



Children, Education and Home Affairs Scrutiny Panel

Quarterly Public Hearing

Witness: The Minister for Education and Lifelong Learning

Friday, 6th December 2024

Panel:

Deputy C.D. Curtis of St. Helier Central (Chair)

Connétable M. Labey of Grouville (Vice Chair)

Deputy H.M. Miles of St. Brelade

Witnesses:

Deputy R.J. Ward of St. Helier Central - The Minister for Education and Lifelong Learning

Deputy C.S. Alves of St. Helier Central - Assistant Minister for Education and Lifelong Learning

Mr. K. Posner - Interim Chief Officer

Mr. S. O'Regan - Director of Education

Mr. J. Williams - Business Change Director

Ms. T. Jackson - Policy Officer

[13:01]

Deputy C.D. Curtis of St. Helier Central (Chair):

Welcome to this quarterly hearing of 6th December and the Children, Education and Home Affairs Scrutiny Panel. I would like to draw everyone's attention to the following. This hearing will be filmed and streamed live. The recording and transcript will be published afterwards on the States Assembly website. All electronic devices, including mobile phones, should be switched to silent. So, we will begin with introductions. I am the Chair of the panel, Deputy Catherine Curtis.

Connétable M. Labey of Grouville:

My name is Mark Labey, Connétable of Grouville and the Vice Chair of this panel.

Deputy H.M. Miles of St. Brelade:

I am Deputy Helen Miles, panel member.

The Minister for Education and Lifelong Learning:

I am Deputy Rob Ward, Minister for Education and Lifelong Learning.

Assistant Minister for Education and Lifelong Learning:

I am Deputy Carina Alves and I am Assistant Minister for Education and Lifelong Learning.

Director of Education:

Sean O'Regan, Director of Education.

Interim Chief Officer:

Keith Posner, Interim Chief Officer for C.Y.P.E.S. (Children, Young People, Education and Skills).

Business Change Director:

Jonathan Williams, Programme Director for C.Y.P.E.S.

Policy Officer:

Tania Jackson, Policy Officer.

Deputy C.D. Curtis:

Thank you, everyone. Deputy Porée cannot be with us today. So if we start the questions, so our first section is about early years. So, Minister, the recently approved budget commits £11.8 million over 4 years to extend nursery and childcare provision. So when will you be able to provide us with more detail about the allocation of funding across the various initiatives?

The Minister for Education and Lifelong Learning:

One of the features of what we are trying to do is be flexible and, dare I say, nimble in what we can provide. So we have already started some pilots this year with funding that we could allocate this year from previous budgets; for example, the work up at d'Auvergne School and the additional wraparound hours. So that is what we want to continue. We want to try more pilots. So they could be in either additional wraparound hours, the offer of premises that we have and find expressions of interest, for example. That will determine to some extent where the money is spent, but the money

is there to be spent in that area. The reason there is that flexibility is, and we are talking about pilots, we want to get this working. We need a system that works. If we try a pilot and it does not work, we will not continue with it. I think that is really important as we head for a 2 to 3-year N.E.F. (nursery education fund) offer, nursery fund offer for parents, because I do feel that that would be extremely beneficial to parents and help them. But as I have said from day one, we are not going to do that when the provision is not available. But just to say I do believe we will get to a point, a tipping point, where I could say: "Right, okay, we can make that offer now". We will do that as early as we possibly can.

Deputy C.D. Curtis:

Okay. So the idea is to see how the pilots go ...

The Minister for Education and Lifelong Learning:

Yes.

Deputy C.D. Curtis:

... but to be able to come up with a figure of £11.8 million, there must be some plans?

The Minister for Education and Lifelong Learning:

Yes, there is. So part of that is in terms of an estimate of funding of the N.E.F., but also there are some other areas. Jonathan has spent his life in this in the last few years. Do you want to say a few things? Because when I get them wrong I can see the ...

Business Change Director:

Of course, yes. So if I can reference the report the Minister published, reference R.168/2024, so I am just reading from an extract of that that gives some indication as to how the Minister might choose to invest some of the monies that you are describing. So the Minister has covered some of the pilots. We have undertaken and initiated a couple of pilots thus far. We are going through a phase now of working with other schools to look at a further set of pilots and it is likely ... did you want to talk about what we might do early January, Minister, in the context of expressions of interest?

The Minister for Education and Lifelong Learning:

Yes. We have spaces across our estate. I would rather not say where yet because I do not want to set hares running and concerns because that is not the way it will be. But we would open it up to expressions of interest from across the sector and the private sector as well in order to provide nursery provision in premises that we have. That would extend those numbers of children. So it could be up to 25, for example, depending on age groups and where we go with that, and between 2 to 3 years-old. Whether it is 52 weeks a year and full-time or term time only will depend on what

expressions of interest are made, but I think we can offer that. So that is another one of the pilots we would like to run. I know I have been putting pressure on officers, and I will not catch anyone's eye when I say this, on my side of the table to work quickly on this, but I really think we can push this along, run those pilots and get to a stage where we have a structure that is flexible, appropriate and makes a provision that we desperately need across our Island, really.

Deputy C.D. Curtis:

That would be in schools?

The Minister for Education and Lifelong Learning:

Yes. I have that information, by the way. It would be in schools. If other facilities come on board ... I keep using the word "facilities" but I suppose it is facilities. Premises is a good word. We will be flexible. That is what we have to do. We have to be quite nimble in the way we approach this if we want to get it done. We have the money allocated now, and I understand your concerns about the specificity of where that money is going, but an overall plan and an estimate for pilots work ... the other thing is workforce, funds to support recruitment and retention of workforce in early years. Funds for continuous professional development is quite important of the workforce to support the ambition ...

Deputy C.D. Curtis:

Okay. We are going to ask a bit more about the workforce in a while. So you need to evaluate these pilots.

The Minister for Education and Lifelong Learning:

Yes.

Deputy C.D. Curtis:

Do you have a plan on how you are going to evaluate whether they are working well or not?

The Minister for Education and Lifelong Learning:

Yes, absolutely. The ones that are set up have a number of areas of evaluation. Jonathan, do you want to quickly go through? It is here ... so each pilot has a set criteria, measurement criteria, number of attending children, the alignment of the eligibility criteria. So the nursery that we have set up at d'Auvergne has a specific target. Now, that helps us to do 2 things: one, help a group of children that desperately need help and support, and we are seeing improvement there already, which is really good. It also helps us run a pilot, the relationship between being an external provider and a school, those service level agreements and how are they working. So that is a really functional thing to do. So one of the reviews will be how is that working, what are the things that went well,

the incremental costs, not just the set-up but the ongoing costs we need to review, the capacity of premises as well, I think. I do believe, and we might talk about this later, when we try to give numbers it is really difficult because I think if the provision is there, there will be more parents who may consider: "Actually, I will use those 15 hours and return to the workforce" or: "I will use those 15 hours to go back part-time earlier than I would have."

Deputy C.D. Curtis:

So will you be assessing in some way how effective it is for the children themselves, their welfare?

The Minister for Education and Lifelong Learning:

Yes. The next one on the list actually was about the developmental baseline and improvements. So there will be some measure of improvement. These are very young children so I never, ever want to go down the line of testing children. They had this plan in the U.K. (United Kingdom) once to baseline them, but the baseline is about improvement in behaviour, socialisation. I mentioned in the Assembly a really nice thing we got was somebody saying they did not think they would see their child playing with other children and they are starting to adapt and do that now. I think that is exactly the type of thing. There will be more to it as well, of course, but those are the types of things that can be identified.

Deputy C.D. Curtis:

Okay. Will you publish updates on this?

The Minister for Education and Lifelong Learning:

Yes. I gave a statement on the report we published on purpose to be transparent and open for questions. If things are not working, that is fine, we will change. You have to get it right because children only get one go at it. So, therefore, we are willing to do that. I think more statements like that as we move forward I am quite happy to make. The Assembly might not want them, but there we go, but they might want to ask questions as well.

Deputy C.D. Curtis:

Okay. Now, just to ask now, one of the approaches in the early years plan is to increase nursery spaces, so what work is being done to assess capacity in private settings, if they can increase their staff? Has the Government considered the option of partnerships with the private sector?

The Minister for Education and Lifelong Learning:

Yes, absolutely. As I mentioned, the expressions of interest, that would be an expression of interest that is for the private sector to come in and utilise spaces that we have. So certainly that is the case. I think one of the limiting factors for some nurseries, private nurseries, in terms of increasing their

space is not just space - it may well be space - but it is workforce. So that is why the workforce and recruitment part is really important, the retention of staff and the levels of training that they have. So all of these things go together and that will help increase capacity. But certainly if we have confined spaces, we are quite happy to work in conjunction across the sector. That already happens, by the way.

Deputy H.M. Miles:

Can I just ask how you perceive that working? So you said potentially the private sector coming into your premises. Do you mean that, for example, the private sector would run a breakfast club and then it would devolve to public teaching staff until 3 o'clock ...

The Minister for Education and Lifelong Learning:

No.

Deputy H.M. Miles:

... and then the private sector? Or are you envisaging that you would invite the private sector in to run the entire nursery?

The Minister for Education and Lifelong Learning:

Yes, I think it is more the latter in terms of space in a school which is not being utilised. We would put expressions of interest and then that facility would be available to run a nursery.

Deputy H.M. Miles:

So, for example, we know that St. Mary's School nursery has closed but we know that the private nursery next door is full. So it might be that you would ask somebody to come and deliver nursery education in there?

Business Change Director:

Can I just say it has not closed? Just I think it has low numbers for ...

Deputy H.M. Miles:

Low numbers, okay.

The Minister for Education and Lifelong Learning:

Sorry, this is why I am not naming any particular school because I do not want any panic to ensue because that is not what we are going to do. But yes, if there is a space, that is exactly ... it would be an autonomous provision provided for but with careful ...

Deputy H.M. Miles:

That you would commission?

The Minister for Education and Lifelong Learning:

Yes, service level agreements, commissioning. There would be probably advantages because the building is there; they are purpose built already. Some changes can be made. I think the sensible thing is if we have spaces let us use them. We are not precious about it being third sector, States or private. It is whatever is appropriate. The standards are shared, so we can be certain that children are getting the best provision.

Deputy C.D. Curtis:

So you would invite those expressions of interest, but the question was: what work has been done to assess capacity in private settings? So has work been done already?

The Minister for Education and Lifelong Learning:

Yes. Do you want to ...? Have you got some numbers?

