

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 13th JUNE 2023

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[9:30]

The Roll was called and the Dean led the Assembly in Prayer.

COMMUNICATIONS BY THE PRESIDING OFFICER

The Bailiff:

1.1 Welcome to His Excellency the Lieutenant Governor

Members, I hope, will join me in the traditional way in welcoming His Excellency to the Chamber this morning. **[Approbation]**

1.2 Visit by Her Royal Highness The Princess Royal

I am pleased to be able to announce that Her Royal Highness The Princess Royal will visit the Island on 13th July. She will, while here, officially unveil the King's Arch at Government House and attend as patron of the Durrell Wildlife Conservation Trust to visit the Tortoise Takeover Trail and official opening of the new Aldabra Tortoise House in the zoo. **[Approbation]**

QUESTIONS

2. Written Questions

2.1 Deputy M.B. Andrews of St. Helier North of the Minister for The Environment regarding funding the Carbon Neutral Roadmap (WQ.227/2023)

Question

Will the Minister detail the proportion of public to private funding required to fund Jersey's Carbon Neutral Roadmap; and if not, why not?

Answer

The Climate Emergency Fund (CEF) was established in 2020 with an initial allocation of £5million from the consolidated fund, with additional ongoing income generated from the use of fiscal levers (such as increases in fuel duty and Vehicle Emissions Duty).

In 2022, the States Assembly agreed the Carbon Neutral Roadmap which outlines the Island's strategic approach to reduce our greenhouse gas emissions in line with the Paris Agreement on Climate Change. It outlines the initial policies to be implemented to achieve emissions reductions and allocated the initial £23million expected Climate Emergency Fund budget across the delivery of those policies between 2022-2025.

At its current value, it is accepted that the Climate Emergency Fund is insufficient to fund all the necessary policies to achieve our carbon neutral targets and it is expected that further income streams will need to be added to the Fund over the medium-term and that a long-term financing strategy is needed.

The principles of the long-term financing strategy are being brought forward as part of Government Plan 2024. These principles will cover the anticipated role of private financing in securing the long-term financing for the path to net zero emissions. More detailed policy development work is underway to cost and profile the full expenditure for the net zero transition and how this could be funded. I anticipate that the full long-term financing strategy will be brought forward for the States Assembly's agreement in Government Plan 2025, and whilst it will focus on the government expenditure on the net zero transition it is likely to consider the role of private financing as an enabler.

2.2 Deputy S.Y. Mézec of St. Helier South of the Minister for Housing And Communities regarding the Andium Homebuy scheme (WQ.228/2023)

Question

Will the Minister provide a breakdown of –

- (a) the number of homes that have been sold through the Andium Homebuy scheme in each of the last 5 years including a breakdown of the number of bedrooms in the properties and whether they were flats or houses;
- (b) the number of new builds included in (a), which were specifically built to be sold through the Andium Homebuy scheme and separately the number that were part of the old social rental housing stock;
- (c) the number of approvals for old social rental housing stock to be sold that have been authorised by the Minister since taking office; and
- (d) the average deferred payment that has been applied in these sales together with the number which have been made with the maximum 25% deferred payment?

Answer

- (a) Number of homes that have been sold through the Andium Homebuy scheme:

Year	1 bed flat	2 bed flat	2 bed house	3 bed house	4 bed house	5+ bed house	Total
2023 to date	0	1	1	8	1	0	11
2022	7	11	8	30	2	0	58
2021	9	23	1	41	4	0	78
2020	2	8	2	45	1	0	58
2019	10	12	3	29	0	0	54
2018	13	7	2	22	2	0	46

- (b) Old social rental housing stock:

Year	1 bed flat	2 bed flat	2 bed house	3 bed house	4 bed house	5+ bed house	Total
2023 to date	0	1	1	9	0	0	11
2022	6	10	8	30	2	0	56
2021	8	23	1	16	4	0	52
2020	2	7	2	28	1	0	40
2019	7	2	3	28	0	0	40
2018	13	7	2	16	2	0	40

Specifically built to be sold through the Andium Homebuy scheme:

Year	1 bed flat	2 bed flat	2 bed house	3 bed house	4 bed house	5+ bed house	Total
2023 to date	0	0	0	0	0	0	0
2022	1	1	0	0	0	0	2
2021	1	0	0	25	0	0	26
2020	0	1	0	17	0	0	18
2019	3	10	0	1	0	0	14
2018	0	0	0	6	0	0	6

(c) Sales are not authorised by the Minister for Housing and Communities. The Minister for Treasury is the Guarantor and approves the number of sales in each year as part of the Strategic Business Plan approval.

(d) Deferred Payment Bonds:

Year	1 bed flat	2 bed flat	2 bed house	3 bed house	4 bed house	5+ bed house
2023 to date average bond	N/A	25%	0%	23.2%	22.3%	N/A
2023 to date number of sales at 25%	N/A	1	0	5	0	N/A
2022 average bond	18.2%	19.7%	18.7%	20.3%	16.1%	N/A
2022 number of sales at 25%	1	3	3	8	0	N/A
2021 average bond	13.4%	15.5%	20.6%	18.1%	18.4%	N/A
2021 number of sales at 25%	2	3	0	5	2	N/A
2020 average bond	11.7%	14.8%	18.0%	19.5%	24.7%	N/A
2020 number of sales at 25%	0	1	1	9	1	N/A
2019 average bond	10.4%	15.7%	19.5%	15.8%	N/A	N/A
2019 number of sales at 25%	1	0	0	4	N/A	N/A
2018 average bond	3.1%	11.9%	11.1%	15.1%	20.6%	N/A
2018 number of sales at 25%	1	2	3	0	0	N/A

In addition to the above, properties sold at Samarès Nursery (40 x 3 bedroom houses) and Jardin De La Mare (6 x 3 bedroom houses) sites were sold with a bond in perpetuity of between 28% and 29%.

2.3 Deputy M.R. Scott Of St. Brelade to the Chair of The States Employment Board regarding civil servant working from home (WQ.229/2023)

Question

Will the Chair provide details of the number of civil servants working from home for each Government department, broken down into –

- (a) the total number of staff working from home;
- (b) the percentage of workforce working from home; and
- (c) the number of days per week staff work from home?

Answer

The Government does not hold a centralised record of working arrangements as our systems do not have this capability.

2.4 Deputy L.V. Feltham of St. Helier Central of the Minister for Treasury And Resources regarding Losses and Special Payments of the [States of Jersey Group Annual Report and Accounts for 2022](#) (WQ.230/2023)

Question

Given that section 4.23 of the [States of Jersey Group Annual Report and Accounts for 2022](#) outlines that Losses and Special Payments increased from £5.4 million in 2021 to £13.3 million in 2022, will the Minister provide a detailed breakdown of these payments by Head of Expenditure and type of loss, together with an assessment of the cause of each instance; will he further detail what measures, if any, are being taken to reduce and mitigate such occurrences in the future?

Answer

As identified in the Annual Report and Accounts for 2022, the increase in ‘Losses and Special Payments’ from 2021 to 2022 is primarily the result of an estimated impairment of £8.4 million in 2022 associated with the Our Hospital project. There is further detail in the published accounts on page 97, 213 and 244 to expand on this. The financial impact will continue to be reviewed as decisions are made.

Below is a summary of the totals by category and the year-on-year movement with some explanation. The page references are for the 2022 Annual Report and Accounts. The table can be found [HERE](#).

Below is a table providing the breakdown of the 2022 total by Head of Expenditure. The table can be found [HERE](#).

Note: Negative numbers presented in brackets are the net effect of accounting estimates recognised in the prior year where final payments were lower than expected or no longer required.

Further detail is available should the Deputy wish to see it.

The [Public Finances Manual](#) already includes a section on ‘Special Payments’. The first principle is to avoid any losses or special payments so all departments should maintain safeguards to deliver value for money and avoid decisions resulting in avoidable costs.

Some of the costs recognised are in higher risk areas with large volumes and values of transactions such as social benefits and taxation. I am satisfied that they represent a very small proportion of

transactions, that there are appropriate measures in place to mitigate these losses and that they continue to be monitored as part of operational performance measures. I will continue to monitor.

Likewise, the write off of PPE stock associated with the pandemic response I have some sympathy towards given the exceptional circumstances during the procurement and the ongoing uncertainty throughout the pandemic. However, I will seek assurance from the departments that appropriate measures are in place to manage appropriate stock levels, mitigate procurement risks and avoid further write offs.

While exploratory/feasibility work is not ordinarily recognised as fruitless, the projects detailed on page 214 of the 2022 Annual Report and Accounts that were halted have been prudently recognised as such.

I expect all Ministers and accountable officers to take care to take reasonable steps to avoid costs of this type and I will continue to work with Ministers and their departments to ensure mitigating measures are in place.

2.5 Deputy R.J. Ward of St. Helier Central of the Minister for Treasury And Resources regarding Key Performance Indicators for bonus payments to Chief Executives at States of Jersey Development Company and Ports of Jersey (WQ.231/2023)

Question

Will the Minister advise what criteria or Key Performance Indicators, if any, are used to determine bonus payments for Chief Executives of the Government owned arm's length organisations States of Jersey Development Company and Ports of Jersey?

Answer

Each of the wholly owned States-owned Entities ("SOEs") operate in accordance with the Principles of the 2018 UK Corporate Governance code, especially in the area of remuneration. The remuneration of the Executive Directors of these SOEs is also a subject addressed in the respective Memoranda of Understanding ("MoUs").

In practice, each SOE has a Remuneration Committee ("RemCom"), comprised of independent non-executive directors, that set the KPIs and objectives on which Executive Director performance will be measured for the ensuing year, effectively the framework of an incentive plan. The KPIs are specific to each individual executive, are based on company objectives and targets, albeit that they often also include personal objectives. That same Committee will be responsible for the assessment of performance during and following the end of the company's financial year-end.

The Minister approves incentive plans and their KPIs as and when these are revised, in accordance with the terms of the MoUs. The Minister further monitors the robustness of the assessment of Executive Directors through discussions on a regular basis with the RemComs and wider Boards during the year and then finally at the year-end when the RemComs have completed their assessments of the previous year.

I am however conducting a review of the incentive plans for the Executives of each SOE to ensure the underlying objectives are sufficiently stretching.

Turning to the specific organisations, the broad headline objectives for 2022 were as follows:

States of Jersey Development Company

- Strategy & Organisational Development

- Project development
- Strategic Stakeholder Management
- Environmental, Social & Governance

Ports of Jersey

- Profitability target
- Service target
- Outreach target
- A series of Strategic actions

2.6 Deputy M.B. Andrews of St. Helier North of The Chair of The Commonwealth Parliamentary Association regarding CPA trips (WQ.232/2023)

Question

Will the Chair provide details of the following in relation to each States member –

- (a) the number of trips undertaken on CPA business;
- (b) the number of days spent overseas on CPA business since July 2022; and
- (c) the destinations travelled to and the learning outcomes from each of these trips?

Answer

The following table provides the answers to (a), (b) and part of (c):

MEMBER	CPA EVENT	YEAR	DESTINATION	Days overseas on CPA business since July 2022 (total)
A.S. Crowcroft of St. Helier	Crown Dependencies Network 2022	2022	Guernsey	3
	38th CPA Australia and Pacific Regional Conference	2019	Adelaide, South Australia	
	Commonwealth Women Parliamentarians Regional Conference	2019	London	
	CPA 48th British Islands & Mediterranean Regional Conference	2019	Guernsey	
	CPA regional AGM	2018	London	

	42nd Conference of the British Islands & Mediterranean Region	2012	Edinburgh, Scotland	
	CPA 37th British Islands & Mediterranean Regional Conference	2006	Malta	
	CPA Regional	2000	Isle of Man	
	CPA Seminar	1998	Prince Edward Island	
M. K. Jackson of St. Brelade	CPA UK Bespoke Programme for newly-elected Members	2023	London	24
	Workshop looking at the committee system & the Ministerial system.	2022	St Helena	
	65th Commonwealth Parliamentary Conference	2022	Halifax, Nova Scotia, Canada	
	50th British Islands and Mediterranean Region Conference	2021	Belfast	
	CPA UK BIMR Election Observation Training	2019	London	
	CPA 48th British Islands & Mediterranean Regional Conference	2019	Guernsey	
	40th Conference of the British Islands & Mediterranean Region	2009	Guernsey	
A.N. Jehan of St. John	52nd British Islands and Mediterranean Regional Conference	2023	London	4
D. Johnson of St. Mary	50th British Islands and Mediterranean Region Conference	2021	Belfast	0
	Crown Dependencies Network	2019	Isle of Man	

K.C. Lewis of St. Saviour	63rd Commonwealth Parliamentary Conference	2017	Dhaka, Bangladesh	0
	56th Commonwealth Parliamentary Conference	2010	Nairobi, Kenya	
	CPA UK Branch 57th Seminar on Parliamentary Practice & Procedure	2008	London	
	CPA British Islands and Mediterranean Regional Conference	2007	Belfast	
D.W. Mezbourian of St Lawrence	20th Commonwealth Parliamentary Seminar	2008	Ottawa, Canada	0
	CPA 37th British Islands & Mediterranean Regional Conference	2006	Malta	
K. Shenton-Stone of St Martin	CPA UK Bespoke Programme for newly-elected Members	2023	London	4
	British Islands & Mediterranean Region Commonwealth Women Parliamentarians Conference	2020	Falkland Islands	
	CPA UK Westminster Seminar on Effective Parliaments	2018	London	
R. Vibert of St. Peter	CPA UK Bespoke Programme for newly-elected Members	2023	London	7
	Trade Workshop for Overseas Territories, Crown Dependencies and Devolved Legislatures	2023	London	
Deputies				
C.S. Alves of St. Helier Central	CPA UK BIMR Election Observation Training	2019	London	0

C. Curtis of St. Helier Central	CPA UK Bespoke Programme for newly-elected Members	2023	London	7
	Crown Dependencies Network 2022	2022	Guernsey	
L.M.C. Doublet of St. Saviour	9th British Islands & Mediterranean Region Commonwealth Women Parliamentarians Conference	2022	Gibraltar	4
	CPA UK BIMR Election Observation Training	2019	Westminster, London	
	British Islands & Mediterranean Region Commonwealth Women Parliamentarians Conference	2016	Guernsey	
	British Islands & Mediterranean Region Commonwealth Women Parliamentarians Conference	2015	Gibraltar	
L. Feltham of St. Helier Central	CPA UK Bespoke Programme for newly-elected Members	2023	London	4
I. Gardiner of St. Helier North	50th British Islands and Mediterranean Region Conference	2021	Belfast	0
	CPA Small Branches Sustainable Economic Development Workshop	2020	Malta	
I.J. Gorst of St. Mary, St. Ouen and St. Peter	58th Commonwealth Parliamentary Conference	2012	Sri Lanka	0
	56th Commonwealth Parliamentary Conference	2010	Nairobi, Kenya	

H. Jeune of St. John, St. Lawrence and Trinity	52nd British Islands and Mediterranean Regional Conference	2023	London	4
R. Kovacs of St. Saviour	CPA UK Bespoke Programme for newly-elected Members	2023	London	11
	52nd British Islands and Mediterranean Regional Conference	2023	London	
	Crown Dependencies Network 2022	2022	Guernsey	
C.F. Labey of Grouville and St. Martin	CPA UK BIMR Election Observation Training	2019	London	0
	British Islands & Mediterranean Region Commonwealth Women Parliamentarians Steering Committee Meeting	2018	London	
	62 nd Commonwealth Parliamentary Conference	2016	London	
	British Islands & Mediterranean Region, Commonwealth Women Parliamentarians' Steering Committee Meeting	2016	Cardiff	
	British Islands & Mediterranean Region Commonwealth Women Parliamentarians Conference	2016	Guernsey	
	British Islands & Mediterranean Region Commonwealth Women Parliamentarians Steering Committee Meeting	2015	London	
	BIMR CWP Conference	2015	Gibraltar	

M. Le Hégarat of St. Helier North	65th Commonwealth Parliamentary Conference	2022	Halifax, Nova Scotia, Canada	7
	Westminster Seminar on Effective Parliaments	2019	London	
S.G. Luce of Grouville and St. Martin	27th Commonwealth Parliamentary Seminar	2016	Brisbane Queensland, Australia	0
	44th British Islands & Mediterranean Region Annual Conference	2014	Wales	
S.Y. Mézec of St. Helier South	Crown Dependencies Network 2022	2022	Guernsey	3
	47th British Isles & Mediterranean Region Conference	2017	Gibraltar	
	44th British Islands & Mediterranean Region Annual Conference	2014	Wales	
H. Miles of St. Brelade	CPA UK Bespoke Programme for newly-elected Members	2023	London	4
E. Millar of St. John, St. Lawrence and Trinity	65th Commonwealth Parliamentary Conference	2022	Halifax, Nova Scotia, Canada	7
K.L. Moore of St. Mary, St. Ouen and St. Peter	42nd Commonwealth Parliamentary Conference	2017	St. Kitts	0
	Human Rights in the Modern-Day Commonwealth: “Magna Carta to Commonwealth Charter”	2015	London	
K. Morel of St. John, St.	64th Commonwealth Parliamentary Conference	2019	Kampala, Uganda	0

