



Corporate Services Scrutiny Panel

People and Culture Review

Witness: Vice-Chair, States Employment Board

Friday, 7th May 2021

Panel:

Senator K.L. Moore (Chair)

Deputy S.M. Ahier of St. Helier (Vice-Chair)

Connétable R. Vibert of St. Peter

Panel Adviser:

Mr. R. Plaster

Witnesses:

Connétable R.A. Buchanan of St. Ouen, Vice-Chair, States Employment Board

Mr. M. Grimley, Group Director, People and Corporate Services

Mr. P. Martin, Interim Chief Executive

[15:16]

Senator K.L. Moore (Chair):

Good afternoon and welcome to the Corporate Services hearing. This is in relation to our People and Culture Review. We will start this afternoon just with the introductions, if I could. I am the chair of the panel. My name is Senator Kristina Moore.

Deputy S.M. Ahier of St. Helier (Vice-Chair):

Deputy Steve Ahier, vice chair.

Connétable R. Vibert of St. Peter:

The Constable of St. Peter, Richard Vibert, a member of the panel.

Panel Adviser:

Richard Plaster, adviser to the panel.

Vice-Chair, States Employment Board:

Richard Buchanan, deputy chair of the States Employment Board.

Group Director, People and Corporate Services:

Mark Grimley, group director for People and Corporate Services.

Interim Chief Executive:

Paul Martin, interim chief executive.

Senator K.L. Moore:

Thank you all, and welcome. If we could just start by looking at the target operating model. We have some quickfire questions hopefully to begin with. How many roles remain vacant at the moment within the People and Corporate Services section please?

Group Director, People and Corporate Services:

I have about 8 roles being filled at the moment, most of those are in technical positions like business analyst and in health and safety, but we are in the process of filling those.

Senator K.L. Moore:

When do you expect that process to be complete please?

Group Director, People and Corporate Services:

By the end of June I should expect a full complement of staff.

Senator K.L. Moore:

Thank you. So the current target operating model is transitional; has a final structure been confirmed yet?

Group Director, People and Corporate Services:

The transitional structure was to cope with the backlog of work and the volume of work that we had inherited back in 2018. The panel will be familiar with the reports from the C. and A.G. (Comptroller and Auditor General) around the operations of the S.E.B. (States Employment Board), the implementation of the people strategy and the policy framework; so there is a lot of work to be done. The other part of the transition is the I.T.S. (Integrated Technology Solution) programme, which is

the new technology solution. The final part of it is the talent strategy that we have. We have recruited all of our roles on-Island. That does mean that we have gone from a very limited pool, so we have intentionally recruited people who can be trained into the roles. I expect, as we have turnover in the future, we will shrink the structure down as we are delivering on the key products but also as we develop the talent within the department.

Senator K.L. Moore:

Over what time period do you expect that to happen?

Group Director, People and Corporate Services:

Over the next 2 years I expect to have a fully developed organisation structure with people who are professionally qualified. We have just launched the C.I.P.D. (Chartered Institute of Personnel and Development) academy, which is the professional development programme. From that we will then take stock post-I.T.S. implementation so we start the discovery phase for the new technology programme at the back end of this year. We will implement it 12 months later and from there we will take another check to see where the capabilities are needed in the future.

Senator K.L. Moore:

Does anybody have a follow-up question there? Deputy Ahier, we will move on to you and we are going to look at the Be Heard survey.

Deputy S.M. Ahier:

To what extent do you believe the Be Heard survey results reflect the culture of the public sector at the present time?

Vice-Chair, States Employment Board:

I think, as with all surveys, we see them as a reasonably accurate reflection of people's views at the time the survey was done. It is like any statistical tool of this nature. It is a litmus test at the time that you do it. People's views obviously change going forward. We believe it is reasonably accurate.

Deputy S.M. Ahier:

When looking at the summary of the survey question that asks: "I support the changes that are aligned to the OneGov vision", it appears that something like 40 per cent are negative, 40 per cent are neutral but only 20 per cent are positive. How are you attending to address this and encourage those that are neutral to become positive to the vision in the future?

Group Director, People and Corporate Services:

In terms of those responses, what we have seen is that the top-level tiers 1 to 3 is where the OneGov model has predominantly impacted. The understanding at those levels is greater than those who are at the front line. The front line staff would have seen less impact of the target operating model and, if anything, it may have been less relevant to them. When we talk about the OneGov, how they operate at the front line is very different to how we organise OneGov structures at a higher level. In terms of how we are planning on engaging staff about the OneGov approach, we continue with the Team Jersey programme where the people strategy has set out how we are going to tie from the organisational objectives all the way through to individual performance objectives, the OneGov approach, what we are trying to achieve as a Government and tie that into people's individual performance objectives.

Vice-Chair, States Employment Board:

If I could just briefly add to that. I think we appreciate that communication of the OneGov structure at the front line has not been as good as it could have been and that is something we are working on, is to improve that communication so there is more general understanding going through the organisation for the benefits. But higher up the tiers then you will find the understanding is much clearer.

Senator K.L. Moore:

Do you feel that it is appropriate that after 3 years the organisation can still be at that stage?

Vice-Chair, States Employment Board:

Yes, I do because it has taken a long time to roll out OneGov. In terms of communication to those people who are on the front line, that that is always going to be something that will come on as we develop the strategy and the Team Jersey strategy.

Deputy S.M. Ahier:

In the Chief Minister's letter to the panel dated 15th April he commented that the Be Heard survey results highlighted various leadership concerns stating: "Leadership scores across all questions are below the expectations." How are you intending to address these concerns?

Vice-Chair, States Employment Board:

We agree with that comment, and if I just can just pass you to the chief executive who will comment on how he is going to improve the performance of the senior management structure. It is better for him to comment than me.

Interim Chief Executive:

Are you happy for me to do so? Thank you. I think we need to start by considering what it is that motivates people who work for the public services and what it is most likely that will engage them, and work from that point. I believe that in Jersey and elsewhere I found that fundamentally what motivates staff is the value of the work that they do and the intrinsic social purpose that they are engaged in. So the reason I start at that point is I think it is important to understand for us to question what is the exam question for us and what does “effective” look like from the perspective of very senior managers and for the government’s managerial leadership. I think what “very effective” looks like is the ability to utilise to the full extent the skills and attributes and the potential contribution of the workforce, and therefore to understand what it is that motivates people. Some of the high scores that I have seen in the Be Heard survey are around the potential for staff to deliver more, to have more freedom to do their jobs, to have more flexibility about the way in which they carry out their work. The recent experience of COVID, unwelcome as it has been, has given insights in Jersey and elsewhere. In an adverse situation it has given insights into how our staff can be flexible and innovative and work in different ways with a greater degree of autonomy than has previously been the case. That is something very instructive for us to think about. Moving forward and answering your question, we need to think deeply about what we have learnt over the last year as well as the results of the Be Heard survey, understand that we have staff who are motivated by the intrinsic social value of what they do and do our best to do a number of things. First, to inspire them with the opportunity to achieve even more, to be more innovative and creative, possibly with the identification of new things that have worked elsewhere. I think there is an element of inspiration. There is an element of supporting people to ensure that all of the staff feel that they are working for an organisation that values them and their contribution and supports them, and particularly their health and well-being, which is again an area that is commented on in the Be Heard survey and we know is really important for employee engagement. The extent to which the employer is able to support and help people with their well-being very generally, so I think we need to do that as well. Finally, to ensure that we embed the positive things that have come from the pandemic in more experimental ways of working and more flexibility in the ways in which staff carry out their jobs.

Deputy S.M. Ahier:

Deputy Chair, you are currently recruiting for a new C.E.O. (chief executive officer) and 2 director generals. To what extent, if any, has the Be Heard survey results influenced the emphasis of the essential characteristics contained within the job description?

Vice-Chair, States Employment Board:

The job description of the chief executive is the job description of the chief executive. The Be Heard survey is a softer survey. It would not reflect in the attributes required to do the chief executive’s job except insofar as management of senior staff is obviously a very key part of that role and will be clearly emphasised in any job description that the chief executive would have.

Group Director, People and Corporate Services:

Could I add to that? I took the brief from the chief executive and the States Employment Board on to the role profile for the chief executive and in that is the instruction to the head hunters who are searching internationally. What we did in that instruction was look at where the organisation is going in the future. There are lots of chief executives with lots of different styles and what we are looking to do is consolidate the progress that has been made already. There is a programme of work in place around OneGov, the hospital, the new accommodation, the new model of care, education reform, and those are in train. It was very important to say to the head hunters that we are not looking for someone to start again, we are looking for someone who understands the Island, gets the context of the Island but also understands about the delivery aspects of that. The final part of that, which was the first part of your question around leadership: what style of leadership are we looking for? That has been given into the brief. We test that in the interview process through a number of ways. We have a technical interview and there will be leadership questions in there. We have psychometric profiling and there will be questions in there to say: "How do you react in certain situations?" and there will also be a number of tests around working with elected Members, working with the community, et cetera. It is built within the examination question of the chief executive. A very similar process for the D.G.s (director generals) as well.

