



Care of Children Review Panel

Government Plan Review Hearing

Witness: The Minister for Children and Housing

Thursday, 3rd October 2019

Panel:

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

Deputy T. Pointon of St. John

Deputy K.G. Pamplin of St. Saviour

Deputy M.R. Higgins of St. Helier

Witnesses:

Senator S.Y. Mézec, The Minister for Children and Housing

Mr. M. Rogers, Director General, Children, Young People, Education and Skills

Ms. M. Mathias, Group Director, Policy, Strategic Policy, Performance and Planning

[15:02]

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

Thank you very much for your time, Minister. This is the public hearing of the Care of Children Review Panel and the main focus will be on the Government Plan. There may be some other areas that come into it as well which are relevant. I just draw your attention to the information in front of you which I am sure you are very aware of in terms of the rules of scrutiny. I ask people to switch their phones off. I just hope I have done mine. We should be recording and it is broadcast. You can view it publicly on line. Just introductions, I suppose, to begin with. I am Deputy Robert Ward and I chair the Care of Children Review Panel.

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

Deputy Kevin Pamplin, and I am Vice Chair of this panel.

Deputy M.R. Higgins of St. Helier:

Deputy Mike Higgins, a member of the panel.

Deputy T. Pointon of St. John:

I am the Deputy of St. John, Trevor Pointon and I am a member of the panel.

The Minister for Children and Housing:

Senator Sam Mézec, Minister for Children.

Group Director, Policy, Strategic Policy, Performance and Planning:

Megan Mathias, Group Director for Policy in Strategic Policy, Performance and Planning.

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

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

Deputy R.J. Ward:

Andy is our scrutiny officer who never gets introduced. We should do that more often, I think. If we start off with some general questions about the department's base budgets for C.Y.P.E.S. (Children, Young People, Education and Skills), I think I have that correct. What base budget do you hold responsibility for? We are just trying to get some focus on what budgets you hold.

The Minister for Children and Housing:

This year? Okay, so we have asked to get a bigger, full list because this is has obviously been a transition year and stuff has moved around, but I have got just short of £22 billion.

Deputy R.J. Ward:

Those areas that you hold a budget for, more specifically as possible? So that is in the area of ...?

The Minister for Children and Housing:

Well, everything that would fall under my ministerial responsibilities, which up until this point some of which has been delegated from other departments but that is being fixed at the moment so that it will officially be under the Minister for Children as opposed to the Minister for Health and Social Services which is what the case has been this year.

Deputy M.R. Higgins:

What is the handover date?

The Minister for Children and Housing:

Good question. That is being written at the moment, there is to be an order signed at some point relatively shortly. I have received this ...

The Deputy of St. John:

It has been signed.

The Minister for Children and Housing:

That is it, yes. You have caught me off guard there, I cannot remember the exact date but it is imminent, it has been signed and happening very soon.

Deputy R.J. Ward:

So when we ask you to do a budget comparison on what you have available in 2019 to 2020, because obviously we are trying to get some sort of clarity on what is additional funding and what is similar baseline budget, is that going to be difficult then because of change or can you give us a figure on that.

The Minister for Children and Housing:

I think the opposite, I think it become easier because this stuff has been dealt with. So measuring what is spent this year when it has been spread apart ... we have done it but it is not quite as simple as just looking down one column and seeing what the number is at the bottom, but in following years that will be much easier to do. The figure I have for 2020 is £27.5 million, so that is an increase.

Deputy R.J. Ward:

That is a real increase?

The Minister for Children and Housing:

Yes.

Deputy R.J. Ward:

I ask that as a question because there can be some ... when you are shifting responsibilities around, we have seen it in Home Affairs for example ... you are confident that ...

The Minister for Children and Housing:

You can see from the items that are in the Government Plan that there is a mixture of money that is being spent on policy and legislation development and then subsequent to that there has to be money associated with delivering what those new policies and laws say that you must deliver.

What that will appear like on the ground will obviously be different every year as we progress at different paces through different projects.

Deputy R.J. Ward:

One of the key things about the Government Plan is efficiencies. It seems to be based very much on ... and we have asked lots of questions on this, what have you identified at this stage, what have you signed off as efficiencies?

The Minister for Children and Housing:

Do you want to take that?

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

Certainly. Thank you, Chair. At this stage the principal area under this Minister's portfolio is in the sufficiency strategy where we are looking to continue the work to reprovide residential care from larger to smaller homes, introducing an intensive fostering service, which will reduce our reliance therefore on off-Island placements, but will also reduce our reliance on expensive in-Island care and support for young people as well. A third dimension of that will be to have a much clearer and stronger approach to what we would call permanence, which is about making decisions sooner and better around those children for whom fostering as a long-term proposition and/or adoption are decisions that could be taken. The principal area of being more efficient is because we can, in the simplest of terms, reduce our reliance on expensive off-Island provision and, to some extent, reduce our high level costs in-Island as well.

Deputy R.J. Ward:

We have seen an increase in your funding at the same time as efficiencies, this is something I cannot grasp in terms of the notion of efficiencies. I know this is not a question here but it leads from it. The money that you have "saved" from inefficiencies, would that have meant ... does that mean that you have kept that money to be spent in other areas ... because you have an increase in budget, have you kept that saving as part of your increased budget or have we got 2 things going on at the same time? You have an increased budget but you are taking money away, which is what seems to be happening which I think is a sleight of hand, to be quite frank, in terms of financing. It is more an accountancy procedure than reality and that is the concern.

The Minister for Children and Housing:

I am not an accountant but what I see when I look at the bottom line for what spending there is under my portfolio it is going up every year of this Government Plan.

Deputy R.J. Ward:

Right, so the efficiencies you are talking about will not affect frontline services and quality, indeed you are suggesting, am I right in saying, that it would improve frontline services because you get to spend the money? Is that the way you see efficiencies?

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

I think this other thing to say at this stage, of course, is that the efficiency plan is not approved, it is still under development. That is notwithstanding. Let me go back to the area within this Minister's portfolio that there are proposals to make efficiencies. They are in that sufficiency strategy space. I will not reprise what I said because you do not need the repetition but if we are more efficient in that area, which also means the outcomes for young people will be significantly better, then that is something that should be done. The areas of investment are in different areas and you will be looking at those, will you not? We need to provide new resource, for example, for those who are leaving care. The equation I do not think is an disingenuous one at all. I think it is about where is it by delivering a better service model and therefore better outcomes for youngsters that we should be focusing our efficiency work and, at the same time, where are there areas of deficiency in service all together. Care leavers is a very well-known area for Jersey, is it not? In my head, I would present the equation differently from the way you have, Chair, and I would say we are looking at those areas that should be made more efficient because in doing so we have a better service model and we have better outcomes for children and young people. Then what that allows for is proposals to come forward to invest in those areas where there is an absence of service or poor service.

Deputy R.J. Ward:

So efficiencies to fund deficiencies, is that what you are saying?

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

Those are your words not mine, Chair.

Deputy R.J. Ward:

I am just trying to get this joined up. It is a difficult concept because you can see where I am coming from.

The Deputy of St. John:

Just to take a practical example, talking about the current accommodation for looked after children being an annual drain on your revenue because you need to maintain that. If you are able to create foster family care in its place you can dispense with the costs of maintaining that estate.

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

That is another aspect absolutely of the sufficiency strategy. So very straightforward terms, I hope. What we have been doing is saying a number of our children lived in large group homes, that is not the way that children generally live ...

The Deputy of St. John:

I can think of one group home, a secure place, that does not have any residents currently.

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

Indeed. Very happy to move into that space in due course as well. I know the Minister will clearly have knowledge and views about that as well. What I am trying to say is as we, to use the jargon, re-provision our residential estate because we do not ... the way you live and should live as a young person is not in an impersonal large group home. You should live in something that feels like a family home. That is a really good model to be moving towards. As we do that, that is a more efficient model as well in terms of the use of the public purse because those homes get utilised more, the outcomes for youngsters are better, you head off costs at the pass as well because you are not creating difficulties that might manifest themselves in the future. Alongside that, if you are spending less but more effectively on that it means that you can therefore allocate resource elsewhere to services that are underdeveloped or, in some instances, do not exist at all.

Deputy M.R. Higgins:

Just for clarity, we have been told by certain politicians that there is salami slicing going on and that budgets are being reduced by 2 or 3 per cent. Can you state quite categorically that you will not be slicing your budget by 2 or 3 per cent and you would fight anything that tries to do that?

The Minister for Children and Housing:

As I said, my budget is due to go up every year and I consider it politically, and frankly morally, intolerable to accept any cuts to frontline services in this area because of where we are coming from. Our background of decades of failure in this means that this must be an area of top priority. That view among my colleagues is known full well and I will not tolerate it.

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

I can assure both the Minister and this scrutiny committee that in all of the discussions that I have been involved in around the efficiency plan for the Government, the notion of targets, percentage based targets, for example, you know: "Please go away in C.Y.P.E.S. and find us 10, 15, 20 per cent" or whatever, that is not a discussion that is going on. We are having an efficiency discussion and in my bit of the world I have given an example of what that looks like, which is about providing better services that deliver better outcomes for children, not as you have described it "salami slicing".

The Minister for Children and Housing:

Could I perhaps volunteer a point here? It is a point that I have made to the Council of Ministers and one which I will make in the debate on the Government Plan because it is an ongoing concern I have that you may well share is that I get concerned when we talk about the efficiencies programme, not specifically for my department but for the whole Government Plan as to what happens a couple of years down the line if, with the best of intentions, we just have not realised our aspirations to the degree that we were hoping for.

[15:15]

That worries me but I am also reassured by the fact that the Public Finances (Jersey) Law that we have now compared to what existed previously does provide us with much better flexibility in future years. So if we see early warning signs that things are not going to plan or things need to move direction slightly, we have a much better ability to cope with that than we would have done in previous years, which is a helpful position to be in.

Deputy R.J. Ward:

We can categorically say that putting children first is a top priority, it is not going to be affected by this notion of efficiencies? I wonder whether the word “efficiencies” should be changed if that is the case.

The Minister for Children and Housing:

When we are talking about what Mark has just said, the sufficiency strategy and providing better support to young people, the word “efficiency” does feel weird because it is a theme that you get better service, better support in a better environment, oh, and by the way, it costs you less money as well. Whereas it is not a case of maintaining the same service level but doing it for cheaper or reducing the service level and saying: “That is optional rather than a must have.” When we are talking about that saving it does not feel in line with what it may well be when we discuss it in other contexts. In the last M.T.F.P. (Medium Term Financial Plan) efficiency meant cuts to public services, which was awful. Not a good document in my view. When we are talking about it in this context it means something good, the by product is it means you have to spend less on it but it is a weird word to be using.