Lawrence and Trinity				
P.C.F. Ozouf of St. Saviour	Election Observer, Rwanda for Presidential Elections	2010	Rwanda	0
	CPA Seminar	2003	Cook Islands	
	Regional	2001	Scotland	
B. Porée of St. Helier South	CPA UK Bespoke Programme for newly-elected Members	2023	London	10
	CPA Parliamentary Academy - Advanced Professional Development & Skills-Building Residency Programme	2022	Cape Town, Western Cape, South Africa	
G.P. Southern of St. Helier Central	Crown Dependencies Network	2019	Isle of Man	0
	6th CPA Canadian Parliamentary Seminar	2007	Ottawa, Canada	
L. Stephenson of St. Mary, St. Ouen and St. Peter	CPA UK Bespoke Programme for newly-elected Members	2023	London	8
	9th British Islands & Mediterranean Region Commonwealth Women Parliamentarians Conference	2022	Gibraltar	
M. Tadier of St. Brelade	Trade Workshop for Overseas Territories, Crown Dependencies and Devolved Legislatures	2023	London	3
	63rd Commonwealth Parliamentary Conference	2017	Dhaka, Bangladesh	
	65th Westminster Seminar	2016	London	

	Parliamentary Practice & Procedure			
	44th British Islands & Mediterranean Region Annual Conference	2014	Wales	
	23rd CPA Annual Parliamentary Seminar	2012	Samoa	
	CPA UK 59th Westminster Seminar on Parliamentary Practice and Procedures	2010	Westminster	
B. Ward of St. Clement	CPA UK Bespoke Programme for newly-elected Members	2023	London	4
R.J. Ward of St. Helier Central	52nd British Islands and Mediterranean Regional Conference	2023	London	7
	Crown Dependencies Network 2022	2022	Guernsey	
	62nd BIPA Plenary Conference	2022	Cavan Ireland	
	CPA BIMR Election Observer Mission to the Isle of Man General Election	2021	Isle of Man	
	CPA Small Branches Sustainable Economic Development Workshop	2020	Malta	
	CPA 48th British Islands & Mediterranean Regional Conference	2019	Guernsey	
K. Wilson of St. Clement	CPA Parliamentary Academy – Advanced Professional Development & Skills-Building Residency Programme	2022	Cape Town, Western Cape, South Africa	6

(c) After every CPA trip Members are required to submit a feedback form which details the benefits they have derived from the event, both professionally and personally. By way of example, the positive

outcomes from the two most recent trips undertaken in the last 6 weeks (to Westminster for the BIMR and then for a visit to Westminster for Members arranged by CPA), aside from the obvious opportunities for networking and exchanging ideas, include -

BIMR Conference 25th-28th April

- high degree of interest from across the region in relation to the concept of a Pan-Island Commissioner for Standards following a presentation on this by Deputy Rob Ward, which could lead to the model being adopted by other Islands
- the establishment of a regional Climate Emergency working group following a session at which Deputy Hilary Jeune provided an overview of her role as Assistant Minister for Climate Change
- details of Jersey's forthcoming Members' training programme shared with the region and endorsed by CPA with a view to sharing the model with other jurisdictions
- valuable discussions on increasing and supporting diversity and inclusion in Parliaments
- opportunity to take part in an Environment Audit Committee exercise

Westminster visit 16th-19th May

- opportunity to visit a constituency office in London to greater inform the considerations of PPC's Constituency Office Sub-Committee
- agreement that local schools visiting London can now apply for free tours and workshops via the Westminster Education Centre
- beneficial tailored training from experienced Westminster cross-party colleagues on making an impact as a new parliamentarian, asking effective questions, contributing in an influential way to debates and balancing responsibilities
- opportunity to meet with the Channel Islands All-Party Parliamentary Group and Deputy Speaker of the House of Commons

2.8 Deputy M.B. Andrews of St. Helier North of the Chief Minister regarding complaints against public sector workers and civil servants (WQ. 233/2023)

Question

Will the Chief Minister confirm the number of complaints that have been made against public sector workers and civil servants within each Ministerial Department since 2022?

Answer

Complaints about all aspects of Governments services are recorded and used as opportunities for learning and improving. Our data does not specifically enable us to calculate (without manual review) how many complaints are against an individual compared to about the service in a more general sense.

The volume of all complaints received by department is published as part of the quarterly performance report and referenced below.

Year	2022				2023	
Department	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	01/04 – 01/05
Cabinet Office (SPPP, COO & OCE)	13	10	5	5	10	2
Children, Young People, Education & Skills	19	22	7	11	31	20
Customer and Local Services	59	75	55	61	37	29
Dept of Economy	0	0	0	0	0	0
Health & Community Services	70	55	72	120	133	36
Infrastructure & Environment	37	29	40	45	82	92
Justice & Home Affairs	14	38	8	9	5	5
Treasury and Exchequer	33	37	31	40	33	22
External relations	0	0	0	0	0	0
COVID 19	19	22	7	11	0	0

The figures are recorded through the customer feedback mechanism and may not reflect any complaints made at a local level that are not recorded.

2.9 Deputy M.B. Andrews of St. Helier North of the Minister for Home Affairs the offence of making indecent images of children (WQ.234/2023).

Question

In relation to the offence of making indecent images of children, will the Minister advise –

- (a) the number of individuals prosecuted since 2018;
- (b) the number of persons convicted since 2018; and
- (c) whether she is considering reappraising the length of sentence defined in the [Protection of Children \(Jersey\) Law 1994](#); and, if not, why not?

Answer

(a) and (b):

	No. of individuals prosecuted (Court or warned for PHE)	No. of individuals convicted
2018	7	5
2019	7	7
2020	6	3
2021	10	8
2022	9	3
2023	1	0
Total	40	26

(c):

The offence of making indecent images of children in England and Wales is dealt with under section 1(1)(a) of the Protection of Children Act 1978. Section 6(2) of the 1978 Act states that a person convicted on indictment of any offence under the Act shall be liable to imprisonment for a term of not more than ten years, or to an unlimited fine or to both.

In Scotland, the offence is dealt with in the Civic Government (Scotland) Act 1982. Section 52(1)(a) provides for the offence and section 52(3) provides that the offence is penalised on conviction on indictment, by imprisonment for a period not exceeding 10 years or to an unlimited fine or to both.

The offence of ‘making’ indecent images of children in Jersey is penalised by imprisonment for a term of 10 years and to an unlimited fine, this is in line with the maximum penalty in England, Wales and Scotland.

In Jersey, the offence of ‘possessing’ indecent images of children is penalised by imprisonment for a term of 5 years and to an unlimited fine. However, the overwhelming proportion of cases of this nature deal with internet images, and in Jersey the offence of ‘making’ an indecent image includes the act of downloading it from the internet, thereby ‘making’ a copy of the image on a computer. This would also apply to further copies being made to storage devices.

A previous review comparing sentences handed down by Jersey Courts against the sentencing guidelines for England and Wales, indicates that higher-end ‘image’ offences are treated with more seriousness in Jersey Courts, attracting longer sentences on average and almost inevitably resulting in immediate custody.

As Jersey has functionally the same maximum penalty as UK jurisdictions in relation to offences concerning indecent images of children, and in light of the independent and robust sentencing approach of Jersey Courts, I am not currently considering reappraising the length of sentence defined in the [Protection of Children \(Jersey\) Law 1994](#).

2.10 Deputy L.V. Feltham of St. Helier Central of the Minister for Social Security regarding inclusive and accessible communications (WQ.235/2023)

Question

As Minister with responsibility for both promoting the Disability Strategy and Social Inclusion policies and for promoting the role of older people in government policy-making, and in the light of

the responses made to [Written Question 219/2023](#) by the Assistant Chief Minister, will the Minister advise the Assembly whether –

- (a) she is content with the responses made to [Written Question 219/2023](#);
- (b) she or any of her officers have advised the Government Communications Department on inclusive and accessible communications and, if so, what advice has been provided; and if not, why not;
- (c) MSS P6.2 of her Delivery Plan has commenced and whether she anticipates that the accessible Government of Jersey Standards, due to be delivered in May 2023, will lead to a consistent Government policy on the provision of accessible communications; and
- (d) the Older Persons Living Forum has been consulted regarding the public consultation ‘Improving Residential Tenancies in Jersey - Residential Tenancy Law Reform proposals’?

Answer

A) Yes. The responses made to Written Question 219/2023 demonstrate that we are committed to improving access to communication and improved participation. It highlights that the Disability and Inclusion Team are working collaboratively with the Government Communications Department.

B) Yes, the Communications Directorate has liaised with the Disability and Inclusion team to better understand requirements for audiences with differing accessibility needs.

C) Yes, action P6.2 of my Ministerial Delivery Plan has commenced and I believe it will lead to a consistent Government policy on the provision of accessible communications. Implementation of this project will look to ensure all new communications meet the revised standards by September 2023 and the top 10 web content issues will be addressed by December 2023.

D) The Older Person's Living Forum was consulted on the Residential Tenancy Law Reforms at a recent meeting in April 2023. The Older Persons Living Forum, in partnership with a number of organisations, proactively works to ensure that the meetings are accessible and inclusive. This includes appropriate meeting venues, along with access to transport, support for carers and a range of communication tools such as captions and sign language.

2.11 Deputy M.R. Scott of St. Brelade of the Chair of The States Employment Board regarding training in anti-corruption measures and conflict of interest identification management (WQ.236.2023)

Question

Following the response to Written Question [196/2023](#) which suggests that no training in anti-corruption measures or ongoing conflict of interest identification management has taken place in the public sector in the last five years despite the findings of the Jersey Child Care Inquiry, will the Chair confirm this to be the case or otherwise provide the relevant training materials?

Answer

The Executive Leadership Team adopted a revised Anti-Fraud and Corruption Policy and Strategy in November 2022. These are available on the MyStates intranet for all staff. A cross-departmental working group has been driving delivery of the Strategy.

Anti-fraud, corruption and money laundering online training is in the final stages of development. This will be mandatory for all staff and is expected to be live by the end of June 2023. Contents can be provided to the Deputy on completion.

The Minister for Treasury and Resources has approved a new Public Finances Manual section on Conflicts of Interest. This is expected to go live by the end of July 2023, and will be accompanied by a new online form for officers to record conflicts of interest and for managers to record how those conflicts are managed. Compliance with the Public Finances Manual is mandatory for all staff.

A robust approach to declaring and managing conflicts is already in place and embedded in some parts of the organisation. Those individual functions may have carried out training for staff in those specific areas.

The States Employment Board issued Codes of Practice which includes duties to avoid conflicts of interest, compromising positions and places a duty on public servants to disclose and report concerns.

The Government maintains a register of interests which records details of directorships and other significant interests held by the Principal Accountable Officer and Accountable Officers. Furthermore, it is a requirement under Auditing Standards for these to be considered by External Audit. (A further description of requirements can be found on the Financial Reporting Council's website at www.frc.org.uk/auditorsresponsibilities).

External Audit is key as part of robust governance arrangements and to ensure there is independent review not only of the financial statements but also other key areas including conflicts of interest and related party transactions. The 2022 External Audit Opinion in the annual States of Jersey Group 2022 audited accounts concludes in this area and is reported publicly as required as a Public Interest Entity as has been done in previous years.

With respect to training, several officers hold professional qualifications and there is a requirement by several institutes to undertake ethics and integrity training including anti-corruption.

The Government of Jersey has several processes in place to identify conflicts of interest. This includes conflicts declared at project and programme boards, tender panel contracts, pension enquiries and payments to name a few .

The C&AG will commence her review on Fraud and Error shortly and her review is welcomed to enhance and improve the current arrangements and processes.

2.12 Deputy M.R. Scott of St. Brelade of the Chief Minister regarding a potential advisory council in relation to high-net-worth individuals and the use of special advisors by the Council of Ministers (WQ.237/2023)

Question

With respect to the Chief Minister's response to my oral question without notice on [23rd May 2023](#), will she provide further details on the potential advisory council in relation to high-net-worth individuals that she mentioned in her answer, as well as any consideration of the use of special advisors by the Council of Ministers to enhance independent expert knowledge whilst improving transparency?

Answer

It is important that expert advice is considered when developing policy, and this can be done in a variety of ways, usually by responsible officials providing advice to Ministers, but also by using contractors and professional advisors in specialist areas. For example, as part of the new Health Care Facilities work, Mr Alan Moore advised the Council of Ministers.

In the case of the 2(1)(e) review, a number of stakeholders were engaged in the course of the work, including industry professionals and recently approved applicants. This ensured that specialist input was available as part of that decision making process.

I remain of the view that standing structures to provide ongoing advice in this area would have merit, along the lines of an Advisory Council, aiding in attracting applicants, and thereafter supporting them in contributing to our community, including philanthropically.

I have no further details on the development of an Advisory Council since our exchange on 23rd May but have asked for this work to progress and would be happy to keep Members informed.

2.13 Deputy M.R. Scott of St. Brelade of the Chief Minister regarding the Statistics User Group (WQ.238/2023)

Question

Regarding the Statistics User Group, will the Chief Minister advise –

- (a) why the Group was inquorate from November 2022 to April 2023, notwithstanding its statutory role in overseeing the quality, relevance, and integrity of statistics published by the Government and other public authorities and the statutory requirement that the Chief Statistician set the policies and priorities of Statistics Jersey on the advice of the Group;
- (b) in the absence of the Group, on whose advice the Chief Statistician set the policies and priorities of Statistics Jersey from November 2022 to April 2023;
- (c) on what date the former Chief Minister was advised of the need to fill vacancies in the Group to avoid it becoming inquorate; and
- (d) which government officer was responsible for ensuring the vacancies should be filled?

Answer

(a) Under the Law, the Statistics User Group is comprised of a Chair and “no fewer than 6 Members”. Three of the six Members of the Group indicated they did not wish to be reappointed following the expiry of their current terms, leaving the Group short of the statutory requirement. A recruitment process commenced immediately, including development of the job specification, and concluded with seven new Members being appointed by public Ministerial Decision on 3rd April 2023.

This is a voluntary organisation, so the contribution of all current and past Members is appreciated. It is a testament to the importance of these groups that so many new, high-calibre Members were able to be appointed.

(b) The Statistics Users Group normally meets three times a year. The last formal quorate meeting was November 2022, when Statistics Jersey’s 2023 operational plan and strategic priorities were discussed. Statistics Jersey policies are set only occasionally – and no such policies required the advice of the Statistics Users Group during 2021 or 2022. There are two policies that do now need discussion, which were completed in March, and will be discussed at this year’s first meeting which is scheduled for 2nd June 2023.

The Chair and the appointed Members of the Group, and Chief Statistician, have nevertheless continued with their respective activities, save that, clearly, the Group has not exercised its statutory powers. This included meetings on the development of the new Statistics Law, reviewing the draft results of a Statistics Users Survey, and participation in the Advisory Panels for the Jersey Opinions and Lifestyle Survey and Children and Young People's Survey.

(c) I was aware of the recruitment exercise to secure new Members and approved their appointment. However, I was not aware that the Group was below its quorum during the above period. The appointment of seven new Members means the Group is now at its maximum membership of 10 Members, providing the Group with resilience for the future.

(d) The recruitment of new Members was led by the Chair of the Group, following notification to the Jersey Appointments Commission, with the guidance of the Head of the Ministerial Office, and updating the Chief Statistician and Chief Officer for the Policy, People, and Modernisation Directorate in the Cabinet Office.

2.14 Deputy C.D. Curtis of St. Helier Central of the Minister for Health And Social Services regarding a full independent inspection (WQ.239/2023)

Question

Further to the Minister's reference to "systemic governance problems" in her department, does she agree that a full independent inspection, by a body such as the Jersey Care Commission, of the hospital and health services should be undertaken urgently, and if so, when would this inspection be undertaken; and if she does not consider an inspection necessary, why not?

Answer

The Minister fully supports independent inspection of all Health and Community Services Department service by the Jersey Care Commission.

The Commission currently regulates adult day care services and care home services provided by the Department and, further to a decision taken by the previous Council of Ministers in February 2022, work is already underway bring forward new legislation under the Regulation of Care (Jersey) Law 2014 to extend the Commission's remit to all hospital services provided by Department.

Amendments to the law are necessary to provide Islanders assurance as to the independence of the inspection regime as it will allow for the Commission, as opposed to the Government of Jersey, to set the inspection brief. Furthermore, it will provide the Commission with the powers necessary to issue improvement notices directing the Department to make changes within a timeframe determined by the Commission.

Regulation of care is a matter delegated to the Minister for the Environment who approved the necessary law drafting instructions on 30 March 2023. It is envisaged the consultation on the draft law will commence before the end of 2023, with a view to the law coming into force before the end of 2024.

In preparing for inspection of hospital services:

- a. the Jersey Care Commission, at the request of the previous Minister for Health and Social Services (Deputy Richard Renouf), commissioned a review adult users' experience of the Department's inpatient, maternity, urgent and emergency, and community mental health

services. The results of the review, which will support the Commission to determine areas of priority focus, were published in December 2022¹.