Panel Adviser:

One of the reasons for the question was the Be Heard survey indicates a feedback on leadership style and, rightly or wrongly, that is where you are, that is the employee's perception and therefore was this an opportunity to put further emphasis on certain styles of the type of person you might be looking for? You are quite right to say different chief executives have all sorts of different styles and therefore is this an opportunity to put greater emphasis on one style or another and ensure that the recruitment panel and the head hunters are focused on that? Is there an opportunity there that we may be missing?

Group Director, People and Corporate Services:

I do not think we are missing it, it is already built within the process. We are going to get a whole range of candidates and the first stage where we get the applications we will be looking at the technical skills. From there we then hone in and start to work on organisational fit. Clearly organisational fit with the most senior officer sets the tone for the whole organisation.

[15:30]

That is what the panel will be looking for. They will also be taking soundings throughout the process so there are opportunities for elected Members to meet with the candidates prior to the assessment

to get feedback as well, because the fit is not just about leadership style but it is the ability to work across a range of stakeholders.

Panel Adviser:

That is an interesting point in terms of the contact with States Members. Will those States Members have influence in the decision or is it just feedback to the Appointments Panel?

Group Director, People and Corporate Services:

It is feedback to the panel. There are a number of focus groups or a number of stakeholder groups that the candidates will meet. We will collect that information and feed it into the overall panel. For example, and this is being done in schools as well, where we have young people that will be involved in some of the decision making. The voice of the stakeholder is very important in the process in a way that I do not think it was done the first-time round.

Senator K.L. Moore:

If I may follow up on that point. The composition of the panel, as it is, is only one parliamentary member of that panel, therefore any feedback that is passed on through them is in the minority in that panel. Is there a reason for that composition?

Vice-Chair, States Employment Board:

The Jersey Appointments Commission is a statutory body so the members are set out in the brief of that panel. As the Senator knows, we are looking at the Jersey Appointments Commission going forward to look at the membership, look at the representation, and clearly the points that you have made will be taken on board as part of that review.

Senator K.L. Moore:

While we are on the subject of the job description and the advertising process that is going on at the moment, if we may ask the vice-chair of the States Employment Board why it was decided that the new C.E.O. would be brought in to continue the OneGov project and the structure as it has been created by the previous incumbent, particularly in light of, as we have pointed out earlier in this meeting, the feedback from staff that shows only 20 per cent of them are positive about the structure some 3½ years into its inception please?

Vice-Chair, States Employment Board:

I think the honest answer is that we believe that the OneGov structure is the right way forward. Clearly, what we had in the past, where we had 12 different departments, all pulling in different directions, was not the way forward and, whatever you call it, having one unified government structure which is co-ordinated, is definitely in our view, and in the view of the Government, the way

forward. Whatever we call it, I cannot see us wanting to go back to where we were. We would want to go to where we want to go with the new OneGov structure, which is a co-ordinated government structure.

Deputy S.M. Ahier:

What has been the response to the Be Heard survey from the leadership team and what steps are they taking in response?

Group Director, People and Corporate Services:

The leadership team in terms of the officer leadership? The leadership team have been taken through the results in some detail over a number of sessions. This included a whole afternoon where we went through that. One of the reassuring things was that the team recognised where we were. I think in all honesty there was some disappointment and sometimes some frustration that we should be further forward. But what they have done as a team is taken it forward and given high-level sponsorship in each of their departments. They have encouraged the use of our Team Jersey leads, of which we have a couple of hundred across the government, to own the development of the plans. Normally in an organisation you would do a top-down plan. It may come out of the H.R. (Human Resources) Department. We are doing this differently. We are putting the voice of the employee in the action plans in each of the departments. They are sponsoring that at a high level and they are giving people the time, the freedom to come up with their plans and their response and we are aggregating that up. I think the leadership team have recognised that there is a lot of work to do. They have also recognised the strength of their workforce and they have got a lot of strengths in that survey around how people are proud of what they are doing and that they want more freedom, they want more development. When I talk to colleagues in the executive team and I talk with the interim chief executive, making sure that we are responding to the consistent messages around development, around opportunity of progression around succession planning, that will be done across the piece and that has been well-received and we will probably get on to that in the implementation plan. But the actual local cultural stuff is being done through employees as a bottom-up approach. That has been given high-level sponsorship from the senior leadership team.

Interim Chief Executive:

Just to endorse and reinforce what Mark Grimley has said. Just as an example, yesterday I attended a meeting of all of the staff in S.P.P.P. (Strategic Policy, Performance and Population), which was at the invitation of the director general, which was having an all-staff event about the Be Heard survey, so I just use this as an example. They were breaking up into smaller groups to consider and reflect on what more can be done to strengthen employee engagement in the key areas and to ensure that the action planning, which is taking place that Mark referred to in every department, that the action planning is relevant and aligned to the circumstances of that department. In different

ways every department is reflecting on the findings for that department and preparing with the staff team an action plan that will help make this a better place to work.

Senator K.L. Moore:

There is a certain level of read across when we look at the HR Lounge report, and particularly if I refer you to paragraph 96 of that report, which I am sure you have not forgotten. Just if you have, it says: "We raise here, as it was a matter raised on many occasions, examples of heated and public arguments, insulting and aggressive behaviour and belittling, all of which are potential incidents of bullying. [They were mentioned.] We would encourage the top leadership team to discuss these and those of their direct report's behaviours in order to determine a code of conduct among themselves." That in itself identifies a very particular and quite small group that particularly need to address the behaviours that are expressed in the Be Heard survey. When will that code of conduct between the top leadership team be developed and introduced? I guess in further questioning: how is the top leadership team forging ahead to stamp out those behaviours that are very clearly explained here?

Group Director, People and Corporate Services:

On the code of conduct, the panel would have been briefed in a private Members' briefing about the standards in public service code of conduct that is coming through the States Employment Board. That has been endorsed by the executive leadership team already and they discussed that at some length. Within that code of practice there is a new duty being placed on all public service employees around being kept safe, being able to whistle blow and call out bullying and harassment. So the first line of defence is saying that in our highest-level policy, the statements from the States Employment Board is that you are protected and you have every right to raise a complaint but more so you have every right to be safe at work. That applies particularly to the leadership team because they, as accountable officers, have to sign off their local policy on how they will implement that. That is the technical policy side.

Senator K.L. Moore:

In paragraph 96 it does particularly point to a specific code of conduct among that top leadership group and although you have identified and explained a certain number of actions, you have not committed to developing that code of conduct particularly for that group.

Interim Chief Executive:

It is interesting reading that paragraph again. It is not clear to me whether the author means a specific written code of conduct for senior leaders or whether they are referring more to informal understanding and appreciation of the conduct expected of senior leaders. Now I am reading it again I can see that possibly it could be read as meaning a defined and written code of conduct,

which is definitely something that we will want to reflect on after this meeting. Of course this paragraph, or the previous paragraph as well, paragraph 95, makes the important point that for senior leaders our behaviours are always under observation. That is part of being a senior leader - it is a very big part - to ensure that one's behaviour is that which we would wish to endorse and promote to the rest of the organisation. I certainly take that very seriously personally and I believe the colleagues that I am working with do as well. Possibly listening to you we should think about the codification of that in a more formal way.

Deputy S.M. Ahier:

What was the response to the Be Heard report by the employees and unions and how was the information disseminated and recorded?

Group Director, People and Corporate Services:

We briefed the trade unions to a level of detail that I do not think we have done before and we have also released more information to employees than the last survey. Members will have the majority of the information that is with the employees. We have gone down to a level that was not there before. The previous survey had given high level outcomes, gave examples of where the themes came out but did not give the raw information. The first thing that we have done is commit to being transparent. All employees have access to information about their particular department and trade unions have access to all of these 40-odd reports. When we briefed the trade unions we had quite an honest conversation. It is a bit difficult with the Teams meetings, you do not quite get the feel of it. It was not a surprise to the staff side but at the same time I think it was a constructive conversation because they see the benefit in the improvements that need to come out of the staff survey but also the people strategy, which we discussed at the same time. It was not just: "Here are the results" but actually there is a future that we need to work on together. It was well-received but it was not a surprise of where we were. I think it bore out some of the comments and perhaps some of the frustrations that staff side had shared previously but they also recognise that the employer was listening and that the employer was acting.

Deputy S.M. Ahier:

Is it the intention to repeat the survey on a yearly basis to enable the S.E.B. to compare progress going forward?