Deputy R.J. Ward:

Sorry, I will not dwell on it too long because I know we have a lot of questions but the example you gave of residential children’s homes which are group homes, actually those young people would be better off with quality fostering in families, as we talked about recently - and I would agree with that - if that can be set up, that is more effective and at the same time, as Deputy Pointon said, you do

not have to maintain these often old and needing maintenance residential homes. So by changing the model of what we are doing to be more effective and modern, one might say, there are savings to be gained and you are confident in that?

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

Yes. Again, mindful of all the questions you have. In my head the way this works is you add 2 other “E” words. So, yes, efficiency is the title of the plan but you are also talking about being more economic and, crucially for me, more effective. The example that I have offered is one where if you change the service delivery model from the one we have had, which we know has serious issues associated with it, to the one that we are now introducing, those 3 things happen. The most important of the 3 things that happen is you get better outcomes for children. They live in a way that prepares them better for fulfilling their potential and living an adult life of joy. Equally, yes, you are more efficient with the public purse and you are more economic therefore with it, are you not? You will spend less money on a better intervention.

Deputy R.J. Ward:

Do you have a point in your mind where that is the end of what you can save and this is what we need to spend to keep that effective and economic system going? My concern is always, looking at public services around the world, is once you start making efficiencies, or call them what you want, you say: “You can save a bit more. You can save a bit more” because that is where the political will might be.

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

My experience in other jurisdictions, Chair, is that this process of dealing with the 3 “Es” is a continual process. I do not think I would ever suggest that it is inexorable. There comes a point where certain levels of investment are always required for the very best services to be effective. If you fall below that then first of all you are giving your Minister poor advice, but more importantly you are doing an injustice to children. I think there is some way to go with the efficiency programme because it has not been applied systematically over years yet in the Government.

Deputy R.J. Ward:

Let us move on, because we have taken ... actually we are not too bad there.

Deputy K.G. Pamplin:

Good to be back, what we are going to do now is we are going to dig into the projects and we are going to do it in the chronological order in which they appear. For everybody watching, listening and you, we are going to start 1.1. “Children in Need” on page 7. Starting with what is the timescale for bringing forward the changes under this project?

The Minister for Children and Housing:

The timescale is to ... this involves updating our children's law and it really does need updating. There are lots of things that need to be done to it. For this project we are looking to consult the end of this year, draft the law during 2020 and lodge it in the second half of next year.

Deputy K.G. Pamplin:

Second quarter of next year?

The Minister for Children and Housing:

Second half of next year, so quarter 3 or quarter 4 depending how we do.

Deputy K.G. Pamplin:

How is the circa 1.5 to 1.7 million per year to be split up between the services that are identified in the project?

Group Director, Policy, Strategic Policy, Performance and Planning:

The funding allocated in the project is for the implementation of the legislation. It sits with C.Y.P.E.S. and it is around the service model there. At which point I hand across to Mark on the implementation model.

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

What are required are twin track to strengthen the legislative base for this area of our work and then to invest - as I was saying a little earlier - resource in an area provision that is almost de minimis at times, it feels to me. This is to build up over the period of the Government Plan a proper progressive, modern offer that helps us intervene at the appropriate stages and ages in children's lives.

Deputy K.G. Pamplin:

Can you elaborate on how the teams working within clusters will be arranged?

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

The model that is being brought forward in the Government Plan, depending on the cusp of implementation, is one that seeks to essentially create integrated multi-disciplinary teams, operating not at every parish level, because I do not think the economies of scale will not allow for that, but certainly operating at a combination of parish levels, in other words, potentially town, west, north, east. It is a pretty straightforward model, if I am honest with you, that brings together those disciplines that you would usually see in other jurisdictions combining to provide that co-ordinated support and, where needs be, intervention in children's and families' lives. Whether it is a

combination of psychological services that could be at the sharp end, C.A.M.H.S. (Child and Adult Mental Health Service) based at the less sharp end in the educational psychology and wellbeing world, whether it is family support work, for example, whether it is midwifery and community nursing. It is bringing those things either into an integrated or, as an minimum, an aligned model that means you provide - to use jargon which I think you are familiar with - the notion of the team around the family or the team around the child. All the things that they need are met with a co-ordinated effort. I think the key bit about a hub model or an integrated model is that through our roll out of what is called the Jersey Children First framework, what that promotes is the notion of a lead professional who is, if you like, the conductor of the orchestra that is all of those professions that are needed to support the family. That is the essence of the model.

Deputy K.G. Pamplin:

That is good, that is very clear, thank you. Does this link in with the children's house model as well then?

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

It will all come together.

Deputy K.G. Pamplin:

That will be included as well?

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

Yes.

Deputy R.J. Ward:

I never quite understand the legislative part of that. I can see legislation for children's commissioners and so on and so forth and it talks about legislation of corporate parenting. Do you have in mind legislation that will support that model or is that model something that you create because that is what you want to do as a department?

Group Director, Policy, Strategic Policy, Performance and Planning:

Yes, the policy phase of that is the work that is underway at the moment leading to legislation. That will just give that service and the target for that service a basis in statutory legislation. It is not about providing detailed specification of that service in the legislation but just making sure the expectation that it is provided is in legislation. That is the process we are going through to understand exactly what that would look like.

Deputy R.J. Ward:

It just seems a lot of money for legislation. For example, there is £206,000 on the care leaver's offer, which seems a small amount of money. That legislation is underpinning everything.

Group Director, Policy, Strategic Policy, Performance and Planning:

The funding under 1.1 is for the implementation. It is for that service delivery, the operational model that Mark has been talking about. You are absolutely right, that would be enormous amount of money for the legislation development. It is not for that. There is money elsewhere for the, far smaller, policy and legislation teams involved in it.

Deputy R.J. Ward:

I do not think the wording of that business plan now is as clear and what you have said has given me clarity.

Group Director, Policy, Strategic Policy, Performance and Planning:

Accepted.

Deputy R.J. Ward:

Thank, sorry, I will not interrupt again.

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

Chair, can I just very quickly add one point to that because I think it is quite important, about the relationship between legislation and services. The legislation is not designed to specify services. It is designed to specify, I guess, what you might call entitlement. For example, you might set out in legislation that a child in need is entitled to an assessment and that assessment should have some particular characteristics of governance around it: frequency of reviews, et cetera, et cetera. The model that is described in this particular section of the Government Plan as a sort of integrated hub-based model, you would not put that into legislation. I think that is about the necessary discretion that Ministers and officers require to design against a backdrop of statutory requirement.

Group Director, Policy, Strategic Policy, Performance and Planning:

I would also say on this that it is the policy development that leads to the legislation that is the important bit to help research and define that model and inform it.

The Minister for Children and Housing:

When it is in legislation it becomes harder for future governments to cut back on it. That is why that is important.

Deputy R.J. Ward:

That is partly why I asked the question.

Deputy K.G. Pamplin:

I think a really key point that jumped off the page was: “The service delivery **must** change in advance of the law change. It cannot wait for the law to go through.”

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

I would like to give the Deputy reassurance that the work has been and continues to be done. We have done the design work. There is a little bit more that we want to do because of connecting it care choices to home and to connecting children to health, which are 2 initiatives in the C.L.S (Customer and Local Services) and H.C.S (Health and Community Services) Departments. The essence of the delivery model is being designed, we do not want to get ahead of the Government Plan process but we are - which is a terrible expression - good to go with implementation.

Deputy K.G. Pamplin:

I guess a key fact of that is my repeat question wherever I see it, is the K.P.I.s (Key Performance Indicators) when will you start knowing that this is working, how do we hold you to account? Here is the data and then you go: “Right, this is not working, stop.” Is that obviously part of this as well?

The Minister for Children and Housing:

In terms of data, it is being tracked through the improvement board and we will notice changes in a whole variety of things that we are tracking through that. At what point you can ... some of these things will be difficult to say: “This is what change there has been, this is what there would have been if we had not done this and we can definitely attribute it to this.”

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

I think there is a golden thread, if you allow a golden thread. I know, I shall exhaust the lexicon. I have the handle, Chair, I will lend it to you. But in all seriousness, there is a golden thread from the Island Plan through the Children’s Plan, through the Government Plan into what will be shortly our departmental plans of key metrics and they are not multiplied by all those plans, they are consistent through those plans.

Deputy R.J. Ward:

Is that why perhaps the Children’s Plan is not as detailed as it could be? There was a comment made by the Children’s Commissioner on that in our public hearing the other day. I think it is personally akin to the Government Plan because this is the spending. What you said there in regards to the legislation and the actual implementation makes that clearer. This is the question you said about whether you are right or wrong, do you think we are going to have the openness that

has not been there before so that if you do get it wrong you can say: “No, that has not worked, we do have this wrong, we need to change that.” Has that Children’s Plan got some flexibility built in perhaps in detail that is not there, if that is possible?

The Minister for Children and Housing:

I am struggling to see exactly what the question is.

Deputy R.J. Ward:

Sorry, yes, perhaps it was a train of thought. The question is, given there is a slight criticism that the Children’s Plan is not detailed enough, why is that? Is that linked to what you have just been talking about? Is it just a wish list or are we going to see the outcomes?

The Minister for Children and Housing:

The Children’s Plan was written to be a high level document and we have lots of other plans that are going on at the same time and lots of them will have crossovers and lots of them are focused at particular elements of what is also in the Children’s Plan, the improvement plan being the obvious one.

[15:30]

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

If you are happy for me to briefly elaborate on that? I can be very clear about the relationship between different plans. While the Children’s Plan is called a plan actually it is where we set out the strategic intent for the next few years for children. Therefore, it is at high level because it describes some high level measures of success, as in better outcomes that will ensue for children if we deliver. It sets out 4 key areas against which we wish to focus: safeguarding, learning and achieving, et cetera. Then what is happening right now under the aegis of the Minister for Children who is the chair of the board that oversees this plan is that there are 4 groups that are looking - to use the plan’s jargon - to the small number of key passions that partnership working is going to focus on. I think a very important aspect of the Children’s Plan to remember is that it is the multi-agency, it is the partnership plan and it will deliver those activities that only partners together can deliver to make a difference. Therefore, falling out of it will just be a very small number of collective pieces of work, the further detail, which is coming imminently because we are all working our socks off on the departmental plans right now, will sit in departmental plans, which themselves need to read across where it is right do so. I am very clear that the Children’s Plan was never intended to be a really thick tome of delivery plans, it is intended to set out strategic intent, the difference that would happen to children and families if you delivered on that intent and a small number of activities that partners deliver.