- b. the States Assembly approved, in the 2023 Government Plan, additional investment to support the Department and the Commission to prepare for the roll-out of independent inspection to hospital services.

Furthermore, as set out in P19/2023 to be debated by the Assembly 13 June, it is a key responsibility of the proposed Health and Community Services Board to oversee the Department in matters related to preparedness and responsiveness to independent inspection and compliance with regulatory standards and the advice the Minister accordingly.

2.15 Deputy R.J. Ward of St. Helier Central of the Minister for Health And Social Services regarding the Spinal Cord Injury Pathway project (WQ.240/2023)

Question

With regards to the Spinal Cord Injury Pathway project detailed in the response to Written Question [461/2019](#), will the Minister provide details on what is currently available to support those with spinal cord injuries?

Answer

Islanders with SCI injury currently have access to all acute, rehabilitation and community services on-Island. Islanders with spinal cord injuries will be assessed in the relevant clinical setting to determine their clinical needs and develop an appropriate treatment plan. Dependent on the clinical setting there will be a varied range of clinical health professionals involved in their assessment, care and treatment delivery, including doctors, nursing staff and a range of allied health professionals.

In addition, if eligible, they are able to access acute and ongoing support from Salisbury Spinal Cord Injuries Centre (either via an admission to their specialist centre, or via virtual follow-up clinics or the remote Outreach Team).

Individuals with SCI locally can also benefit from support from the Spinal Injuries Association (SIA), which is a UK (United Kingdom) National charity providing education and advocacy for those with SCI. The project team continue to collaborate with the SIA in an attempt to increase their representation locally, with recommendations including training of a local individual as an on-Island representative.

The spinal cord injury pathway project continues to build on the work commenced in 2019. Since the start of this year, three further stakeholder pathway mapping workshops have defined existing pathways and identified additional opportunities for service improvement. These are to be summarised as a series of recommendations to the project sponsor.

¹ [Patient Experience Evaluation](#), Picker.Org.

2.16 Deputy R.J. Ward of St. Helier Central of the Minister for The Environment regarding damp and mould (WQ.241/2023)

Question

Will the Minister advise what work, if any, has been or is being undertaken to ascertain the extent of the occurrence of damp and mould in the following –

- (a) private rental properties;
- (b) social housing properties rented from Andium Homes; and
- (c) social housing properties rented from other social housing providers?

Answer

The Housing and Nuisance team within Environmental and Consumer Protection undertakes inspections of rented dwellings for a variety of reasons. Damp and mould growth is one of the 29 hazards (Public Health and Safety (Rented Dwellings – Minimum Standards and Prescribed Hazards) (Jersey) Order 2018) which officers look for during inspections.

The types of inspections include, but are not limited to:

- investigating complaints or requests for advice in relation to the Public Health and Safety (Rented Dwellings) (Jersey) Law 2018 (minimum standards and prescribed hazards) in relation to private rental and social housing properties
- the registration, renewal and inspection provisions contained within the Lodging Houses (Registration) (Jersey) Law 1962, relating to private rental properties
- applications to join the Rent Safe scheme for private rental and social housing properties
- investigating complaints or requests for advice in relation to the Residential Tenancy (Jersey) Law 2011 and subordinate legislation, for example, in respect to the condition reports produced at the start or end of a tenancy for private rental and social housing properties
- investigating complaints or requests for advice in relation to the Statutory Nuisances (Jersey) Law 1999, specifically relating to premises prejudicial to health, for example, the condition of private rental and/or social housing properties
- multi-agency safeguarding work, where there are concerns for a tenant or neighbours due to the condition of private rental and social housing properties.

Where officers identify damp and mould within a rental property, advice is given to landlords/agents and/ or tenants in relation to steps that could be taken to resolve matters. As part of this, when there is a defect in the dwelling responsible at least in part for the damp and mould, officers will provide a report to the landlord on recommended and required steps.

2.17 Deputy R.J. Ward of St. Helier Central of the Minister for The Environment regarding air quality monitoring (WQ.242/2023)

Question

In relation to air quality monitoring, will the Minister update the Assembly in respect of –

- (a) the current position regarding air quality monitoring around schools and areas of high traffic such as Springfield stadium; and

- (b) the Island-wide project to monitor air quality, including the amount spent on this project and the role, if any, that Digital Jersey have had or continue to have in its development?

Answer

a) The current air quality monitoring undertaken by Natural Environment includes:

- Reference automatic NO_x analyser sited at Jersey Market measuring real time Nitrogen Dioxide (NO₂) from traffic emissions on Beresford Street.
- Two Osiris particulate analysers (sensors) sited at Jersey Market measuring particulate matter (TSP, PM₁₀, PM_{2.5} & PM₁) from traffic emissions on Beresford Street (roadside) and a further unit at Howard Davis Park measuring the same from predominantly non-traffic emissions (background).
- Diffusion tubes – 23 NO₂ tubes and 5 Volatile Organic Carbon (VOC) tubes around the Island which measure cumulative emissions over the course of a month. These are located at various locations including schools and areas of significant traffic.

b) Air quality monitoring development programme progress:

- The development of an indicative sensor network. Trials of sensor technology have been undertaken during 2022 by co-locating the units with the reference analyser at Beresford Street. The trials have been independently reviewed with a view to informing the procurement of approximately 10-20 sensor units which will be located in due course at key sites to be determined (in conjunction with stakeholders). All new sensors require a period of co-location with the reference analyser prior to deployment. Further units are currently being procured.
- The calibrated units from the trial are currently deployed at Rouge Bouillion, Wellington Hill and St Luke's School to support other projects. The former two sites are sited to support some mobile air quality monitoring we plan to do before the end of the school summer term.
- Given the indicative nature of the data produced by sensor technology (i.e. the level of accuracy that sensors can achieve), how the data is provided to the public is at the early stages of development and requires further research of equivalent programmes elsewhere and discussion with key stakeholders (including Health colleagues, Digital Jersey and suppliers).
- We are looking to consolidate existing reference analysers at a new site, which will include the procurement of a reference analyser for particulate matter. This will enable us to benchmark and calibrate all low-cost sensors in a far more efficient manner and provide flexibility for the programme moving forward.

Digital Jersey is involved as a stakeholder in the project and will be more involved as we look to develop the public-facing elements of the programme. Costs of £9,848 to date have been limited to trial-related work. However, we are starting to procure further equipment and support as described above, so costs will increase significantly over the coming months.

2.18 Deputy G.P. Southern of St. Helier Central of the Minister for Health And Social Services regarding primary care funding mechanisms (WQ.243/2023)

Question

Further to the response to [Written Question 84/2023](#) will the Minister advise –

- (a) what progress, if any, has been made, since March 2023, to address the urgent need to change primary care funding mechanisms;

- (b) whether the review has considered the transition of the funding for the preferred funding option, Option 2 and whether this has formed part of the consultation;
- (c) what role, if any, does the Health Insurance Fund, or any means of charging, play in her current planning;
- (d) whether she will release to members, for planning purposes, the data collected by her team of health economists which covers funding for primary, secondary and tertiary spending to date and, if not, why not; and
- (e) whether she will commit to the long-term goal of creating a Health Care Model which is free at the point of delivery; and, if not, why not?

Answer

Points (a) to (b)

As set out answer to [Written Question 84/2023](#) specialist health economists are currently working to estimate total health care expenditure for Jersey (including government and non-government spend) and develop options for change. This review is focusing on funding for the whole health care system, rather than only the primary care payment mechanisms as per Option 2 as described in P114/2020.

In the meantime, progress has been made in addressing inequalities in access to primary care over 2023 including the recent [announcement](#) by the Minister for Social Security that an additional £25 per GP consultation will be introduced to both support the sector with reduced patient fees and running costs. A £12m package of support has also been announced for [community pharmacies](#) which changes reward structures to incentivise the delivery of non-dispensing health services. Ministers also expect to announce implementation of the adopted [Assembly proposition](#) to provide free GP appointments for children in the near future.

Points (c) to (e)

The Health Insurance Fund is currently an important component of the overall funding applied to health and care services in Jersey, together with the Long-Term Care Fund, consolidated tax-funded revenue, users charges, out of pocket expenditure and private insurance. The review will factor in all these components when developing options for the future funding and financing the Island's health and care services. Until the review work is completed it is not possible to determine the role of Health Insurance Fund, user chargers or any other funding component in any future system.

The data referenced is expenditure and revenue data for the whole health system in Jersey which the Health Economics Unit ("HEU") - the specialist advisors engaged to support the review – are using to develop the 'Jersey Health Accounts' ("JHA"). The JHA will provide, for the first time, an analysis of all health spending in Jersey including public, private and charitable components and, as they accord with OCED standards for health care accounts will allow for meaningful comparisons with other jurisdictions. The JHA are currently being developed but I will, of course, publish the accounts and other review information in due course.

It is a decision of the Assembly as to whether, or not, we create a model of care that is free at the point of delivery to all Islanders as opposed to our current model which includes both free and paid for services".

In commissioning the current review, I have communicated to the HEU the importance of addressing health inequalities within any future system and of providing evidence of what works, from both international sources and from within Jersey. This evidence will inform future decision making.

2.19 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding the survey ‘Health Funding Attitudes in Jersey’(WQ.244/2023)

Question

Will the Minister publish the detailed questions contained in the survey ‘Health Funding Attitudes in Jersey’ designed to reach over 1,000 members of the public and state what part the results of this survey will play, if any, in the formation of Health Policy?

Answer

The Health Funding Attitudes Poll closed on 30 May 2023 having received 1144 valid responses, well above the target range of between 750 and 1000 responses. The polling questions are set out below.

The polling data will provide insight into public attitudes to health care funding, which will help inform potential options for changing the way Jersey funds health and care services in the future. The poll is not intended to inform specific, immediate health policy decisions. Jersey has not historically tracked public attitudes towards health funding – unlike many other jurisdictions - so the intelligence from the poll will provide important understanding and insight.

Poll questions

Preamble

Government is working now to deliver a range of improvements to Jersey’s health system, to make services more effective and help ensure fairer access to high quality care. But Government also needs to plan for the future and consider how to pay for the rising costs of health and care services over the next twenty years. Your answers to the questions below will help Government better understand Islanders’ views and attitudes to health and care funding at an early stage.

Personal questions

Which age category do you fall into? - required

- Under 17
- 17-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65-74
- 75+
- I prefer not to say

What gender do you identify as?

- Male
- Female
- Non-binary

- Other
- Prefer not to say

Which of the following ethnicities do you identify as?

- Jersey
- British
- Portuguese
- Madeiran
- Polish
- Irish
- Romanian
- Other (please specify)

Which of the following best describes your total annual household income?

- Less than £20,000
- £20,000 - £59,999
- £60,000 - £99,999
- £100,000 - £149,999
- £150,000 or more
- Prefer not to say

Do you have a long-term health condition?

- Yes
- No

Do you have private health insurance?

- Yes
- No

Question 1 (Strongly agree.....Strongly disagree)

To what extent do you agree with the following statements

- Government should raise more money to spend on health and care services for everyone
- Government should raise more money to provide health and care services for those that cannot afford to pay

- Government should not raise more money to pay for services; the people who use services should pay for them
- Government should not raise more money to pay for health and care services; it should provide less

Question 2 (Strongly agree.....Strongly disagree)

To what extent do you agree with the following statements:

- I would be willing to pay more so that more health and care services are free or lower cost for everyone
- I would be willing to pay more to provide free or lower cost health and care services to the people most in need
- I would not be willing to pay more for health and care services, people should pay more of the costs of health and care services themselves
- People should pay for health and care services according to their means

2.20 Deputy G.P. Southern of St. Helier Central of the Minister for Social Security regarding the Employment (Jersey) Law 2022 and Regulations (WQ.245/2023)

Question

Further to the findings of the review into zero-hour contracts by the Jersey Employment Forum, is it the Minister's assessment that, in addition to the training of employers to understand and adhere to the Employment (Jersey) Law 2022 and Regulations, it is time to introduce some form of enforcement to ensure adherence to the legislation?

Answer

As the Forum pointed out in its report, there are a range of sanctions that can be applied to employers who fail to follow the provisions of the Employment Law in relation to the rights of all employees in Jersey. The Employment Law also provides for enforcement measures that can be taken if an employer fails to adhere to their responsibilities.

In addition, the Employment Tribunal has at its disposal a range of penalties for breaches by employers of an employee's rights. In accordance with the Forum's recommendations, I have decided to hold a consultation exercise on the levels of sanctions currently available to the Tribunal, and whether they act as a sufficient deterrent to prevent breaches of the Employment Law. That consultation exercise will begin shortly.

2.21 Deputy R.S. Kovacs of St. Saviour of the Minister for Housing And Communities regarding [Housing Policy HD56](#) (WQ.246/2023)

Question

Will the Minister advise -

- whether [Housing Policy HD56](#) is still the current policy for managing under occupancy and, if it is, how many occupancy reviews have been sent to tenants who occupy family size accommodation in each of the last five years;

- (b) if HD56 is not still a current policy, what has replaced it and how is the replacement being monitored and utilised;
- (c) how many tenants have reported under occupancy to the Affordable Housing Gateway; and
- (d) how many tenants have subsequently been re-housed as a consequence of under-occupancy?

Answer

- a) This is no longer the policy for managing social housing under occupancy. Housing Policy HD56 was developed ten years ago, prior to the creation of Andium Homes.
- b) Under occupancy is acknowledged through the Income Support system where the housing component for payments is restricted to the number of bedrooms that a household requires. An occupant is legally required to notify the department about changes in their circumstances, which allows Customer and Local Services to review the level of Income Support paid. This encourages claimants to downsize to a property that reflects the size of the household.
- c) There are currently 134 downsizers on the Gateway waiting list.
- d) According to our records, since the Gateway was created, 482 tenants have been re-housed because of under occupancy.

2.22 Deputy R.S. Kovacs of St. Saviour of the Minister for Economic Development, Tourism, Sport, and Culture regarding the Tourism Development Fund (WQ.247/2023)

Question

Further to [Written Question 223/2023](#), will the Minister confirm that the £19,700,000 shown as a grant into the Tourism Development Fund was a transfer from the Tourism Investment Fund and already allocated, at the time of transfer, against various projects; will he further indicate whether there is any intention to activate and use this Tourism Development Fund, and if not, why not?

Answer

That is correct, the £19,700,000 shown as a grant into the Tourism Development Fund was a transfer from the Tourism Investment Fund and was, for the most part, already allocated, at the time of transfer.

At this stage we are in the process of developing a new strategy for the visitor economy, as highlighted in the Ministerial Delivery Plan. We are currently in the development phase working with a stakeholder group made up of representative bodies including Jersey Hospitality Association, Chamber of Commerce, Visit Jersey, Luxury Jersey Hotels, Jersey Business & Ports of Jersey.

It is therefore as yet unclear whether or not it would be appropriate to re-activate the Tourism Development Fund.

2.23 Deputy R.S. Kovacs of St. Saviour of the Minister for Health And Social Services regarding the [Nutritious Food Strategy 2017-2022](#) (WQ.248/2023)

Question

Will the Minister advise, in relation to the [Nutritious Food Strategy 2017-2022](#) –

- (a) the number of recipients of funding from the Health Start Programme per year for each of the last five years;

- (b) the annual cost of the programme for each of the last five years;
- (c) the requirements for families to benefit from the programme; and

Will she further advise when the replacement nutritious food strategy, for which work was commenced on 4th May 2023, will be in place; and whether this replacement strategy will include support for those not on Income Support?”

Answer

- (a) The below table shows the number of Islanders who benefitted from receiving Healthy Start Jersey fruit and vegetable vouchers in each year since the launch of the programme in 2019.

Year	No. of Recipients
2019 (March-Dec)	313
2020	357
2021	243
2022	631
2023 (Jan–May)	512
TOTAL SO FAR	2056

Table 1. Number of Islanders who received Healthy Start vouchers each year since 2019.

After a successful pilot and programme evaluation among 0-1 year olds the programme was expanded to reach those with 0-3 year old children from April 2022 onwards. This mirrors provision within the equivalent UK- programme and is in line with the evidence-base for greatest benefit on child health outcomes. This explains the increase in recipient numbers in Table 1 from 2022 onwards.

- (b) The below table shows the costs for the Healthy Start Jersey programme, by year, since the launch of the programme in 2019.

Year	Programme costs per annum
2019 (March-Dec)	£17,441.50
2020	£26,439
2021	£29,318.8
2022	£90,253.99
2023 (Jan–May)	£48,431.92
TOTAL SO FAR	£211.885.21

Table 2. Healthy Start Jersey programme costs by year since programme launch.

(c) The requirement for families to benefit from the Healthy Start Jersey voucher programme is that they:

- must have children between the ages of 0-4 years old *and either*
- be in receipt of income support, *or*
- have been identified by a Health Visitor as living in poverty (allowing for those without five years residency to benefit where need is identified)

As outlined above, there is already a provision for people who are not on income support to receive Health Start Jersey vouchers. There are no intentions to restrict the availability of Health Start Jersey vouchers to ensure that people who are living in poverty are able to continue to access the vouchers.