Business Change Director:

Yes. So when I have described how we might answer this, I would describe this as a tricky area. There are some complexities, but if I describe those as well. The first thing we did was we went out for what we describe as a whole sector survey in quarter 4 of last year, which gave some indication of the number of children attending by age group and by setting. So we have, for example, group settings and childminders and accredited nannies and schools as different providers. That is the principal group. Then we had differentiation by nought to 2, 2 to 3 and 3 to 4, which broadly aligns with the regulations and how we are providing funding. If you assume that there were going to be 1,000 children, which I will come on to in a moment because that is not the right assumption, but for that you could see that there may be around 350 spaces required if you were to assume full uptake in a large 2 to 3 year. So where we are at now is we are undertaking that same survey so we will have the second year's lot of data. We will look to identify then if there has been any shift in terms of capacity and uptake by different age groups. We are then going to do the best to look at the birth rates so we have clarity on declining birth rates. We also can make some approximations about what 2024 looks like. The tricky bit in here is trying to understand that net migration position, so that potential addition to birth rate as a layer. So we will make some assumptions but largely informed by Stats Jersey to make sure that we are using the same planning assumptions that our statistician will tell us. So then we should have a good view of supply and demand and then what the gap looks like. The gap is where we have to fill with new places under the different initiatives the Minister is carrying out.

[13:15]

But the Minister made a point I think, we have to determine at what point we say that gap is now close enough for us to take the jump to offering universal rates and recognise there might be a little bit of settling in the market, if you like, until such time as perfectly or better aligned capacity, supply and demand. But that is very much a quarter 1 action that we have set ourselves. I think it says that date in the plan as well.

The Minister for Education and Lifelong Learning:

So you can see a lot of work has gone on in terms of capacity. The numbers are challenging because of the way the numbers are. One interesting figure is that last year under the age of 18 ... or 16, 18, is it not?

Business Change Director:

Eighteen.

The Minister for Education and Lifelong Learning:

Four hundred and twenty children arrived on the Island. Now, if you take a section of that and divide it up equally, which may be skewed to a lower age or may not, that is around 25 children we have in nursery care, for example, just as an estimate. We are looking at more data in that.

Deputy C.D. Curtis:

Yes, because we have a question about that later as well.

The Minister for Education and Lifelong Learning:

Yes, okay. Sorry, yes. It is all so joined up in my head I keep ...

Deputy C.D. Curtis:

Just a quick point on that. So this work is based on the surveys partly to do with numbers that are needed.

Business Change Director:

In part.

Deputy C.D. Curtis:

Those surveys, they go out to all the nursery providers then, presumably, yes?

Business Change Director:

Correct.

Deputy C.D. Curtis:

Okay. So next question was: the early years plan referenced that Government-owned properties in St. Helier were reviewed for new nursery sites, so why is the Government looking for new sites and not considering how to assist the existing early years providers with increasing their capacity?

The Minister for Education and Lifelong Learning:

Well, I think we are. I think we are doing both and I do not think it is ... I think we are and we would do that. If early years providers come and want to talk about how they can increase their capacity, such as with ... we are absolutely open to that.

Deputy C.D. Curtis:

So they could come and speak to you but you are not going to speak to them?

The Minister for Education and Lifelong Learning:

Well, I think it is clear that that is our aim.

Business Change Director:

Yes, and indeed we can ... so we have already talked about some of these items. It is not mutually exclusive. So we are looking at all sorts of things, so premises and capacity in existing schools the Minister has referenced, but elsewhere as well. We will reinforce that point again in January when we go back out for who is interested in chatting to us about how they can increase capacity. We expect that might be part of the answer.

The Minister for Education and Lifelong Learning:

Yes, but I think also I am very keen that we come up with tangible, real projects to increase numbers. A lot of time has been spent talking about this project. There was roundtables. There has been reports produced. It is very clear as to what was wanted. The numbers may fluctuate but we now have to start getting on with looking at the provision. As I say, we might not get it right the first time but if we are 90 per cent there, then we can make a 10 per cent tweak. That is what we want to do.

Deputy C.D. Curtis:

Okay. Does the early years plan include any work that would help parents have a choice about their childcare provider? Some children are more suited to maybe staying with a family day-carer, some suit going into a nursery setting.

The Minister for Education and Lifelong Learning:

The 2 to 3 N.E.F. offer would be a universal offer in all settings, so that would ...

Deputy C.D. Curtis:

So that covers family day-carers and ...?

The Minister for Education and Lifelong Learning:

... enable choice, yes. So that is the way we would do that. I think we are lucky to have a range of providers and childminders to private to third sector to other sectors which are somewhere in between, parishes.

Director of Education:

Potentially what comes out of the pilots as well, which could be something new.

The Minister for Education and Lifelong Learning:

Something that comes out of the pilots as well, absolutely, yes.

Deputy C.D. Curtis:

Can you confirm if there was a formal commissioning process used ahead of the establishment of the new pilot schemes?

The Minister for Education and Lifelong Learning:

In terms of?

Deputy C.D. Curtis:

Well, who does them and so on? So was there a formal commissioning process used?

Business Change Director:

So the pilots set up in schools were public sector for public sector provision so did not trigger any procurement or commercial services activity. In the context of the nursery that we have established at d'Auvergne, there was an exemption to procurement approved before we engaged in that. The likelihood is the Minister may wish that expressions of interest carry formal commercial services activity before we make appointment, so going kind of graduated stages.

Deputy H.M. Miles:

Can you tell us what the thinking was around that exemption rather than commissioning other providers?

The Minister for Education and Lifelong Learning:

Yes. It was because we had children who were in need of provision. We had a group who could provide the provision. We had a school that was willing to enter into a pilot. We had the money to do it. Everything fitted together. There are now 10 at the moment but going up to 16 children provision, and it gives us that opportunity to test pilot things rapidly, partly - and I am quite happy to take responsibility - from me saying we want to move quickly and start some pilots now.

Deputy H.M. Miles:

So you went directly to J.C.C.T. (Jersey Child Care Trust) and did not commission anybody else or did not consider anybody else for this particular pilot?

The Minister for Education and Lifelong Learning:

Yes, because they are providers that provide that service across nurseries anyway. That organisation provides that additional support across a lot of our nurseries, both private ... in all sectors, so we know that they are able to provide that provision.

Director of Education:

If it is helpful, one of the best partnership initiatives under the umbrella that has all providers, government sector, independent, voluntary and the parish providers, the Jersey Child Care Trust already has an excellent scheme - we have worked with them for many years - providing additional support for children with medical need, disabilities or special educational needs. So they are already a partner. This is a new venture for them as well of being a direct service provider, but they have provided training for and placement of teaching assistants, as it were ...

Deputy H.M. Miles:

I think that is the nub of the question, is it not? It is a new venture for them so why were other people not given the opportunity to engage in that new venture?

The Minister for Education and Lifelong Learning:

Which other ... well, I think because it was suitable. We got somebody who can work quickly.

Deputy C.D. Curtis:

Can I say then will the intention be to have a formal commissioning process for any future pilots?

The Minister for Education and Lifelong Learning:

Yes, absolutely. It will be.

Business Change Director:

May I add one further thing? The other benefit of doing it this way is that we can much better articulate when we come to the commissioning what we are looking for. So one of the items contained in the work that we are doing with J.C.C.T. in d'Auvergne is that they have to operate as what we call a pathfinder. So that has to expose the issues that we did not know going into it such that we can write a better brief, if you like, when we go out to market again. I was surprised how many things we did not anticipate that only by virtue of operating something new with a third party in a school became exposed. So we now have a much better S.L.A. (service level agreement) and if requested by the Minister I could write a much better brief for going to market than had I done that without the benefit of this learning experience.

The Minister for Education and Lifelong Learning:

That is really important. You have to start somewhere, so we made the decision to start there. But we hope to move quickly and extend that out. It is certainly going to be open to anybody who wants to take part.

Deputy C.D. Curtis:

Okay. I have quite a specific question now. The plan mentions reviewing compensation and professional development for nursery staff, so can you tell us something about this?

The Minister for Education and Lifelong Learning:

Professional development is a key part in terms of the ongoing professional development of staff, to provide training at all levels. There are a number of students coming through Highlands, for example, completing their level 3.

Deputy C.D. Curtis:

How will that be reviewed then? Because it mentions reviewing.

The Minister for Education and Lifelong Learning:

Reviewing? In terms of ...

Deputy C.D. Curtis:

Reviewing compensation and professional development for nursery staff, so presumably it is going to be looked at again as to where things ...

The Minister for Education and Lifelong Learning:

Yes, in terms of is the provision we have the right provision now? Are there any ways, for example, that we have transferable skills where we can top up qualifications so that they are the right qualification? That is the type of thing we are talking about, is it not? Because we know there are

people out there, and not just people who have brought up their own family and want to come back to ... might want to say: "Okay, that is something I could do. I could work part-time, I could get some training" but those who perhaps have worked in other care sectors where the formal qualification is not there but there are transfer qualifications. The analogy is if you go from nursing to midwifery you train slightly more and you should get a different specialism.

Deputy C.D. Curtis:

So will the panel be able to see this work as you ...?

The Minister for Education and Lifelong Learning:

Yes, absolutely. Yes, it is really important to us. We are quite happy to share anything we have, of course we are.

Deputy C.D. Curtis:

All right. So I will just skip to the ... about the jobs, is there a risk that the jobs created in the public sector will remove staff from the private sector? So what work has been done to check this would not take place?

The Minister for Education and Lifelong Learning:

What jobs in the public sector?

Deputy C.D. Curtis:

So, for example ... no. So if there is a position at one of the pilots for someone perhaps to come and work with the children, will that person have already been working in the private sector and then comes to work in their new position because it is a better-paid job, perhaps? So has there been any work, any consideration been given around this?

The Minister for Education and Lifelong Learning:

Yes, absolutely. One of the interesting things about the pilot that was set up is that the staffing that came from it did not take anybody, I believe, from staff that already exist. In fact, it brought people back into the sector.

Deputy C.D. Curtis:

So that is good, but has there been any consideration generally about this?

The Minister for Education and Lifelong Learning:

Yes, of course there is because it is counterintuitive for us to take staff from one place to another because we would not be able to open new nurseries. We recognise that we have to find staff to do

that. We have a recruitment campaign going on. We have training campaigns going on. To some extent it is a bit catch 22 because expressions of interest would show with staffing as well what support do you need to train staff. But the simple thing is we have to start somewhere. If we are going to increase capacity, we are going to need to increase staffing. Yes, of course, that will be a limit. There will be all sorts of limits to what we are doing, but we can either sit back and just hope for the best or we can do something about it, and that is what we are trying to do.

Deputy C.D. Curtis:

Okay. So has there been discussions with the private sector about how to prevent the loss of staff for them if that were to happen?

The Minister for Education and Lifelong Learning:

I do not think it is as clear-cut as staff would simply be taken. There is a sector and people can work in that sector. But many of the nurseries have staff that is a stable staff that we have been to see. They have members of staff that are there. We do not want to move those staff out, but I think sometimes ... I do not really know how to put it, but we need to train new staff. I have been to nurseries where they have staff who have been there many, many years and would not move. So I think there is a concern there but yes, of course, we will do everything we can to ...

Deputy C.D. Curtis:

But there has not been a discussion on that?