Deputy R.J. Ward:

The Children's Commissioner should be able to see some of that detail in due course?

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

Yes, and she will also no doubt be interested in the departmental plans where much more activity and detail will sit.

Deputy M.R. Higgins:

Considering the Independent Jersey Care Inquiry criticised M.A.S.H. (Multi-agency Safeguarding Hub), which was a multi-agency body, could not see how effective it was and questioned its use, how are you going to make sure that the criticisms that have been levelled at that will not apply later to these other ones?

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

With suitable caution, given that the Ofsted inspection only completed last Friday and its findings are not made, let alone made public, I think it is a topic we should return to when that report is available ... and Ofsted will not publish it, the Care Commission will publish its report on that report. I think there is a further set of findings that need to be taken into account before we act on the Care Inquiry's findings about M.A.S.H.

Deputy K.G. Pamplin:

Quickly finishing off on 1.1. The significant project we have been talking about, children need distinct areas of priority, the "Right Help Right Time", mental health support and the Jersey Practice Framework; can you just outline how much the funding in each year will be spent on these 3 critical areas?

Group Director, Policy, Strategic Policy, Performance and Planning:

So the way that the funding has been modelled for the plan does not set that out because it needs to be a demand-led model. We will not know until we get in there, is the honest answer. We will have to report back as it happens but that is the anticipated mix.

Deputy K.G. Pamplin:

So if one area is needing more demand you would be able to transfer as long as it does not hinder the work being done in other projects, I guess.

Group Director, Policy, Strategic Policy, Performance and Planning:

Yes, it is a single budget.

Deputy K.G. Pamplin:

Just to go back to the legislation: what part of the legislation would be amended? Can you give us a bit more detail on that? Again, I go back to the: "Some delivery must change in advance of the law change", just to be clear on the amendments you are talking about that.

Group Director, Policy, Strategic Policy, Performance and Planning:

So it is the Children's (Jersey) Law 2002.

Deputy K.G. Pamplin:

Moving on to 1.2, care leavers. You have identified £824,000 for this project over the 4 years. It is not clear from the summary business case whether this funding is required to develop policy legislation or is it to assist with the service delivery? Can you confirm how the funding will be split again between these areas for me?

Group Director, Policy, Strategic Policy, Performance and Planning:

Again, in this action I take the point absolutely head on about the confusion of the title. This is about costs for implementing the policy and legislation, so it is not the development cost.

Deputy K.G. Pamplin:

That figure is £824,000, yes?

Group Director, Policy, Strategic Policy, Performance and Planning:

Yes.

Deputy K.G. Pamplin:

So when do you anticipate the offer to be available from?

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

The offer is already in existence in outline. It has been put to the Corporate Parenting Board and has received in principle support. So what we are now doing, therefore, is looking at how to connect existing and potential new funding with what is set out in that draft offer and bring back not just the Corporate Parenting Board but particularly to that board how the money and the offer will work. So that work is literally underway as well.

Deputy K.G. Pamplin:

Are there any potential blockages there you have already identified or is it ...?

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

There are no blockages in working up the offer and then being able to take it to the necessary governance to get it finally signed off. There will of course be challenges that lie ahead because the offer needs to tackle issues relating to social security, relating to housing, for example. So there will be things both within this Minister's and other Ministers' briefs that will require some other change either by using discretion more effectively and/or by changing regulation or law in due course. But as you frankly really helpfully keep pointing out, we are trying to get ahead of the legislation but without pre-empting the legislation. So all that can be done without legislative change will be done and costing the offer and starting to implement it is something again post ... if this goes through the Government Plan scrutiny and Assembly processes then we will again be wanting to come out of the blocks quickly in the New Year.

Deputy K.G. Pamplin:

What is meant by "generous support offered to care leavers"? If we can get some detail on that.

The Minister for Children and Housing:

Under 1.2?

Deputy K.G. Pamplin:

Yes.

The Minister for Children and Housing:

In terms of what the Corporate Parenting Board has been looking at, it involves a whole host of types of support that parents may offer their children just as a matter of course but the state offering that instead, so it includes things like helping with driving lessons. It would include things like helping afford to go see the dentist. That sort of thing.

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

I think we have used the word "generous" deliberately as in not just like we plucked a word out and off we went and wrote it down because Jersey is in a fantastic position not to have to copy other jurisdictions except where they have something that is enviable. Therefore what we are signalling here is that some of ... maybe we should have given more thought to the word "generous". What we are saying is, is this is going to be the best kind of offer that you can have as a care leaver, so "generous" perhaps implies some other connotation, does it not? But this really means that it is going to be at least as generous as, and in some instances better than other offers you would find in jurisdictions that you might look to as an example.

Deputy K.G. Pamplin:

You took the words out of my mouth then because one person's interpretation of "generous" could be completely different to another. It is just signifying that that could be a term that could be used for and against.

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

Language is powerful, is it not? We have been talking about this as an entitlement and most young people, let alone adults and professionals, seem to be okay with that word but you also have to be careful because entitlement can sometimes sound like privileged and whatever. But the generosity of this offer, as the Minister was saying, is in that ... for example take learning to drive. There are other jurisdictions, one of them being England, where councils on the whole will probably support your driving lessons to a fixed level and support you through no more than 3 tests, which would have stuffed me frankly as a 17 and 18 year-old. What we are saying is we would like to support you through learning to passing. Clearly, we might take a view on that if you have taken your test 20 times, it might suggest that some other means of locomotion is adopted. But the great thing about this is you can design and we are designing something that feels like what you would get from a considered sensible but really supportive and generous parent. That is the point.

Deputy K.G. Pamplin:

So it becomes normalised instead of generalised?

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

Yes. I mean some of these things are hard to benchmark so kind of like what does ... tell me what a standardised good parent does? There is no such thing.

Deputy K.G. Pamplin:

Exactly.

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

Some it is intuitive. So a good parent, if they had a youngster going to university, and they had not got one already, would buy them a really nice Mac Air Book, would they not?

The Minister for Children and Housing:

It is worth making the point that some of the things that we are looking at are things that are currently being provided by charities, which means that if we are providing it instead then those charities can then go the extra mile and provide other stuff as well, which has got to be a good position to be in.

The Deputy of St. John:

We are going to move on to “Regulation and Inspection”, page 9. The first question is: how much of the requested funding is required to cover the fees due to the Care Commission for Children’s Services?

Group Director, Policy, Strategic Policy, Performance and Planning:

The cost that is set out, just to explain that the cost in 2020 is to resource the return of Ofsted’s visits for the children’s social work services; date to be determined, which is soon, I hope. The rest of it is to cover those fees that government services will incur and will pay the Care Commission. The rest of that funding does cover that.

The Deputy of St. John:

How much approximately will that funding be? Will it, in effect, be doing the rounds within the Government?

Group Director, Policy, Strategic Policy, Performance and Planning:

It is. What we are saying, these have been estimated on the operational running costs of the Care Commission.

Deputy R.J. Ward:

Which increases.

Group Director, Policy, Strategic Policy, Performance and Planning:

Yes. Which increases over time as the scope of the commission increases.

Deputy R.J. Ward:

Will that be staffing that will increase?

Group Director, Policy, Strategic Policy, Performance and Planning:

Yes.

The Deputy of St. John:

Is it intended for there to be an Ofsted inspection on an annual basis?

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

The answer is I do not know but I mean that in a positive sense because the way this has commenced is by near annual inspection although the interval between the first and the second is being nearer 15 or 16 months than a year. What is intended here is to make sure that there is sufficient resource for appropriate inspection activity to take place and there is, pending a discussion

that the Care Commission, the department and some others, I suspect, are expecting to have around, what does the model of inspection need to look like going forwards to best drive improvement? I am not saying that whole service 3-week inspections do not drive improvement but if you look to what Ofsted does in England, and it is Ofsted that is being brought over to do an inspection in the first instance here, when you have a service that is at the stage of development that ours is in you do not normally inspect everything roughly annually. You will do a full inspection and then for 12 to 18 months you will see between 4 and 6 shorter monitoring visits that do deep dives into specific areas of improvement. For example, Deputy Higgins, at the M.A.S.H. or into early help or whatever. So the conversation that I would wish to have with the Care Commission, and I do not want to pre-empt anything because we have not started it, is one of periodic inspection; yes, for sure where you look at the whole service and its partnership arrangements. But in between times you have - what are called in England at least - monitoring visits where you do specific health checks on particular bits of the system that are most important in terms of the improvement journey. None of that is decided at all because that conversation is only going to start happening. But as a minimum you have got a backstop of you could inspect once a year if you wanted to because the resource will be there.

Deputy R.J. Ward:

Are those estimated amounts for the full package? If you are going to get the smaller monitoring packages you could have some of that money left over?

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

Or, unhelpfully, you could potentially put some pressure on that budget because there is a sort of basic minimum level of activity that even a monitoring visit requires in terms of how many people do it. But I think in the first instance, you would work within a funding envelope and do something sensible about which areas to target and when. But I do need to say very clearly that none of this is agreed. This is my thinking in terms of a discussion that I am looking forward to having with the Care Commission.

The Deputy of St. John:

Presumably spreading out smaller inspections would be less oppressive to the organisation.

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

Yes, I would not use the word "oppressive".

The Deputy of St. John:

People did feel very anxious.

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

I am conscious also of potentially being hypocritical. But I think it is a case of if you target these both at the right time and in the right areas they are seen as supportive.

[15:45]

Whereas the big full inspection takes a lot of preparing for. It consumes a lot of time to support it.

The Deputy of St. John:

That is really what I mean by this.

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

I have got the chair in the corner of my eye, of course. In some instances, if not conducted well and not prepared for well you may use the word that you have used.

Deputy R.J. Ward:

It is just the context of the services that have been battered so much in terms of the outcomes. Criticism was needed but the management of that inspection regime is going to have to be very carefully managed as within schools, for example. That is what we learned from the U.K. (United Kingdom) in the areas of failure of Ofsted. I have said before I was pleased that they did not grade, they gave comments and recommendations; a much more productive way to inspect.

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

I think that has potentially reduced the likelihood of colleagues in Children's Services saying it was oppressive. I think the single judgment about service has proven in other jurisdictions to be singularly unhelpful because it masks variation. But also it can sort of tar with the same brush, which is unhelpful. My view - it is my view, it is based on experience - is that well-constructed targeted challenge visits, which you call monitoring visits, are most helpful in driving continuous improvement. I think again - it is also my view - that this is Jersey, this is not England, or Wales for that matter where there is Estyn and other ... have had the chance to design something constructively with the Care Commission.