The revised Food and Nutrition Strategy is due to be published in 2024. Work has started to ensure that the strategy captures and addresses the broad set of challenges associated with ensuring a health promoting and sustainable Jersey food supply and food environment. This affects the whole population, and initial qualitative research has highlighted how affording to eat a healthy and sustainable diet has become increasingly challenging across a wide range of population groups. The new strategy will identify the most effective means to address identified barriers to good nutrition, including affordability, and will seek to co-ordinate action across Government and the wider community.

2.24 Deputy M.B. Andrews of St. Helier North of the Minister for Health And Social Services regarding recruitment from overseas (WQ.249/2023)

Question

Will the Minister state the number of permanent staff in her department, if any, who have been recruited from overseas since January 2023?

Answer

The department has recruited 30 permanent members of staff who require licenses and are from overseas since the beginning of 2023.

This is made up of

18 nurses

6 doctors

2 Clinical Psychologists

1 Occupational Therapist

1 Radiographer

1 Consultant Pharmacist

1 Diabetes Dietician

2.25 Deputy M.B. Andrews of St. Helier North of the Minister for Health and Social Services regarding practitioners providing private healthcare at the General Hospital (WQ.250/2023)

Question

Will the Minister state the number of individual practitioners, if any, who have provided private healthcare from the General Hospital since January 2023?

Answer

Since January 2023, Health and Community Services have recorded transactions from 52 individual practitioners that have provided private healthcare from the General Hospital. These include consultants and Allied Health Professionals.

2.26 Deputy M.B. Andrews of St. Helier North of the Minister for Treasury and Resources regarding expenditure as a percentage of Gross Domestic Product (WQ.251/2023)

Question

Will the Minister provide the expenditure of both the Education Department and the Health and Community Services Department as a percentage of Gross Domestic Product for the period of 2017 to 2022?

Answer

The requested analysis has been collated from the Statement of Outturn against Approvals in the Annual Report and Accounts² for each year, and GDP figures published by the Statistics Unit³.

	HCS £m	CYPES £m	GDP £m	HCS %GDP	CYPES %GDP
2017	211.0	107.3	4,909	4.3%	2.2%
2018	208.9	112.6	5,003	4.2%	2.3%
2019	206.9	142.4	5,108	4.1%	2.8%
2020	239.7	153.4	4,592	5.2%	3.3%
2021	228.9	157.4	5,087	4.5%	3.1%
2022	246.6	175.9	5,703	4.3%	3.1%

Notes:

1. For 2017 and 2018 the expenditure of the Health and Social Services Department and Education Department have been included, from 2019 the Health and Community Services Department and Children, Young People, Education and Skills Department.

² [Annual Report and Accounts for the States of Jersey \(gov.je\)](https://www.gov.je/Annual-Report-and-Accounts-for-the-States-of-Jersey)

³ [Measuring Jersey's economy: GVA and GDP - 2021 \(gov.je\)](https://www.gov.je/Measuring-Jersey-s-economy-GVA-and-GDP-2021)

2. Figures used are from the Accounts for the relevant year, and do not include any subsequent restatements.
3. GDP for 2022 is not yet available, and will be included in the next report, 'Measuring Jersey's economy: Gross Value Added (GVA) 2022', which will be released on 4 October 2023. An estimate of GDP has been included for illustrative purposes based on 2021 GDP and the FPPs latest assumption⁴ for nominal growth in GVA for 2022 (12.1%)

As requested, these figures are based on departmental spend. The Treasury department is currently working on finalising the first report on “Classification of the Functions of Government Report” which will analyse Government Spend by function in line with the UN COFOG system. Health and Education are included as specific categories within this system, and the analysis will classify wider spend on Health and Education across Government.

2.27 Deputy S.G. Luce of Grouville and St. Martin of the Chief Minister regarding food supply chains (WQ.252/2023)

Question

Given the current international situation and the increased risks to supply chains, will the Chief Minister –

- (a) provide the formal definition of one day’s food supply in Jersey broken down per adult, child, and infant;
- (b) provide (based on the definition provided in answer to (a) above) the methodology and calculation that produces the total food supplies required for an assumed population of 105,000 for both 14 days and 28 days;
- (c) reconcile the figures provided in response to (a) and (b) with the supply of food held by retailers and wholesalers quoted in the Chief Minister’s reply to Written Question [207/2023](#);
- (d) state the total volumes of fresh, frozen, and ambient food stocks held in the Island; and
- (e) state whether a physical inspection, or audit, of fresh, frozen, and ambient stocks has ever been undertaken in the Island?

Answer

(a) Government does not hold this specific information however the island’s food supply requirements are outlined as “food-energy requirements” (rather than food-volumes) and are outlined in section 2 in [A brief review of Jersey’s Food Security by Dr Steve Webster](#).

The supply and demand of food and associated stock levels is dealt with by the markets and has historically proven its ability to self-regulate. Recent history has shown that the Island’s supply chain has shown resilience to significant economic and geo-political shocks, including Brexit, Covid and the invasion of Ukraine. As such, current levels of supply are considered adequate. However, the Government continues through its emergency planning, risk and business continuity functions to keep risks to the supply chain under constant review.

⁴ [FPP Economic Assumptions March 2023 \(gov.je\)](#)

Government retains emergency powers for use in emergencies but otherwise does not interfere in the market process and must remain continually aware of the law of unintended consequences and the unanticipated and unforeseen effects of its participation, regulation or legislating where not required.

(b) See answer provided in (a)

(c) See answer provided in (a)

(d) Government does not hold this information. The typical volumes of fresh, frozen and ambient food stocks held by wholesalers in the island was answered in <https://statesassembly.gov.je/assemblyquestions/2023/wq.207-2023.pdf> - see appendix below.

An approximate supply of foodstuffs held by retailers is detailed in section 2 in [A brief review of Jersey's Food Security by Dr Steve Webster](#). - see pasted table in appendix below

(e) No, a physical inspection or audit of food stores has not been undertaken in the island. As per the answer to part (a), the Island has historically relied on private sector companies to satisfy normal demand for food through the existing supply chain, which has been shown to be resilient and capable of meeting local demand. Government has been looking at improving supply chain resilience through an enhanced southern supply route to France and this work is ongoing.

The supply chain continues to be regularly monitored by the relevant departments (Economy, Health & Community Services, and Justice & Home Affairs). Under the Emergency Powers and Planning (Jersey) Law 1990, specific Ministers are designated as competent authorities having the responsibility and power to secure certain essentials of life for the community as and when required.

Appendix:

The typical volumes of fresh, frozen and ambient food stocks held by wholesalers in the island (2018 data)

Table 1. Approximate supply of selected foodstuffs held by the major retailers

Foodstuff	Approximate supply
Fresh vegetables	1.5 – 4 days, plus locally grown
Fruit	1.5 – 4 days
Meat	1.5 – 5 days
Fish	1.5 – 5 days
Eggs	1.5 – 7 days, plus locally sourced
Bread	1-4 days
Rice & pasta	2 – 21 days
Frozen goods	3– 21 days

Food **retailers** have confirmed storage for fresh food of 1-3 days, 2-3 days for frozen food, and ambient food ranges from 3-7 days' supply.

Food **wholesalers** have confirmed they hold 1-4 weeks of chilled product, 4-6 weeks of ambient product and 2-4 weeks of frozen product. Subject to sell by dates, these frozen products can have a shelf life of up to 6 months. These supplies have proven to be adequate and as such have not changed since January 2022.

2.28 Deputy S.G. Luce of Grouville and St. Martin of the Chief Minister regarding the Jersey's maritime supply chain (WQ.253/2023)

Question

Will the Chief Minister –

- (a) state the total number of Roll-on/Roll-Off (RoRo) and Lift-on/Lift-Off (LoLo) shipping arrivals from the UK that operated more than three hours later than scheduled in the last 12 months;
- (b) explain whether an independent risk assessment of Jersey's maritime supply chain has been undertaken by Government in the last year, and if not, why not; and
- (c) advise whether the Government has, in the last year, asked retailers and wholesalers to hold increased contingency stocks of food and other essential items (liquid fuel and medical supplies, in particular) on Island as at other times in recent decades, and if not, why not?

Answer

(a) Government does not hold data in the terms presented in the question. The JCRA website carries publicly available information on the performance of passenger ferry services - [Publications | JCRA](#) and Ports of Jersey Limited report on punctuality of sailings - <https://www.ports.je/reportsstatistics/qosreports/>.

Load-on / Load-off (LoLo) vessel movements do not sail on a commercially established timetable, as passenger-inclusive services do. Therefore, calculating delays against variable times of expected departure and arrival would not generally be standard maritime practice.

The Channel Islands' main ferry operator is subject to quarterly oversight from an Officer group made up of members from the Governments and Harbours authorities of both Jersey and Guernsey. Schedule performance and customer satisfaction are the principal metrics that the operator is required to report on.

(b) No, an independent risk assessment of Jersey's maritime supply chain has not been undertaken in the last year. Government does not consider there to have been an appropriate level of disruption or issues within the maritime supply chain to warrant undertaking a risk assessment.

(c) No. The Government does not intervene in the island's commercial supply chain. The market has shown itself to be able and capable of regulating itself and responding to demand. Retailers operate a Just-In-Time system which in recent years has proven to be resilient against events such as Brexit, Covid and the Ukraine war.

Government retains powers to regulate retailers and wholesalers under emergency laws should it be required to do so. Interventions by Government of the type described have not been required to date and Government has not identified any events or thresholds that would make using emergency powers either necessary or desirable.

Government has increased its funding and support of the **Rural Initiative Scheme** and a revised Rural Credits system of support was deployed in January this year which has resulted in an increase of 20 additional growers on the scheme bringing the number to 60 for 2023 with the intention to increase this to 80 growers in 2024 with an emphasis on locally grown food for the local market. Work is continuing with the Marine sector in 2023 to establish a similar scheme for seafood.

2.29 Deputy S.Y. Mézec of St. Helier South of the Minister for Treasury and Resources regarding undeclared income (WQ.254/2023)

Question

For each of the years 2015 to 2021, will the Minister advise –

- (a) how many taxpayers were found to have under-declared their income to the Tax Department;
- (b) how much income in total was undeclared;
- (c) how much tax was liable on that total undeclared income;
- (d) how much of that tax liability was eventually paid; and
- (e) how many prosecutions were sought for undeclared income on which tax was liable?

Answer

Revenue Jersey does not hold this information in the exact form requested.

From 2016 onwards, Revenue Jersey has been revitalising its approach to tax compliance as part of its Revenue Transformation Programme. Accurate figures are not held for the period before 2016 but it is estimated that around £1 million annually was being recovered from compliance work.

Revenue Jersey continues to develop its enforcement approach in line with its published Compliance Strategy and published annual compliance programmes.

The table below sets out Additional Revenue Assessed from compliance work looking at historic years of assessment (ie not the previous year’s tax returns which are being processed into tax assessments in any current year.)

Year of Account (not Assessment)	Additional Revenue Assessed
2015 and earlier	Circa £1 million
2016	<£3 million
2017	£5.5 million
2018	£6.8 million (plus £1.65 million from the Tax Disclosure Opportunity)
2019	£8.8 million
2020	£10 million (compliance programme curtailed due to Covid)
2021	£20.5 million

Additionally, for the 2020 year of assessment, Revenue Jersey estimates the value of corrections made as part of the assessing process to be in the region of £16 million.

It is estimated that the Government collects over 98% of taxes assessed. These are collected either directly by the actions of Revenue Jersey (for example through the Income Tax Instalment Scheme) or by the Treasury's debt-management team.

It is the policy of the Comptroller of Revenue – in common with the approach of most tax administrations – to deal with under-declaration of tax civilly rather than criminally as the most cost-effective and efficient approach.

A suite of civil penalties to support this policy was created by the States Assembly in P.51/2021 - Taxation (Income Tax, Goods & Services Tax and Revenue Administration) (Amendment) (Jersey) Law 2021. The same law modernised Jersey's criminal provisions for tax offences which had been found to be defective.

Revenue Jersey currently has cases under consideration for criminal prosecution for the first time in some years, details of which are confidential.

2.30 Deputy S.Y. Mézec of St. Helier South for the Minister for Treasury and Resources regarding the Horizon development (WQ.255/2023)

Question

Will the Minister, as shareholder representative, advise –

- (a) how many of the completed apartments in the Horizon development are –
- (i) one bedroom, below the current minimum space standards for a single-occupancy one-bedroom flat (i.e. below 34.5 square metres);
 - (ii) one bedroom, between the current minimum space standards for a single-occupancy one-bedroom flat and a double-occupancy one-bedroom flat (i.e. 34.5 square metres to 51 square metres);
 - (iii) one bedroom, above the current minimum space standards for a double-occupancy one-bedroom flat (i.e. above 51 square metres);
 - (iv) two bedroom, below the current minimum space standards for a triple-occupancy two-bedroom flat (i.e. below 62 square metres)
 - (v) two bedroom, between the current minimum space standards for a triple-occupancy two-bedroom flat and a quadruple occupancy two-bedroom flat (i.e. 62 square metres to 76 square metres);
 - (vi) two bedroom, above the current minimum space standards for quadruple-occupancy two bedroom flat (i.e. 76 square metres);
 - (vii) three bedroom, below the current minimum space standards for a quadruple-occupancy three-bedroom flat (i.e. 76 square metres);

where the minimum space standards referred to are for single-storey apartments; and

- (b) how many Horizon properties sold by the States of Jersey development Company have been sold on by their original purchaser?

Answer

In responding it should be noted that the design plans for the Horizon development were inherited from a private developer who had originally obtained planning permission. The States of Jersey Development Company ("SoJDC") undertook and developed those plans under a Joint Venture arrangement with Groupe Legendre.

The Horizon development consists of 280 units. The numbers indicated below total 270 units. The remaining 10 units are all three-bedroom units larger than the sizes requested in the Question.

- (a) (i) None
- (ii) 119 units
- (iii) None
- (iv) None
- (v) 119 units
- (vi) 32 units
- (vii) None

(b) SoJDC do not as a matter of practice monitor onward sales and indeed, as these would be share transfer transactions, it would be very difficult to do so.

2.31 Deputy T.A. Coles of St. Helier South of the Minister for Treasury and Resources regarding interest tax relief that has been claimed for buy-to-let mortgages (WQ.256/2023)

Question

Will the Minister provide details of the amount of interest tax relief that has been claimed for buy-to-let mortgages, broken down by year for the last 5 years?

Answer

Revenue Jersey does not require taxpayers to declare whether a property is purchased with a buy-to-let mortgage. The figures provided indicate the total amount of interest paid claimed against rental income. They do not include interest paid on a main residence for taxpayers declaring lodger income. The data will include non-domestic and non-Jersey properties.

Year of assessment	Interest paid claimed against rental income
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2019	£12.0m
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2020	£11.8m
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2021	£11.3m
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Data from earlier years of assessment is not available as the previous computer system only stored net values.

2.32 Deputy S.G. Luce of Grouville and St. Martin of the Minister for the Environment regarding the Jersey Tree Detail map (WQ.257/2023)

Question

In relation to the Jersey Tree Detail map which the Minister produced to support his proposals for tree protection in Jersey, will he advise how the data was collected and what the total cost of the project was; and will he further advise when the map will be made available to the public?

Answer

The Jersey Tree map was developed from LIDAR (Light Detection and Ranging) survey data and high-resolution specialist aerial photography to develop a baseline data set of trees on the Island. The total cost of developing the map to date is £22,500.

The map will be made available to the public as part of any future planning process relating to Amendment No 8 of the Planning and Building (Jersey) Law 2002.

2.33 Deputy G.P. Southern of St. Helier Central of the Minister for Social Security regarding the rise in medical benefit (WQ.258/2023)

Question

Further to the recent announcement regarding the rise in medical benefit, will the Minister advise what measures, if any, are under consideration to index-link the subsidy paid to GPs to prevent spiralling costs in this sector; and what further discussions, if any, are being undertaken with GP representatives to plan for longer-term solutions to the cost of GP visits?

Answer

As of 1 June 2023, the Government is paying an additional activity fee of £25 per surgery consultation to GP practices, where that consultation also qualifies for a medical benefit of £20.28. The additional £25 activity fee is paid through a contract which requires that £20 of the fee is directly allocated to a reduction in the patient fee.

This scheme is in addition to the Health Access Scheme that has been in place since December 2020 and provides a range of subsidised services to members of the scheme which includes all households receiving income support and all pensioners enrolled on the pension plus scheme. Under the Health Access Scheme the cost of a surgery visit is limited to a maximum of £12 for an adult with no charge for a child.

A separate scheme to provide free GP surgery consultations for all children aged under 18 is being finalised and will shortly be implemented.

The Government also supports access to general practice through a range of other contracts, currently providing wage subsidies, payments based on agreed outcomes and activity payments.

General practice in Jersey is maintained by private businesses with different practices setting different levels of fees.

Government continues to maintain an active dialogue with GP representatives to discuss both short and long term issues. This includes the regular renegotiation of existing contracts including a consideration of inflationary pressures. As a general principle, no, we do not index link contracts but they are renegotiated regularly.