The Minister for Education and Lifelong Learning:

There has been lots of discussions. We have met a lot. I can give you a list of the meetings.

Deputy C.D. Curtis:

Okay. That was my last question on this. It is more about this in general. Minister, the panel received submissions to its budget review from stakeholders in the early years sector who have said that the early years plan is damaging and unworkable and presents an existential threat to the sector. So please could you respond to those comments and explain how you might try and re-engage with the private sector about the plans?

The Minister for Education and Lifelong Learning:

Well, there are a couple of things there. Those are absolutes. I do not agree with that statement. We have not “not engaged” with the sector. So, for example, I met with Jonathan ... I can give you some of the examples, on the 14th, the 21st, 28th August, 11th September. I met on the 21st, 6th August, 5th December, met with the Jersey Association of Child Carers on 7th October and I am meeting them on 12th December. These are just some of the meetings that we have had. Several

visits to nurseries, Busy Beans, St. Peter's Parish Nursery, Busy Bees, Sandybrook, Westmount nursery. I met with Cathy Hamer, the independent chair of the Best Start Partnership. There have been many, many other meetings going on to talk about detail.

Deputy C.D. Curtis:

Okay. So lots of meetings, but despite all these meetings they are saying that they think the plan is damaging. So is there a way that you can re-engage with them?

The Minister for Education and Lifelong Learning:

Well, I need to know specifically how ... I do not agree with that statement that it is damaging. That is not the intention of this at all. We had some good meetings to reassure on that. I think we have absolutes here that I have to push back on and say it is counterintuitive if we want to extend nursery provision for us to do something that is going to damage the sector. There is a huge amount of support and there will be in place and we now have the money for next year following the budget in terms of training, in terms of support for recruitment, in terms of offering other facilities, which will be very good for the sector because they are open to the private sector, in terms of running pilots so we know how they work and how they would work, part of that being that if we are running pilots that we think is damaging to ... I do not like the word "damaging". I think that is the wrong language. We are talking about children, that may affect the wider sector, that is one of the features that we look for. We are looking for additional capacity. We are not looking to take children away from nurseries or close them down, completely counterintuitive. In fact, I have to say by using Government facilities we have more flexibility in Government facilities to stand up, stand down, increase and decrease, than the stable businesses in the private sector that we want to continue. So that is a support mechanism for the wider provision for nursery provision. Then, when that is in place, if a 2 to 3 year-old N.E.F. is available and that increases, for example, some parents who did not really want to use nursery care before, that increases the market as well. So all of these things are designed to do exactly that.

Deputy C.D. Curtis:

Okay. So you can tell us that, that all sounds good, but clearly there is a difficulty here or a concern from these groups. So do you have a plan on how to ...

The Minister for Education and Lifelong Learning:

Well, as I have said to you, I met yesterday. We communicated exactly these things. We have communicated these things before. I think there comes a time when there has to be trust. I have spoken to members across sectors who perhaps do not share that view that it is so damaging. I do not want to have a divided sector. We want them to work together and we want to engage together. But it does come a point where I have to say that there is a disagreement there. I do not see that

as a fair reflection on what we are trying to do. We have spent a lot of time. We spent a long meeting yesterday reassuring in a number of these areas and we will continue to do that. But I think the actions are just as important because otherwise what is the alternative because we will not increase that provision. I do not know what the alternative is there, but we are trying to work with the sector. As I have said before, the number one thing on the C.S.P. (Common Strategic Policy) priorities was to extend nursery provision, so it became the number one priority for Government. I think that is a support for the sector that needs to be recognised.

Deputy C.D. Curtis:

Okay.

Interim Chief Officer:

Just on that, I think this probably shows the value of the pilot work that will happen next year in order to work with the sector and take the sector with the Minister's ambitions. Because change is difficult, as we know, and until that is seen and understood through things like the pilots that can be evaluated and the sector can feel part of, I think that will help enormously as we move through.

[13:30]

Deputy C.D. Curtis:

That would be really good because they are looking after about 75 per cent of these young children, are they not? So you definitely need them on side and to consider them and ...

The Minister for Education and Lifelong Learning:

I have to say again I do not think it is okay for me to let go this notion that they are just simply not on side. I think that report was written, I accept that, to the Scrutiny Panel but we have had lots of interactions since then and we will continue to. There are challenges, there are concerns, there are worries about any change, but I am afraid I have to say that we will support where we can. Another example is the Best Start Partnership, which incorporates all of the sectors and beyond. I would like to give that more emphasis as a communication area so that we are clear as to what is happening across the sector, private nurseries and all the others, standards, everything that we want to do in terms of our provision for childcare and get the sector working together. But we are trying to open up as much as we can and there is money available.

Deputy C.D. Curtis:

All right. I think we had better move on to your questions next.

The Connétable of Grouville:

Indeed. Thank you, Minister. I would like to ask a few questions now about the Educational Psychology Service. We have had a great deal of interest in the press of late and we have had representations to this panel about the level of service. Minister, what steps is your department taking to address the serious concerns raised by the Association of Educational Psychologists regarding Jersey as an unsafe place to work?

The Minister for Education and Lifelong Learning:

First of all, any ongoing situation that is a workforce situation I will not comment on specifically because I do not want to prejudice anything that exists in any review that is going on. So that is very important. I will not do that. However, I can say to you that what happened was an initial fact-finding review was commissioned by the Chief Internal Auditor into the concerns raised. The conclusion to the fact-finding review was to commission an independent review to be conducted by an educational psychologist who is independent to Jersey, and that is currently ongoing. What has happened with that review is it has been to some extent widened. We were hoping that it would be conducted very quickly but speed does not replace ... what is the word?

Policy Officer:

Accuracy.

The Minister for Education and Lifelong Learning:

... accuracy and quality. So we would rather have a quality review that addresses the issues so we can come to a positive conclusion. So the review has begun. We have requested that other colleagues within the service have an opportunity to meet and participate in the review, including school leavers, for example. Then we will act on the outcomes of that review in order to ensure what we all want, which is the best possible educational psychology service in our schools and for children.

Deputy C.D. Curtis:

Can I just ask then, I know ... I think it was due to be completed around the middle of December. So do you have a different timeline now?

The Minister for Education and Lifelong Learning:

Yes. It will be in the new year now because we have taken other stakeholders in. I am quite happy with that because we need to get a conclusion and we need to get the right things to act upon and we need a solution to this to move forward. If that means that the review takes a few extra weeks or so, I am quite happy with that. Let us do it properly.

The Connétable of Grouville:

The areas that it is going to focus on, Minister?

The Minister for Education and Lifelong Learning:

Yes. There will be a number of areas: analysis of performance ... these are already in the public domain, are they not? So stakeholder engagement, internal and external stakeholders, including service users, staff, management, partner organisations, identification of pressure points in the service. I am not an educational psychologist but I sort of get the idea of what that means. Also legislative compliance, so do the laws comply with other laws, S.E.N.D. (special educational needs or disability) laws, for example, disability legislation, safeguarding and the equalities framework, so those types of things. That is why it might take a little bit longer. But what we will have then is we will have recommendations at the end that can be acted on. I hope that those recommendations are of the quality so that everyone in the educational psychologies can come to an agreement and we can then move forward.

The Connétable of Grouville:

Will the results of the review be published?

The Minister for Education and Lifelong Learning:

I believe so, but it will not be published if it is about any specific H.R. (human resources) matters if they are ...

Assistant Minister for Education and Lifelong Learning:

Some points will be redacted.

The Minister for Education and Lifelong Learning:

Yes, will be redacted, but H.R. ...

The Connétable of Grouville:

Yes, we are not talking about a large number of individuals, it is fairly small.

The Minister for Education and Lifelong Learning:

No, exactly, and this is the thing, it is a small service in terms of numbers because we are a small Island.

The Connétable of Grouville:

How will you keep the public informed about the steps being taken in response to the findings?

The Minister for Education and Lifelong Learning:

Well, I think what we will have to do is ensure that there is clarity in what changes are going to be made and the quality of the service itself. If you have a review that talks to service users, you have a follow-up, an automatic follow-up, to see have you seen an improvement. I am not determining what they do because ... I am delicately trying to not determine what happens in the review because that is the whole point, it has to be independent, but it does seem to me logical that you would come back to some of those users. Do you want to add to that?

Assistant Minister for Education and Lifelong Learning:

Can I also just make the point that the review was actually commissioned by the S.E.B. (States Employment Board) as well?

The Minister for Education and Lifelong Learning:

That is the thing. Sorry, go on.

Interim Chief Officer:

I was just going to say I think the review will lead to a longer-term strategy for the service, and I think that is when certainly we will be able to provide further updates.

The Connétable of Grouville:

I really do think that is where it needs to be and it needs to go, so thank you.

The Minister for Education and Lifelong Learning:

Constable, I would say to you that problems do not arise overnight, they arise over time, and that is why you need a long-term solution to them. That is exactly right, the 2 things go hand in hand.

The Connétable of Grouville:

In relation to this matter, the Children's Commissioner for Jersey highlighted that children with additional needs rely on accessible support services. How will you guarantee these children will receive timely assessments and support, particularly in light of the staffing challenges in this service?

The Minister for Education and Lifelong Learning:

Yes, while there has been challenges we have had additional educational psychologists come to do assessments. I believe that last week in all of the, if I am okay to say, the R.O.N. (record of need) meetings, every child had their assessment so they could be made. So work is continuing. It has not stopped. We are not perhaps in a position that anyone would want to be simply because there have been issues and we need to resolve them, but there has been, if you like, a fill of skill as we go through this process. In terms of longer term, of course, what we want to have is reviews done

as quickly as we possibly can to enable children to get the help that they need should they need an educational psychologist as part of that review.

The Connétable of Grouville:

As the Association of Educational Psychologists' union is now advising its members against working in Jersey, how will your department ensure a sufficient number of qualified educational psychologists are available?

The Minister for Education and Lifelong Learning:

Well, we do have educational psychologists still here. We have people returning to the posts who were on leave. I do not want to say ... well, I suppose I can but it will obviously identify people. I have to say as well that the problem with the educational psychologist association is being addressed by S.E.B. and part of the review was to address their concerns. So I hope that at some point there can be another statement made to say that those issues have been addressed and we can move forward. That will be important as well in terms of the wider context. But we still have educational psychologists working here and coming to the Island.

The Connétable of Grouville:

What is C.Y.P.E.S.' long-term strategy to develop and sustain educational psychology services in Jersey and how will it ensure that the dispute does not compromise support for children and families in the future?

The Minister for Education and Lifelong Learning:

Yes. Well, again what we need to do is first of all resolve any problems that are there, have a long-term plan that is agreed, and then move forward. I think that is basically the most important part of it. But there will always be problems with small teams in terms of recruitment and retention, particularly in the area of educational psychology because there is a shortage of educational psychologists. However, part of the perhaps lifelong learning and training part is to try and encourage people to train, come back to the Island. We will talk about this later, I think. There is some work going on on coming back to the Island but that ...