The Deputy of St. John:

Finally, on this particular section, what is meant by "fitness of managers" and how are you intending to address this issue through this funding?

Deputy R.J. Ward:

It is on page 9 of R.91. It is under 1.5, the third sentence: "... includes a number of areas such as the 'fitness' of managers, qualification of staff, staff ratios, buildings being fit for purpose."

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

I see. I am sorry, so we are talking about inspection I am afraid, so fitness sounds terrible, does it not?

Deputy R.J. Ward:

Is it a sort of Darwinian fitness? Because a lot of people would understand that as fits its environment.

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

No, so I will give you perhaps an example. We are going through a process of all of our children's, as well as adults, residential provision being regulated. I need to be designated as fit to have oversight of those children's facilities. So fitness in that respect means I have got a clean D.B.S. (Disclosure and Barring Service). I have got references that are positive. I have not got interruptions in my career that you cannot account for. That is what "fitness to manage" means in this context.

Group Director, Policy, Strategic Policy, Performance and Planning:

Apologies, may I just add a quick point of clarification because I think it would be useful in the numbers, which is to say the numbers you have there are the estimates for the fees cost for the Care Commission. It is important to remember that will cover Adult Services as well.

Deputy R.J. Ward:

We are going to move on to 1.7, which is the Sexual Assault Referral Centre. What is the timeline of the development of the Children's House model?

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

I think I would probably have to come back to you about that but it is definitely contingent upon the Government Plan approving this particular investment. I am sorry I do not know the specific answer today but I would say, in general terms, it will be from the beginning of 2020 because this is about investment that delivers additionality. I do know in general terms the thinking about it has been done. So it is awaiting the plan in order to ...

Deputy R.J. Ward:

I was privileged enough to visit the Children's House in London and I thought it was a superb ... an incredibly difficult area dealt with absolutely brilliantly and I would ... we ask for that timeline, the

sooner the better to be quite frank, in that area. The funding increases from 2020 to 2021, would that just simply again be staffing and the way in which that model is?

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

It reflects implementation timescales, so it scales up and then you see the investment plateauing.

Deputy R.J. Ward:

One of the interesting things when I visited, I have got to say, is that the base funding for Children's House model - you probably know this - local governments in the U.K. will fund a room with chairs in and say: "That is your room." What they use is additional money from charities and organisations to put the extras that make it a very nice place to be in terms of its décor and its design. Are we looking to do a similar sort of thing here or is that base funding enough to make it the sort of place that we want it to be?

The Minister for Children and Housing:

Have you been to the centre in Jersey?

Deputy R.J. Ward:

No, I have not. I will do though.

The Minister for Children and Housing:

It is worth going there and I have been there. Of course it has its problems and its difficulties but what we have, they have made as good an effort as is humanely possible to try and do exactly what you are talking about in terms of having comfortable sofas rather than stuff that looks like a G.P.'s (general practitioner) waiting room and that sort of thing. There has been an effort made with the current facilities but whatever we do in future it will be the same thing; it has got to be the most welcoming place that it can possibly be and not ...

Deputy R.J. Ward:

I just make a plea to say please take our advice and let the rooms be designed by children. We talk about that a lot and I thought that was a very significant step embedded there.

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

I fully support what the Minister for Children and Housing said; having visited Jersey S.A.R.C. (Sexual Assault Referral Centre), when you go there despite the fact that certain rooms have to meet forensic standards, for reasons that I suspect are obvious, it feels like a home. It feels like somebody's house.

Deputy K.G. Pamplin:

Just chipping in here on this. Dewberry House falls under my district and I have spoken a lot about it in the Assembly. They put forward a capital plan for the funding to continue its operation but also the fund to do this. This seems quite separate from the 2 capital projects they were requesting, the funding to run the facility. But what interests me, it is obviously a place for all Islanders affected by any form of abuse, particularly women obviously, my concern is can under its current climate ... and it seems like we have all been in the facility, it had requested a transfer to find a fit-for-purpose building. Can it realistically house the exquisite model that the Chair describes and the facility it also provides?

The Minister for Children and Housing:

Relocating is something that is being looked at.

Deputy K.G. Pamplin:

Is that incorporated into this funding or is that going to be a separate triage of funding?

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

This is revenue.

Deputy K.G. Pamplin:

This is just revenue?

Group Director, Policy, Strategic Policy, Performance and Planning:

Yes.

Deputy K.G. Pamplin:

I just want to highlight it because it is a very important point that obviously it is working to capacity already. It is, in its design working with the facility, it has to make it homely but as is noted in the evidence put forward, its increasing concern is to have all of those services in that one building cannot be sustainable surely.

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

So as the Minister has said, consideration is being given all the time that I have been here, which obviously is not a long time but nonetheless for 16, 18 months, thinking has been going into reprovisioning. I would have to check though on the ... I am afraid I would have to go back to the Government Plan and check on the capital bits of it, whether there is indicative investment for relocating an enhanced S.A.R.C. I would just have to check.

Deputy K.G. Pamplin:

I would say that is critical because to achieve this it is going to need a facility. If you cannot secure that funding that this falls away and that is a concern.

The Deputy of St. John:

Still on 2.1 page 10, you mentioned "Increase capacity family/children's section". Can you give us a rationale and the need for this funding because the business case included in the report gives no information whatsoever and appears to be fairly incomplete?

The Minister for Children and Housing:

You are right. That is an oversight certainly how that is written.

Group Director, Policy, Strategic Policy, Performance and Planning:

I can perhaps be a Sherpa across a number of these in response to this question, which is you were asking earlier about some of the earlier bids whether they would fit a policy in legislation development or for the costs for the operational delivery. The costs for policy and legislation development associated with all this are in 3 places in here; in 2.1, 2.4 and 3.6. In 2.1, the one that you are asking about, that refers to additional capacity and continuation of additional capacity that has already gone into the Law Officers' Department and the Law Drafters' Office to ensure that the legislation can be delivered but also my understanding is some additional law officer capacity for casework.

Deputy R.J. Ward:

Could we have that added? I think that needed to be ... that sentence is not a good sentence.

The Deputy of St. John:

We are a suspicious lot. We begin to think in terms of double accounting.

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

So when we looked at this as part of our obviously preparing to come this afternoon we realised that there are probably several words and maybe a sentence just has got inadvertently deleted because we went: "Following on from the Children's", the Children's what? I think it probably means following on from the Children's Change Programme. So this needs just filling back in. But on this occasion for sure a cock-up is most definitely the explanation. I am incapable of conspiracy.

Deputy K.G. Pamplin:

Can we quote you on that?

Deputy R.J. Ward:

This is when I say: "Your words not mine."

Deputy M.R. Higgins:

Can I just ask you a question on that? Can you provide us with figures at some point at what you are giving to the Law Officers' Department for drafting in all these areas? I would like to know what sort of figures they are getting for it and how quickly we could expect a result.

The Deputy of St. John:

I had another question but you have already answered it. Can we move on to the care requirement? At 3.2 you made reference to a sustainable workforce and accredited training. What are the details of this accredited training and what will staff be undertaking?

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

So we are talking 3.2?

The Deputy of St. John:

Yes.

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

As you can see it is a rather modest sum, so up to the early part of this year we had made a commitment to invest in systemic training for social workers. What this figure represents is, broadly speaking, the cost of that initial investment in systemic training, which we wanted to sustain through the duration of the plan either to roll out further opportunities for social workers to go on that programme and/or other relevant accredited training relating to the practice model of social work that we are developing. So it is a relatively ... sorry, I am just about to say something that might sound patronising. I do not mean that at all. It is a relatively modest sum designed to reflect the fact that we started something. We might want to continue it but we also might want to evolve it. But it is basically about giving social workers access and particularly access to learning with social workers from other jurisdictions on training that can be accredited and supports our practice model.

The Deputy of St. John:

At the end of this course what is the qualification that the social workers gain?

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

I think it is I.L.M. (Institute of Leadership and Management) equivalent. If you were to challenge me on which level of I.L.M. I would have to say I need to come back to you.

The Deputy of St. John:

I.L.M.?

Group Director, Policy, Strategic Policy, Performance and Planning:

Institute of Learning and Management. I think somebody will correct me if I am wrong.

The Deputy of St. John:

Where are they located?

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

The Institute of Learning and Management? So they accredit internationally, they have offices in the U.K. But they accredit the learning. The actual delivery of this was through the Tavistock Centre in London.

The Deputy of St. John:

So is the Family Therapy Department delivering this?

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

You know more than I do, Deputy. Probably is the answer. What I do know is that this is one of the recognised and, as I say, accredited systemic training courses that social workers particularly in the U.K., I have to say, do. We wanted to take the opportunity for some of our social workers to learn alongside others from the U.K. and benefit from the recognition as well as the accreditation that the course brings.

The Deputy of St. John:

Because I understand that exposure to other jurisdictions is probably important but how does this training link in with the training that is also being offered on-Island by the Tavistock through the Jersey Association for Family Therapy?

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

It is designed to be complementary rather than competitive and it is part of a very early professional development offer for social workers. Again, I think you will know far better than me that we have not invested in the learning and development of too many people in the department I am responsible for, and particularly those in social work or family support work. This is intended ... the reason this was done off the Island was to provide the opportunity ... actually less about other jurisdictions, much more about simply learning that other social workers, so less where those other social workers came from albeit they would have come from the 4 bits of the U.K. It was much more simply to be learning with other practitioners in the social work arena.

[16:00]

So complementary and a tiny ... I mean £30,000 is still £30,000 but for me a drop in the ocean in terms of the learning and development budget for such an important set of professionals.

The Deputy of St. John:

It does not seem a great deal.

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

No, and it is a small part of what we need to build up. I am less concerned about the money although the money will be very welcome. I am more concerned that one of the jobs I need to do is make sure that there is a good learning and development offer for social workers and other allied professionals like family support workers because that has been part of our retention problem here. So even when we landed good staff sometimes we do not hold on to them because there is not a framework of learning and development that they can see. That is slowly coming into place. This would be an element of it.

Deputy R.J. Ward:

We talked about the sustainable workforce. I notice in 3.3, which is on page 15, the funding there, is that for a single H.R. (human resources) post? 112, 115, 119 and 122.

The Minister for Children and Housing:

It is more than that, is it not?

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

There is the cost including the on-cost of an officer who now dedicates his entire time to this area of work. I think there are some associated costs in here in terms of some of the activities that are needed to support the recruitment and onboarding of social workers as well. So it is principally staff cost but there is some discretionary spend in there as well in order to enable people to arrive and stay securely.