2.34 Deputy R.J. Ward of St. Helier Central of the Minister for Children and Education regarding the Care Leavers' Offer (WQ.259/2023)

Question

Will the Minister state the current position of the Care Leavers' Offer in terms of –

- (a) the number of young people being supported;
- (b) the criteria used to measure the success of the scheme;

- (c) any assessment undertaken of its success or otherwise; and
- (d) the problems, if any, that have been identified to date with the provision?

Answer

- (a) There are currently 81 care leavers being supported.
- (b) There are a variety of measures that are used to review the success of the care leavers offer, both qualitative and quantitative measures.

Quantitative measures clarify the key aspects of the offer and how effective it is in ensuring that the basic needs of our care leavers are met.

- i. Number of young people in education and employment - 65.7% (Excluding care leavers of sick leave and those caring responsibilities)

This figure helps to understand how the service is supporting care leavers to be active members of the Island and are either developing their skills and life outcomes through education or through contributing to our society through meaningful employment.

- ii. Number of young people in Appropriate accommodation – 92.6%

This figure gives us a clear understanding of young people who are in appropriate accommodation such as supported living environments or their own independent accommodation. This figure is impacted by young people who may be residing in HMP La Moye.

Qualitative measures help clarify the impact of the work being undertaken for each young person in the context of their particular assessed needs. It is acknowledged that all young people have different life experiences, and their successes are relative to their respective abilities.

- iii. Feedback from young people through *Mind of My Own* Statements

Jersey children services have been using Mind of My Own Statements to capture the wishes and feelings of our young people. These statements are captured and stored in a centralised system and are viewed by professionals to help understand the lived experience of our young people and shape their care planning through listening to their feedback.

- iv. Feedback from young people as part of their pathways planning process

Pathway plans are the documents that we use to detail the support and coordinate the services and support to help enrich the lives of our young people and plan for their futures. The pathway plans help detail the pathway into adulthood and prepare young people for when they transition out of the leaving care service.

- v. Care leavers Improvement Working Group

The care leaver improvement working group is a platform to support and co-ordinate multi agency and partnership working. The working group will provide feedback to the service and will support will the delivery of 6 elements of the circle of support as outlined in the care leavers offer.

- (c) There has not been a formal assessment of the care leavers offer. We use the aforementioned mechanisms to review the effectiveness of the service. There was discussion about the offer at a recent Corporate Parenting Board to consider how effectiveness might be reviewed.

In addition I am proposing to commission a third party to carry out a survey with all our looked after and care leaver cohorts. . The survey is an evidenced based programme developed in partnership between the third party and the University of Oxford. The programme will focus on what young people say about their lives and what is important to them and ensure that their experiences influence

service development and strategic thinking in Jersey. The plan is for the Bright Spots survey to commence in September 2023.

- (d) The care leavers offer that was published on the Jersey website is a positive document that outlines the broader aspects of the care leaver offer but does not provide the specificity required for both professionals and care leavers. Therefore, a piece of work is currently being undertaken to provide a supplementary working guidance document which will elicit the specifics of the offer. It will also provide key contacts and detail how the offer is practically delivered. This document will be presented at the next corporate parenting board for review and ratification.

Support to care leavers is also a duty in the new Children and Young People's Law due to be enacted later this year. The statutory guidance for the new law is almost complete.

2.35 Deputy R.J. Ward of St. Helier Central of the Minister for Treasury and Resources regarding tenancy at Andium Homes (WQ.260/2023)

Question

Will the Minister, as shareholder representative, advise –

- (a) what time is given for possible tenants to accept an offer of housing from Andium Homes;
- (b) whether rent for housing is payable on signing the tenancy agreement or on the date of moving into the home or at some other time; and
- (c) what provision, if any, is made for the situation in which a tenant may be paying rent on two properties during this period of time?

Answer

- a) Andium allocates its homes through a Choice Based lettings process which allows those on the Affordable Housing Gateway to indicate their interest in particular homes.

Following the receipt of registrations of interested parties, those highest in the priority order on the Gateway list will be offered an opportunity to view the property to confirm their interest.

Once all viewings are complete, the property will be offered to the interested party highest on the Affordable Housing Gateway list and the prospective tenant given two working days to accept or refuse the offer. Where a prospective tenant makes a reasonable request for more time this will be considered.

- b) Rent is due from the date the tenancy agreement is signed or the tenancy commencement date, where this is later than the date the agreement is signed.
- c) Where existing Andium tenants are transferring to a new home, a reasonable period of time (up to two weeks) is allowed for the move. During this period rent will only be charged on one property.

Where a tenant is moving into an Andium property from the private rental market, rent is payable to Andium in accordance with the response in part b). The tenant is responsible for any arrangements they have with their previous private landlord.

2.36 Deputy R.J. Ward of St. Helier Central of the Minister for Economic Development, Tourism, Sport, and Culture regarding the regulation of cannabis (WQ.261/2023)

Question

In light of comments made at a recent [public hearing](#), at which the Minister stated that developments in the cannabis industry in Jersey have been overseen by the Economic Development Unit, and that “Jersey’s reputation is pinned to the mast of high regulation and high quality”, will the Minister explain what regulation exists in Jersey to control the medical use of cannabis, and how such regulation reflects the World Health Organisation (WHO) approach to the regulation of cannabis as a medicine?

Answer

The regulation and control of use of cannabis for medicinal purposes falls under the remit of the Minister for Health and Social Services and is managed via the following legislation:

Misuse of Drugs (Jersey) Law

Cannabis is a controlled drug in Class B of The Misuse of Drugs (Jersey) Law 1978 and a Schedule 1 controlled drug under the Misuse of Drugs (General Provisions) (Jersey) Order 2009

A cannabis-based product for medicinal use (CBPM) is controlled as a Schedule 2 controlled drug under the same order. This enables them to be used for medicinal purposes.

Only products which are produced to Good Manufacturing Practice (GMP) standards by a GMP certified manufacturer are classified as a CBPM under this legislation.

Medicines (Jersey) Law 1995

Additionally, Cannabis-based products for medicinal use (CBPMS) are controlled under the Medicines (Jersey) Law 1995. This law specifically regulates production, distribution and supply of all medicinal products including CBPMs.

The United Nations **Single Convention on Narcotic Drugs, 1961** provides for the control of Cannabis under Articles 23 and 28. Jersey is required to comply with this convention as a named territory to the UK.

2.37 Deputy M.R. Scott of St. Brelade of the Minister for the Environment regarding planning character appraisals (WQ.262/2023)

Question

Will the Minister –

- (a) state the purpose of a character appraisal commissioned on the Minister’s behalf and the role of such a character appraisal in informing the assessment of planning applications;
- (b) itemise the planning policies in the Bridging Island Plan and any Supplemental Planning Guidance (SPG), including any draft SPG, where a character appraisal would be relevant in informing the assessment of character of an area in Jersey, identifying in each case the applicability of those policies to both defined Built-Up Areas and areas outside the defined Built-Up Areas; and
- (c) explain why planning officers have not referred to the St. Brelade Character Appraisal in reports supporting the assessment of planning applications relating to sites within the scope of the St. Brelade Character Appraisal since that character appraisal was published?

Answer

- (a) The purpose of a character appraisal is generally to appraise the character of a particular place or area. They provide an objective analysis which identifies and explains the unique combination of elements and features (characteristics) that make places distinctive.

The results of these studies were specifically used to inform the development of planning policy as part of the island plan review. They have informed the planning policy regime for the management of development within the island's built-up areas and the countryside that is now expressed in the [Bridging Island Plan](#).

They can also, however, be used as tools to identify and assess the impact of proposed development as part of the preparation and review of planning applications.

- (b) A number of character appraisals and assessments were commissioned as part of the recent island plan review. Key amongst these were:
- [St Helier Urban Character Appraisal Review \(2021\)](#): this work represented a review of the earlier 2005 study and refreshed the current understanding of the urban character of St Helier and its suburbs.

As well as an assessment of the character of the town, it sets out revised detailed design guidance for each of the Town's ten character areas setting how the character of St Helier can be maintained and enhanced, in section 7 of the report. Section 6 contains specific advice about height guidance, which has been embodied into section 7.

- [Jersey Integrated Landscape and Seascape Character Assessment \(2020\)](#): this work also represented a review and update of the 1999 Jersey Countryside Character Appraisal, reflecting changes which have occurred in the past 20 years, as well as the forces for change which are affecting Jersey's landscapes and seascapes now, and are likely to affect them over the next 10 years. The ILSCA extended the scope of its coverage to include seascapes as well as landscapes within the Bailiwick of Jersey.

As well as an assessment of the character of all of the island's landscapes and seascapes, including the inter-tidal zone and out to the island's territorial limits, it sets out a strategy, specific management and planning guidelines for each of the island's ten character types; together with planning guidance for the 14 defined coastal units; along with generic design guidance for development in the countryside.

Taken together, these two studies provide comprehensive coverage of the key characteristics of the island and its territorial waters, including objective assessment together with planning guidance about how change might be best managed to protect and enhance character.

In addition to this Bailiwick-wide assessment of character, additional work was commissioned to carry out a character appraisal of St Brelade, with a particular emphasis on St Brelade's Bay, resulting in the assessment of that area set out in [St Brelade Character Appraisal baseline report \(2020\)](#). This outlines the historical development of the bay, and landscape and townscape analysis only.

Having regard to the character of the local area is considered best practice and there are a range of policies in the bridging Island Plan which require development proposals to be considered relative to their contexts, be that within the island's built-up areas or the countryside. This policy expectation is set at the outset in the plan by the **Strategic Policy SP3 – Placemaking** where it states that, amongst other things:

All development must reflect and enhance the unique character and function of the place where it is located. New development must contribute to the creation of aesthetically pleasing, safe and durable places that positively influence community health and wellbeing outcomes, and will be supported where:

1. it is responsive to its context to ensure the maintenance and enhancement of identity, character and the sense of place;

There are a range of other policies within the plan that require the design of new development to respond appropriately to the distinctive characteristics of a place, specifically **Policy GD6 – Design quality**.

In addition to this, some policies in the bridging Island Plan make explicit reference to the need for planning applications to be considered and assessed relative to the content of specific character appraisals and assessments. This includes **Policy NE3 – Landscape and seascape character**, which states that, amongst other things:

*Applicants will need to demonstrate that a proposal will neither directly nor indirectly, singularly or cumulatively, cause harm to Jersey's landscape and seascape character and will protect or improve the distinctive character, quality, and sensitivity of the landscape and seascape character area or coastal unit as identified in the **Integrated Landscape and Seascape Assessment**.*

And **Policy GD7 – Tall buildings**, which states that, amongst other things:

Proposals for the development of a tall building will only be supported where:

*1. it is well-located and relates well to the form, proportion, composition, scale and character of surrounding buildings and its height is appropriate to the townscape character of the area. In Town this should be considered relative to the **St Helier Urban Character Appraisal (2021) building height guidance**;*

- (c) As stated above, reference to character appraisals or assessments can be a useful tool to help consider and assess the impact of development proposals upon an area. They might be used by both applicants, planning officers and decision-makers in the context of planning applications.

There is, however, no specific requirement to have regard to character assessments or appraisals, unless specifically directed to by policy (e.g. Policy NE3 and GD7) or where they are adopted as supplementary guidance, in which case, they become material considerations as defined under Article 6 (3) and Article 19 (1) of the Planning and Building (Jersey) Law.

The character appraisal undertaken in St Brelade's Bay ([St Brelade Character Appraisal baseline report \(2020\)](#)) provides the baseline analysis of the character of the bay. It does not currently contain specific planning guidance and has not been adopted as supplementary planning guidance.

The [St Brelade Character Area Appraisal recommendations](#) report puts forward a proposal for the development of an improvement plan for the bay. It recommends that the improvement plan contains a number of elements, one of which includes the preparation of more detailed design guidance for key areas in the bay. It is proposed that more specific guidance is provided in these areas for building height, scale, massing, materials and colour palette, and also accompanying planting and landscaping.

The Minister for the Environment has set out to develop and deliver an improvement plan for St Brelade's Bay in 2023. Work to begin to do this is underway. Once developed, it is likely that all or parts of the improvement plan, such as the design guidance, will be adopted as supplementary planning guidance, and become material to the planning process.

2.38 Deputy M.R. Scott of St. Brelade of the Minister for Children and Education regarding the Inspection Reports on the three Unregistered Children's Homes (WQ.263/2023)

Question

Will the Minister advise –

- (a) the dates on which she became aware of the Inspection Reports (or any of the expected content thereof) on the three Unregistered Children’s Homes published by the Jersey Care Commission and dated 13th January 2023 and 17th February 2023; and
- (b) what specific actions, if any, she is either undertaking or supporting to ensure that the following cultural problems within Government, that were identified in the Independent Jersey Care Inquiry Report, are being transparently addressed within the Children, Young People, Education and Skills Department, namely –
 - (i) failures to manage conflicts of interest;
 - (ii) the lack of a culture of openness and transparency;
 - (iii) a silo mentality among public-sector agencies, States departments and institutions characterised by territorialism and protectiveness rather than openness to pooling resources and learning; and
 - (iv) that parts of the community feel that politicians and States employees cannot be trusted and that abusive practices have been covered up?

Answer

(a) 10th February 2023 I received a copy of two inspection reports from the Chief Inspector of the Jersey Care commission. The third report was received by me on 16th May 2023.

(b) Within the first 100 days the Chief Minister identified her Office as the point of responsibility for the continued response and learning from the Care Inquiry. This was emphasised further by a commitment to the establish the role of a Public Sector Ombudsman.

As the Minister for Children and Education I would point to the following actions as examples of ways in which my Ministerial Team continue to apply the lessons of the Independent Jersey Care Inquiry.

(i) As a previous member of Scrutiny and Public Accounts Committee I know how politically important it is to engage with the Assemblies Scrutiny process as a way of publicly showing the challenges in public service. I remain committed to engaging with the Children Education and Home Affairs Scrutiny Panel at the earliest opportunity throughout the development of policy and service transformation.

(ii) The States Assembly passed the new Children and Young People (Jersey) Law 2022 which is expected to be implemented later this year. There are new duties which focus on the ‘duty to co-operate’ across agencies and services and in enshrining in law the role of the Corporate parents for looked after children and care leavers. The statutory guidance for the above law is almost complete and has been guided by a local expert group made up of professionals across the range of services for children.

I propose to commission an independent third party to carry out a survey of our looked after children and care leavers. The organisation is professionally credible and linked to a well respected university and uses the survey across England and Wales. It is intended the survey will run in the autumn and will be repeated in three years time.

As Minister for Children - a political office created after the Care Inquiry - I have been particularly pleased to establish a set of [Participation Standards for children and young people \(gov.je\)](https://www.gov.je/participation-standards-for-children-and-young-people) which I’m delighted to announce are being used across Government and other organisations who now will have guidelines and toolkits on how to engage effectively and meaningfully with children and young people.

A key feature of this Council of Ministers has been to establish constituency surgeries to listen to and understand the views Islanders. In addition to playing an active part in this initiative, I have also championed the need for a new cultural diversity network which, based at Jersey Library, is now working to engage those parts of the community who previously did not have a voice and will lead to the development of a Cultural Centre

The Children, Young People Education and Skills Department was set up in 2018 with the aim of bringing services together which delivered services to children, young people and families with a range of needs in universal, targeted and specialist services.

In Jersey we have developed a practice model – Jersey's Children First for use by all services working with children, young people and families. This model sets out expectations about how services support children and families, and includes toolkits for staff, arrangements for the lead worker for a child and a team around the family model. Information sharing expectations and escalation routes are explicit.

Good participation of children and young people goes beyond just giving them a voice. It is a process that includes children and young people from start to finish. It involves children and young people being actively listened to and supported to express their views. These views should have a genuine influence on policy development and children should receive feedback after they take the time to share their views.

(iii) As the Minister for Children and Education I know that other Ministerial Departments have an influence on children and their families. I continually engage with other Ministers through [Ministerial Groups](#) on policy matters relating to Skills, Corporate Parenting and Children's Safeguarding. These Ministerial Groups are established to advise the responsible Minister as they make decisions in their areas of responsibility, usually to support prominent areas of policy development or oversight of major projects.

(iv) It is important that there continues to be independent checks and balances across the children's system which hold Government to account. My department continues to play their part in engaging with both the Care Regulator and the Office of the Children's Commissioner whilst at the same time engaging every day with children and families who are sometimes at their most vulnerable.

In 2023 The Jersey Care Commission expands the range and number of services which will be subject to regular scrutiny and inspection. Inspection reports are all published on the Commissions website.

Last week the UK State Party, which included Jersey, received the Concluding Observations Report from the UN Committee. I have already discussed the Report with the Children's Commissioner. The UN Committee assessment was the result of an 18-month process contributed to by UK Government departments, Civil Society including Children's Commissioners and is an example of deliberate engagement encouraged by the Independent Jersey Care Inquiry. #

I have personal surgeries at least once a month where I welcome attendance from any Islanders. Additionally, the Council of Ministers now have a monthly surgery where Islanders can come and speak direct to Ministers about anything of concern.