Vice-Chair, States Employment Board:

Absolutely. There is no point doing these surveys if you do not repeat them because any actions you take in relation to improving staff welfare and conditions, you cannot measure it unless you do a survey to see how it has landed. It is our intention to do it every year. We could have easily made an excuse that this year was difficult because we had COVID but nevertheless we did press on and

I have to say it was extremely testing at times getting people working remotely to do the survey. But nevertheless we have the results and they are a good benchmark going forward. Yes, it is definitely our intention to keep it up.

The Connétable of St. Peter:

I was just wondering whether you would consider having some form of interim survey because effectively with a buy-in of only 20 per cent of the staff you must be concerned about how that impacts your ability to implement this and I would have thought that you would want to know before the end of another year if any measures you are taking are being effective. If in 12 months' time we only have 20 per cent of people who have bought in then one seriously has to consider whether the implementation will ever be successful.

Group Director, People and Corporate Services:

Thank you, Connétable. There are a range of sources that we get our information from, so it is not just a set piece survey. The set piece survey allows us to affirm or learn where the whole staff group are working. Given the complexities of government, it is normally better to do it in smaller chunks, so focus on various departments, do poll surveys. The technology solution that will come in towards the back end of next year will allow us to do that more frequently. It is quite an intensive process. But we do have a range of other activities. So we have regular staff briefings, we are encouraging stand-up meetings. We are encouraging Team Jersey leads to go out and feed this information in. This is not the only source that we have but it is a key point to affirm where we are, and I suspect Scrutiny will no doubt hold us to account on each survey of where we go. The other option that we have, and we will take, is looking thematically at some of the things that come out because we cannot address everything in one go. One of the beauties of this survey is looking at correlation of cause and effect so if we look at well-being; well-being is also affected by the quality of your line manager, so how safe do you feel in your work, how comfortable are you in your direction, how stretched are you? This survey correlates the 2. We do not just look at one aspect of it, we can look at multiple aspects and do poll surveys. Another part we can do, and I am conscious you do not want long answers, is poll surveys at the beginning, middle and end of any change pieces.

[15:45]

There will be continual change within the government and we can learn from people, how they are feeling about change, whether or not the change is working with them, whether they are feeling right about that, and also post-implementation, whether it has met the expectations that we said we would do. This is just one of the tools that we will have to go forward to help assure ourselves but also learn if we need to be different as we go forward.

The Connétable of St. Peter:

That is excellent, Mark, because I am sure if something is effective and you can spot that by an alternative means then clearly you know that you can roll out something similar into other areas. So that is absolutely excellent. Thanks very much.

Interim Chief Executive:

I just wanted to check, the 20 per cent figure relates to OneGov, does it? Is that where you are heading? I think it is important to say that - I think Mark would agree but let me just check - the way we would measure employee engagement is not wholly in relation to that question, is it? There are overall engagement scores, which are probably a more reliable benchmark of how staff feel in relation to their employer, and OneGov is one element. It is an important element. It is one element of it. I do not think necessarily that our objective is to drive up that figure and to see that as the sole metric by which we measure the perceptions of our staff. Just to make that point that I think of course it is helpful to have a higher level of appreciation of the recent changes that we have gone through and the benefits of them hopefully, but the overall goal in terms of staff perceptions and engagement is rather bigger than that, than just the appreciation of OneGov.

Senator K.L. Moore:

If we may just follow that up by requesting that there is a like-for-like question plan in future because of course this staff survey that was most recently published contained different questions to the previous one therefore it is very difficult to benchmark and compare.

Group Director, People and Corporate Services:

Yes, Chair, we purchased this for 3 surveys in a row. The former supplier is no longer available, however I think this survey, and your adviser and I spoke about this privately, is one of the better ones on the market. It gives a lot of insight but it gives some very hard data for us to be held to account to.

Senator K.L. Moore:

Constable Vibert is now going to pick up on some questions with regards the HR Lounge report.

The Connétable of St. Peter:

Is it the intention to ask HR Lounge to undertake a further review of their recommendations?

Vice-Chair, States Employment Board:

Absolutely. The HR Lounge process is a progressive process and, as you can see from the first 2 reports, we have been able to measure progress and indeed some of the successes in some areas where we still have work to do. This survey highlighted other areas which we were not particularly aware of, which we are now able to address. We found it a very useful process and the board found

it a very useful process. We absolutely intend to carry on engaging them until we do not believe that bullying and harassment or other metrics have taken over as a problem in the organisation.

The Connétable of St. Peter:

What recommendations of the 2018 review of bullying cases report remain outstanding?

Vice-Chair, States Employment Board:

We have a list. I do not know whether you want us to go through them.

The Connétable of St. Peter:

No, just numbers.

Vice-Chair, States Employment Board:

I think there are about 10.

Group Director, People and Corporate Services:

There are about a dozen that are still outstanding from the original report. Some of those however I think have been superseded by our practice and some have been superseded by additional recommendations in the second report around the policy work that we are doing. So it will not be fully implemented because we have moved on since the first report.

Vice-Chair, States Employment Board:

The board will be asking for an update on progress on those that are relevant and need to be updated. I think we are quite a long way down that process in terms of getting them done.

The Connétable of St. Peter:

What support is in place to those raising bullying and harassment claims?

Group Director, People and Corporate Services:

As part of the investment in People Services we have increased the capacity within the Case Management Unit. One of the biggest areas that we had of concern was where people raised complaints and the complaints took a long time to resolve. That then meant that individuals who were raising complaints felt that it was not being listened to, felt that they were unsafe in the workplace. We have a dedicated team with much more expertise to handle these complaints. The second part of that is that they have a case manager and we have improved our communication to those employees. That case manager can not just let them know where things are and how it is going but where they can find support. Sometimes that support is with trade unions, sometimes it is through our AXA occupational health service who offer a range of either therapies, talking,

counselling or advice. What we want to do though is enhance this and make sure that employees who raise complaints are able to have someone they can talk to if they are feeling unsafe in the workplace. We have changed a lot of the practice around how we responded to people. I think the very first HR Lounge report raised the fact that people felt that they were at fault when they were raising a complaint. So we have changed our language, we have changed how we approach these things, and absolutely there was one aspect where people were very unsafe because they felt that they would be suspended. There were no suspensions at all from raising of complaint. There will be occasions where there is a line manager and an employee and we may have to separate the 2. Sometimes if it is about the safety of a service the employee is moved but it is not a punishment, it is a neutral act and they are supported and they are helped to understand that.

The Connétable of St. Peter:

What is the role of the Case Management Unit and how many cases of bullying and harassment do the Case Management Unit encounter?

Group Director, People and Corporate Services:

The Case Management Unit has changed in its function, and this is part of the transitioning arrangements in the operating model that you have in front of you. Traditionally the Case Management Unit would take the case, they would make sure that the paperwork is in place. They would allocate the investigation manager. We are moving that on because what we are also trying to do with the Case Management Unit is look at learning, which was a big missing piece because if you get complaints, and it is the same with customer service; if you do not learn from those complaints you will repeat the same issues. So the case management team are also now looking at where we can learn, where there are patterns, trying to get an advance of any patterns forming. They will do targeted interventions within the service and work with people in learning development and O.D. (organisational development) to make sure that we are getting ahead of ourselves. They are also going out and doing espresso sessions, which is something we have introduced since March, which is we are taking the most common issues and going out to managers and giving them 2-hour briefings, experimental conversations, and allowing them to practice and grow in their competence. The final aspect of the Case Management Unit is commissioning work from learning and development about management competence because a lot of the issues we get are around management complaints, so how managers have handled a situation or how they have spoken. So we are focusing on the absolute basics of management and the Case Management Unit are supporting that development as well.

The Connétable of St. Peter:

Have improvements been made in mediation and informal processes in complaints matters?

Group Director, People and Corporate Services:

That is very much work in progress.

The Connétable of St. Peter:

What improvements have been made in the investigation of complaints? How are witness statements recorded?

Group Director, People and Corporate Services:

The HR Lounge took a number of cases and looked at the case files. When we went back and looked over those files the information was there. Recording was a problem in the first report. It is much improved now. We are doing a lot of training with the new Case Management Unit because we have expanded it on the standards. We are investing in C.I.P.D. professional development, which was not there before so people learning how to take statements, how to record the outcomes and professionalising that service. Then we are also doing weekly dip tests of case files. So I have associate directors of H.R. and they are now sitting down with the Case Management Unit and looking at case files week on week to do a quality assurance check.

The Connétable of St. Peter:

Finally, and I believe you probably do this, you are continuing to ensure the independence of investigation of cases?

Group Director, People and Corporate Services:

Yes. We are starting to look now about increasing the capacity of managers who are trained in investigations. One of the issues raised within the HR Lounge in the first report, and it is still very much an issue now, is being able to get investigators from outside of the Complaints Department. So people who are outside of the line management's chain from another department to be able to look independently. So we are increasing the number of independent investigators that we have. In the interim, we have a number of zero hours investigators, experienced H.R. people, who we can call on if we need independent investigators.