Assistant Minister for Education and Lifelong Learning:

We can give you an overview of the current situation. So there is a principal educational psychologist. There are 4 educational psychologist roles. There are 2 assistant educational psychologists, one clinical psychologist. There is also the well-being team and there is one educational psychologist post vacant, which has been out to advertisement and appointment interviews are imminent. So there is still a team in place.

The Connétable of Grouville:

Okay. Minister, will you commit to regular updates on the progress of discussions with the A.E.P. (Association of Educational Psychologists) and steps being taken to address the concerns raised to provide transparency for the public and reassure affected families?

The Minister for Education and Lifelong Learning:

Well, there are 2 things there. First of all, it is the S.E.B. who will be conducting that because it is an employment dispute. So it would have to be the S.E.B. who does that. But I am certain that the S.E.B. will be committed to that. But we will keep the panel informed as best we possibly can at all stages. Hopefully in a positive outcome we can talk to you, even if it is a private briefing at the beginning so you get early sight of the recommendations and so on. I think that is a good thing to do before they are discussed wider and we give a chance for them to be implemented. But we are certainly happy to do that.

The Connétable of Grouville:

This panel was quite concerned about the presentation that we received so we are glad it has been highlighted and it is moving forward.

The Minister for Education and Lifelong Learning:

Yes, absolutely. I have to say, like I say, things do not happen overnight. Things happen over time. Many of these situations, which you do not want, what you need to do is you need to learn from them. We need to learn from this for this service and across C.Y.P.E.S. and across other services. Hopefully, the review will identify those pressure points. I think that is quite an important part of the review. Are they existing elsewhere? Can we use that information for other areas of social services, health, et cetera? So there can be, dare I say, some positives that come from a bad situation.

The Connétable of Grouville:

Sure. Thank you, Minister.

Deputy H.M. Miles:

My questions all relate to higher education and principally around funding. I think just to give you some context to that, we have been approached by students, mature students, parents who are struggling, so that is where these ... and I know we have asked you questions about this before and I think, Minister, your position has been quite clear that funding higher education is not a priority but nonetheless.

The Minister for Education and Lifelong Learning:

No, I am sorry, I cannot accept you saying that funding higher education is not a priority. I have never said that.

Deputy H.M. Miles:

Okay. I think we talked about ...

The Minister for Education and Lifelong Learning:

No, I think it is really, really important.

Deputy H.M. Miles:

... postgraduate. We certainly talked about postgraduate funding.

The Minister for Education and Lifelong Learning:

Yes, that is a very different thing. Higher education ...

Deputy H.M. Miles:

I stand corrected.

The Minister for Education and Lifelong Learning:

... there is quite significant funding for higher education. We have made quite a few changes.

Deputy H.M. Miles:

Thank you. Just before we talk about the higher education, can you just tell us a bit more about the support around apprenticeships and when that will be put in place?

The Minister for Education and Lifelong Learning:

Yes. The apprenticeships was part of the Government Plan and we have money for that. There is an enormous amount of work going on. Where do we start with apprenticeships? We start with ... let us look at Skills Jersey being repositioned back into Highlands as one front door so their link is much closer to it. They have done an enormous amount of work on apprenticeships that are required, apprenticeships that are happening and the best way to run them. We are working with Social Security and the Economy Department to target and identify the real areas of need in terms of apprenticeships for the Island so that money can be targeted. It is also part of the living wage support package that will come forward. In terms of apprenticeships, I know there is some support there. Also, and this is really important, there are lots and lots of apprenticeships happening now. They are ongoing. Part of ensuring that those are supported and they keep going and they have good outcomes is an integral part of what we are doing. But that is about ... so identification, finding

the apprenticeships, supporting employers in order to take apprentices, and then getting on and doing them, I suppose, is the summary.

Deputy H.M. Miles:

So there is a review, is there not?

The Minister for Education and Lifelong Learning:

Does somebody want to add something that is a little bit more vocal than that? Because I have just summed it up really rapidly.

Deputy H.M. Miles:

There is a review that will be done on this?

The Minister for Education and Lifelong Learning:

I would not call it a ...

Deputy H.M. Miles:

This was the amendment that you brought that was accepted, but there will be a review?

The Minister for Education and Lifelong Learning:

Yes, absolutely. I would see it as a development of a ... I actually would say I think, yes, a review, but I think we would like to do more than that. We would like to do a review but we would also like to make change, genuine change. So the review that we undertake will not just be about here is another document that you can look at where we are, it will be here is a document, this is all the information and this is what we are doing with it. I think that is quite an important part of what we are trying to do.

Deputy H.M. Miles:

You have talked about apprenticeships. I think in most people's minds you think of apprenticeships as people that are just leaving school. What support is going to be put in place for more mature people who want to undertake apprenticeships?

The Minister for Education and Lifelong Learning:

I think there is a combination of things that need to happen there. First of all, working with employers to let them know what is available, so if they want to upskill their workforce, for example. There is other areas such as the way we integrate with Social Security and the changes with that. There is some work going on with licences for employers so licences will change in order to take on an apprentice, for example. Anyone want to add anything in regards to ...?

Assistant Minister for Education and Lifelong Learning:

So there is no age limit in the current tracker scheme, for example.

The Minister for Education and Lifelong Learning:

Yes, for example, yes.

Interim Chief Officer:

We have to make sure we are identifying the skills gaps that access ... there is better access to those apprenticeships and so on. Because at the moment it feels a bit restricted, you reach a point and that is it, so widening that out so we are addressing the skills gap and trying to encourage more people to do apprenticeships.

Assistant Minister for Education and Lifelong Learning:

That is where Skills Jersey is also working quite closely with the Economy Department as well.

[13:45]

The Minister for Education and Lifelong Learning:

Yes. Skills gap is what I was searching for in the recesses of my brain. That is exactly it. But we have to identify and do it well. It is not just about a scattergun approach. I do not think that ... well, that will have an impact, of course it will, but I think if we are really targeted and really thoughtful about what we do, getting the right people at the right time in the right apprenticeships for the right reasons, then it becomes much more effective and it becomes sustainable in terms of the long term.

Deputy H.M. Miles:

Thank you. Are you able to share any future changes that are going to be made to the Education Grants and Allowances (Jersey) Order?

The Minister for Education and Lifelong Learning:

Yes, I am. Tania is the expert who, to be quite frank, has done all the work, **[Laughter]** but I have it here. What I am worried about is saying the wrong thing and then ... so I can start first. I will do one and then I will let you take over because ... so the maintenance grant adjustments, from 1st January 2024 the Student Finance budget was to be classified as annually managed expenditure. That enables maintenance grants to be adjusted for inflation automatically. That is a very important step forward.

Deputy H.M. Miles:

Which formula are you using around inflation? Are you using ...?

The Minister for Education and Lifelong Learning:

U.K. C.P.I. (Cost Price Index).

Deputy H.M. Miles:

U.K. Cost Price Index, thank you.

The Minister for Education and Lifelong Learning:

Yes, Cost Price Index, sorry, I should have said that.

Deputy H.M. Miles:

Why did you choose that one over the R.P.I. (Retail Price Index)?

The Minister for Education and Lifelong Learning:

Tania, do you want to ...? Simply because most of the students go to university in the U.K.

Policy Officer:

Yes, it is.

Deputy H.M. Miles:

That is a good answer, yes. [Laughter]

Policy Officer:

It's because around 80% of our students study in the U.K. and that is where the grant is being spent.

Deputy H.M. Miles:

U.K., so you use the U.K. C.P.I. Okay, thank you.

The Minister for Education and Lifelong Learning:

Yes. In terms of when these changes are announced as to what they will be, we expect to name any change in the maintenance grant September 2025 in the first quarter of 2025. So there will be an advance. The tuition grants, income thresholds are to be increased in line with average incomes in Jersey.

Deputy H.M. Miles:

So that is the R.P.I. for the income, okay, good.

The Minister for Education and Lifelong Learning:

Yes. Taking effect from September 2025, a 5.2 per cent increase and will be reviewed annually, and inflation rate based on the forecast published by the Fiscal Policy Panel.

Deputy H.M. Miles:

Okay, so ...

The Minister for Education and Lifelong Learning:

So they are slightly different because we are talking about 2 different things.

Deputy H.M. Miles:

So the tuition grants will rise. Will that encompass the rise in the tuition costs in the U.K., if you see what I mean?

The Minister for Education and Lifelong Learning:

Good question. Go on.

Policy Officer:

It is the income thresholds that apply to all the different calculations of grants. So the income threshold for a maintenance grant, tuition grant and any other special provisions will all be increased.

Deputy H.M. Miles:

So will the tuition grant now cover the new tuition levels in the U.K.?

Policy Officer:

Yes.

The Minister for Education and Lifelong Learning:

Yes, they will.

Deputy H.M. Miles:

Yes, it will. Okay. Thank you.

The Minister for Education and Lifelong Learning:

That is not something we wanted to happen.

Deputy H.M. Miles:

I do not think anybody wanted it to happen, did they?

The Minister for Education and Lifelong Learning:

To be quite frank, but it has and ...

Deputy H.M. Miles:

Let us hope it does not happen again.

The Minister for Education and Lifelong Learning:

I have to say, of course, there will always be issues with this but, for example, if you earn up to £49,999, just under £50,000, one penny below £50,000, there is support of up to £18,000 a year for tuition and living expenses.

Deputy H.M. Miles:

I think the point is if your parents earn that.

The Minister for Education and Lifelong Learning:

Yes.

Deputy H.M. Miles:

Not if you earn that.

The Minister for Education and Lifelong Learning:

Yes, your parents. Your parents or carers, yes.

Deputy H.M. Miles:

Okay. The other question is around the maintenance grant being treated as income, which can affect elements of income support, so, for example, lone parent allowance. It is being removed by Social Security. Can you tell us whether you were aware of that as an issue and if you had any conversations about that?

The Minister for Education and Lifelong Learning:

Yes, we have become aware of it as an issue. Do you want to talk to that?

Policy Officer:

Yes. We are liaising with officers who support the Minister for Social Security to unpick and understand that a bit better. So that work is in progress and we can update you about that.

Deputy H.M. Miles:

Is that the same with the long-term care benefit as well?

Policy Officer:

Yes.

The Minister for Education and Lifelong Learning:

Yes.

Deputy H.M. Miles:

So you have tied those 2 together?

Policy Officer:

All social benefits, yes.

The Minister for Education and Lifelong Learning:

What we are looking at, if there is not ... now, benefits is not my strongest point. I have done a lot of support work on benefits but it is slightly different. But if the benefits are designated for a specific purpose and not for general living expenses, we will consider excluding them from income assessment that determines the maintenance and the tuition fees, but this will require a change in the Education Grants and Allowance (Jersey) Order 2018. I believe that is correct.