2.39 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter of the Chief Minister regarding the affordability of the proposed new health facilities (WQ.264/2023)

Question

Will the Chief Minister explain how the Government's proposed new health facilities, as announced last week, will be more affordable than the previous plans for a single-site hospital at Overdale?

Answer

The focus of this programme is on affordability: by spreading the programme into stages, we have more control on what we build when, and will tailor available funds to those areas with the highest risk and need.

As part of the OH Review, it was determined that a prudent risk management approach could be taken to deliver the programme through a different financing model and to spread the financial commitment over a longer period involving controllable, phased projects rather than progressing with a single large-scale and high-cost scheme with cost estimates for construction that fall outside the forecasts within the Outline Business Case.

By building on multiple sites and having a phased building programme, all the financial or construction risk is not placed into one solution and one delivery partner. By taking a phased approach, with smaller buildings, the Government of Jersey has the opportunity to engage local contractors and a wider spectrum of national level contractors, where possible, rather than one single contractor. We intend to take advantage of Modern Methods of Construction – this will mean a quicker construction and delivery, and reduced labour requirements. The combination of constructing smaller buildings, each representing smaller reduced square meterage and built in accordance with its Clinical requirements, means more efficient design. Using local contractors and modern methods of construction and phasing the construction and financial commitment over a longer period will also make the programme more affordable over its lifetime.

The NHF programme provides a plan for healthcare estate development, ensuring that those services that were not previously provided in the Our Hospital scheme are provided with the future facilities they need. These healthcare services did not form part of the OH Brief and so were to be delivered by different programmes, with a separate proposed budget. Business Cases have not however been progressed for those programmes.

Also, services being delivered over multiple sites to deliver a more appropriate scale of scheme, ensures that given our island context and that the broad range of services delivered by Jersey's Health and Community Services continue to be delivered safely on-island but do not have the same degree of environmental or infrastructure impacts as a single-site scheme. From July, the NHFP team will develop the concept design of Phase One of the preferred multi-site option, which will enable costs to be more accurately estimated and funding models explored in the Outline Business Case for the Government Plan.

2.40 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter of the Minister for Infrastructure regarding the capital costs of the proposed new health facilities (WQ.265/2023)

Question

Following the announcement that the Government's new health facilities proposal will be approximately 30,000 m² bigger than the previous plans for a single site hospital at Overdale, is it the Minister's assessment that the capital costs of such a proposal will be significantly higher than the £804.5 million budget approved by the previous States Assembly?

Answer

The full Executive Summary of the Feasibility Report will be presented to the Assembly at the end of June. A commitment has been made to deliver healthcare facilities in a cost-effective way that represents best value for money for Islanders in the present economic climate.

The NHFP provides a plan for healthcare estate development, ensuring that those services that were not previously provided in the Our Hospital scheme (but were considered by other programmes) now have the possibility of being provided in future facilities, as the Island requires. After presenting the report, the NHFP team will focus on Phase One of the preferred multi-site option. This will include developing the concept design to enable costs to be more accurately estimated and exploring funding models in the Outline Business Case for the Government Plan. The costs will be developed by experienced and professional cost advisors using information benchmarked against similar healthcare projects around the world, taking account of Jersey's particular circumstances. However, the Outline Business Cases will not be published publicly to ensure that the GoJ retains the commercial sensitivity for the procurement of the programme.

2.41 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter Question of the Minister for Infrastructure regarding environmental impact studies of the proposed new health facilities (WQ.266/2023)

Question

Will the Minister advise whether any environmental impact studies have been carried out in relation to the provision of multi-site health facilities across the Island compared to the single site solution at Overdale; if so, what were the outcomes of these studies; and if none have been undertaken, why not?

Answer

Consideration of potential environmental impacts has been integral to the feasibility stage option selection process for the New Healthcare Facilities (NHF). The environmental feasibility report sets out a high-level overview of the currently known baseline and potential impacts during both construction and operation phases for the site options being considered for the NHF. The information used was based on baseline and assessment data that was collated for the Environmental Impact Assessments (EIA) prepared for the previous Future Hospital planning application in 2017, and the Our Hospital Project planning application in 2021. It should be noted that it is only due to the unique position of having relatively recent, previous environmental assessment work for both sites being considered under the current proposals, that it has been possible to provide the level of baseline data that is presented in the feasibility report. It is not usual or expected to have this level of detail at this early stage of project development.

Full impact assessments would not be proportionate or possible at this early stage of the project but will be conducted and reported on at RIBA Stage 3 during detailed design and submitted with the planning application(s). This will enable the environmental team to feedback assessment outcomes into the design as it progresses, such that environmental mitigation can be embedded into the design, reducing any adverse impacts as much as possible within design and clinical constraints, whilst also enhancing environmental benefits.

The brief for the feasibility stage was to consider potential environmental impacts relevant to each of the options (and therefore sites) such that a comparison between options could be made. Utilising more than one site is fundamentally likely to result in impacts that are geographically more widespread, but this does not automatically mean that they will be more significant; rather some impacts may be of lower magnitude (and lower significance) because of the smaller nature of each of the buildings and the dispersed staff and visitor travel patterns. As part of the Environmental Impact Assessment process, cumulative impacts (i.e. the in combination impacts from each of the sites) will be considered and reported at the appropriate stage.

2.42 Deputy G.P. Southern Of St. Helier Central Of The Minister For Social Security Regarding The Proposals Outlined In Regulation 3 Of The Draft Social Security (Amendment Of Law No. 18) (Jersey) Regulations 202- ([P.24/2023](#))

Question

Will the Minister advise to what extent, if any, the proposals outlined in Regulation 3 of the Draft Social Security (Amendment of Law No. 18) (Jersey) Regulations 202- ([P. 24/2023](#)), which would enable claimants of Short Term Incapacity Allowance to return to work while still claiming benefit, are similar to (or informed by) the ‘restart’ schemes operated by specialist agencies under guidance from the UK Department for Work and Pensions, which have reportedly been an expensive and inefficient means of getting people back into work (especially those with specialist health needs)?

Answer

All States Members have been offered the opportunity to attend a presentation on the new Social Security Short Term Incapacity scheme. This will be delivered by the policy team developing the scheme and the Expert Medical Advisor who is supporting policy and operational development.

A private briefing on the details of the scheme has already been given to the Health and Social Security Scrutiny Panel. The briefing was positively received, and I am confident that we can meet all of the Panel’s comments on the new scheme.

I am very optimistic about the changes and believe they offer a new form of support to Jersey employees and their employers.

I can confirm that Jersey’s scheme is not similar to Restart and was not informed by it.

The two schemes have a different focus, address a different target group, and will be administered quite differently. What they have in common is that both seek to help people avoid or mitigate the impacts of health conditions on their ability to remain in work.

Restart is a scheme operated by the UK’s Department of Work and Pensions (DWP), which initially targeted support to Universal Credit claimants who had been out of work for nine months or more. It has subsequently been expanded in some areas of operation. This customer group would be described as “long-term unemployed” – the equivalent of some jobseekers on Income Support. Restart is operated across the United Kingdom by a range of external partners contracted by the DWP. This is understandable given the size of the UK, but has reportedly created difficulty for the DWP in benchmarking different partners against each other to determine effectiveness. It was also begun during the pandemic, which understandably made it challenging for the DWP to predict capacity. This has led to lower-than-expected uptake but it is not entirely accurate to say that the Restart schemes have been expensive and inefficient.⁵

The changes made in Jersey will be available to all working-age people who pay into the Social Security Scheme. By definition, these will be people who are either in work or have recently been in work. My goal is to support people in managing common health conditions alongside the demands of working life. Expert advice strongly supports the concept of “work as a health outcome” and how it can benefit many people.

Jersey’s new scheme will be operated in-house by Customer and Local Services, by staff specially trained in vocational rehabilitation. A training model is being developed for Jersey that is similar to one used across the world by benefits agencies and healthcare professionals, but also GPs, unions and employers. We are planning for our service to offer a model of individual support and it will be

⁵ <https://www.nao.org.uk/press-releases/restart-scheme-for-long-term-unemployed-people/>

completely optional to the individual. People who don't want extra support will not be obliged to take it up and the aim is for people to feel that they have been supported to take control of their own health management alongside work.

Jersey's scheme will at first target common health conditions, such as musculoskeletal problems and depression. Specialist health needs are likely to be considered at a later date, but only once a successful process has been established for people with common health conditions. A widening of scope would also be informed by discussion with health experts and Jersey's voluntary sector.

Jersey's current incapacity benefit rules are inflexible and can result in people leaving work permanently because there is no flexibility in supporting workers while they recover from a health condition. The legal changes and the new service are designed to address this barrier and are aimed at benefiting the health and wellbeing of individual workers as well as the Island's economy as a whole.

2.43 The Connétable of St. Helier of the Minister for The Environment regarding Planning Obligation Agreement sums (WQ.268/2023)

Question

Will the Minister state what Planning Obligation Agreement sums, if any, have been agreed with the developers of each of the following sites, whom any such sums were agreed by, and how the sums will be allocated –

- (a) the Randalls brewery site in Clare Street;
- (b) the Ann Street brewery site in Ann Street;
- (c) the Mayfair and Apollo Hotels;
- (d) the Play.com site (BOA warehouse); and
- (e) the Cyril Le Marquand House site in Union Street?

Answer

The following agreements were made by the Chief Officer:

- (a) Randalls brewery site in Clare Street ([P/2019/0781](#))

The responsible officer for ([P/2019/0781](#)) was the Planning Application Manager. The Planning Obligation Agreement registered on the 19th January 2021 includes a contribution of £23,000 towards new bus shelters in the vicinity of Parade Gardens, a contribution of £38,000 towards upgrading street lighting in Cannon Street, Gloucester Street and Lampriera Street, a contribution of £1,500 towards street tree maintenance and a contribution of £20,000 towards the provision of a car club.

- (b) Ann Street brewery site in Ann Street ([P/2022/0969](#))

The responsible officer for ([P/2022/0969](#)) was a Senior Planning Officer. The Planning Obligation Agreement registered on the 2nd May 2023 includes a contribution of £247,391 towards the improvement of facilities for cyclists and walkers within the vicinity of the site, £217,704 towards the subsidisation of bus services within the vicinity of the site, a contribution of £169,039 towards the improvement of the junction between Brooklyn Street and St Saviour's Road, a contribution of £150,000 towards the improvement of the southbound bus stop and a shelter on St Saviour's Road and a contribution of £20,000 towards playground areas within the vicinity of the site.

(c) Mayfair ([P/2020/1677](#))

The responsible officer for ([P/2020/1677](#)) was a Senior Planning Officer. The Planning Obligation Agreement registered on the 19th November 2021 includes a contribution of £11,500 towards a bus shelter within the environ of the site, a contribution of £128,018 towards subsidisation of bus services within the environ of the site, a contribution of £3,000 towards ongoing maintenance of road improvements within the environ of the site, a contribution of £60,882 towards the mitigation of the impact that the development is likely to have on other highway users including towards junction improvements at St Saviour's Road junctions with Simon Place and Brooklyn Street, a contribution of £65,000 towards a road crossing in Ann Street or Brooklyn Street and the obligation of Andium Homes to make available parking spaces for occupiers of the dwelling and other occupiers of property owned by Andium Homes.

Apollo Hotel ([P/2020/1656](#))

The responsible officer for ([P/2020/1656](#)) was a Planning Officer. The Planning Obligation Agreement registered on the 21st April 2022 and modified on the 6th June 2023 includes a contribution of £11,500 towards a bus shelter for the benefit of bus users travelling in a northerly direction, a contribution of £105,000 towards the improvement of facilities for cyclists and walkers within the vicinity of the site, a contribution of £121,600 for improvements to drainage in the vicinity of the site, a contribution of £35,000 to improvements of the junction at the foot of College Hill, a contribution of £36,000 to upgrading of the street lighting in Pleasant Street, Clarence Street and St Saviour's Road and to widen the pedestrian footway on St Saviour's Road as part of the development works.

(d) Play.com site (BOA warehouse) ([RC/2020/1198](#))

The responsible officer for ([RC/2020/1198](#)) was a Planning Officer. The most recent Planning Obligation Agreement registered on 23 September 2020 includes a contribution of £19,000 towards new bus shelters and a contribution of £195,000 for improvements to the public realm infrastructure within the vicinity of the site.

(e) Cyril Le Marquand House site in Union Street ([P/2021/0669](#))

The responsible officer for ([P/2021/0669](#)) was the Planning Application Manager. The Planning Obligation Agreement registered on 19th October 2021 includes a contribution of £11,500 towards a bus shelter, a contribution of £85,000 towards a pedestrian refuge and a contribution of £188,838 towards the cycle network and walking routes in proximity to the site.

2.44 The Connétable of St. Helier of the Chief Minister regarding the timetable for the redevelopment of both Springfield School and the Le Bas Centre into parks (WQ.269/2023)

Question

Will the Chief Minister provide the timetable for the redevelopment of both Springfield School and the Le Bas Centre into parks when a new Town Primary School is built on the Jersey Gas site, as outlined in the Government Plan?

Answer

Further to discussions at the Future Places Ministerial Group, an amendment was lodged by the Council of Ministers to the 2023 Government Plan, which outlined, in relation to feasibility budgets:

“This Head of Expenditure is also expected to be used to secure sites relating to the use of the Gas Place for a new primary school. The school would be set in an extension to the Millennium Town Park and Islanders should enjoy the maximum possible community access to and use of its facilities. In addition, the current Springfield School and Le Bas Centre sites will be transformed into new community open spaces, helping to create green access corridors for moving to and around the new school, and improvements to public realm and local active travel access routes, including to St. Saviour schools”.

This position was reached following discussion at the Future Places Ministerial Group, of which the Connétable is a member.

The Group will be briefed on the timelines within the next month, and once agreed, the timetable will be provided to Members as requested.

Ministers are acutely aware of the need for careful but speedy delivery, given the importance of delivering the best start in life for the Island’s children and facilities for residents.

Any timetable also needs to be realistic, recognising the sequencing, including the need to develop the new school before the Springfield School and Le Bas Centre sites can be vacated and developed.

The Connétable will be part of these discussions at the Future Places Ministerial Group.

2.45 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding the total cost of the care sector undertaken by agencies (WQ.270/2023)

Question

In light of the measurement of the [Jersey Health Account](#) currently being undertaken by the Health Economics Unit, will the Minister advise whether the total cost of the care sector undertaken by agencies in the community, both funded and voluntary, is available?

Answer

The Jersey Health Accounts (JHA), when available, will identify long term care costs distinctly from other costs. A range of other breakdowns in cost information will also be reported, including, at an aggregate level, charitable and personal contributions to the funding of care.

At this time, the JHA is not yet finalised. Information is to follow on the timing and form of publication for all outputs of the Health Funding Reform project.

2.46 Deputy L.V. Feltham of St. Helier Central of the Minister for Treasury and Resources regarding an update on all activities undertaken to date in relation to Point 12 of his Ministerial Plan (WQ.271/2023)

Question

Will the Minister provide an update on all activities undertaken to date in relation to Point 12 of his Ministerial Plan, entitled “Establishing a Value for Money Programme”, including but not be limited to –

whether a definition of ‘value for money’ has been agreed and if so by whom, and if not, why not;

- (a) all the resources used so far on this project, including staff time;
- (b) whether the project has been established formally and if so, what the current status of the project is, and, if not, why not;
- (c) the instructions, if any, that have been given to departments in respect of meeting the objectives of the Value for Money programme in the forthcoming Government Plan; and

- (d) further to the response to [Written Question 230/2023](#), whether the Value for Money Programme includes measures to reduce Losses and Special Payments and if so, what they are, and if not, why not?

Answer

A number of activities are being progressed under the umbrella of the VFM Programme:

Firstly, CoM has set cashable savings targets for Departments and expect all Accountable Officers to drive improvements in VFM, to have some clear ambitions and targets in their plans, including cashable savings targets for 2023. Chief Officers and their respective Ministers will be taking action to ensure delivery of these savings targets.

Furthermore, as set out in the Government Plan 2023, HCS, I&E and M&D have been prioritised, to provide focus to their respective procurement planning and the delivery of improved VFM. As I have set out in my ministerial delivery plan, commercial services and finance teams will provide assistance and advice to secure progress in this endeavour. Moreover, I have agreed additional Finance Business Partnering posts, to support HCS given their financial management challenges and particularly, in this financial year, to implement a financial recovery plan.

Establishing the cultural change plan strand of the VFM programme is in the design and research stage. It is worth noting that underlying this programme, is a cultural and transformation change. This Government's aim is to embed a new mind-set across the public service, so that all colleagues understand and act on their responsibility to ensure that for each action and decision, there is a focus on the elimination of wasteful processes and spend and that there is a focus on improving service delivery. Therefore, the aim of this element of the programme is to promote and facilitate new ways of thinking and working across government through organisation development embed and systemise such changes. It is my expectation that the programme team will deliver a number of enabling tools, to assist departments, by the end of this financial year.