Deputy R.J. Ward:

But it is an H.R. function post that is within that cost? Is that one H.R. function post within that wider cost?

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

There is one full-time equivalent person doing this job who works in what we now have to call People Services.

Deputy R.J. Ward:

So they are in that central ... I was going to ask the question what other H.R. functions have been centralised. I personally would think that is a good idea; put my cards on the table from the beginning because you need that specialist knowledge. So would you have one specialised person in H.R. for that area of the workforce in terms of a social worker in Children's Services.

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

So this section does not reflect the full support that we are getting for social work, so this post ... yes, the line manager for this post sits in People Services, in H.R. The post is now posted, sorry, so if you literally went to see the guy who does this he is based in Liberte House with the Children's Service. So his professional accountabilities are back through the H.R. route.

Deputy R.J. Ward:

But he would not be drawn into other areas?

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

He will not be drawn into other areas. His day-to-day work is supporting the recruitment and retention and onboarding of social workers.

Deputy R.J. Ward:

So to some extent centralisation is line management, the roles are quite an interesting aspect.

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

I guess the language at this end of the table is hub and spoke, so this role is spoked out to the service but the professional supervision, because this person is a qualified people service professional, will be through a line manager who is from People Services, which is the H.R. business partner to the department. So there is good connection, so while the professional locus for People Services is corporate, sits at the centre, the people who do the work then get spoked out to the departments.

Deputy R.J. Ward:

There is a line in there that I would like you to elaborate on, it is: "To ensure a robust approach to staff management." What is meant by a robust approach to staff management?

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

So again it is language and damned language, is it not? We need to make sure that, because there have been historically, and sometimes still contemporaneously, issues about the way people arrive and the way that they are expected to be onboarded and therefore behave and operate, we have not been consistent sometimes in managing those issues. Quite literally we have not been consistent, so sometimes complaints and occasionally grievances will arise because of that differential treatment. This is about, again, it is the language I guess that you are picking up here, but this is about being consistent. I think “robust” for me in this sense just means being clear and firm and following policy.

Deputy R.J. Ward:

This is from H.R. Lounge bullying and harassment report, one of the issues they talked about.

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

It is about making sure we deal with things like that consistently going forward.

Deputy R.J. Ward:

You can see why I picked up that point. Did you want to ask something?

Deputy M.R. Higgins:

Yes, it is a double-sided in the sense that in some organisations H.R. is seen as the hatchet-men trying to get rid of staff and dealing more with discipline rather than assisting them. But looking at the side of managing the staff, in the past we have had people lie, cover up, not admit to their failings and everything else. What is the policy that you are going to be following with regard to that?

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

There are a set of corporate policies, they were issued earlier this year, that all staff are required to sign up to and are subject to a new set of Dignity at Work policies.

Deputy M.R. Higgins:

I am thinking more in terms of dealing with the public. So in other words if they have lied to members of the public or if they have covered up failures and other things, how are you going to deal with this?

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

There is a new standardised complaints procedure that has 3 stages to it. If you reach the final stage, and that means you have not sorted it at informal resolution, you have not sorted it at departmental level, then we have a case management service that investigates and that is a standard approach now across the Government.

Deputy M.R. Higgins:

Are you going back and looking at previous complaints?

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

Only if there is new evidence to do so, yes. I would not reopen a case unless there was some reason to do so. The notion of fairness means that I would be more than prepared to look at something if there was new evidence to look at.

Deputy M.R. Higgins:

Okay, but if the case was handled badly, or I should not say badly, or was never handled properly, then you would reopen a case?

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

If there was clear evidence that there had been mismanagement of a case then there would be reason to re-examine it, yes.

Deputy K.G. Pamplin:

Moving back on to 3.5, sustainable workforce. This is fairly straightforward, but could you just outline and explain the reason for the drop of funding over the 4 years? I believe it is because of the funding at the beginning of the course, but I will let you elaborate.

The Minister for Children and Housing:

That is right. The degree is essentially a franchise of the University of Sussex and that is a good thing because they are highly regarded in this area, so we are pleased with that. It has only just started its first formal year of teaching, the first tranche to go through that; therefore we are having to receive direct support from the University of Sussex in that beginning time. People within the organisation have not delivered it here before and it is just a matter of fact that over time that experience and that ability to deliver things will just become an ordinary part of what we do. We will not need to co-opt as much from the University of Sussex directly for that. So this is not about reducing capacity.

Deputy K.G. Pamplin:

Those figures identified; that has come from their estimate of the cost, how those figures were arrived at, 276, 221, 144?

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

There is a steering group for the degree course, which is where these issues get discussed, yes.

Deputy K.G. Pamplin:

Will the students accessing the course be eligible to receive funding through the student finance system?

The Minister for Children and Housing:

I believe so.

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

It is a priority qualification for the Island, which means it attracts the highest level of student finance support.

Deputy K.G. Pamplin:

That will be maintained going forward?

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

Ministers make policy, so what I would say is there is a review of student finance just about to kick off with recommendations scheduled to be made I think March next year. One of the principles of that review will be that the Government should continue to identify priority skill areas and, unless I am going to be made to eat my hat in the future, then surely this is going to be one of those and it should attract as generous a financial support package as possible, not least because it develops capability in-Island.

The Minister for Children and Housing:

The political view would be to agree with that, not least because it was in my manifesto to support it, so I certainly will not be backing any withdrawal from it.

The Deputy of St. John:

Can I just ask a quick question for people watching and listening, how many people are on the course now, because the course has started?

The Minister for Children and Housing:

I always get my numbers confused; it is around 15 or 13.

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

I believe that there are 12 enrolled this year.

The Deputy of St. John:

I am presuming that they all live in Jersey?

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

The course is a Channel Island course, so it is Guernsey and Jersey, but my understanding is that the first cohort is Jersey students.

Deputy K.G. Pamplin:

Just to pick up on that, in the plan: "Recruitment for the course has taken place with 15 successful candidates being considered", so has there been a drop of 3?

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

No, the Minister is correct, I am wrong. I had better confirm that offline, had I not, but I understand that we exceeded the threshold for viability, put it that way? I will check whether it is 15 or 12 or some number between.

The Minister for Children and Housing:

I always get mixed up because those numbers came out at the same time as the numbers of social workers we had recruited. Because they are similar I always get them mixed up.

Deputy R.J. Ward:

Because this is a priority course and you may attract more mature students who may already have families, will their income support be protected and they will be seen as working the 35 hours while they are on that course?

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

The present rules are the present rules around eligibility and I think the issue here is, because it is a priority skills course, then you are entitled to 100 per cent fee support. That is one of the crucial elements about the present system. There are, as we know, disregards relating to Social Security, but the expectation anyway is that those are unlikely to kick in because it is a full-time course, so people are unlikely to find themselves in a form of employment that then starts to compromise their maintenance versus their income.

Deputy K.G. Pamplin:

Moving on to 3.6, legislation, we touched upon this earlier about the crossing over here between the funding in this project and those with section 1, which I think you touched on earlier. But just for further clarification, explaining how this is not double-funding if some projects are mentioned in both sections, of course we are aware that children need legislative forms as part of these phases in the transformation programme. But it is just worth highlighting again.

Group Director, Policy, Strategic Policy, Performance and Planning:

Happy to do so. As I said, the funding in 2.1, 2.4 and here in 3.6, 2.1 was to do with the legal side, so stick with 2.4 and 3.6 is the policy resource to do the policy development. The funding that we were discussing right at the beginning is all to do with the implementation of the policy, so that is the distinction.

Deputy K.G. Pamplin:

I guess going forward this has all been a learning curve for all of us but to make that more clear going forward can obviously help us in unnecessary scrutiny work.

The Minister for Children and Housing:

There is going to be a lot of learning done this time around for what we can improve on for rounds 2, 3 and 4, that is for sure.

Deputy R.J. Ward:

That is a serious point though; that is a very serious point. Do you believe that is one of the issues, we picked it up on page 10, because of the change? The last thing I want to do is offer excuses for it, but do you see an improvement in coming years because we will get more in tune with a yearly Government Plan? It is very important.

The Minister for Children and Housing:

Yes, and certainly unofficially some of those discussions are being had, in particular about our engagement with scrutiny as well and how we manage that better next time around. I am sure there are things you would have preferred us to have done this time and we need to be more alert to that next time.

The Deputy of St. John:

Are you going to give us some staff and offices?

The Minister for Children and Housing:

I believe that is in the Government Plan already, is it not, for extra support, not just for scrutiny, but for Back-Benchers, which I wholly support.

Deputy R.J. Ward:

Andy is only 21 years old, you know, it has taken its toll on him. **[Laughter]**

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

Chair, I was also going to add, in a way that fills me with joy on the officials side, obviously it was a learning event related to C.S.P. (Common Strategic Policy), Government Plan, Efficiency Plan as well, so we are delighted to know that we are very keen to learn from this process. It has been intensive and sometimes not as smooth as probably everybody would have wanted it to be, and I do not think I am saying anything out of turn there. We ourselves, as officials, would like get into a battle with them, so to speak, about the annual reviews of the plan so that we have as much of a timely way of doing the work as you would want to have in terms of doing scrutiny effectively.

Deputy K.G. Pamplin:

Just finishing off under the legislation, 3.6, here at the bottom of page 16, what is the current membership of the programme board and how will it operate? Are the meetings public?

Group Director, Policy, Strategic Policy, Performance and Planning:

So this is the Children's Legislation Transformation Programme Board is just co-ordinating the officials on this, so I act as the Chair for it and the key for it in terms of very early stage policy development is to make sure that we are getting operational voices in and overseeing the co-ordination across what is quite a complex programme of work. So it is meant to be a co-ordination mechanism internally.

[16:15]

Deputy K.G. Pamplin:

How is the board accountable?

Group Director, Policy, Strategic Policy, Performance and Planning:

We are directly accountable to the Minister and to the Children's Strategic Partnership Board as well. It is a co-ordination role, so then each piece of policy development still has to go through the processes that you would expect. So papers will come to the Minister, then to Council of Ministers, and so on.

The Minister for Children and Housing:

No issues or difficulties for me yet, but I am constantly pushing them to go further and faster, as I am sure they can testify to.

Group Director, Policy, Strategic Policy, Performance and Planning:

Yes.

Deputy M.R. Higgins:

We will move on now to 3.7, which is the Jersey Way, on page 17. The actions that are contained in the summary are identical to those that were brought forward in P.108/2017 under the response to the Jersey Way. Can you please explain why little progress has been made on this to date, even though funding was made available in the previous Medium-Term Financial Plan to progress it?