Policy Officer:

That is correct.

Deputy H.M. Miles:

Okay. So when there is an outcome of that, you will know what you are going to have to change in the order, if anything at all?

The Minister for Education and Lifelong Learning:

Yes. We will work as quickly as we can on that because we want to, but the good thing is we have good communication with Social Security. We are making some really good changes in identifying that. These are the nuances that we can do when we ... I think because of putting this into A.M.E. (annually managed expenditure) it makes the other parts of it simpler so there is more focus on other areas, rather than simply that focus on that increase.

Deputy H.M. Miles:

Yes, okay. Thank you. My next question is around the travel allowances, skills bursary, disabled student allowance. Our understanding is they have not been adjusted since 2018. So are there any

plans to review and update those allowances with the work that you are doing so that we have adequate support for students?

The Minister for Education and Lifelong Learning:

Yes, it is something we do need to address. All of these things are coming forward at the moment as part of the work that we are doing. 2018 is too long ago to assess those, so yes, absolutely, we will. I cannot give you information on what that will be today ...

Deputy H.M. Miles:

But you have an undertaking to look at those?

The Minister for Education and Lifelong Learning:

Yes, we certainly will undertake and look at that as part of it. We have a lot going on in this arena at the moment. Let us get some of the things done and in place, but certainly that is something we need to look at. I do not know how many people that affects and that is the first thing I will look at. I cannot off the top of my head ...

Policy Officer:

It is quite small numbers. I do not know the number off the top of my head.

Deputy H.M. Miles:

As a percentage it is going to be quite low, is it not?

The Minister for Education and Lifelong Learning:

Yes. However, it is important and also if it is a small number, perhaps it is easier to address. So that is something we can look at, absolutely. We want to make sure people get access. It is really important.

Deputy H.M. Miles:

Talking of access to higher education and really bringing out the model that we have, whereas your access to higher education is largely controlled by the income of your parents, students from separated families we know are facing challenges if only one of the parents is able or willing to contribute. Yet we know that both parental income is taken into consideration under the law for the assessment. So how does the maintenance grant account for cases where one of the parents is included in the financial assessment but actually do not provide financial support?

The Minister for Education and Lifelong Learning:

We can make decisions to waiver incomes and that does happen.

Deputy H.M. Miles:

Okay. Is that at Ministerial level?

The Minister for Education and Lifelong Learning:

Yes, it is at the moment.

Deputy H.M. Miles:

Would that come to you via Student Finance?

The Minister for Education and Lifelong Learning:

Yes, it would. You would make an appeal and then those ... advice is given to me from Student Finance because they know their stuff really well and the ... not the validity, but the depth of the reason for it, the information and the "evidence", if you like, that they have gathered, and then that decision will come to me.

Deputy H.M. Miles:

Have you denied any requests?

The Minister for Education and Lifelong Learning:

Off the top of my head, not many and if I have I cannot think of the reasons why off the top of my head. They would be really private, but I could talk to you outside the meeting about it. The vast majority are there for a specific reason because ... and also I think people do come with the appeal because of the very reasons you have said. So, for example, a parent might be separated and they have had no contact with the family whatsoever. On paper it says 2 incomes. They can say to us: "Look, we have put this on paper. However, that income is definitely not there." We can look at it and say: "Yes, absolutely, we will waiver that for you." There has to be some sort of appeal system there because you have a generic system. There are not that many, I would say. Appeals come for all sorts of reasons. If somebody is ill in one of their years, they appeal to say can they repeat the year. If they have evidence for that, we would do that as well. I think the system is increasingly supportive because the system is working better. I would stick my neck out and say ...

Deputy H.M. Miles:

Understanding and responsive to what the issues have been.

The Minister for Education and Lifelong Learning:

Yes, I would say that we are, yes.

Deputy H.M. Miles:

Unless something fundamental changes, we are never going to get to a position where students are treated as independent in all this, and it is for ever going to be an issue.

The Minister for Education and Lifelong Learning:

Yes, absolutely.

Deputy H.M. Miles:

If you are reliant on the income of your parents. But that is a completely different ...

The Minister for Education and Lifelong Learning:

Yes, and that is a new model of higher education funding. That is an interesting discussion, an interesting thought.

Deputy H.M. Miles:

It is loans, is it not?

The Minister for Education and Lifelong Learning:

The problem with loans ... well, I am not a loans supporter simply because of ...

Deputy H.M. Miles:

But if it is the only way that you can have access to higher education, perhaps it is something that should be considered.

The Minister for Education and Lifelong Learning:

There are problems with loans on Jersey. If you take a loan out from Jersey, you cannot chase somebody when they are off-Island for it. It can be counterintuitive to people coming back.

Deputy H.M. Miles:

I will move on anyway. **[Laughter]** That is a different ... we will not go down that rabbit hole.

The Minister for Education and Lifelong Learning:

Interesting discussion, yes.

Deputy H.M. Miles:

The other issue that we have had is about students undertaking distance learning courses having to pay the fees in advance.

The Minister for Education and Lifelong Learning:

Okay. That is interesting.

Deputy H.M. Miles:

Up front and then reclaiming them from the department. We were wondering whether there is any move to have a different approach on that.

The Minister for Education and Lifelong Learning:

Well, there is a lot of work going on on distance learning, really good work as well.

Policy Officer:

The arrangements for settling fees are dependent on provider. I believe if you are talking about the Open University, which is one of the main providers, they do have a special arrangement where we can sign some documentation, Student Finance can sign some documentation to agree to settle fees in advance. So that has now been identified and resolved.

Deputy H.M. Miles:

Smashing.

Policy Officer:

But for other providers it is at their discretion as to how they want to do the arrangements.

Deputy H.M. Miles:

Okay. But if a provider said: "Yes, we are happy for Jersey to pay" that would do that?

Policy Officer:

Yes.

Deputy H.M. Miles:

Okay.

The Minister for Education and Lifelong Learning:

There is a piece of work on distance learning which is not totally complete yet but we are very close to completing it. We will come to the panel when that happens and we will certainly brief you because I think we have a really good, constructive and useful way forward that I think will be good for the Island.

Deputy H.M. Miles:

Okay. Thank you.

Deputy C.D. Curtis:

Could I just check? So it is okay for us to say that publicly that Student Finance can settle fees in advance for distance learning?

Policy Officer:

Yes.

Deputy C.D. Curtis:

Because I remember when I did this myself I was ... but that has changed now, then?

Policy Officer:

If a student directly goes on the open university website and fills in a form to apply, they are initially advised to settle their fees in order to register, but there is a little link somewhere that says there is a special arrangement. I think that was just not realised by most applicants.

Deputy C.D. Curtis:

Okay. Thanks.

The Minister for Education and Lifelong Learning:

My advice is if anyone ... is to contact Student Finance. They really are doing a good job. They have moved so many things on and they know a lot.

Deputy H.M. Miles:

Okay. Thank you. I think we have just talked about 4-year courses. There seems to be some inconsistencies with 4-year courses. The question was around whether Student Finance had reached out to those affected students to reassess their grants and what steps are being taken to provide some clear, consistent guidelines for the courses in the future.

The Minister for Education and Lifelong Learning:

I think the guidelines are there. If you have an identified 4-year course that is mandatory to obtain any qualification, it will be funded. Otherwise a 4-year course will have the 3 years split over 4 years. There was some error previously in applying that. I took the decision to say that nobody will lose out because of that error. So they will not be claiming that money back. I do not think that is the right thing to do. Also, it would cost as much to get it back as to not have it, to be quite frank. People are studying. If there was an error made by the department ... but again, there have been improvements made and they are working really well, so that is good.

Deputy H.M. Miles:

Okay. Thank you. Back to systemic issues now really, we understand that some individuals who are moving to Jersey find ... typically older teenagers of parents who come to work in Jersey find themselves caught between 2 schools, so they are stalled. So they are not able to access the U.K. loan system, neither are they able to access the Jersey system, which surely is going to act as a barrier to recruitment for anybody who has teenage children who wants to come and settle in Jersey. So is there anything more that the department really can be doing to address that?

The Minister for Education and Lifelong Learning:

The rules around that are pretty clear from the U.K. I think you have to have been away from the U.K. for is it 2 or 3 years to not ...?

Policy Officer:

Do you mean in the U.K.?

The Minister for Education and Lifelong Learning:

If you move from the U.K. today and come to Jersey, you have 3 years where you can still access loans. So that is possible in the U.K.

Policy Officer:

You have to be resident in the U.K. for 3 years.

Deputy H.M. Miles:

You have to be resident in the U.K.

Policy Officer:

So if they come to Jersey, then they would lose that access.

The Minister for Education and Lifelong Learning:

That is an issue. Then the issue is do we have any qualification period here in order to give grants. We have no control over the student loan rules in the U.K.

Deputy H.M. Miles:

No, we know that.

The Minister for Education and Lifelong Learning:

Zero.

Deputy H.M. Miles:

But if somebody moves to Jersey here with teenage children and they have only been here 3 years, they cannot access the Jersey grant system either. So you have people ...

The Minister for Education and Lifelong Learning:

So we have a decision ...

Deputy H.M. Miles:

So surely that is a disincentive for professional people to come to Jersey.

The Minister for Education and Lifelong Learning:

It is a disincentive in one way in terms of we will not be paying for their university tuition, et cetera, at that time, but obviously it depends on their earnings as well. But I think as long as ... I think people need to recognise that that is the case and, therefore, make plans for that happening.

Deputy H.M. Miles:

But are they informed of that? We have people coming into the public sector ...

The Minister for Education and Lifelong Learning:

That is what I was coming on to. That is exactly what I was coming on to. I think we need to ensure people are informed. It is not just the public sector who need to be informed.

Deputy H.M. Miles:

I know, it is everybody. You need to know.

The Minister for Education and Lifelong Learning:

It is recruitment agencies and that is wider than just higher education. The 420 young people who have arrived, for example, come from many different education systems and we accommodate ... I think we perform miracles to accommodate half the time. That widens that as well. So yes, there is a piece of work to be done on making that clear.

Deputy H.M. Miles:

Okay. There is a piece of work to be done. Is that in train? Is anybody doing that work at the moment?

The Minister for Education and Lifelong Learning:

No, not at the moment because we have so many other things that we are doing.

Deputy H.M. Miles:

Because it is not just an education issue, is it? That has to be an S.E.B. issue.

Assistant Minister for Education and Lifelong Learning:

I think it is across government, yes.

The Minister for Education and Lifelong Learning:

Yes, it is across.

Deputy H.M. Miles:

It has to be a Control of Housing and Work issue.

The Minister for Education and Lifelong Learning:

It is across government. Thankfully, those numbers are not high. So the numbers that it impacts upon are not high numbers. But also, you are right, parents do need to know that.