While it is intended that the enabling tools will include guidance and definitions to assist departments in the identification, measurement and reporting of VFM opportunities, it should be noted that the definition for value for money is understood by Accountable Officers who are tasked, under the PFM, to demonstrate VFM in the delivery of services. Also, cashable savings are already tracked and reported and as such generally accepted definitions are already established for this purpose.

Resources used on the development of the programme, to date, have been limited to existing internal resources only. Additional budget has been agreed for the establishment of a small programme management Team, of 4.5 FTEs. Over and above those resources outlined, it is my contention that driving VFM should be intrinsic to the management of government services, and I expect departments will ensure that appropriate consideration and resources are given to the achievement of VFM.

Preparations for Government Programme 2024-2026 are underway, the COM and ELT are progressing details in readiness for lodging in September. Delivering VFM across the Public Service continues to be a priority focus for the COM. Ministers will include VFM in their respective delivery plans and Departmental budgets in respect of Cashable savings targets for 2024.

In respect of [Written Question 230/2023](#), consideration is being given to this area. As stated in the answer, I expect all Ministers and accountable officers to take all reasonable steps to avoid costs of this type and I will continue to work with Ministers and their departments to ensure mitigating measures are in place.

For further details regarding activities please see below analysis

Purpose	Theme/ focus
<p>Grip & control – driving tighter spend control, validation and spend restraint</p>	<p>Consultancy spend. Contingent labour (interims, agency, locums)</p> <p>Greater challenge through the SEB (States Employment Board) review process</p> <p>More detailed check and challenge review to commence, from quarter 2, led by central team.</p> <p>HCS Financial Recovery plan – additional oversight established at senior level within the Dept, supported by FBPs and HR, to review, challenge and agree contingent labour spend (agency, locums etc)</p>
<p>Increase VFM – including price economy, output and impact through better planning, commissioning, and procurement</p>	<p>Priority Departments in 2023:</p> <p><u>HCS (Health and Community Services)</u></p> <p>Procurement plan has been development with the support of T&E (Treasury & Exchequer) (Commercial Services) following detailed analysis of prior year expenditure which has enabled the team to identify opportunities under 3 categories of third-party expenditure: <i>Products & Equipment, Commissioned Services, Contingent Labour</i></p> <p>The plan seeks to delivery opportunities to achieve improvements in one or a combination of price (unit cost) and/or cost-effectiveness (e.g., supply chain resilience or consistency) or increased benefit (better outcomes).</p> <p>Specific examples of work under development include: L&D services framework, Mental Health provider Framework, Palliative care review, Anaesthesia equipment, Locum and agency contracts, Special Care Baby Unit, Free Period products, focus on mitigating supply chain fragilities.</p> <p><u>HCS Financial Recovery Plan</u></p> <p>In addition, following the projected outturn position in 2022 and the additional budget agreed in year to support the Department, the HCS Chief Officer was asked to put a financial recovery plan in place for 2023. The Change Team and T&E are supporting the Executive team to establish and implement the plan. In addition to the non-pay review and plan</p>

described above, the FRP will consider the following savings opportunities:

- Tactical – aimed at immediately bringing down the budget overspend.
- Operational – Productivity and Efficiency improvement, and income protection or maximisation.
- Strategic – Clinical strategy, identification of any underlying structural deficit and drivers of the deficit

Scope of opportunity non-pay spend (2019-2021): £106m-£172m including projects.

Supplier engagement: Circa 2,000 suppliers

Infrastructure & Environment

T&E (Commercial services) have been working with I&E to provide Category-spend analysis and insights to scope non-pay spend opportunities for the department. Development of Market analysis & intelligence to provide improved insights about providers on island. Development of benchmarking measures. Improving such data, analysis and insight will help the department to better plan their procurement activity over the short and medium terms, to optimise the ratio of spend to outputs and outcomes. This increasing important in an economic climate that is increasingly volatile.

Scoping the opportunity (through non pay spend analysis): £340m over a 3-year period (2019-2021):

- Capital and Infrastructure represent approx. 35% of overall influenceable spend.
- IHE are the highest spending department within the spend category (£177m), with a spend of approx. 6 times more than the next highest spending department (HCS £28m) within this category.
- Construction and Engineering is the highest spending subcategory by approx. £75m.
- FM and Maintenance has the highest volume of suppliers.
- Design Services has the highest volume of invoices.

Categories: Waste, plant & equipment, FM & Maintenance, Real estate, Material, construction, engineering, design services

	<p>Number of Procurement events in 2022 in IHE: 305</p> <p>Supplier engagement: circa 3,700 and 40,000 invoices</p> <p>Specific procurement opportunities in development/progress include: Bus Contract, Facilities Management & Grounds Maintenance, Air particulate control Residue (APCR) export, Estate condition Surveys, Solid waste control.</p> <p><u>M&D (Modernisation & Digital) (applications and Licences)</u></p> <p>Consolidation of digital teams from across Government into M&D in 2021-22 has highlight not only the plethora of software applications, licences, and consequent whole life costs incurred. Under a decentralised model the number of known applications increased between 2019 and 2022 from 400-900. While some applications appear to be free, there is a lack of appreciation for the hidden costs of support, risk, as well as the incidence of duplication, over licensing and in some cases under-licensing, the latter of which can put the organisation at risk of litigation (thus cost and reputation implications).</p> <p>A centralised model will allow control in the future and over the next 3-4 years, licences and applications will be reviewed with a view to removing unnecessary cost and risk from the organisation. This will need to be conducted in a measured and phased way to ensure that operations and service delivery and not affected or put at risk.</p> <p>Spend analysis: circa £13m spent on Licencing, telephony and applications in 2022 of which circa £6m on Licencing.</p> <p>No. of applications: circa 900</p>
<p>Deliver major construction projects to time and on budget</p>	<ul style="list-style-type: none"> • Embedding CPMO (Corporate Portfolio Management Office) framework and inclusion within Public Finance Manual • Training offers increased – e.g., New Financial Training for Project managers, Foundational Training for Project Managers and Programmes, Foundational

	<p>training for SROs (Senior Responsible Officer), Prince 2, Agile training etc.</p> <ul style="list-style-type: none"> • Improved Planning and decision making – e.g., additional gateways to access funding, such as “feasibility” as a defined gateway with separate funding before projects are approved and mobilised • Improved visibility of Change portfolio – help to make decisions and changes • Increased challenge in the reporting and monitoring process • Track/ confirm benefits and savings realisation – New Corporate Benefits Register is in pilot in 2023.
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2.47 Deputy B.B. De S.V.M. Porée of St. Helier South of The Minister for Social Security regarding the Cold Weather Bonus for Long-Term Incapacity Allowance claimants (WQ.272/2023)

Question

Will the Minister advise, for each percentage band of Long-Term Incapacity Allowance claimants, how many are currently eligible for the Cold Weather Bonus?

Answer

The “Cold Weather Bonus” is targeted at pensioners and is not payable to people on Long-Term Incapacity Allowance.

People of working age who have low incomes may, however, be eligible for “cold weather payments” through Income Support. These are paid to Income Support households that include a person who meets the criteria for Personal Care level 3. They are also paid to households which include a child under the age of three or somebody over the age of 65. A household cannot receive the Income Support cold weather payment and the Cold Weather Bonus at the same time.

The Minister is considering the scope of the “Cold Weather Bonus” as part of her High-Level review into benefits.

2.48 Deputy B.B. De S.V.M. Porée of St. Helier South of the Minister for Social Security regarding the Cold Weather Bonus (WQ.273/2023)

Question

Will the Minister advise whether any consideration is being given to setting the Cold Weather Bonus at a fixed value (regardless of temperature) for the winter months of October 2023 to March 2024 to assist with the cost of living; and if not, why not?

Answer

Yes, this matter is under consideration.

The mini budget set out by the Council of Ministers last year provided immediate and ongoing relief to Islanders in the face of sudden increases in the cost of living. This included a change to the way

that cold weather payments and the cold weather bonus were paid over the 2022/2023 winter. Monthly payments were fixed at £70, approximately double the value provided in previous years and a steady amount was guaranteed, regardless of the temperature experienced during the month.

The significant increases in income support components and income tax allowances as at January 2023 continue to provide additional support to local households. The cold weather legislation has already been updated to take full account of the rise in fuel prices (as recorded in the Retail Prices Index) for 2022 and 2023.

A ministerial Cost of Living Group meets on a regular basis. The need for further action before the coming winter is under review.

2.49 Deputy M.R. Scott of St. Brelade of the Minister for The Environment regarding building design codes (WQ.274/2023)

Question

Will the Minister explain –

- (a) the process whereby building design codes may be published by the Minister to improve the sense of place of any area; and
- (b) whether any planning policies or mechanisms in the Island’s planning law currently support the development of [neighbourhood plans](#) as that concept is understood in UK planning law?

Answer

- (a) Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and can be published by the Minister as supplementary planning guidance under the auspices of Article 6 of the Planning and Building (Jersey) Law.

Developers may also choose to prepare design codes in support of a planning application for an area or site(s) they wish to develop.

- (b) Under the auspices of section 38 of the UK’s Planning and Compulsory Purchase Act 2004, neighbourhood plans that have been approved at referendum are also part of the development plan, unless the local planning authority decides that the neighbourhood plan should not be made.

Under Jersey’s planning law, it is only the Island Plan that has the equivalent status of a development plan, and there are no other legal or policy provisions to supplement it with other forms of plan or strategy.

Whilst varied legal provision enables the creation of forms of neighbourhood plans in England, Scotland and Wales, there is no such direct legal equivalent in the planning legislation of Crown dependencies.

Guernsey’s Island Development Plan (IDP) allows for the creation of Community Plans, where they comply with all relevant policies of the IDP, to be approved as supplementary planning guidance (but not as part of the development plan).

3. Oral Questions

Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter:

Sir, before we start Oral Questions, in light of the Minister for External Relations email that he is due for questions without notice today but will be late arriving in the Assembly, I wonder if we could beg the indulgence of the Assembly to allow his 15 minutes to be taken after the lunch adjournment.

The Bailiff:

That is certainly possible within Standing Orders. It is a matter for the Assembly as to how the Assembly proceeds. That could happen. Were we to be mid-debate on a proposition it may need to wait until the end of that but if the proposition is from you, Deputy, immediately after the luncheon adjournment or as soon as possible within States business thereafter then that is your proposition?

Deputy I.J. Gorst:

It is, Sir, unless of course he returns in time.

The Bailiff:

If he returns in time then I am sure we will make that subject to him returning in time. Is that seconded? [**Seconded**] Do Members agree?

Deputy S.G. Luce of Grouville and St. Martin:

I fully understand Deputy Ozouf's position but I do worry that we might be setting a precedent here. In all my time in the States we have always done Questions and then we finish Questions and start Public Business. It is not entirely impossible that somebody next sitting might say they were off-Island until the day after the States start sitting, and we could end up with Questions on subsequent days or at other times. I just ask Members to consider that.

The Bailiff:

Thank you very much. Does any other Member wish to speak on that proposition. Deputy Gorst, did you want to respond?

Deputy I.J. Gorst:

Only to say that I understand the Deputy's concerns but these are exceptional circumstances. Members are aware of the difficulties that the Deputy has had to deal with and I hope that they will consider accordingly.

The Bailiff:

Those Members in favour of adopting the proposition kindly show. Those against? The proposition is adopted and that period of questions without notice will be taken immediately after the luncheon adjournment or as soon as possible as permitted by States business, if the Minister has not returned in the meanwhile and is able to take questions.

3.1 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter of the Minister for Infrastructure regarding the cost of implementing the multi-site healthcare facilities proposal (OQ.111/2023)

Will the Minister undertake to produce accurate costings, together with funding options, for the multisite health facilities proposal presented to States Members last week, and to seek States Assembly approval prior to signing any contract for commencement of the work?

Deputy T. Binet of St. Saviour (The Minister for Infrastructure):

I think a fairly obvious answer to that is yes. I do not think I would get through far if I had any intention of doing anything different. It is a simple answer to that one, and that is yes.

3.1.1 Deputy R.J. Ward of St. Helier Central:

If the Minister was to bring something to the Assembly, which I assume there will be given the answer he has just given, can he guarantee that that will be a separate proposition and not part of a larger Government Plan where it can be hidden and mean that people will have to vote against an entire Government Plan if they are not happy with those plans?

Deputy T. Binet:

I think we are a little way away from that but I certainly intend to bring it in such a way as to win the Assembly's approval.

3.1.2 Deputy R.J. Ward:

May I ask for a definitive answer that it will not be part of a Government Plan?

Deputy T. Binet:

I am afraid I will just offer the same answer as I have provided and that I intend to bring it to the Assembly in a way that will prove acceptable to the Assembly when the times comes.

3.1.3 Deputy M. Tadier of St. Brelade:

With regard to the funding of the hospital not being disclosed, the Chief Minister said that it was not being disclosed because it is not wise to let the people contracting to do the work know what your overall budget is. Does the Minister think that is a valid point of view and, more to the point, does that set a precedent that in future whenever we contract work out that we cannot do ourselves that we will not know how much it is going to cost in advance?

Deputy T. Binet:

Depending on the type of contract that we use, I think there is an inevitability that quite a lot of the information, if not all of the information, may have to be made available.

3.1.4 Deputy M. Tadier:

Is the real reason that the funding amount is not being disclosed is because the Council of Ministers, and this Minister, do not know what that sum is; not because it is commercially sensitive?

Deputy T. Binet:

I would just remind the Deputy that we are very early in the proceedings. I do not have any intention of holding anything back from anybody. I work in a very transparent way. I am quite happy to share whatever information is available as and when it is suitably available. At this point in time I am not sufficiently comfortably that we are accurate enough to release those figures. But I am reasonably comfortable about releasing figures when they are in a form that I think is defensible.

3.1.5 Deputy G.P. Southern of St. Helier Central:

The question I must ask is when will the Minister undertake to produce accurate costings and when will they be signing contracts for any such work?

Deputy T. Binet:

I am afraid I cannot pin down a precise date. All I can confirm is that the team are working extremely diligently to progress matters as quickly as they possibly can.

[9:45]

3.1.6 Deputy G.P. Southern:

If the Minister cannot tell us a firm date can he give us an approximate date by which he will be acting on this issue?

Deputy T. Binet:

I am quite happy to look at that later in the week and provide the Deputy with an answer, and certainly at the next Assembly meeting.

3.1.7 Deputy S.Y. Mézec of St. Helier South:

Given that a key part of the rationale for abandoning the previous hospital project was its alleged unaffordability, can the Minister therefore confirm that when he is able to produce accurate costings for this that it will be a lower capital cost than that of the previous plan?

Deputy T. Binet:

I think I would like to draw the Deputy's attention to the fact that this is going to be a different scheme covering an extra 30,000 square metres of development. It is going to take into account the many things that the Our Hospital project did not. It is going to be developed over a 9-year period. On the basis that we have been, for some time, in double digit inflation I think it is highly unlikely to come in below the sum that was pencilled in at a very early stage of the Our Hospital project.

3.1.8 Deputy S.Y. Mézec:

Was that finally an admission that the hospital projects that this Government is undertaking will be more expensive than the previous one that they claimed to be unaffordable?

Deputy T. Binet:

I cannot accept the term "finally an admission". It has been plain for some time that we are going to provide a full range of facilities, which cover an extra 30,000 square metres, and it is going to provide all of the things that the Our Hospital project did not. They are not like-for-like comparisons.

3.1.9 Connétable M.K. Jackson of St. Brelade:

Would the Minister agree that it is impossible to produce accurate costings on a project which is stretching out to 2032?

Deputy T. Binet:

I am very grateful for the Constable's question because that is quite correct.

3.1.10 The Connétable of St. Brelade:

Just picking up on that. There will be earlier phases, will the Minister agree to produce costings which are achievable for the earlier phases, as they develop?

Deputy T. Binet:

Yes, certainly, and I will just remind the Assembly that the one thing that I have promised ... I have not made huge claims about potential savings but what I have promised is to put us in a position to get the best value possible from the market.

3.1.11 Deputy L.J. Farnham:

Not only is it possible to get accurate costings, as the previous project showed, I think it is absolutely expected and quite right that a capital project of this size will be brought to the Assembly for approval before the money is committed. To help with that, a simple calculation based on the previous project ... I am coming to a question.

The Bailiff:

It does have to be a question.

Deputy L.J. Farnham:

It will be. If we take the £804 million or the 70,000 square metres for the previous project, we add 30,000 square metres to that and apply a price pro rata that comes out at £1.15 billion. If we had a little bit of double-digit inflation for good measure, for what is proposed ...

The Bailiff:

I am sorry, Deputy, I have to ask you to focus the question. It is question time.

Deputy L.J. Farnham:

... we are looking at a cost of approximately between £1.2 billion and £1.4 billion.

The Bailiff:

Deputy we are running out of time allocated.

Deputy L.J. Farnham:

Would the Minister agree that it is likely that not only will the new multisite facilities cost more but they will cost considerably more given that they are going to take at least 12 years to complete?

Deputy T. Binet:

I think I would like to congratulate the Deputy on the quality of his speech. I think I have answered pretty much all of those questions fairly squarely, and I certainly hope the Deputy has been content with the information that I have provided.