Senator K.L. Moore:

Continuing on that theme, we would just like to ask whether any particular departments have been identified where it is found to be more difficult than others to follow the procedures that have been put in place?

Group Director, People and Corporate Services:

One of the most complex departments is obviously Health. We have a range of professional bodies who are represented in there, so the approach to investigations for regulated bodies is very different

than you would get for civil servants. We have increased the capacity within health services and we have also centralised the oversight of complaints coming in through health services. That has been one of the more difficult areas that we had or certainly I encountered when I first came in. I have really good experience with the executive now within the health services. We do regular reviews. The H.R. director meets with the Case Management Unit every fortnight to go through all of the cases, and I get a summary of those. If necessary I can discuss those with the executive and they are much more open to the corporate centre working with them. It is much improved. I think there were concerns, and they have been raised in this Chamber before, around some practices, particularly around clinicians and how they were treated, but those I am quite confident we are resolving now.

Senator K.L. Moore:

How are you measuring that going forward and will there be any public statements or commitments to that effect?

Group Director, People and Corporate Services:

We will not make public statements because very often there are complaints either made by employees or maybe involving patients and the patient confidentiality is also important, as is the protection of the employee. If there is a professional standards issue that goes into the relevant regulatory body or the professional body but what we will do, and what we have been doing, is publishing on our dashboard to the States Employment Board assurance about how we are dealing with these things. One of the biggest concerns we had is particularly around clinicians but also other professions, is where we suspended for a long period of time. Not least because that takes people out of practice, so we had to work through that and make sure that they stayed up to date with their clinical practice, but also it affects our service to patients. So we have tightened much more our procedures around investigations that involve clinical practice. We are resolving those much quicker than we used to do and any suspensions that we have across the government now come up through me. I get sight of those and we have a dedicated case manager to make sure that we resolve those. It serves no one any good to have an employee out of work suspended, not least because that creates more anxiety for them but it also means that there is an impact on service. Those are the areas that we have really tightened up on.

Senator K.L. Moore:

Could you confirm that the bullying and harassment and whistle-blowing policies have been both reviewed and relaunched?

Vice-Chair, States Employment Board:

Yes, I can confirm that is the case. The date I think was late last year. But, yes, they have been reviewed. Not only that, as a result of this report we will be going through them again to make sure that we can pick up the learning for the report and translate those into those policies and they will be reissued again once that has been done.

Senator K.L. Moore:

How did the States Employment Board feel about the policy with regards to any complaint or whistle blowing in relation to either a director general or a States Member? Because according to the policy the only point that for a person to go to, if they wished to whistle blow a person in either of those categories, is to the chief executive themselves. Does the States Employment Board feel that that is appropriate?

Vice-Chair, States Employment Board:

Yes, I think the higher up the chain you get the higher up the chain you have to report it. It is absolutely appropriate complaints against director generals to be dealt with by the chief executive. As for States Members, I am not entirely sure how we deal with a complaint like that because I cannot recall us having one, but there is the Commissioner of Standards who has dealt with instances where States Members have been disrespectful to civil servants. I am not sure how we would deal with a bullying complaint about a States Member. No doubt the States Employment Board would discuss it and we would find a process to manage it and ensure that both sides were protected and the complaint was dealt with properly.

Senator K.L. Moore:

The HR Lounge report made a number of recommendations on how bullying and harassment policy could be improved. I think we have touched on the fact that those are all still underway, and you have identified about a dozen outstanding points from the initial report and those have been transferred, so we will move on. It also suggested that staff were concerned that procedures were too lengthy. We have talked about that already. But it has been indicated by the group director that there are efforts being made to speed up the process but what time period are you aiming at in the completion of a complaint being raised and completed?

[16:00]

Group Director, People and Corporate Services:

There are 2 aspects to this. First of all is the standards in terms of where we expect to get to because not every investigation will take a standard 3 to 4 weeks. It may be more complex. It may involve lots of people but we are currently working with the Case Management Unit on setting standards for the initial response, the allocation of the investigation manager and then at regular checkpoints of

are we making progress. But the other aspect to this is the change in our tone in policies. Under the policy framework, we are moving away from a very prescriptive policy that states you must go through certain stages, because it is not always appropriate. We are trying to get to a position where we have either got resolution or mediation or an informal outcome. That includes formal processes where there is a disciplinary. We are trying to resolve early rather moving to formal because once you get into a formal process not only does that take a lot more time but you have then got to think about to what extent is the outcome desirable. Because you then end up with a number of people who are probably aggrieved during the process and during that process you are not resolving anything, you are probably creating more problems. In terms of the length of time our focus is on the informal resolution early, rather than the formal process. If there is a formal process we are just working on the standards that people should expect to see. We are working on how employees should be communicated with, both those who have got a complaint against them and those who have made the complaint. Communication was one of those areas where, irrespective of the length of time, without good communication people were becoming anxious, so that is one of the areas that we really improve on.

Panel Adviser:

Can I just be clear? Because the bullying and harassment policy has been reviewed and it is in place. It starts with informal perhaps clearly, as you have explained, and then goes into the formal process. If you sort of add up all the different processes you can easily get to some quite large numbers, 17 weeks, 23 weeks if they appeal. Is your intention to try and truncate that and what sort of process are we going through in order to understand what that should look like and of course the actions you need to do in order to achieve that?

Group Director, People and Corporate Services:

The policy that has been reviewed is really a tidying up and tightening of where we are before we move into a different atmosphere of concertinaing even further; there is a period of development for my team to go through so they understand how they manage the new process. That is going to take a little while because I have got a relatively new team. The intent and it is the intent is that we start to focus on the outcome, rather than the process. The proportionality then that follows from the outcome, what are we trying to get to, then allows us to think proportionately about what do we investigate? Very often the investigations can be quite complex, quite comprehensive. It was raised within the HR Lounge that the burden of proof sometimes seemed closer to the criminal burden of proof, rather than the civil. What we are trying to get to is focus on teach the team on asking about, what is the outcome and what is the most appropriate way of getting there and what would be proportionate for that? If it is a minor misdemeanour it would be perfectly acceptable to have a conversation with a trade union rep, the employee, a manager and one of the case management team to have a conversation and say: "This is the allegation, what is your response?" If someone

says: "Yes, I understand that", then we do not really need a full investigation, we do not need a hearing, we can move straight to: "Do you understand why that is not acceptable? We could put a note on your file and there could be training." But then we resolve it early without the need of quite complex investigations, panels and appeals.

Senator K.L. Moore:

If we could ask the vice-chair of the States Employment Board now whether you have read the new bullying and harassment policy and whether you and your colleagues on the Employment Board are comfortable with it.

Vice-Chair, States Employment Board:

The answer to those questions is yes in both instances.

Senator K.L. Moore:

Thank you. The HR Lounge report made particular mention on the issue of counterclaims and a level of nervousness about initiating performance measures due to the likelihood of bullying claims being made about and against the manager. What steps are being taken to give managers confidence that they can confidentially commence performance improvement measures?

Group Director, People and Corporate Services:

In the short term we have got a number of management offers; we have got the world class manager and the espresso sessions that I have talked about, which is about the management basics. We have within the people strategy a programme of work around continuous improvement and performance management, so it is one of the key pillars called performance culture. That is in the short term because I think we need to get the management basics right. But the next stage to this is the codes of practice and in the policy framework you will see there are 2 codes of practice, one around performance standards and one about employee rights. Within the employee rights one there is also a right for managers to have effective management. That means that they can manage employees without an employee taking a vexatious complaint, so there is a balance of rights within that code of practice being developed at the moment. We are also looking at building into the policy framework where an employee takes out a complaint and we will always investigate the complaint but if it is believed to be vexatious, at the end of that the employee themselves may well be sanctioned. This is something that does not happen very often and this is something that does not happen here at the moment. But if it is absolutely clear that the employee is being vexatious, they can be sanctioned as part of that process. It would need to be made clear to them as part of the hearing that that is an outcome. But what we do not want to do is dissuade people from taking a legitimate complaint. At the very highest level in the codes of practice we are developing new performance structures and we are also developing employee and manager rights, and we are also

supporting that through short-term management development and over time we will have a wider management development offer, that is going to the executive team or the operations team to be considered in the next month and that will be rolled out over the next 18 months.

Senator K.L. Moore:

Thank you. Back to the vice-chair now and F.O.I. (Freedom of Information) reports indicate that the number of bullying complaints in 2019 were 23 and in 2021 there were 38, what is the view of the S.E.B. with regards to reasons for that increase?