[14:00]

Deputy H.M. Miles:

But the impact on the community can be huge. If you have a couple of nurses that suddenly have to go back to the U.K. in order for their children to access a student loan, you are then losing nurses from the workforce here, are you not?

The Minister for Education and Lifelong Learning:

We have a decision to make as to whether ... yes, we need to inform them. That is key. If we are going to change it so we say in some sectors we will immediately pay for your tuition fees, there would be a lot of people who would not agree with that as well. So we have to make a cut-off at some point because it is a generous payment and we spend a lot of money on it.

Assistant Minister for Education and Lifelong Learning:

Sorry, just to provide some reassurance, I have a meeting scheduled in the new year with the Minister for Home Affairs, with the Minister for Social Security, myself obviously. It is more on the Control of Housing and Work Law, but obviously I am Assistant Minister for Education and Lifelong Learning as well. I think these are one of the things that probably from an immigration perspective as well it needs to be communicated through that avenue. So that will be something that I will be raising with those Ministers as well.

The Minister for Education and Lifelong Learning:

Yes, apologies, there is work going on. It is just not me doing it. [Laughter]

Assistant Minister for Education and Lifelong Learning:

That is okay.

Deputy H.M. Miles:

Can I just quickly add this also impacts on the rights of children, does it not? Because they do not have that choice of whether they move from the U.K. to Jersey. They may be 16 at the time and still a child legally, and yet they lose their right to further education.

The Minister for Education and Lifelong Learning:

Well, they do not lose their right, they can still have the right to further education. It is just that ...

Deputy H.M. Miles:

But if they cannot pay for it.

The Minister for Education and Lifelong Learning:

Well, they do not lose their right to go. They just have to pay for it, you are right.

Deputy H.M. Miles:

They are unable to access higher education.

The Minister for Education and Lifelong Learning:

So are you suggesting that we make it from day one that we pay tuition fees and maintenance fees?

Deputy C.D. Curtis:

No, it is not for us to suggest. It is for us to highlight issues like this.

The Minister for Education and Lifelong Learning:

We can highlight them. Just to say I absolutely agree, but what we have to do is be clear on what we want to provide, make a decision on that and where we are going to stay. Are we going to say from day one we are going to keep the rules that we have? Then we need to make that clear to parents so that they can prepare for that. For example, part of the packaging for big companies bringing them over might be we will not have the first year tuition and so and so fees. Companies may be able to attract people to say: "We will pay that for you" and then you will go into their system because you have been here 3 years. If they are at 16, 18 and they get to 19 they have been here 3 years. I think we can also ...

Deputy H.M. Miles:

Five years here, is it not?

The Minister for Education and Lifelong Learning:

Yes, is it 5 years? Yes, well, over many years it is. The other thing is we will be flexible if we are close to those years. I think sometimes we make common sense. But it is a question of what we are going to pay for at that time from the student loans budget, there is a lot of demands made on it. I think the information for parents is really, really important. I agree with that.

Assistant Minister for Education and Lifelong Learning:

Can I just make the point that the U.N.C.R.C. (United Nations Convention on the Rights of the Child) is up to 18? Children have a right to education, maybe not further education because it is up to the ages of 18. There has been many occasions where people have come outside of the normal education systems that we have here, outside of Europe nationalities.

Deputy H.M. Miles:

I get that, it is not really in the spirit of the law I suppose, yes.

Assistant Minister for Education and Lifelong Learning:

We are fulfilling the law, we are fulfilling the U.N.C.R.C. - I always get that in the wrong order - because it is up to 18. We are not denying the right to children; we cannot provide everything. Like you stated, the current law is that a person has to be resident here, a student has to be resident here for 5 years in order to carry on, post-dating it, yes.

The Minister for Education and Lifelong Learning:

Yes, to higher education. When we do provide it up to 18 sometimes it is a real challenge and we have to tailor things quite carefully and I will be reviewing that.

Assistant Minister for Education and Lifelong Learning:

There is a caveat as well, that if they have lived here in Jersey for at least 12 months before 31st August they might qualify if they or one of their parents possess entitled status, for example. There is some leeway.

The Minister for Education and Lifelong Learning:

I should say that is the complexity of our Housing and Work Law, which is being addressed. Can I just say as well, we are also reviewing the provision up to 18 and the way we can do that and the right up to 18. Because I think we have got more people arriving in that group. It used to be one or

2, simple, but it is more than that now. We need to review what we are going to do there. The basis behind that is to try and increase, as you have said, access so that when people come in here with their children, because we are recruiting from all over the world now, partly because of Brexit.

Deputy H.M. Miles:

Thank you. The last question you alluded to earlier. Can you tell us what you are doing to attract the graduates back to Jersey?

The Minister for Education and Lifelong Learning:

Yes, there is a number of things. A lot of this is economy. I have a few things that have been happening recently, if I can find them. There is a Jersey Connections website. I think it was launched yesterday.

Policy Officer:

It has been around for about a year but the official launch with the Opportunity Hub was yesterday.

The Minister for Education and Lifelong Learning:

Yes. There was an official launch yesterday of an event in the U.K., which is a connection back to Jersey when you are a student and you are working there, so that that link is always kept there when there were jobs, et cetera, which is a good idea. It is more the Economy Department than Education because that is what it is. We are collaborating with Economy, External Relations and Skills to work on how we would do that. That website, that hub, has a skills and employment section advertising: "Local jobs in research areas of interest." I have to say here at this point, one of the issues if we did have mass loans was it may be counterintuitive to be attracting people back because if they come back they will be paying their loan. If they were not here there is no way for us to chase it. There are so many variables in this point, yes, and there are also wider issues, housing, cost of living, et cetera, that would need to be addressed for everybody across Government and the Assembly.

The Connétable of Grouville:

Minister, if I may, and Chair, I would like to make a public statement about we received a meal last night at the Highlands Catering Unit ...

The Minister for Education and Lifelong Learning:

We did, yes.

The Connétable of Grouville:

... which I thought was absolutely excellent. With regards to apprenticeships, further training, higher education, they are doing a fantastic job and they certainly did last night at our Christmas dinner, so thank you, Minister.

The Minister for Education and Lifelong Learning:

Can I just say thanks for that? Because I do not think it is recognised sometimes, the quality of the students. They have been there 9 weeks. I will add as well that States Members paid for it themselves, just for ...

Assistant Minister for Education and Lifelong Learning:

Yes.

Deputy C.D. Curtis:

Just for clarity.

The Minister for Education and Lifelong Learning:

To save on the cost of an F.O.I. (freedom of information), just to make that point. Yes, absolutely excellent. Can I say this is exactly the type of thing that we need to recognise more, that there is real quality training going on in the Island. It is a real kitchen. I would say it is open to the public if people want to book and go and use it. You can watch on the screens the kitchen and what is happening, meet the students themselves, and it was really excellent. Well done to Highlands College and the Highlands Academy and the culinary arts part. Thank you.

The Connétable of Grouville:

Bravo, Highlands, bravo.

The Minister for Education and Lifelong Learning:

Thank you for saying that, cheers, yes. Good luck to them as well.

The Connétable of Grouville:

Minister, we are going to move on to questions about C.Y.P.E.S. policies and leadership. The Minister for Children and Families has indicated that: "Children in social care policies require an update." Can you confirm if there is a similar need for an update in policies related to education?

The Minister for Education and Lifelong Learning:

Are you talking about Education Law?

The Connétable of Grouville:

I am talking about the general policies, yes.

The Minister for Education and Lifelong Learning:

Yes, education law, absolutely, yes. I will give you my personal view on education law - no, it is not that - which is that it so needs updating for so long that it has become a huge piece of work that has never got done because it is such a huge piece of work. We had discussions in certain areas this morning in our Ministerial meeting and there were other areas going on. I think what we need to do is we need to take a piece at a time. There are things that are outdated in our Education Law.

Assistant Minister for Education and Lifelong Learning:

Not fit for purpose.

The Minister for Education and Lifelong Learning:

I do not think there is anything wrong with me saying about look at the sections on governing bodies, for example, some really good move forwards in governing bodies. The law does not match what they are doing. We want to work together on that and increase training. There is the functionality of that and there are other areas. Yes, there are. I have to say a lot of my priority has been set to me by P.12 and other propositions in the Assembly, which we have had to respond to and we have done a lot of work on that. We are doing that because that is necessary, it is an order of the Assembly and we will take that seriously and do it and the C.S.P. But we will make those changes as and when we can and make them as quickly as we can, but I think an overall look at the law is something that is not going to happen overnight.

The Connétable of Grouville:

No.

The Minister for Education and Lifelong Learning:

But I think we can make some very simple changes. The law is in the public domain. Perhaps I should not but it has a part in it that says: "A child can be removed from school for being infested with vermin." We should not be talking in those terms in the modern education system. That needs to be gone from the law but this existed for so many years. That is obviously not taken seriously by anyone, I think, that piece of the law, it is not. However, it needs to be gone and we need to update that type of thing.

The Connétable of Grouville:

Define vermin I would say. My next question you have already alluded to, which areas, what is the timeline. But clearly this is a very large piece of work. Do you know when this type of work, with all your other priorities, might be started?

The Minister for Education and Lifelong Learning:

For example, there is some good work going on with governing bodies. It is going to happen quite rapidly over the next few months. When that happens I can see no reason why we cannot make simple changes to the law then, as long as you have the time, if they are simple changes. However, some people around this table will say whenever I want to change something the law is allowing changes. Never that simple and creates a vast amount of work but, hopefully, we can find those ones that are. It is one of the things that we would let the panel know about, yes.

The Connétable of Grouville:

Okay, thank you, Minister.

Deputy C.D. Curtis:

All right. Yes. I think we will just skip forward because some of our next questions could be done better by written answers if we run out of time.

The Minister for Education and Lifelong Learning:

Yes, great.

Deputy C.D. Curtis:

Maybe we could forward to number 29.

The Connétable of Grouville:

Twenty-nine, my age.

The Minister for Education and Lifelong Learning:

Public area is that?

The Connétable of Grouville:

Yes.

Deputy C.D. Curtis:

Yes, because this is some more questions that if anyone is listening they might be interested to hear the responses.

The Minister for Education and Lifelong Learning:

Yes.

The Connétable of Grouville:

Absolutely, Minister, after the considerable piece in the *J.E.P. (Jersey Evening Post)* on 15th November, and this panel has already discussed mobile phones in schools.

The Minister for Education and Lifelong Learning:

Yes.

The Connétable of Grouville:

Minister, can you advise the panel if there are any plans to update policy relating to managing allergies in schools?

The Minister for Education and Lifelong Learning:

Allergies, yes.

The Connétable of Grouville:

For example, having spare EpiPens available on school premises.

The Minister for Education and Lifelong Learning:

I was pleased to hear that you were going to ask about this topic here because it brings the subject up. There are a number of things that we can talk about here. In terms of updating, did you say updating policy or law?

Deputy C.D. Curtis:

Policy, yes.

The Connétable of Grouville:

Policy.