The Minister for Children and Housing:

Which bits specifically about progress not being made?

Deputy M.R. Higgins:

What progress can you tell us has been made to deal with the Jersey Way, because there is very little that we have identified, if any.

The Minister for Children and Housing:

I agree to some extent with what you said, but disagree also to an extent. I do not think that nothing has been done to try to counter this perception of the Jersey Way. There are some tangible benefits or improvements that have been made since then, like the establishment of an independent Care Commission, like the establishment of an independent Children's Commissioner, who all of us have met and engaged with and know that there are a lot of people out there who are thoroughly glad that position exists and it gives them more confidence that they will be listened to and issues can be dealt with. But it is also the case that we have hundreds of years, essentially, of the Jersey Way to try to unravel and fix, not just in what the Government does, but what the other institutions of Government do as well, like the courts, like the Assembly, of which I am only one of 49 Members. There is work ongoing on the establishment of a Public Services Ombudsman; the consultation is still open now for people to engage with. That is something that is a long time coming; 20 years ago we were first talking about this. There are other issues associated with this that are not within the Government's direct gift to give, though I am frustrated that progress has not been made on.

Deputy M.R. Higgins:

We have received, for example, submissions from people regarding the Jersey Way, many of them are confidential, and they speak about their experiences and how it has affected their lives and appear to be sometimes in incredibly negative ways. Are you satisfied that the projects proposed will help provide appropriate redress to those who have experienced poor treatment at the hands of Government? Are you also satisfied that the projects proposed will create a better vehicle for the people with genuine complaints to help them move on?

The Minister for Children and Housing:

I am satisfied that the work that is being done is really good work, which for many people who will choose to engage with those systems will get a much better service and hopefully much better

outcomes than they would have had previously. But I do not think it is the only part of this picture. This idea of the Jersey Way is much wider than just what we are able to proceed with and, as I said, I am frustrated that other elements of it are not being pursued.

Deputy M.R. Higgins:

How do you feel about the people, for example, who spoke to us and said that ... in one example, people said that if some of the people who had abused them walked through the door then they would attack them? That is how strongly they feel. When asked why they had not gone to the police, some said they had and nothing happened, and secondly people were afraid, not just for themselves, but for their family, of retribution. How can you try to allay that?

The Minister for Children and Housing:

It will be incredibly difficult to and there will be some things that I would like to see happen that I would hope would help for this in the future that are not currently happening. You know that my view is that we should have an independent prosecution service. I am frustrated that is not on the agenda and not seemingly likely to happen soon. That would go some distance to helping people trust our legal institutions more if we did have that separation, like many countries across the world do. I do not really know how to answer the rest of that question because there are many people throughout recent decades in Jersey who have been completely failed. While we can try to do things to make amends for that, like the redress scheme that was set up that lots of people are engaging with and hopefully benefiting from, there are experiences that we will never be able to undo. We can only do our best in the here and now to try to improve things for the future and, in establishing the Public Services Ombudsman, that is a positive thing that I hope will stop people from having some of those experiences.

Deputy M.R. Higgins:

Do you think that would be sufficient though, because the Public Services Ombudsman is a catch-all for everything to do with the public service? In terms of specifics if they are making allegations of abuse or poor service or whatever, do you think the Ombudsman will be sufficiently robust enough to deal with their complaints?

The Minister for Children and Housing:

At this point I cannot tell you exactly what it is going to look like because it is still out for consultation and the practicalities of how it operates may be different to what is currently envisaged when it comes to it. I am satisfied that we are doing the right thing in consulting and I am satisfied that the process we are adopting is as good as it could possibly be on this.

Deputy M.R. Higgins:

Okay, just asking one other question before moving on to the last one, would you support, for example, an independent police complaints authority, so instead of the police investigating their own complaints about themselves, we have a totally independent body that would review what the police are doing and whether they have acted appropriately or whatever?

The Minister for Children and Housing:

This is not a cop-out answer but that will not fall under my remit.

Deputy M.R. Higgins:

It goes towards restoring faith and openness and transparency and proper investigation.

The Minister for Children and Housing:

Me as a Member of the Government and as a Member of the States Assembly have to do whatever I can to move in that direction and try to erase this perception of the Jersey Way and undo hundreds of years of bad experiences that people have had. In terms of establishing an independent police complaints authority that is not within my remit and within my gift to give, but you know that my view is that our justice system, lack of separation of powers, the dual role of the Attorney General, are all things that me as an individual who is in politics would support moving in the direction to get more independence in these institutions. But as a Minister it is not within my gift to sign a ministerial decision to accomplish that, but it is a point that my ministerial colleagues will I am sure confirm that around that table I am constantly pushing.

Deputy R.J. Ward:

So do you think the funding that you have here is sufficient to deal with the perception of the Jersey Way, notwithstanding the complexities that we are aware of and you are clearly aware of?

The Minister for Children and Housing:

No, not at all, but that is because it is not just down to the Government to deal with this. The Assembly has a role to play. The Assembly, on some issues, frankly needs to wake up. Our other institutions of Government have to start dealing with some of this as well. But from what the Government are able to push on and deliver I see no problem with the figures that we are attributing to be able to get on with the things we can do. But it will be one part of addressing the Jersey Way; it is a lot more than just the Government though that has caused this.

Deputy M.R. Higgins:

We would agree with you on that. Can you explain what the phrase: "Robust legislative framework to govern future inquiries" meant?

The Minister for Children and Housing:

Where is that, sorry? Yes.

Group Director, Policy, Strategic Policy, Performance and Planning:

So the intention there is to make sure that the Government are well prepared for future inquiries and has a clear framework for how to handle them. That is what is meant.

Deputy M.R. Higgins:

So, in other words, the shock of having to get an Independent Jersey Care Inquiry and all the trials and tribulations to bring that into being will not have to be repeated?

Group Director, Policy, Strategic Policy, Performance and Planning:

Or, if you like, there are some lessons to be learned from that, we could have a better approach in the future, and part of that is a clearer legislative base for future inquiries.

Deputy M.R. Higgins:

What is the priority of that in the legislation?

Group Director, Policy, Strategic Policy, Performance and Planning:

It is in the Children's Legislation Programme. We have 3 commencement phases. I believe it is commencing second phase, so beginning next year. I can double check that for you.

Deputy M.R. Higgins:

If you would because I am sure we are going to be coming back on that.

Group Director, Policy, Strategic Policy, Performance and Planning:

Absolutely.

Deputy R.J. Ward:

Are you referring to legislation, which gives power in law, for example, to the Children's Commissioner and Public Service Ombudsman, all of the other things that have been set up as becoming a sort of whole of different pieces of legislation that will be more robust in the future, or are you referring to specific legislation that would enable us to set up an inquiry much more quickly, much more effectively, and in a much more focused way?

Group Director, Policy, Strategic Policy, Performance and Planning:

The latter.

Deputy M.R. Higgins:

Just following on from this, the Independent Jersey Care Inquiry, when they came this last time, came with a view that the Children's Commissioner, although she has powers, the power with regard to her relationship with the Attorney General, where at the moment there is a protocol in place I think, they were suggesting that the Attorney General should provide information to the Children's Commissioner if she seeks it unless there is a public interest in not doing so. That has changed the balance of that. Would you support a change to the legislation on that?

The Minister for Children and Housing:

I cannot remember if you were involved in the discussions when there were lots of different meetings, I struggle to remember which ones you may or may not have been at, you will hopefully know that my view is that I think the Children's Commissioner should have the most robust and far-reaching powers as possible and it is my view that there should be a presumption from Government departments and the Attorney General that, when she seeks information, that information should just be given, unless there is some exceptional public interest reason why it should not be. That is my position, yes.

Deputy M.R. Higgins:

When we had that meeting you sided with the Chief Minister and the Attorney General's Office and went for the lesser version.

The Minister for Children and Housing:

Excuse me, that is not what happened, we had days of cancelling everything in our diary to sit around a table to try to ensure we came up with the most robust legislation possible and I was sat around those tables and I was consistently at every point saying: "We need this to be as robust as possible."

Deputy M.R. Higgins:

Sorry, my recollection of the meeting differs because I remember we were pushing for a very robust one where the Attorney General had to hand everything over and, do you remember, 3 days before the legislation was debated in the States, we had a meeting where they tried to sort of work in a protocol and do something else, which was less than what we were seeking.

The Minister for Children and Housing:

Quite right and that is because we were worried, and the advice that had been given to us was that, if that amendment, unamended by what we ended up proposing - and that was a product of very robust discussions with all of us around a table pushing very hard on this - that it would end up getting to the Privy Council and, because of the issues of legal privilege, would end up being sent

back to us and we were incredibly worried about that. Again that was what eventually led me to settle for the amendment with a protocol on top of it, which we did not have to do, but we did to try to provide some sort of robust framework as well as the legislation to ensure that the Commissioner has access. Things like the Attorney General having to provide information at very short notice or quicker than he otherwise might under a different legislative framework; that process got us to a position where we could get law passed, accepted by the Privy Council, in law with the Commissioner getting those powers without ending up in a situation where we were risking the law not being able to be passed because of that difficult constitutional and legal principle.

Deputy M.R. Higgins:

Can I just mention here, just for the point of clarity, so the record is straight, the panel, when we met with you, agreed that we could not compel third parties, such as National Society for the Prevention of Cruelty to Children, or other bodies, having to hand over their legally-privileged information because of a European Court ruling. But there was nothing to stop the Attorney General handing anything over and that was not agreed with. So in other words we went for the lesser of the 2 options, do you agree?

[16:30]

The Minister for Children and Housing:

I consider that there was advice given to the Government that the law, as it was due to be at that point, ran a severe risk of being viewed as not human rights compliant and then being sent back to the Island to deal with. So we, after several days of very robust discussions, came up with an amendment to that, which put us in a much better position that we would have otherwise been. But I am also saying to you that, with that law now in place and the second report from the Care Inquiry, and also an upcoming review shortly, based on that interaction between the Children's Commissioner and the Attorney General, which is a result of that protocol that we all agreed to and signed up with, we have an opportunity to look back on this and say: "Okay, can we now make further improvements?" It is my position that if there is an opportunity to strengthen the investigation powers of the Commissioner, including compelling the Attorney General to provide information on the basis that the Care Inquiry has said, that is certainly the direction I would like to see it go through. It was difficult putting that legislation together and getting it as robust as possible, getting it in force, getting the Commissioner legally on her feet and able to do this, but at every stage of the way, and anyone else who was in the room will confirm this, I pushed for the most robust law as possible.

Deputy M.R. Higgins:

We disagree.