Vice-Chair, States Employment Board:

I could not give you a reason in terms of the overall numbers but I would say that if you have a process in place and it is working, then you probably are going to see an increase in numbers. Reluctantly the S.E.B. will probably be encouraged that the structural framework was working, whereas previously, if you look at the numbers, it probably was not because people were afraid to report bullying and harassment claims for fear of retribution on themselves. Whereas it could be read as seeing an increase in bullying, I do not think we see it like that. I think we see it more as the process starting to work and people feeling that they can use the process and make complaints and that they will be dealt with without any retribution.

Senator K.L. Moore:

Are you confident that that is the global view of the S.E.B.?

Vice-Chair, States Employment Board:

I am confident it is the global view of the S.E.B., yes. Whether I am 100 per cent confident that is the absolute reason for it, I am not sure but we will see as we go forward. I think we always have to keep an open mind with these things to make sure that that is the reason that it is happening and that bullying and harassment are not on the increase. We are very alive and aware to that, to the extent that after we published this last report I had some feedback from various sources that they were aware of bullying cases within the organisation. I have reached out to those people, one of whom is a trade union official and had discussions with my director general. We are aware that there are pockets of bullying in the organisation and we will track them down and we will take action to stop them.

Senator K.L. Moore:

It is really positive to hear that level of awareness but have you, as a board, discussed any other methods or techniques that you might do to test that theory for yourselves and give yourselves a greater reassurance that any actions or activities that could be undertaken are doing so?

Vice-Chair, States Employment Board:

I do not provide a direct answer to that question but all I can tell you is that we regularly take litmus tests from the unions, who are an incredibly good source of information in that respect. As the panel is probably aware, relationships with our union colleagues have improved substantially in the last couple of years. If we get feedback from the unions that there is a bullying problem, then rest assured that we will take action and do our best to stop it.

Senator K.L. Moore:

Thank you. I am going to hand over now to Deputy Ahier who has a section in relation to the Comptroller and Auditor General's report and any actions that have been tracked.

Deputy S.M. Ahier:

Thank you, Chair. What notable actions have been undertaken in relation to the Comptroller and Auditor General in relation to the role and operations of the States Employment Board?

Vice-Chair, States Employment Board:

Sorry, we are just trying to find the section.

Group Director, People and Corporate Services:

While the vice-chair finds his section, in terms of the role and operations of the States Employment Board we have got 8 recommendations still open. We have closed 10 of those and 2 of those are moved outside of the States Employment Board because it does not sit within their remit. The overall approach to the recommendations from the C. and A.G. is around the governance and the operation of the board. The previous C. and A.G. identified that the structure of the sessions were not plans, they did not focus on risk management, there was a lack of strategy in there for a lack of follow through for the codes of practice and the policy. But also that the papers were not done in a timely manner and that is very often and officers presented papers or gave oral updates where there were quite key decisions. That has changed quite significantly, the pack goes out in advance, there are always written officer papers, unless it is a very urgent item, there are always options presented to the board rather than just a single recommendation. The people strategy, which we will probably touch on at some point, is now flowing through into the policy framework. Going forward the forward plan for the States Employment Board will shortly be looking at the risk management strategy, which then links to workforce planning, talent, succession and investment in development. There is a forward plan over the coming months for the States Employment Board.

Deputy S.M. Ahier:

Thank you. The Comptroller and Auditor General's March 2019 report on the S.E.B. recommended that a clear role description for the People Hub was put in place, has this been completed?

Vice-Chair, States Employment Board:

No, that has been passed to the team that is looking after the People Hub and I gather they are completing it because that does not fall under the remit of the States Employment Board anymore.

Group Director, People and Corporate Services:

If I could, Deputy. So my team work very closely with the People Hub and we have formed a very good relationship. The People Hub and my team are doing a delineation of roles and responsibilities. We have put in place tiered responses, so what do the People Hub do in tier 1 in terms of the immediate response? How do they deal with some inquiries? When do they pass on the complex inquiries? That was one of the key areas from the C. and A.G. report where there was confusion between People Services and People Hub. The other aspect to that is around the visibility of data, so what activity is going into the People Hub to then inform decisions within the States Employment Board? Because clearly off to the front line activity is an indicator of some of the areas of either interest or dysfunction in an organisation and that is now fed up through my department and into a dashboard.

Deputy S.M. Ahier:

When can changes to the Employment of States of Jersey Employees Law be expected?

Vice-Chair, States Employment Board:

They are still currently with the law draftsman but we are expecting those towards the end of the summer, with our intention to bring them to the Assembly in the autumn.

Deputy S.M. Ahier:

Yes, because the panel was informed by the Chief Minister on 8th December 2020 that this could be expected in quarter one of this year. What has led to the delay?

Vice-Chair, States Employment Board:

It is entirely down to the law draftsman, I am afraid. They have had one or 2 COVID items to deal with, which has really tied up their resource substantially. We are ready to go but if you cannot get the law drafted, then unfortunately you are stuck.

Interim Chief Executive:

This is one area that I have looked at since coming into post and I would like to take a closer look at it. I think in part I might be slightly responsible for the delay but, hopefully, not too long a delay.

Vice-Chair, States Employment Board:

Yes, if I could just also add, I mean we have followed the recommendations of the C. and A.G. in terms of the Jersey Appointments Commission. Dame Janet is much more independent and is fully resourced now and we have checked with her that she is happy that that has taken place to her satisfaction. Other than the passing of law the spirit of the C. and A.G.'s report has been implemented.

Deputy S.M. Ahier:

Thank you. I will now pass over to the Constable of St. Peter.

The Connétable of St. Peter:

Deputy Chair, what has been done to refocus the balance of the work of the States Employment Board and what standing items appear on agendas of the board?

Vice-Chair, States Employment Board:

We have got 2 standing items, we obviously have the minutes and we also have a standing item for health and safety and we have a standing item for P.59s. But I think we are trying to move away from operational activity and with the help of our director general we are now focusing on more strategic matters.

[16:15]

I think going back to the question about the focus of the States Employment Board in general, we are now, we believe, much more disciplined or I know we are much more disciplined in terms of presentation of papers with clear objectives and clear requests for decisions. In times of the P.59s, they have to present a clear business case and appear and justify why they want those roles to be approved by us. I think in terms of our meetings we are much more focused and much clearer about where we are going and what we are trying to achieve. Clearly, there are always occasions when strategic matters get knocked off course by current matters that come along but I think it is the same for any committee.

The Connétable of St. Peter:

How often does the board discuss risks associated with human resources management?

Vice-Chair, States Employment Board:

We have a people dashboard which comes to us at every regular meeting and if there are risks that are identified by that, then we discuss it at that stage. But we are formulating a more detailed risk strategy and we intend to have a session to do that in the very near future.

The Connétable of St. Peter:

The training provided to the S.E.B., what training is provided that allows them to complete their statutory requirements?

Vice-Chair, States Employment Board:

There is no formal training programme at the moment but it is intended for the new S.E.B. after the elections that there will be a training programme put in place, so that they are acutely aware of their responsibilities and what is required when they sit on the board. Those of us who arrived in 2018 had to find our way but we have had some expert officer guidance in that respect and of course we have our adviser, Beverley Shears, who provides us with some very useful and competent advice on matters.

The Connétable of St. Peter:

What controls are in place that allow you to control the number of States employees?

Vice-Chair, States Employment Board:

In terms of controlling numbers, I mean every T.O.M. (target operating model) that has been put together has been approved by the States Employment Board and the numbers within those T.O.M.s have been approved and justified to us by each of the director generals. We do obviously regulate consultant employments through the P.59 process. I can assure you that we take a really tough stance, it has to be properly justified; the cost has to be justified before we will approve it.

The Connétable of St. Peter:

Thank you. What action plan is in place to drive future health and safety improvements?

Vice-Chair, States Employment Board:

Health and safety is a very key topic for the States Employment Board. My director and myself have had 2 very embarrassing sessions in the Royal Court where we have been fined substantial amounts of money, in one instance for an incident that took place before our existence. But I can assure you the health and safety is taken extremely serious now. We have a monthly report and monthly dashboard, which we rank status against each metric and we go through it in detail. I can assure you I am driving that very hard to make sure that those areas that are red come back into green because clearly it is not satisfactory if they are outstanding. We are taking health and safety very seriously and it is a regular agenda item.

Interim Chief Executive:

Just if I could add to that. At the last meeting of the States Employment Board the vice-chairman specifically asked me to take a close look at the estate management strategy and the implementation

of it because of course the health and safety of our property in the States is a key element of the health and safety of our workforce and our service users.

Vice-Chair, States Employment Board:

We have a dedicated resource now that is responsible for health and safety and preparing the reports and implementing the strategy that we asked them to.

The Connétable of St. Peter:

There was no S.E.B. annual report in 2020, was that due to COVID?