The Minister for Education and Lifelong Learning:

Policy, I think the policy that we have, if it needs updating, then of course that needs to happen because we want to keep children safe. When I looked into this area it was very interesting to see what we have. There are individual care plans that will cover children with allergies in schools. It is different for primary and secondary schools because of that age group. In secondary schools I think the children have the ability to carry their EpiPen with them, would carry it with them. I can remember I had students who certainly did that and when you are aware of the allergies: "There are 674 teachers and other staff who are in the Government of Jersey schools who receive training on how to manage anaphylaxis and administration of auto-adrenaline injectors." I was pleased that there were that number but there obviously could be more. In primary schools I believe the EpiPen is kept

in the classroom, so it should be nearby but that is only one example. We are in a good position when it comes to that but we could always improve; that is the simplest way to put it.

The Connétable of Grouville:

Okay, yes.

The Minister for Education and Lifelong Learning:

Do you want to add anything to that because I ... sorry, Sean, I have not answered that very well.

Director of Education:

No, the Minister has captured it very well. The default in the primary school is a class-based EpiPen because secondary pupils move around the building. There is an individual assessment and talking with head teachers on this subject very recently this week, the School Nurse service lead on the training of staff and they would do an individual pupil's risk assessment because anaphylaxis, as a reaction to an allergy, can be extremely serious. They do the leadership of the training and the risk assessing and, as the Minister said, the care plan for each individual ...

The Connétable of Grouville:

Is there any plans to carry spares as well?

Director of Education:

The U.K. Government recently changed the law, so the Human Medicines Act, which is U.K. legislation and not Jersey, has allowed a change because up until this point these are prescribed medicines. The prescription names the child, so a spare might have someone else's name on it, which would not be appropriate in terms of dosage or age appropriateness. We are actively in discussion with public health, who lead on this, about the Jersey legislative framework. As soon as we hear back we will be more than happy to update the panel.

The Minister for Education and Lifelong Learning:

Tell me if I am wrong but I am certain any pupils who may require an EpiPen would then expect to have a healthcare plan in place in the school, so there would be awareness of it.

Deputy C.D. Curtis:

But the difficulty is that children can develop these, so they might not have that reaction when they are younger.

The Minister for Education and Lifelong Learning:

Yes, absolutely.

Deputy C.D. Curtis:

They would not have an EpiPen available to them.

The Connétable of Grouville:

Any spares.

The Minister for Education and Lifelong Learning:

Yes, absolutely. I would say though that ...

Assistant Minister for Education and Lifelong Learning:

The first-aid kit.

The Connétable of Grouville:

It is rare I know but it is ...

The Minister for Education and Lifelong Learning:

Yes. I think the heart of being a teacher is being in loco parentis, so acting as parent at the time; you would act appropriate at that time. But, yes, it is always going to be a challenge.

[14:15]

I will say that in terms of foods - I do not know if you want to extend this out - but areas in the school knows with any primary school is there is an entirely allergen-free menu that is available for parents to choose. It is a very good part of what we do and, therefore, the awareness of parents, we can make sure of that. I think there is more control over that perhaps than there is in packed lunches. But schools work really hard to inform our other students and students are usually very, very good like that.

The Connétable of Grouville:

Part of that question relates to the fact of the introduction of school lunches.

The Minister for Education and Lifelong Learning:

Sorry, yes.

The Connétable of Grouville:

Were you aware of the fact that that is already in train?

The Minister for Education and Lifelong Learning:

Yes.

The Connétable of Grouville:

Just as information, my son was a category 1 diabetic and was allowed to carry his EpiPen. Considering the dangers of injecting a normal person with insulin can be fatal, that was quite a decision to make, so we thank you for that.

The Minister for Education and Lifelong Learning:

Yes. They are never easy decisions and it relies on all sorts of things going on. But we do have to act on them and make the right decisions. It is about information, it is about knowledge. I think the fact that so many teachers are trained and staff and any increase in that would be more than welcome.

The Connétable of Grouville:

Thank you, Minister.

The Minister for Education and Lifelong Learning:

Yes.

The Connétable of Grouville:

Here it is, is there any intention to roll out unified approach to student phone use within schools?

The Minister for Education and Lifelong Learning:

Yes. First of all, each school makes their decisions on that because they have to manage their school and they know their schools best. Head teachers and teachers know their schools best. There is a unification across most schools. Phones are not to be used in classrooms. In many schools they are not used in school at all. Some have still got the process of saying they can be used at break times and I think part of that is because they are controlling something and pushing against the wind. The mobile phone genie is out of the bag. We are now asking schools to control it. There is only, I think, one school that allows wider use but they are starting to limit that from Year 7 upwards. I have to say schools do not buy children mobile phones, parents make that decision. I would say to parents if you are going to buy your child a mobile phone please use the restrictions that are available. Please limit the time that is available and please talk to the school if you have a concern.

Deputy C.D. Curtis:

I would just say those parents do not have any control over what other children have in school, which their children will see. It is not a responsibility that they can have control over because ...

The Minister for Education and Lifelong Learning:

But what do they do outside school because you are only in school for about 15 per cent of the time?

Deputy C.D. Curtis:

At least if it was restricted in school that would take that ...

The Minister for Education and Lifelong Learning:

Can I be really clear here? There are significant restrictions in schools already. I do not want to end the hearing with anything other than an understanding that schools really do not allow mobile phones in classrooms and they have had to implement that. Implementing that with teenagers is really difficult. As parents have that challenge all the time, the schools have taken it on and I think they have been very successful in doing that and working with young people as well. When we have been in to schools and talk to young people, I think there is a growing belief among young people, yes, it is a nice break, it was difficult at the beginning but we are getting used to it. That is what schools are doing, you manage a change gradually until it becomes ingrained in the school and then you can move forward. I think we have to be careful though to ensure there is education in the safe use of phones. A simple ban could take away some of that information. I think we need to inform children. If you say ban up to the age of 16 and then suddenly at 16 you have free access, how are you going to know how to use those phones and what is appropriate use? There is a balance to be had there and I think schools do well to inform that. I think I have said to the panel before and we spoke to some Year 9s and asked them about that, they said to us: "Yes, we have had training every single year" and they probably know more about it than you do, which is quite an interesting response from them. I am not negating it and I understand the concerns but there is an awful lot going on already. There have been some issues and the other side raised with me, for example, mobile phones, the smart phones have probably got the best cameras you can buy on them. These things have got an incredible camera. In some subjects they are saying: "We have lost the ability to use really good high-quality cameras, we are going to have to replace them with those." There is always 2 sides of an issue.

The Connétable of Grouville:

But just to clarify, Minister, we understand that the schools are taking their own guidance. Do you think there is a case for the centralisation of guidance from the department?

The Minister for Education and Lifelong Learning:

There is guidance from the department in terms of safe use of mobile phones. The only problem with saying something centrally is each school is unique with their population. If we were to say, okay, we are going to ban all phones at all times, even coming to school, we are asking the school to police that. Schools are already taking that action effectively themselves. Some schools are putting the phones in particular things and even those, if we were to do that, they would have to be provided. Some are saying they will stay in bags. Some are saying that they will not be used at all and if they are seen they are confiscated. There is an issue there over rights and confiscation, which I do not want teachers to be police officers; I want them to be teachers. Thankfully we have good relationships with children and those teachers who know them well can do those things with an agreed approach.

The Connétable of Grouville:

Are you kept informed of these grievance processes as a Minister?

The Minister for Education and Lifelong Learning:

Of these, of the ...

The Connétable of Grouville:

The grievance processes in schools.

The Minister for Education and Lifelong Learning:

Grievance processes?

The Connétable of Grouville:

Yes.

Deputy C.D. Curtis:

That is a general subject, is it not?

The Minister for Education and Lifelong Learning:

Sorry, sorry, I think you are on to another subject.

The Connétable of Grouville:

Yes, I do apologise, sorry.

The Minister for Education and Lifelong Learning:

In terms of the phones and also we do talk to head teachers. I think some newer head teachers mentioned yesterday: "I could make that one."

Director of Education:

Chaired secondary yesterday, primary Tuesday, yes.

The Minister for Education and Lifelong Learning:

Yes. I have spoken to head teachers at those meetings and we will continue to do, where are we going? I do not want to talk about individual schools, I do not think it is fair. But we have seen in the press one individual school that has successfully introduced a ban, another one that is successfully controlling it, another one that has a slightly different approach. I think it is up to the head teachers to see where it goes. I will say that there is a survey in the *J.E.P*, I saw that, but there were 200 responses to that. There are 15,000 children go to school every day, so we have to be careful in terms of that as well.

Deputy C.D. Curtis:

Can I just say I think there is a lot of research coming out now as well? Also, would you advise parents then who are concerned to speak to their schools and to bring their ...

The Minister for Education and Lifelong Learning:

Yes, absolutely. Because what you will see there is a good response schools have got. One of the reasons children have a phone is for safety on the way home.

The Connétable of Grouville:

Yes, absolutely.

The Minister for Education and Lifelong Learning:

If you do not want your child to have a smart phone, Christmas is coming and there is a lot of advertising for smart phones. I think there is an advert in the paper today and they refer to them as dumb phones, which I am not sure that is the best marketing tactic. But you could do that if you want some safety. We have to work in conjunction with parents but also, as I say, it is really important for parents to make sure they are engaged with that and engage with the school as well because there is support there.

Interim Chief Officer:

Just on that front and I think we have spoken about it, the schools do a huge amount of work around online safety and most schools will be having those sessions with parents where they can engage and then learn not just about phones but just about online activity and how to stay safe, for their children to stay safe as well.

The Minister for Education and Lifelong Learning:

It would be really interesting to see what happens in Australia with their supposed - and I say supposed - ban.

Deputy C.D. Curtis:

We are just planning a Scrutiny visit, yes, we need to go for 2 weeks.

The Minister for Education and Lifelong Learning:

Yes, supposed ban and I say that because look at carefully what they are doing up to the age of 16. They are a big jurisdiction. You can have an influence on X or whatever it is called or social media platforms. How that would work, I would just be fascinated to see how they are going to work that.

Deputy C.D. Curtis:

It will be interesting.

The Minister for Education and Lifelong Learning:

It is a real challenge, a modern-day challenge, but schools are responding very well.

Interim Chief Officer:

Yes, I think they are, I think that is fair. They are taking it very seriously.

The Connétable of Grouville:

We were particularly alarmed about the Year 7 survey at La Rocquier that every child, bar 3, in Year 7 had been upset by content they had seen on their phone. That is quite alarming.

The Minister for Education and Lifelong Learning:

Of course. Again, that is where the school, the parent and the child need to work together and that triangle relationship I think is ...

Deputy H.M. Miles:

Government maybe.

The Minister for Education and Lifelong Learning:

Yes, the Government are. I do not think it is fair to say that Government are not ...