The Minister for Children and Housing:

I have said what my position is and it is accurate.

Deputy R.J. Ward:

If we move on to something that is related to this in terms of the Jersey Way and legacy issues, the Citizens Panel. We again had the privilege to meet with the Citizens Panel and, this is 3.12 on page 19, the funding ends in 2021 for the Citizens Panel. What is the reason for that ceasing in 2021?

The Minister for Children and Housing:

The Citizens Panel was not intended to be a panel that would exist in perpetuity. It was to oversee a particular piece of work and that piece of work will come to an end. This funding allows them to continue into next year, so they can continue to do that work, but that I believe was what was always envisaged from that.

Deputy R.J. Ward:

That would include the completion of the memorial and Children's Day and so on?

The Minister for Children and Housing:

No. It may well include some funding for the Citizens Panel to produce ... whether it is their reports or their recommendations on that, but funding itself for the memorial will be elsewhere and not included in that £60,000.

Deputy R.J. Ward:

My concern is that we know that there is the plans already, it is ready to go to be quite frank, but it has not happened and there has been a delay, partly because of the issues around Liberation Square, which seems to have run roughshod over the memorial, which we are not particularly pleased with. But we could get to a situation, if we are not careful, where the memorial is not happening and the funding ends and we still need that to be ... I think it is a very significant thing that needs to happen, to bring forward. So do we have a date for that?

The Minister for Children and Housing:

Good question on that. I do not know about the date but what I do know is that it is the entire Council of Ministers that has committed to accepting the recommendations and seeing through the recommendations of the Citizens Panel and the Treasury are committed to fund that memorial, but it is not this particular bit of money here.

Deputy K.G. Pamplin:

Can I just ask, is there not a case now, given the follow-up 2-year review by the Independent Care Inquiry - there is a lot of work that continues on - that the Citizens Panel should continue on the work, as in the many recommendations they have included this time around?

The Minister for Children and Housing:

We have not yet responded to every recommendation that is in this or even provided a sort of wider narrative of what our approach to dealing with that report is going to be. It has thrown up some issues that we were not expecting to be brought up, in particular to do with the sites that exist and that they are suggesting certain things should happen to them. I would not rule it out that we may want to see some continued engagement, either with this particular panel or something corresponding to this or like this, but as I said at the beginning of this hearing the beauty of the Public Finances (Jersey) Law means that we can come back to this if we needed to.

Deputy R.J. Ward:

So there is scope for the panel to continue?

Deputy K.G. Pamplin:

If an amendment was brought forward, so to speak.

The Minister for Children and Housing:

Yes, of course, and something could come up in the next round of the Government Plan, but what I am not doing at this point is committing to that suggestion, simply because we have not yet formulated our response to the Care Inquiry Review. There may be more-appropriate alternatives to that; we just have to think through all of those.

Deputy R.J. Ward:

Obviously the simplest way is let us get the memorial done and let us get these things sorted out, which we know should be being done anyway.

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

If Andrew Heaven was here, and he is not because he is looking at legislation elsewhere, I think one of the things he would say about the panel is that, notwithstanding the report now, up to the point of the report it had views itself about its future. So the further year's funding in here is because the panel itself has expressed a view that it thinks a little bit more time is needed to get where it wants to. But a principal determinant in whether it continues for longer is what the panel members themselves think and they are expecting to wind up, notwithstanding now they will consider the report.

Deputy K.G. Pamplin:

It is almost very similar to the Mental Health Improvement Board. I have seen that as a very effective way of driving the changes that are desperately needed. There is a strong argument that this could be just there forever, whoever is in Government, in 5, 10, 15 years; that this panel has been brought in to encourage that connection with the public. The argument for me seems to be growing that it is something that we will always need that engagement with. Maybe not this particular body, but going forward.

Deputy R.J. Ward:

We are going to jump forward a little to page 29 "Putting Children First - Involving and Engaging Children." Can you outline how you see Jersey Cares will seek to attract private funding?

The Minister for Children and Housing:

Sorry, where are we?

Deputy R.J. Ward:

It is on page 29.

The Minister for Children and Housing:

Sorry, I was anticipating you going somewhere else. Could you repeat the question please?

Deputy R.J. Ward:

How will Jersey Cares seek to attract private funding?

The Minister for Children and Housing:

How they will seek to do that?

Deputy R.J. Ward:

Yes, how do you see them attracting that private funding because their funding decreases, 150, 150, significantly down to 100 and then in 2023 it is £80,000?

The Minister for Children and Housing:

How they seek to do that will ultimately be a matter for them. From what I have seen of their work so far they seem to be establishing very good relationships and are already doing excellent work. It is a matter for them how they seek to do that. This proposed way of doing things was worked on with them. I do not speak on their behalf but I presume that they would want to be in a situation where their funding is private so they can have a greater independence from Government. But what you can see from this is that in those first 2 years we are providing that amount before it then starts

to decrease so, if problems arise or things do not go as are foreseen, we have the flexibility to deal with that rather than see the scope of the work they are trying to do decrease.

Deputy R.J. Ward:

Okay, so that was my next question, there are contingencies in place should they not attract sufficient funding or indeed if their work does seem to increase. We have met with Jersey Cares and we have talked a great deal. There was a serious issue about the way that we have dealt with our young people with care experience and I think we need to redress that as a matter of urgency and if that is the way to do it we would not want to see their good work not happen simply for the sake of £70,000, given that we spend so much on legislation.

Deputy M.R. Higgins:

If I can just add that we were very impressed with Jersey Cares and the people there. We believe this is a body that should be fully supported, that funding should be there and if they cannot raise it through the private sector we would certainly expect that the Government does come in and assist them.

The Minister for Children and Housing:

I would agree wholeheartedly. As I said, they, and I do not speak on their behalf, may not want to rely so heavily on Government funding, but the work that they are being asked to do is of such great importance to what we are trying to do for young people in care and young people leaving care that it must not be allowed to be reduced or to cease for reasons to do with funding. It is so important and it has my full political support to continue see it happening.

Deputy K.G. Pamplin:

I could not agree more. I think they are extraordinary people doing extraordinary work and we are very blessed to have them. There is a question creeping in slightly about these independent statutory bodies that have been created, Children's Commissioner and such like, how they are accountable. So not just States Members but members of the public or if there is an issue, how do you understand how these groups will be held accountable?

The Minister for Children and Housing:

As in?

Deputy K.G. Pamplin:

If there are any complaints or any questions or if somebody takes a grievance with the Children's Commissioner or Jersey Cares and wants to raise a complaint, like they would do against a politician or a policy, what are the mechanisms in place with these independent bodies?

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

So I can do Jersey Cares justice I hope, having been involved right from the outset in terms of the funding for advocacy, which they are providing as of Tuesday this week. So there are 2 things that need to be taken into account, so where a body, whether it is a Government body or any other, is providing them with funding to deliver a service then there will be a contract, a good old-fashioned contractual arrangement, very much framed as a partnership rather than a crude commercial contract. But within that will be all the expectations you might have of safeguarding policy and H.R. policy and a complaints policy. So we expect their governance to observe all the due regard that any body that is properly constituted would have to demonstrate in order to be registered either at Companies House or as a charity. So, in terms of the very specific work that the Government has asked them to do and is funding them for, then I guess the accountabilities are such that we have asked them to make sure they have all the policies and procedures that a well-governed body should have. Therefore, for example, if a complaint were made about the quality of advocacy that was provided, there is a complaints policy that can be used. Similarly, our contractual arrangement with Jersey Cares is such that we will have regular contract meetings about whether the achievements that we are looking for from the advocacy contract are being delivered. On the wider front, of course ... so we are in a contractual arrangement with them, Jersey Cares exists completely autonomously from and independently of Government, which is the thing about it that I like most, it is kind of by people with experience of care for people with experience of care, which is frankly, I think, perfect in this particular space. As an organisation that is seeking to become a charity, it will have to meet the requirements of the Charity Commission here, which will have all of those checks and balances in that you would expect of any organisation. In terms of any other business it might do, if a member of the public had a concern about the way it was lobbying Government, for example, or whatever, then it would have other ways and means of a complaint being raised or an issue being raised because of the requirements of being a putative charity.

Deputy K.G. Pamplin:

I am glad you raised the point because it is obviously not just Jersey Cares and obviously with your extended role historically in the past the checks and balances from a safeguarding point of view has not been consistent. So would this be something on a wider scale that will ensure that there is a procedure in place that you will follow up and provide the evidence we approved, and then 3 months back later we ask for the evidence and if we do not see it there will be action taken. We do not want to be in a situation where something terrible happens, which could be costly. So, across the board, from what you are seeing since you have been on this Island, is that it?

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

I think there needs to be more of the nature of the development of Jersey Cares in other places. Three things, I have already said the concept of Jersey Cares is fantastic, particularly in the world that I mainly occupy, which is that of children and young people. The notion that those who have the experience of whatever it is provide the service to others who are going to go through that experience is evidentially proven to be one of the best forms of support and we should support that model. So that is good. Secondly, that does not mean that you do not have good governance, so a wonderfully well-intended charity, which is what it wants to become, it is not a charity yet, but a wonderfully well-intended charity still needs to have basic good governance, policies, procedures, as I have described. Then thirdly, in all of our relationships as a Government with third parties, we should just be making sure that the good governance that have expected and seen coming from Jersey Cares is the same good governance in all our other relationships.

[16:45]

The Deputy of St. John:

Could I just go back to ...

Deputy R.J. Ward:

Could I just step in for one second and can I ask you to switch the air-conditioning off, because I think everybody is freezing in this room and I am conscious of the wellbeing of members of the public.

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

You are obviously relaxed and chill, Chair, I am sitting here quite warm.

Deputy R.J. Ward:

It is good to be grilled.

The Deputy of St. John:

Could I just go back to this contract for a moment; within the contract, do you have some requirements that the charity should pay its workforce a certain level of remuneration and do you have an influence on the terms and conditions those employees have?

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

We do not determine the terms and conditions because it is an independently constituted body, but in our contractual arrangements, as a Government that supports living wage, our expectation in any contract is that those minimum standards are met in terms of pay.

The Deputy of St. John:

That is interesting, you see, the third sector is having real difficulty recruiting.

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

In this particular instance, and I have a level of detail that is unusual for me, but because I had been close to this coalition turning itself from a coalition into an organisation and us getting into a contractual arrangement for an advocacy service, I am confident that the considerations that need to be taken into account, including adequate funding in order for those expectations around pay, for example, to be met is built in. So, in terms of the numbers you have here, and there are some related numbers in here about other areas of advocacy, what I thought it would cost back in February/March of this year has increased. That increase has been met because, as the organisation did its work on what the demand looked like, how many workers will we need, how much time might they need to spend off-Island as well as in-Island, all of that proper business-planning work that you need to do, it became apparent that the funding envelope that I thought might work, based on advocacy that had been offered historically, was not going to be sufficient.