Vice-Chair, States Employment Board:

It will be with you very shortly.

The Connétable of St. Peter:

Thank you very much. In the panel's documentation request letter to you for this review the minutes of the States Employment Board were requested but have not as yet been received, can you explain the delay?

Vice-Chair, States Employment Board:

I am not sure which minutes you have not received but I thought we had approved everything up to date. If you have not received them I can only apologise and if you ping me a note of the ones you have not get I will make sure you get them.

The Connétable of St. Peter:

Thank you very much. Why is the people strategy not a public document?

Group Director, People and Corporate Services:

The people strategy can be and is a public document. At the moment it is in its design phase so it can be much more accessible, so there is no problem with sharing that. The focus on the team, bearing in mind that my department has only really been stood up since January, is getting the plan together, rather than making it look a little bit more shiny.

The Connétable of St. Peter:

Thank you. Finally from me, can you provide examples of the support provided by the independent adviser to S.E.B. over the past 3 years?

Vice-Chair, States Employment Board:

Gosh, how long have you got? I think specifically let us highlight one area where her advice was absolutely invaluable. As you know, we have recently had a number of discussions about the future of the past chief executive and his exit from the organisation. Without going into detail because clearly I cannot, all I can say is that her advice in that situation as an independent and impartial were absolutely invaluable to the board and, frankly, we could not have managed without her in some ways.

The Connétable of St. Peter:

Thank you and I ...

Vice-Chair, States Employment Board:

If I could just add, she attends virtually every session and she provides a very good impartial and objective view of matters that we are discussing, which I think all the board take on board and value greatly.

The Connétable of St. Peter:

Excellent.

Group Director, People and Corporate Services:

Connétable, if I could add to that, I have built a very good relationship with the independent adviser. I have to admit from a point of professional pride when I first joined, having an independent adviser doing what I thought was my job was a bit of an insult. I think Ms. Shears brings a high degree of independence but also experience from other bodies that I do not have. She has worked within the N.H.S. (National Health Service), she has worked within infrastructure and obviously the Olympics and she also operates at a non-executive role on a number of bodies. She brings a high degree of independence, a high degree of challenge to me professionally but she also is able to provide a point of view where maybe I, as an officer, may be slightly constrained by my office.

The Connétable of St. Peter:

I will now hand over to adviser, Richard Plaster.

Panel Adviser:

Can you confirm the timetable for the new codes of practice and then the associated employment policies that follow?

Group Director, People and Corporate Services:

We have only recently set up a new policy team. The framework is now being developed and that framework is being mapped against the objectives of the people strategy. They are working through

an agile methodology. This methodology does not give set timetables but gives what we call sprint sessions and that means that they move on to the next stage. One thing we have found with that is that the new team needs a bit more development and a bit more time to coach them through the first stages. It has been a bit slower but we hope to catch up. Top to bottom the codes of practice will be complete at the top level by the end of this year. The policies that flow from that will be completed by the end of next year. One thing we have identified is there are currently 55 employment policies and if you map those against the new codes of practice they are rather random, which suggests that policies are being developed as and when things become an issue, rather than trying to look at the system as a whole. We are not going to replace those 55 like for like, we will just adjust them or even put them into a new template. We are writing from scratch and that will take some time. But what we have done is prioritised the first review of the whistle-blowing, the bullying, the disciplinary, the grievance and the managing attendance; there is the big 5. We have improved those but they are not in their final state but that is just to help the case management move a bit quicker. We will then have a continuous improvement or a continuous review cycle, which we have fallen out of. Members will be very aware that the code of conduct, going back to 2002, ought to have been reviewed at least once in this period. What we will do is set forward a plan of review. One of the biggest changes that we are making though is that we are putting within policy the policy objectives because the policies that we have at the moment, as we review them, are reviewing process, they are not reviewing effectiveness, so that is one of the things we will put in.

Mr. R. Plaster:

In terms of what you refer to as the big 5, what sort of time span would you expect?

Group Director, People and Corporate Services:

They are all being done this side of the summer.

Mr. R. Plaster:

This side of the summer.

Group Director, People and Corporate Services:

As I said, they are an improvement on what we have; they are not the final one but they are to allow the case management team to move much quicker than they are at the moment.

Mr. R. Plaster:

If we were to look at the disciplinary policy documents, I think there are 4 or 5 of them, depending on which direction you are looking at, that will be part of that process?

Group Director, People and Corporate Services:

It will be. We are condensing down how you make a complaint, how you address formal concerns, so that there is a single approach to that. Members, when they look at that, will no doubt see the conflicts and the contradictory information, which is part of the issue about management. You point management to a policy and say: "Have a look at this, this is how you do that" and they work their way through it and they are utterly confused. Absolute clarity for these single policy approaches is part of our first tranche of improvements.

Vice-Chair, States Employment Board:

Sorry, can I just cut in there quickly? One of the things that we felt was important when we discussed this at S.E.B. was the fact that we do this job properly, we start with the people strategy and that then cascades down to codes of practice, people policy and then detailed procedures. I think where speed is important and one of the other criteria that we emphasised whether we do it properly this time and we end up with policies that reflect the people strategy, which at the moment I think it is fair to say that in some areas they probably do not. I accept your comment about putting a timescale on it but I would temper that by saying that we want to make sure we get this right and that it reflects the people strategy.

Interim Chief Executive:

I am sorry to interrupt, I should be attending a meeting at the Council of Ministers at 4.30 p.m., so I wonder whether it would be possible for you to agree my departure or if there is anything else you want to ask me while I am here.

Senator K.L. Moore:

Okay, we were not anticipating that but ...

Interim Chief Executive:

If there is anything that you particularly wanted to ask me in my remaining time, I would certainly would stay for that but ...

Senator K.L. Moore:

You can carry on quickly. If you have got 2 minutes then we can plough on just very quickly.

Interim Chief Executive:

Of course I will stay.

Senator K.L. Moore:

Thank you.

Panel Adviser:

How do you intend to factor these improved policies and the guidelines that go with them into some of the key department structure type, operating models, K.P.I.s (key performance indicators), how will that work? We are going to have a set of policies, how will they be reported on? How will they be seen as K.P.I.s or your dashboard? What is your intention?

Group Director, People and Corporate Services:

As I said, in the new policy framework we are putting in the policy objectives. Let us take this as a working example and this is new to my department, the standards in public service, we have set a number of duties in there. We have set a number of reports required. We will be looking at the effectiveness of those. We have talked about conflicts of interest within that, how many declarations are made, how are they managed, how can we assure ourselves that whatever comes up is being actively managed? We are doing that through implementing it into our people management system; that has not existed before and we got graded in order to do this and we are able to centralise. I know Members are very frustrated when they ask for data and we say we have not got it because it is distributed in the organisation. We are trying to centralise much more. That is a part of a risk approach as well because where it is decentralised we cannot assure ourselves. In terms of K.P.I.s there will be a range of operational K.P.I.s, which is time to resolve types of complaints coming through. But, more importantly, it is about the outcome, so we will have to do a lot more around asking people are they satisfied with how they dealt with it? Were they satisfied about the outcome?

Senator K.L. Moore:

Sorry, if you did want to leave, please feel free.

Interim Chief Executive:

Thank you and my apologies for the fact I need to leave. It is a pleasure meeting with you.

Senator K.L. Moore:

You too, we look forward to seeing you again. Thank you. Okay, so just a few general questions. We have done quite well this afternoon in cracking on through an awful lot and we are grateful. How has COVID affected delivery for the people in the Corporate Services team?

Group Director, People and Corporate Services:

The funding for the people in the Corporate Services Department was agreed in the Government Plan in the December. I opened a consultation for my department at that time and we closed in January and we were due to start implementing in the March; that did not happen. What happened was that the people in the Corporate Services Department, I am also responsible for business continuity, ended up being pushed out to a number of key response functions, so the redeployment

of around 300 to 400 people into COVID testing, into COVID response, the business continuity co-ordination, et cetera. We were quite significantly hampered, not just in operations, on our day-to-day operations that are our existing resource but there was absolutely no way we were going to move forward with the implementation of the operating model. In November last year we then started to go out to market to recruit; it was a slow start but we have done really well to get up to speed. I have to say over the past couple of weeks I am really pleased to start seeing the teams come together. We are investing heavily in the department and that is partly because we were not going to get the volume and the experience of people service professionals from across the Island. We have got a development offer for professional development and for health and safety professionals. We have invested in improving the technology and the information and there is an operational delivery plan for us as a department. But more than that is what we are doing in the organisation and the impacts that we are having.