Deputy H.M. Miles:

No, I am not saying they are not. I am saying that they have included ...

The Minister for Education and Lifelong Learning:

Yes. But, no, I think it is really important. We are very supportive of the schools and the actions they take and that is the really important thing for us to do.

The Connétable of Grouville:

Right, Minister, we are running out of time. Is the Minister kept informed about any grievance processes in schools which could affect children?

The Minister for Education and Lifelong Learning:

There are 2,000 employees in C.Y.P.E.S., if every grievance I was informed of I would be working in H.R. I think there is a level of grievance in which I would be made aware if it was significant and that is a judgment that has to be made, simple as that.

The Connétable of Grouville:

Okay, that is fair, that is fair.

The Minister for Education and Lifelong Learning:

Also, I have to say any Minister being involved in a grievance has to be extremely careful in order to not prejudice any investigation that is going on. They should be independent and they should be clear, yes.

The Connétable of Grouville:

Yes, absolutely. Can you provide any data that would indicate the number of children in Jersey who have a Record of Need?

The Minister for Education and Lifelong Learning:

Yes, we can. I do not know if we have that one in our pack. We may need to provide that after. Off the top of my head ...

The Connétable of Grouville:

Yes, it is just we want to know that that information is passing ...

The Minister for Education and Lifelong Learning:

Yes, it is.

Interim Chief Officer:

I do not want to give you the wrong data but we give you that ...

Deputy C.D. Curtis:

Okay, yes.

The Minister for Education and Lifelong Learning:

Also, can I just say on that data it will change as well and it is changing, as we go through processes of identification and so on. It might be updated data every term, for example.

Business Change Director:

The Minister is right, it is an enormous amount of data and it is much richer now because we go through a very formal process that establishes not only if a child has a Record of Need but also a graduated level of support that they require, then drive funding that, then drive resources available to schools. We also have periodic reviews annually for each of those children and we also make adjustments for school funding internally. We can share what we have and perhaps let us know what is most useful to you.

The Connétable of Grouville:

Thank you very much.

Director of Education:

For your information, on Wednesday of this week the monthly S.E.N.D. panel sat; 16 children were up for consideration for the award of Record of Need, so within week. As Jonathan has referenced, we have also had our final meetings to prepare school budgets for 2025. We fund R.O.N.s very significantly, very substantial sums. We are all over the data but the number changes, okay.

The Minister for Education and Lifelong Learning:

Record of Need, just to be clear, is one area of the identification of additional needs in schools. It is a more formalised - is that the right way to put it - view. There are big sums with more funding. The lower Record of Need, there are lots of children who will have other needs identified, so that is important.

The Connétable of Grouville:

That is good. It is good to see that it is correctly completed. Minister, can you update the panel about the numbers of school exclusions and expulsions and how they relate to previous years?

The Minister for Education and Lifelong Learning:

Yes. I am sorry we did not have that in the pack. Sorry, I have not got the data.

Assistant Minister for Education and Lifelong Learning:

I think we had a recent question.

The Connétable of Grouville:

Can you update the panel by letter?

The Minister for Education and Lifelong Learning:

We may well have had a written question on this, so we can just refer you to it.

Interim Chief Officer:

We will be able to send you that data, yes, we have that.

The Minister for Education and Lifelong Learning:

But, yes, absolutely we can.

Deputy C.D. Curtis:

Thank you. Okay.

The Connétable of Grouville:

Thank you very much.

Director of Education:

If it is helpful, you used the term, Constable, expulsion. It is what is normally referred to as permanent exclusions. There are none.

The Connétable of Grouville:

Okay.

Deputy C.D. Curtis:

Exclusions.

Director of Education:

There are fixed-term exclusions but in England and many other jurisdictions you see a lot of permanent exclusions, often called expulsions in the vernacular. That is not the case here.

The Connétable of Grouville:

Sure, okay.

Director of Education:

But we will give you the data on fixed-term exclusions.

The Connétable of Grouville:

Thank you very much.

The Minister for Education and Lifelong Learning:

If I can be cheeky, O Levels are called G.C.S.E.s (General Certificate of Secondary Education) now. I did not mean that. Yes, I remember those as well. Sorry.

Deputy C.D. Curtis:

Can I just quickly go back to the Record of Needs? We have heard from some parents saying that they are not completed in the way that they are legally supposed to be completed. Also, that somebody had a successful appeal against this to show that their child's had not been done properly and believe that this is quite broadly not done properly. Is there anything being done about this?

The Minister for Education and Lifelong Learning:

Yes, I am not sure that I would agree it is broadly not done properly and we have to define properly. The Records of Need are difficult because they are very specific to a child and they are very specific to needs within a school setting. Parents may disagree with what they see there. The key thing when that happens is to work together to come up with a Record of Need that is appropriate and agreed upon. Because the Record of Need should not just be a document that is put on the shelf. It is a reflection of what is happening which may change in a child's life in order to support them through school and improve and address behaviours, address challenges and address problems that they have. Yes, there are lots of Records of Needs that are undertaken. If errors are made, then we will say then errors are made and we will try and do everything that we can in order to improve them.

Deputy C.D. Curtis:

Do you think that this needs looking at and checking now?

The Minister for Education and Lifelong Learning:

I think it is constantly looked at and checked. The demand of needs in schools really has grown, partly because of identification, partly because of increased awareness, partly because of post-COVID, partly because there are more children with additional needs entering our system. They are all a myriad of reasons.

Assistant Minister for Education and Lifelong Learning:

But I think if there are any concerns from any parents I think they do need to reach out to us and let us know where they think ...

Deputy C.D. Curtis:

These particular cases have done and they have not been satisfied and then have taken it to a higher level.

Interim Chief Officer:

Yes, that is correct and within the law there is the ability to appeal a Record of Need. There is also reviews built into the process and certainly parental and child voice is part of the process as well.

Deputy C.D. Curtis:

But, hopefully, they would not need to do that. I am just wondering if it is not being done well enough. Is it being looked at properly?

The Minister for Education and Lifelong Learning:

Yes, absolutely. I am not going to make a blanket statement on the efficacy or not of Record of Need in individual specific cases.

[14:30]

Whatever level they get to our wish would be to get it right because at the centre of it should be the child, and then receiving the need that they want realistically about what can be done to help and then applying that as much as we possibly can.

Deputy C.D. Curtis:

Okay. We have just about come to the end of our time. I have just got one last question if that is okay or a couple that I could roll them into one. You have already mentioned about the number of children coming into Jersey. You have some figures around that. I think you gave us a number, did you not, earlier?

The Minister for Education and Lifelong Learning:

Yes, 20.

Deputy C.D. Curtis:

Yes. My question really is about the long-term financial viability of schools in Jersey. For example, recently we have seen a school, it is in public, it is being taken to court, they are not paying staff and

so on. When these situations arise, does the department have mechanisms in place to either offer support or guidance or to see about closure?

The Minister for Education and Lifelong Learning:

Yes, it depends on the structure of the school, whether it in any way receives a grant or is maintained by the school. That is, to some extent, easier if that is the case because we already have a link with them. If they are entirely private schools it is more challenging. But, however, what we would do is the department needs to ensure that we would place children as and when necessary as quickly as we can. I think I know the school that you are referring to. Officers were in place to help do exactly that and are still there enabling that where we can. I think part of the issue there is not C.Y.P.E.S., it is to do with the parish because it is to do with buildings and so on. It is a really challenging situation in individual cases. Other cases that are also in the public domain, I think we have stepped in to really support well and come up with mechanisms to support schools so they can continue, have a good future, new boards of governors, new heads, working really well together with the department. I think both here and in the Treasury they have done some excellent work with one of the schools in order to give some certainty to the future and I think that is really good.

Deputy C.D. Curtis:

Yes, that is really good when Treasury and the department can help and everything.

The Minister for Education and Lifelong Learning:

We will always try and do that.

Deputy C.D. Curtis:

But in a case where continual assistance has not resolved it in improvements, is there the ability of the department or the responsibility to inform some sort of closure of the schools?

The Minister for Education and Lifelong Learning:

Because we are talking about specific cases ...

Deputy C.D. Curtis:

Generally.

The Minister for Education and Lifelong Learning:

I do not think there is a general there. If it was a school maintained by the department, if it is one of our schools, firstly, we would not be in that position because we would know more about their finances, et cetera. If it is one of the grant-maintained schools, as we have done, we certainly would step in and, yes, we can do that. We do not want to get to the point of closure. But if that was to

happen we have the facility to step in and make sure that school continues. We would have that facility, we would have to be organised. But for entirely private schools that is really challenging for us. Unless they have reached a standard where they cannot deliver any form of education, it is very difficult for me to say and we have to have real evidence to say: "You can no longer deliver education." I would hope that anybody in a small setting that is getting into that situation would just think that this is not the right thing to do anymore, come to the department, let us help in terms of placing those children, and then accept that perhaps that is not a viable entity anymore, if that is the case.

Deputy H.M. Miles:

Does the department have any capacity or duty to assess whether the education that is being delivered is of good quality?

The Minister for Education and Lifelong Learning:

Yes, we do. Yes, we do and we do that. An assessment was made recently in one school that is in a difficult situation, a year or so ago, about a year or so ago, before my time, so it was done. I think what I would prefer to happen is a sensible and pragmatic approach to a gentle landing for any school that might have problems, as opposed to a hard landing where you have to walk in, because that is not good for children and it is not good for parents. But we ...

Deputy H.M. Miles:

There comes a point, does there not?

The Minister for Education and Lifelong Learning:

There does come a point, there absolutely does come a point.

Assistant Minister for Education and Lifelong Learning:

We are talking about what is within the educational remit. Maybe there is a possibility of looking at that area to see if there is anything that may enable us to have a bit more oversight.

The Minister for Education and Lifelong Learning:

Yes, unless finances is what we are talking about are meaning that we simply cannot deliver any form of education. It is very difficult because we would face a challenge on that. Again, I think that what we want from any school being in that situation ... and we have seen it before with certain organisations that are very detached from the department in terms of their private provision that have closed in the past. We want to work with them so that we can provide support for all of those children and families and they are not in a situation I think we are discussing. I do not want to say

names because I do not think it is the right thing to do. There are small numbers involved, so we can cope with that capacity.

Deputy C.D. Curtis:

Yes. I think the overriding thing for me is that parents and children should be able to make informed decisions about where their children are going to school.

The Minister for Education and Lifelong Learning:

Yes, absolutely. Yes, but I think when things are in the public domain parents are making informed decisions to keep their children in a certain setting, so that is difficult.

Deputy C.D. Curtis:

All right, okay. I think that is all. We did have some, if we can come back to you with the written questions.

The Minister for Education and Lifelong Learning:

Yes, please do, yes.

Deputy C.D. Curtis:

Otherwise we are done, okay. Thank you very much. That is all for now, thank you.

The Minister for Education and Lifelong Learning:

Thank you very much.

[14:36]