Deputy R.J. Ward:

So are these figures up to date?

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

No, they are not. These figures, the funding for Jersey Cares comes from more than one source, so these figures are relevant to more than just Jersey Cares advocacy, if you go through the whole of the sections here. What I am saying, I want to give a very important piece of information as well, which is initially I had done some financial planning on the basis of funding them in full for 4 years' worth of work. As they have done their due diligence and we have worked with them as the commissioner we have discovered that what we have in the funding envelope covers this year and, in full, the next 3 years. Therefore, as the Minister has said, we need to use the new flexibilities within the Public Finance (Jersey) Law to think about what happens after 3 and a bit years. You have already been asking questions that Jersey Cares is thinking through as to the extent to which they want to be reliant on Government anyway for their funding after that point. What I would say to you is I would be advising this Minister and more widely the Council of Ministers that, if Jersey Cares eventually took a position that either it had not been possible to find alternative sources of funding or it still wanted to be fully or in part reliant on Government for certain services, I would be advocating to the Minister that we maintain that position.

Deputy M.R. Higgins:

Could I just ask, you mentioned that money comes from different sources and the advocacy is not just Jersey Cares, so will you provide us with the figures for Jersey Cares solely and for the other bodies who do advocacy as well?

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

Yes, absolutely able to do that, because I have just last week signed the final version of our contract with Jersey Cares, which has within it all of the financials. Equally, I could disaggregate from other figures in the plan what we spend on other forms of advocacy, for example the Children's Rights Officer is another advocate.

Deputy M.R. Higgins:

We would like the detail.

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

Yes, and that can all be done.

Deputy R.J. Ward:

We will move on to page 29, 3.8 "Children's Voice: Develop a Looked-After Children's Advocacy Worker." Is the role set out in page 29 not the same as the role in 3.8? "Advocacy for children in need and children in the child protection system." But in 3.8 ... I may have to send you a written question to that. Just check that we do not have double roles here. These are all distinct roles?

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

They are distinct but complementary, so back to Jersey Cares, the commissioning that we have done through them is to make an advocacy offer for children who are presently looked after by the Government and those children leaving the care of the Government. I am using my language carefully because we are also trying to move on from saying "looked-after children" and "care leavers", so very deliberately saying children who are in the care of the Government and children leaving its care. So that is what that service is for presently and we will continue to discuss with Jersey Cares as to whether it provides an advocacy offer for other children and young people but presently we have some other services. So, for children in need and children who have a child protection plan, we need to make more investment in advocacy for them because presently there is an ad hoc arrangement really with Barnardos that they will do some of that work for us. That needs to be formalised. Equally, we want to sustain and grow, within the Children's Service, the Children's Rights Officer role and make sure that, within the service, there is the challenge to the service on the quality of its practise and that is initially again around children who are being looked after by the Government who are in its care now.

Deputy R.J. Ward:

Are they different skill-sets?

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

Fundamentally, no. So really good advocacy will be informed by some common principles; an understanding of the impact of trauma for example. I guess in the language of it, what would be called both restorative and protective, understanding how to be both restorative and protective in your advocacy. But clearly there are different experiences that will help you. So supporting somebody who is leaving our care, who is 18 years of age and moving hopefully into independent adult living, being an advocate with them will be different in nature to being an advocate for a 5 year-old who has found themselves the subject of child protection planning processes. But the principles guiding the human interaction are common in my view.

Deputy R.J. Ward:

Will this system allow for advocacy for the family as a whole?

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

At the moment, because we are working our way towards filling a big gap, we are focused on children and young people. There are other arrangements that parents and carers can fall back on, but over time I would like to think that I give this Minister good advice on how a broader suite of advocacy support is available that you might call a kind of family-focused approach. But right now the priority is we have children and young people who have not had a good enough offer to them personally. The other bit I would want to say, Chair, and I am mindful of the time, is that often the interests of children and young people are not identical to the interests of their parents and carers. Therefore you have to think carefully about not conflating an advocacy offer that then compromises what the child is looking for.

Deputy M.R. Higgins:

While we would accept that, there are occasions though when perhaps a child should not be taken into care and basically what provision ... you said that there are other avenues for them, I am not aware of any, other than going through a legal aid system that does not really work. What other advocacy is there for parents who, let us say, want to contest some of the provisions that social workers bring forward?

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

They are under-developed, I am agreeing with you, but there are a small number of de minimis routes they can take and there are also some parental and carer support groups that they can draw

on as well. For example, I know of families who draw upon Autism Jersey to help them advocate to Government on their behalf.

Deputy M.R. Higgins:

I may ask you to expand on that too later in writing if you would please, those different agencies, I would like to know.

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

It is fair to say it is an ad hoc set of arrangements for parents and carers but the priority for me has been, and the advice I have given the Minister is, let us strengthen the offer around children and young people themselves, because, let us be clear, the pledge that was launched just over a year ago starts with: "Hearing the voice of children and young people." It does not mean I am not wanting to hear the voice of parents and carers too, but I am absolutely crystal clear that it is the voice of the child that has primacy. As I said before, sometimes it will coincide with the voice of parents and carers, but sometimes it will not and that is really important to make sure that children have the opportunity to be heard themselves and not to have their views moderated by another adult where they do not want it moderated.

Deputy M.R. Higgins:

I certainly can accept that, but again I do think we have a gap in the system of provision, because there are some parents who are just finding dealing with any level of bureaucracy or organisations beyond them and they cannot really argue their own position. They do need someone looking after their interests as well.

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

I would agree with you and my experience in other places is that we need to be careful not to deliberately perpetuate 2-tier systems.

Deputy R.J. Ward:

Just finally, we have 5 minutes, if we can go back to something we did not cover, which is: "Children's Services Early Intervention," page 19 of the Government Plan; just a couple of very specific questions. The average Jersey salary suggested in the summary business case, what average salary are you using, mean or the median?

The Minister for Children and Housing:

Sorry?

Deputy R.J. Ward:

In the business case it says: "This will be based upon the Jersey average salary."

Deputy K.G. Pamplin:

It is the Intensive Fostering Scheme on page 20.

Deputy R.J. Ward:

The Intensive Fostering Scheme, yes, 4.22.

The Minister for Children and Housing:

Sorry, I was lost there.

Deputy R.J. Ward:

Sorry, it is because my mind is trying to rush through it. The average salary, what are you using as the average salary, the mean salary or the median salary, because they are very different things?

The Minister for Children and Housing:

Yes, that is a good question. I do not know specifically whether it is the mean or the median, what I do know is that we looked at the Stats Unit's work on this.

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

So the third answer, Chair, is that this is a figure that we have taken from Statistics Jersey's most recent publication on average salaries in Jersey.

Deputy R.J. Ward:

Is this sufficient to provide the support required for a child in foster care?

The Minister for Children and Housing:

The point is that this is to be for people who will not have other work; this will be their full-time job essentially and that they will be available whenever to go into school or to do whatever, so that is the reason that we have gone for this.

Deputy R.J. Ward:

The Care Inquiry recently commented in its 2-year report that the fostering service was still not operating as it should. How will this funding ensure that the issue is addressed finally?

The Minister for Children and Housing:

It is obviously not all about funding but I keep saying to people, when they challenge us on this point, the funding is really important because it does enable us to do more to provide support out of hours,

which is part of what this is about, which I am sure will be invaluable from time to time. With that extra support provided, we are looking at fixing some issues there are with tax and fees that foster carers get paid for. We are providing a decent salary essentially to people who do this and I hope that will be a clear sign that we value our foster carers, want to provide them with support, and meet their needs for them to be able to do the brilliant work that they do.

Deputy M.R. Higgins:

What is your opinion of what the Care Inquiry said about the need for further support for them and the complaints that have been raised with them?

[17:00]

The Minister for Children and Housing:

I was invited by somebody from the Foster Carers Association recently to go meet with a group of these people. I have an email today confirming a time to do that, which I will do, and I will listen to them and hear from their experiences. I have to say I have spoken to other foster carers who do take the precise opposite view to what was expressed in the Care Inquiry. There are some people who have an excellent relationship with the service, do fantastic work, we have an awards ceremony every year where I get to meet some of these people and hear about the great things that they do. But if there are people who are not having that experience it is incredibly important that we take the time to listen to them and try to work through whatever issues they think we ought to be doing.

Deputy K.G. Pamplin:

Can I just roll back to 4.21 as a final thing, it is interesting because the last sentence says: "This links to the sufficiency strategy and also possibly to the review of Greenfields." I do not want to pre-empt because obviously that features quite heavily in the follow-up Independent Care Inquiry. So, with the funding under 4.21 here, is that going to continue? Because obviously, again I do not want to pre-empt your response to the Independent Care Inquiry about Greenfields, but ...

The Minister for Children and Housing:

It is pre-empting it, to be honest.

Deputy K.G. Pamplin:

I know it is, but got to chuck it in there.

The Minister for Children and Housing:

We do have funding allocated elsewhere in the Government Plan to Greenfields, the first part of that being feasibility, which I am grateful that is the point we are at, at this point, because obviously

following the Care Inquiry's comments on this we will have to do a bit of thinking that was not necessarily part of the thinking that we were doing previously. So in terms of funding to do something, it is there, and in that first year it is feasibility, so that means we have the opportunity to revisit some of this if we have to.

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

If I may, Chair, add to that, while these things are linked, they also have a distinctiveness of their own, so it is not implied in this that the youngsters who might benefit from this intensive therapeutic unit are necessarily those who might require secure welfare in the future. So it could be both and not either/or.

Deputy K.G. Pamplin:

There is also a link to mental health here, I know. I am waiting anxiously to see my written question answered about place of safety for children and young people under the age of 18 in critical mental health situations, where are these children going? The findings we had in our mental health report and the pressure building when I see Greenfields empty, I do not want to start pre-empting again, but in terms of the safety and wellbeing of young people in critical health who are needing that help at 11.00 p.m. at night, where do they go? That must be a huge concern for you.

The Minister for Children and Housing:

Yes. We ought to be doing much better.

Deputy R.J. Ward:

I am conscious it is smack-dab on 5.00 p.m., which is our time to finish. We have got through 55 questions, I will just let you know, which is a very good average. I would like to thank you for your time and thank everybody for attending. I will call the hearing to an end.

[17:03]