[16:30]

We have already started since January to roll out a workforce planning toolkit. This is really important because one of the areas of overhead but also of concern is our succession planning, our ability to look forward and see the size of the organisation we need in the future. We know that we have an ageing workforce. We know that the younger workforce is not attracted at the moment. We have already started that with key professions and some of the smaller departments. We are working with Skills Jersey to develop on-Island offer for degrees, for apprenticeships. You will have seen recently that Health Education have launched an on-Island nursing degree. We have done that with social workers; we want to expand that programme. Our talent programme has already started to grow from there. Our consultancy service, which is going to grow from the Case Management Unit, provides capacity for the future changes required on education reform and a new model of care but also any structural changes, which was not there before, which is partly why the T.O.M.s took so long, so that is where we have started this year. I have to say, and you know that I always say this, I am proud of my team. I had a moment this week where I saw the different teams working together to solve a problem for a department, so the different professional groups, learning development, organisational development policy, communication, all coming together, rather than working in silos. I think that will have a much bigger impact on our ability to support the organisation as it modernises.

Deputy S.M. Ahier:

The 400 extra employees that are taken on, how many of those will be retained post-COVID?

Group Director, People and Corporate Services:

When I look at the stats there are about 200 people who are still in the response to COVID; that is the response teams, that is the COVID testing and the track and trace teams. We have allowed until the end of the year for that size of team, although it may shrink as the vaccination programme continues. I am not as close to that. In terms of the extra 200, the growth, they have been obviously people in Corporate Services where we have grown, in Modernisation and Digital as we move to the technology solution, front line police, extra support in education and youth work, extra resources within nursing, so to reduce the bank nurse requirements and that 200 will stay. On the face of it, it looks like there is quite exponential growth within the public service, that is partly why we need workforce planning but some of this is because we have been using agency banking consultancy as a go to, rather than recruitment. Our focus is to start plugging those skills gap on Island with our talent programme.

Senator K.L. Moore:

Thank you. In your previous answer you referred to the fact that you are investing heavily, I do not recall specifically the current budget for your department but has your department had to seek additional resources from the Treasury?

Group Director, People and Corporate Services:

In the Government Plan we set out 3 years ... the department I inherited back in June 2019 had a budget of about £2.5 million for an organisation of 7,000 employees. That barely covered the cost of our central systems that we run, so e-rostering, payroll, those types of management systems. In my first year I was going to other departments to ask them to plug the gaps of funding. I was losing a lot of staff because we could not offer permanent contracts and that affected the quality of services that we had. When we put in, and it was an extra £7 million, it was partly to cover the fact that we did not have the budget just for our core service but it is also to look at pump-priming where we need to really surge our efforts because this will take a number of years if we do it drip, drip, drip. The final bit of it is to provide resources to put into talent programmes. The departments do not have additional funding for apprenticeships or for graduates or internships and we are going to start funding those. It is not just, dare I say it, a bureaucracy or a technocracy, it is also an investment in the workforce where we are able to start to develop and grow those programmes.

Senator K.L. Moore:

The people product catalogue is vast and will take time to implement. What are the priorities and how are they agreed by Ministers?

Group Director, People and Corporate Services:

The focus is on getting the basics right this year. We have got a new team, they are learning but there is also a new approach to how we are doing people management. The people strategy sets

out that employee experience is at the heart of what we are doing. It is a massive shift on where we were before, where it was very much a top down. The first approach is learning to re-engage with the workforce and you have picked up on the Be Heard survey. The second focus is on management competence because there is a lot of compensation in my team for managers who are not confident, not developed. There has been a deskilling over the years because of a lack of investment; there has not been a regular programme, so that is the second programme. The third programme is on performance management, how to have good performance conversations, how to set those targets and how to create that golden thread. Those are the 3 priorities that we have got over the next 18 months towards the end of this S.E.B. That is set out in the Government Plan under the stabilise and sustain aspects and then the strategy will start to come through on some of the more exciting things. But as big as that catalogue is, the focus is on getting the basics right and giving managers the right tools at the moment.

Senator K.L. Moore:

Thank you. Could you just remind me of the timeframes that you have for implementation?

Group Director, People and Corporate Services:

The people strategy is initially a 3-year horizon. I suspect that will stretch to either 5 or 7, it depends on the appetite of the next States Employment Board but it is still set in a direction. The stabilise and sustain phase within the Government Plan will last until the back end of next year. If I take the case management team, they started to come in and onstream March this year. There is a lot of work to do over the next 6 months to get them more consistent, to get a greater consistency, a better quality and a better standard, as you have already picked up around the reporting and the recording. The phase after that is then to shift the case management team into an internal consultancy, so we are not relying so much on additional people to come in and do the change management pieces, the interventions; that will be at the back end of next year. Most of what we are doing is focused on the next 18 months, beyond that we take stock, we see how much progress we have made, where the organisation is in its maturity and what we need going forward. There is always a plan to reduce down the size of departments once we have got I.T.S. in, once we have got the major programmes of change in and once we have got a much more mature organisation.

Senator K.L. Moore:

Thank you. How often are the priorities checked and revised to reflect the Government's needs?

Group Director, People and Corporate Services:

That is done within the Government Plan cycle, so we are going through that again. I have to justify both the investment and what we have had over the previous year and what we intend to deliver next year. But also a significant amount of challenge from Ministers who will also have their own

priorities and pressures. Part of the case I have to make is the value that we are adding to their services or the ability to change. I have mentioned education reform and the new model of health, those are significant change programmes and that is where we need to focus our efforts, on building up the resilience to change but also our changed methodology, which is not in place at the moment. We are looking forward to what the organisation needs. We have had a small time of internalisation trying to work out what we do. Now we are working out what is coming down the line to add value to the organisation and what needs to be done in order. That is why the policy framework is one of the first things to be brought forward because that is one of the most frustrating things for managers and if we are to engage managers and free them up and give them time and capacity, reducing the overhead and onerous processes that they have to go through is one of the key things that we have to crack.

Senator K.L. Moore:

You referred just then to the process of negotiation with Ministers in terms of their priorities and how the 2 meet. could you talk us through a little more how that process occurs and how the weight between the Ministers' priorities and your own departments is met?

Group Director, People and Corporate Services:

I do not negotiate with Ministers. Ministers will obviously look at their own departments, the Council of Ministers will look at the Government Plan as a whole and their objectives. There is clearly an investment within people in Corporate Services that we are yet to see the benefits of that. However, what I will be looking to is explaining to Ministers what improvements we have made and what we have found in their departments. If we take one of the large service departments, we would be looking at their future need for recruitment, for management development, for skills. We have a shortage of planners at the moment. We know it takes 6 years to get a planner. What are we doing to get those people onstream to avoid future costs? That is how we are demonstrating across the piece that we are going to add value. It is not about the activity that we do now, it is what we avoid in terms of cost in terms of the future. It is the capacity that we are building. But also looking at, and the people strategy did this as we developed it, what are those change moments, what are those market factors that will change how we approach things? Because if we plan for the workforce that we have got now, in 5 years' time a lot of the skills will be redundant. We are starting to look 5 years hence and what we need to start now in terms of that long-term development.

Senator K.L. Moore:

Thank you. In terms of accountability, at the end of the day any one Minister is responsible for the effective and efficient running of that area of responsibility that they hold, therefore, one would expect that they were giving the steer as to what the requirements were of that particular department. How

does that work now in the current structure where there is a slight lack of connectivity between some ministerial areas of responsibility and a department and its structure?

Group Director, People and Corporate Services:

Our starting point has to be the Government Plan.

Vice-Chair, States Employment Board:

Aside from being deputy chair of the States Employment Board for my sins, I am the direct Assistant Minister responsible for H.R. If there is any representation required at a political level then the director general will brief me and I would make that representation at Government Plan level and indeed at the Council of Ministers. The co-ordination is through me, effectively, with my director general.

Group Director, People and Corporate Services:

At an operational level each of the director generals obviously have their relationship with their Minister. They agree their operational plans against the heads of terms. Those operational plans come into the centre and our business partners will work with those D.G.s about what our future plans are. For example, it may be a change in the type of service, it might be an introduction of a different service, it may be a technological change, it may be a legislative change. We look at all those potential change points and what capacity we have. One of the things we did and we have presented recently is looking at the demand on the service, and the demand is huge. We could grow exponentially as a service if we have to meet with all that demand. Part of our conversation is not a case of give us resource and we will do it, it is: where is the priority? In what order do we do this? That helps avoid unnecessary cost or we try and find a different way forward. If there is a technology change going in in one part, could we extend that to another? I will give you a very brief example, Chair, e-rostering is something that we brought into Health and Community Services. This saves hundreds of thousands of pounds on the oversupply of nursing hours. The e-rostering system works with the health service and we start to roster nurses on based on the anticipation of the type of patients, the number of nurses that are needed on the ward to deal with a particular patient, and that allows us to optimise our workforce. We are now taking that into other services like the police, so we are replicating what we have got from one department to another, where they might have the same objective of optimisation but may have thought of a different solution but we have already got one that we can share the learning with. That is how we are really adding value.

