieving something this time round but St. Helier is a common theme, diversity is a common theme. No, I am still pretty comfortable on that.

Deputy L.M.C. Doublet:

Is it fair to say that the principle of equality is one that you feel is important?

The Chief Minister:

I think it is important, yes. As I said, I think we have said the timing of what you are asking is good and I hope you have some time to come and plan things like that and I look forward to the responses.

Deputy L.M.C. Doublet:

Okay, and anything you would like to add in a sentence or 2?

The Chief Minister:

I think that is probably it, your timing is very good. I look forward to the responses and then I look forward to working ...

Deputy L.M.C. Doublet:

Okay, thank you very much, Chief Minister. We really do appreciate the fact that it appears that you have done some work and some research in this area. I want to express the appreciation of the panel and to your officers as well for their work today. I will draw the hearing to a close. Thank you everybody who observed as well. Thank you.

[16:11]