Senator K.L. Moore:

Thank you. I am going to hand over now to Deputy Ahier.

Deputy S.M. Ahier:

Thank you, Chair. Has the report on H.R. case management and restorative culture been accepted by Ministers and when will it be implemented?

Group Director, People and Corporate Services:

It has not been taken to Ministers or the States Employment Board at the moment. It is being provided as an example of the direction of policy travel for this Scrutiny Panel. It will go to the States Employment Board in the autumn. We are running a couple of pilots at the moment. We are learning what that looks like. There is one of the N.H.S. Trusts that we have been to visit has removed their bullying and harassment policy and replaced it with this. We are taking great interest in this but I thought I would share that with the Scrutiny Panel because we are undertaking pilots at the moment. It might be something that gives you a flavour of how we intend to shift the cultural focus from one of policy procedure and process on to one of resolution and culture.

Deputy S.M. Ahier:

How will these new policies be explained to the new Council of Ministers in 2022?

Group Director, People and Corporate Services:

I believe the States Greffe and the Ministerial Support Unit will be providing an induction programme and will put the information in through there. The States Employment Board are also working up quite an intensive programme because there is the employment environment, there is the policy environment, there are also a number of cases that they will no doubt inherit.

Deputy S.M. Ahier:

Training for officers is key to the success of this approach; how is it being agreed this will be undertaken?

Group Director, People and Corporate Services:

Training of officers?

Deputy S.M. Ahier:

Yes.

Group Director, People and Corporate Services:

Within the policy framework you will see the triangle and at the bottom end of that it talks about how we deploy those policies in. I will give an example because it is easier to do it that way.

[16:45]

There is a policy around performance management; all managers will need to understand that. Not all managers will need to understand the disciplinary process. We will start to target that. We have a number of sessions of training, so when we have a new policy to come out we work out: who do we target the communications at, the information at and the training at? Each of the policies when they come out will have a communication and deployment plan that says that we are targeting the audience. One of the ways of doing it previously was just to release the policy and tell people it is out there. That gives them no context of whether it is relevant to them, so they may not read it. It gives them no context of what it means to what they have to change and it does not say: "And what is your responsibility?" The bottom part of that triangle that is in your pack is the deployment, so the training of managers for that.

Deputy S.M. Ahier:

Lastly, how will continuous learning play a role in this training and how often will training officers be updated with new techniques or methods?

Group Director, People and Corporate Services:

We are implementing a new management programme, a world class manager programme and that has a platform of resources that is constantly updated. We are also working with the organisation development team to do a continuous learning programme. People who have been on particular training and development, they are updated with the latest thinking. What we want to do though is encourage people to be inquisitive and acquire their own knowledge, so we share articles with them about current practice, we encourage them to talk, we have introduced action learning sets with groups of managers so they can support each other. There is always a big corporate overhead where managers are not confident, and I do not want my department to be a big corporate overhead. I want managers to be able to support each other, so we will take those managers who are performing well or experienced and we will match those up with new managers. We will introduce at the beginning of next year a potential managers programme, so that people do not become a manager and then have to learn on the job but they get opportunities to shadow managers before they apply for management positions as well.

Deputy S.M. Ahier:

Thank you. I will pass back to the Chair.

Senator K.L. Moore:

Thank you. I would just like to go back to a brief point that you made, Group Director, a little while ago about the number of cases that the new States Employment Board might inherit. It just struck me, given that it is a good 13 months away, as a slightly unusual comment and I wondered how

many cases you feel that there are currently sitting with the States Employment Board that might be in that position or were you thinking that some might arise in the future?

Vice-Chair, States Employment Board:

I can answer that. I sincerely hope that we have nothing that might arise in the future but we all are aware of one case that is going on at the moment which we had to be briefed on when we took over. We are hoping to resolve that case but if it is not resolved then clearly the next S.E.B. will have to be filled in in great detail on the metrics of it. Yes, I mean it is just the nature of a board such as ours that there will always be ongoing cases that are not resolved quickly and need to be passed on to the next States Employment Board, which I am sure the group director will ensure happens.

Group Director, People and Corporate Services:

Yes. There are always cases, whether it is a health and safety case, whether it is a collective dispute, whether it is a legal challenge; they come up from time to time. This current board inherited quite significant pay challenges with pay freezes; they had to deal with that. They have inherited the large case that the vice-chair has responded to. They have inherited an issue with Allied Health Professionals where there is a very poor implementation of a pay structure. All of those had to be dealt with. I cannot speak for the vice-chair but I should imagine that any Member coming on to the States Employment Board - and I have spoken to some Members who say it is probably one of the more challenging roles for States Members - must be confident about the risks that they are managing, where they can seek advice, how far that case has come, that they are able to take competent decisions. I very much feel that that sort of briefing when Members come in about the history, where we have come to but respecting that the S.E.B. post-election that come in may well have a different policy agenda, may well have a different approach, that they have an ability to input, understanding the risks but the ability to say that this is their agenda and then officers can respond to that.

Vice-Chair, States Employment Board:

I think also I will just add to that, the other important thing is to make sure that the States Employment Board itself is properly structured in the way we run meetings, so that members are properly briefed and have the opportunity to consider what is in front of them and make rational decisions based on receiving proper advice, not just internally but externally. That is one of the areas we have been working on; to make sure that we have a proper structure, that board meetings are run properly and constructively and members have a proper structure in which to make decisions, which was not the case when I first joined, I have to say.

Senator K.L. Moore:

On reflection, Vice-Chair, do you consider that there was a proper policy agenda set out when the new States Employment Board began its work at the beginning of this term?

Vice-Chair, States Employment Board:

I think, as the group director has referred to, the structure of policies was somewhat lacking when we first joined and I can only say that I have been so very impressed with the proper structure that is in place now, which will result in proper policies dropping out at the bottom which are implementable. But I would have to say that the policies were inconsistent, I think is perhaps the best word I can use, but we are working hard to correct that and make sure that with the proper structure we have proper policies which we can implement.

Senator K.L. Moore:

What I was looking for really were the political policies that the States Employment Board began their life as a board to pursue and how that was done and whether they are being affected.

Vice-Chair, States Employment Board:

Sorry, I know it is late in the afternoon but could you just elaborate on that a bit because I am not sure I quite understand where you are going?

Senator K.L. Moore:

Yes. As political beings and when constituting the board, how were the policy objectives of that new political group set out and how are they monitored in terms of how effective they have been and whether they are being delivered at all?

Vice-Chair, States Employment Board:

I think we have a clear set of political objectives now. I am not entirely convinced that when we started on day one that we were aware of those. As you know, we had a change of chair, which did not help. I think we are now much better focused on what we want to achieve and how we are going to get there, and I think we have done a lot of work to get to that stage.

Senator K.L. Moore:

What would your advice be to the next chair of the board in terms of setting out those policies and objectives from the beginning?

Vice-Chair, States Employment Board:

I think talk to the officers and make sure that those policies exist, examine them and make sure they are fit-for-purpose, probably before you accept the job, if I am honest. But I think what we want to make sure is that when we hand over the States Employment Board that it is in good order and

anyone coming on to it understands what the objectives are, what the structure of our policies are, and what we are trying to achieve as a board. I am not entirely sure when we first started that was 100 per cent clear.

Senator K.L. Moore:

Okay, I will leave that there. If I may just keep you for a couple more minutes, and I appreciate we have slightly run over time already, so I hope you will forgive me. But I thought it was helpful that a member of the public who is a member of one of the departments has fed in some feedback because they are watching us this afternoon and they simply wanted to say that the experience within the Health and Community Services Department is that the staff survey results have not been communicated to the team or discussed as yet. I thought it might be helpful just to gain a first response from that feedback.

Group Director, People and Corporate Services:

Certainly I will take that back to the director general and her team. I am aware that the Team Jersey leads are going through service by service; it may not have reached everybody at that point. Clearly, within Health and Community Services there are shifts being worked, so people may not be seeing that. I will take that back to the director general. I have met with her this week to talk specifically around the survey and what her and her executive are doing and I will make sure that I follow up on that.

Vice-Chair, States Employment Board:

Yes, and if I could also thank that member of staff for providing that feedback. We encourage feedback from members of staff, we are not afraid of it and if things are not happening in the way they should be happening, then please do feed that in and we will do our very best to address it.

Senator K.L. Moore:

Thank you all very much for your time this afternoon. This is not the best environment to conduct a hearing but thank you all for bearing with us. It is unusual to be in the Chamber but it has worked quite effectively and we are grateful for your responses. I think, as you are aware, that this was the first of what we expect will be 2 hearings to cover this topic for review. We look forward to the next meeting and thank you all and I close the hearing.

[16:54]