Deputy L.J. Farnham:

Sir ...

The Bailiff:

No, I am sorry, Deputy, you have taken far too much longer in deploying your question, we are not carrying on.

3.2 Deputy M.B. Andrews of St. Helier North of the Minister for the Environment regarding the introduction of Energy Performance Certificates (OQ.107/2023)

I believe the Assistant Minister for the Environment is answering my question. Will the Minister advise what plans, if any, he has to introduce Energy Performance Certificates for properties, and what consideration, if any, has been given to address the consequences of their introduction on individuals?

Deputy H. Jeune of St. John, St. Lawrence and Trinity (Assistant Minister for the Environment - rapporteur):

Thank you, Deputy, for your question. There is already an Energy Performance Certificate, or E.P.C., domestic tool available with a subsidy since 2019 and, to date, over 1,500 domestic E.P.C.s have been produced. The ambition behind the introduction of mandatory E.P.C.s agreed by the Assembly in 2022 as part of the carbon neutral roadmap is to drive up the energy performance of buildings, reduce energy costs for owners and tenants and reduce our Island's carbon emissions. The target is for the legislation to come into force at the end of 2024, therefore we are moving ahead with scoping, engagement with the Law Drafting Office and with stakeholders in commissioning a technical review. A formal consultation on the draft legislation and the technical review will be carried out in early 2024. Initially the legislation will require property - domestic or commercial - to have an E.P.C. at the point of sale or rental. Over time, the intention is to introduce standards for minimum levels

of performance at the point of sale or rental. As a result of this, Islanders will have a better understanding of the energy performance costs and carbon emissions of the buildings they buy or rent, which will help them make informed decisions on how to make energy efficiency improvements, help their heating costs and reduce carbon emissions. The newly launched low carbon heating incentive plays a role in supporting property owners to increase the energy efficiency of their properties. We will also continue to explore how we can further support Islanders to make the needed energy efficiency improvements.

3.2.1 Deputy M.B. Andrews:

Does the Assistant Minister for the Environment believe there potentially could be some unintended consequences with the E.P.C. being introduced? If the case is yes, how will the Minister for the Environment and the Assistant Minister for the Environment best address those issues?

Deputy H. Jeune:

This tool, E.P.C., is already in place in many countries in the U.K. (United Kingdom) and also in Europe. This means we can do a lot of lessons learned from what is happening already. This is why we are going fast and quickly into a scoping, a review, a technical review and a consultation to make sure that if there are any unintended consequences we can find them and then develop a specific bespoke tool for Jersey.

3.2.2 Deputy M. Tadier:

Does the Assistant Minister believe that from a consumer point of view, whether it is as somebody buying a new house or renting a property, one has the right to know what kind of home one is living in and how much energy and what your bills are likely to be in that home?

Deputy H. Jeune:

Thank you, Deputy. Yes, absolutely. I think it is absolutely right for both homeowners and tenants to be able to know and understand the energy efficiency or the energy costs in their home and also carbon emissions. Therefore they will be able to use that data to make the improvements necessary.

The Bailiff:

It may seem a fairly small point but “Thank you, Deputy” is not speaking through the Chair. “I thank the Deputy for his question” is speaking through the Chair, otherwise you are addressing the Deputy directly.

3.3 The Connétable of St. Brelade of the Minister for Economic Development, Tourism, Sport and Culture regarding the service provided by Jersey Airport ground staff contractors (OQ.109/2023)

In the light of what has been described as “spectacularly poor service” by Jersey Airport ground staff contractors, will the Minister advise whether the board and management of Ports of Jersey retain his confidence, and will he explain what action he proposes to take to rectify the problem?

Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Economic Development, Tourism, Sport and Culture):

I thank the Connétable for his question. I do retain full confidence in the Ports of Jersey. I have met with both Swissport and Ports of Jersey to convey my extremely serious concerns over the unacceptable disruption caused by Swissport’s ground handling operation at Jersey Airport on Saturday, 3rd June. It is important to note that while Swissport are contracted directly by the airlines, Ports of Jersey has been working closely with Swissport and the airline operators to help them resolve the situation. I have been briefed by Swissport’s chief operating officer on their actions to address the situation and their plans to ensure they provide the required service levels. The board of Swissport and Ports of Jersey are monitoring the implementation of the remediation plan daily and are

supplementing the service with their own staff, while Swissport strive to improve the resilience of their operation which, at the end of the day, was caused by a lack of staff turning up. I am pleased to report that ground handling operations at Jersey Airport were back to normal at the weekend although this was due to the supplementation of Swissport staff by Ports of Jersey staff. That is how they managed to do it. But over the past weekend we did see an improvement. I have been assured by Swissport that the events of Saturday, 3rd June, will not be repeated.

3.3.1 The Connétable of St. Brelade:

Given these ongoing service issues, can the Minister assure the public that a salary package for the C.E.O. (chief executive officer) in excess of £430,000 including a bonus of over £130,000 represents value for money for the public of Jersey?

Deputy K.F. Morel:

I fail to see how that has much to do with the ground handling operations.

3.3.2 Deputy R.J. Ward:

Is the Minister aware that one of the changes post-COVID was a move from the pay of ground handling staff from ... I understand it could be a difference from £15 an hour down to a minimum wage of £10.50. If he is aware of that and that is the case, is that not one of the concerns he has that simply people are not being paid what they were and therefore will not work in those jobs?

Deputy K.F. Morel:

The salaries of staff and the welfare of staff were 2 of the subjects that I discussed with the C.O.O. (chief operating officer) of Swissport. I am pleased to say that those are areas that the gentleman is absolutely taking to his own board with a view to understanding that pay structures in Jersey need to represent life in Jersey.

3.3.3 Deputy R.J. Ward:

I am pleased to see that the Minister is taking an interest in the salaries of staff. I just wonder whether he would take a similar interest in the high salary of the C.E.O. of Jersey Ports. I would like to ask him again whether he believes that is value for money.

Deputy K.F. Morel:

I am not the shareholder representative so I am not particularly in a very good place to offer a view on the salary of the C.E.O. of Ports of Jersey.

3.3.4 Deputy G.P. Southern:

When push comes to shove, is it not the case that the service in harbour, in airports is understaffed, is underpaid and, in some cases, on zero-hours contracts, which is no motivation to come in for work should they not wish to?

Deputy K.F. Morel:

I know the Deputy likes to attack a zero-hours contracts but I will remind the Deputy that while zero-hours contracts should never be abused they do play a very useful role for people who do not wish to work 5 days a week, 7 hours a day, and wish to work on a different basis. I do not believe writing off zero-hours contracts in that way is helpful.

3.3.5 Deputy G.P. Southern:

Surely a contract which gives fixed hours is better than a zero-hours contract where from one week to the next you do not know what you are earning?

Deputy K.F. Morel:

As the Deputy perhaps understands, different people, individuals, have different needs. So for some people having a set contract of 35, 40 hours a week is appropriate, for other people a contract which provides greater flexibility, particularly when there are family circumstances which they wish to work around, is really helpful. This one-size-fits-all approach which I do not believe suit the individuals that make up the 100,000 people on this Island.

3.3.6 Deputy S.G. Luce:

It is my view that across all parts of life at the moment the Island faces more risk than it has done for very many decades. In many cases, the Island is reliant on private companies to keep the Island supplied or, in this case, reputation is potentially at risk. Does the Minister not think that it is time the Island looked to some of these companies and take over the responsibility for running them themselves?

Deputy K.F. Morel:

I think the questions that the Deputy raises are absolutely valid and they are questions that I have raised and will continue to raise. I will not give a definitive response here but they are questions that I think need to be looked at; there is no question.

The Bailiff:

Can I just mention that we seem to be straying a little bit outside the parameters of the question at this point. The premise of the question is the “spectacularly poor service” and I quote the terms of course of the question, and the management of Ports of Jersey and the confidence of the Minister, and we should not really extend very much, if at all, beyond that.

3.3.7 Deputy S.G. Luce:

Does the Minister agree that in some cases “spectacularly poor service” is outside of Government control and in the future maybe it should be more inside Government control.

Deputy K.F. Morel:

And yet the same Deputies will then point to areas where Government is not in control. I think again, similarly to the answer that I gave to Deputy Southern, each circumstance is different and each circumstance requires different responses. I will work with Ports of Jersey to make sure that we have the best solution going forward into the long term. Right now, we need to make sure that week in, week out, day after day, the ground-handling services at the airport are sufficient and give the right impression of the Island.

[10:00]

On 3rd June they were not sufficient. I expressed my incredible disappointment to Ports of Jersey and to Swissport. They are working in the short term to solve that problem. As for longer term solutions, as always, I am open to all ideas and all concepts.

3.3.8 Deputy M.R. Scott of St. Brelade:

Will the Minister be looking at the way in which service standards versus profitability are reflected in the salaries of C.E.O.s of arm’s-length organisations, and I believe the answer is yes? If so, does he not feel that this should also be the case for States-owned enterprises, such as Pots of Jersey, and there should be more of a collaboration and unified approach towards both States-owned entities and arm’s length organisations insofar as they both are funded by the public?

The Bailiff:

Feel free to restrict your answer to Ports of Jersey, if you wish, Minister. It is up to you.

Deputy K.F. Morel:

Thank you, Sir. In terms of ground-handling services at the airport, the standards were not good enough on 3rd June and I prevailed upon Ports of Jersey to improve them.

3.3.9 Deputy S.Y. Mézec:

The Minister extols the virtues of zero-hours contracts in a previous answer and you have to wonder why it is then that Swissport cannot seem to get enough people to work for them if they are so wonderful. Would the Minister therefore be willing to talk to Ports of Jersey and their leadership to look into the working terms and conditions of people who provide this essential service at the airport to make sure that it is suitable, and that they can recruit people and give us a functioning service because we were not getting it recently?

Deputy K.F. Morel:

I did not extol the virtues of zero-hours contracts, I extolled the virtues of treating people as individuals not as one socialist blob. I do believe that there is a place for zero-hours contracts in life, in general. But what I do not believe is that it is right for me to tell a business how to run itself. What is right is for me to tell a business that the service they are delivering is not good enough. As part of their remediation plans, the package that they provide to their workers is going to be looked at or is currently being looked at. I am grateful that that is the case. I prevail upon all companies in Jersey to treat their employees with utmost respect and to give them the right conditions so that they can thrive in their workplaces.

3.3.10 Deputy S.Y. Mézec:

Are Ports of Jersey, in collaboration with Swissport, providing workers at the airport with that dignity that the Minister has just referred to, and does he have confidence that they are currently doing that right now?

Deputy K.F. Morel:

I spoke directly to the chief operating officer about the welfare of their staff and, yes, I do believe that they are providing that right now. I am not convinced that they did on the day of Saturday, 3rd June, and I made that quite clear.

3.3.11 Deputy M. Tadier:

The Minister said that zero-hours contracts suit some workers but what evidence does he have specifically for those workers at the airport that those who were on maybe fixed-hour contracts previously and are now working on zero-hour contracts, that those zero-hour contracts suits them?

Deputy K.F. Morel:

Sir, does fit within the realms of the question that was raised?

Deputy M. Tadier:

I am happy to explain why, Sir. I thought I did not need to.

The Bailiff:

We cannot really get into an exchange, it is for me to make a ruling. It is whether I think you were satisfied about the Ports of Jersey, and I think that is essentially where the question is focused with regard ... you may have already answered it, Minister.

Deputy K.F. Morel:

That is really why I ask the question because I do believe I have answered that.

Deputy M. Tadier:

He has not answered ... can I explain? It is obviously intrinsically linked, if there has been “spectacularly poor service”, working conditions at the airport will perhaps be a factor in those poor conditions. The question about zero-hours contracts is a supplementary because the Minister stated he thinks they work for some workers, do they work for the people who work at the airport? It is a simple question. It has not been answered yet.

The Bailiff:

That seems to me to be sufficiently within the parameters of the original question.

Deputy K.F. Morel:

Unfortunately I have not done a survey of all individuals at the airport. The question I would say or the point that I was trying to make was that individuals have different needs. For some zero-hours contracts will work, for others they will not work. What is important is that the employee has the right type of contract for themselves.

3.3.12 Deputy M. Tadier:

I know the Minister likes to answer questions that he has not been asked, and we are talking specifically about airport staff here, so would he seek to go away and talk to the actual workers on the ground who seem to be reporting issues at the airport, because we do not want an airport that is run badly if not for locals then certainly for tourists and business people coming to the Island, to see if there can be improvements that are made to those working conditions that he can then report back to us in the Assembly? Would he be willing to do that?

Deputy K.F. Morel:

I do believe that improvements will be made to the conditions of workers at the airport.

3.3.13 The Connétable of St. Brelade:

Would the Minister not agree that the chief executive officer is the accountable person in charge of the Jersey Airport operation and that any bonus payments ought to be based on performance in which “spectacular poor service” must play a part?

Deputy K.F. Morel:

I do believe that in any role in life if you are to receive bonus payments they should be related to the performance that you have delivered.

3.4 Connétable A.S. Crowcroft of St. Helier of the Minister for Infrastructure regarding Town Link ‘Hopper’ bus service (OQ.125/2023)

Will the Minister state whether it is his assessment that the Town Link “hopper” bus service is operating effectively and what his plans are, if any, for improving the service?

Deputy T. Binet (The Minister for Infrastructure):

The Constable may well know this, but the operation of the current Town Link service is based on historical data and it is currently providing transport to the central areas of town. It has recently been extended to Grands Vaux, Trinity and to the Waterfront area. I can confirm that there is a certain amount of data being gathered from the existing operation and this will be used to reassess the service later in the year. I would be very happy to update the Constable and the Assembly once that data has been reviewed. In terms of whether the service is operating effectively, it is probably a little early to tell. For one, I am aware that the average cost per user certainly appears on the surface to be relatively high at this point.

3.4.1 The Connétable of St. Helier:

Would the Minister state when the service started and whether the general impression one gets of the buses going around empty could be linked to the fact that people do not really know much about the service, when it is available and where it goes?

Deputy T. Binet:

That could be a factor. I am quite happy to look into the advertising promotion of the service and see if that can be improved. But I am not entirely sure that there is much call for it. But we shall see. I am certainly happy to look at that.

The Connétable of St. Helier:

When the service started, I did ask.

Deputy T. Binet:

Sorry, what was that last question?

The Bailiff:

I think the Connétable also asked did you know when the service started.

Deputy T. Binet:

I could not put a precise date on it, no.

3.4.2 Deputy R.J. Ward:

We all enjoy the productions of the ever-expanding Comms Unit and I just wonder whether the Minister has thought about using the ever-expanding Comms Unit to promote the Town Link so that people are much more aware of it and what it does?

Deputy T. Binet:

I think I may just have answered that with the previous question, but, yes, I am very happy for them to look at doing that.

3.4.3 Deputy R.J. Ward:

Will that include the sort of media clips which have been used to promote electric bikes while Ministers are there promoting active travel, et cetera? Can I ask the Minister whether he is willing to do a piece perhaps on the bus - I can join him if he wants - so that we can promote the Town Link and the importance of it for cutting down traffic in the centre of town?

Deputy T. Binet:

I think I have already said, yet again, that we are prepared to look at various angles and whether that includes videos or not I think is relatively immaterial. I think we need to look at it in the first instance and see what we come up with.

3.4.4 Deputy L.V. Feltham of St. Helier Central:

In the answer to the initial question I heard the Minister refer to the review that is currently being undertaken looking at historical data. Will the Minister confirm whether or not it is the intention to consult with parishioners living within St. Helier, in particular my constituents living in St. Helier Central, and also the Town Deputies about how the service could be improved?

Deputy T. Binet:

It is all possibilities. They all sound like very good ideas. I would say that we are 18 per cent understaffed at the moment and there are limits to what we can do because we handle a wide variety of affairs at Infrastructure. But I am certainly happy to look at the possibilities.

3.4.5 Deputy L.V. Feltham:

Would the Minister concede that consulting with local Deputies who do have feet on the ground and do speak with their constituents would in fact save his department's resources and aid the quick production of a review that is likely to deliver the best possible service?

Deputy T. Binet:

Yes, very happy to do that.

3.4.6 Deputy G.P. Southern:

The Minister was able to give us the average cost per passenger, which he said was high, is he in a position to say what the overall cost of the bus service is

Deputy T. Binet:

To the best of my knowledge, in the past completed 12 months is £220,000.

3.4.7 The Connétable of St. Helier:

I wonder if the Minister would consider extending the route of the Town Link hopper bus service a little further to include the ferry terminals and the Pier Road car park, both of which would add appreciable numbers to the currently somewhat empty buses that are travelling around the town?

Deputy T. Binet:

There have been so many helpful suggestions today. I know that there will be people taking notes of all of the suggestions and all of those things will be a part of the review that we carry out later in the year.

3.5 Deputy L.V. Feltham of the Chief Minister regarding the operation of Locate Jersey (OQ.118/2023)

Given the current local employment and housing markets, and further to the Chief Minister's answer to the final supplementary of Oral Question 95/2022, will she advise whether the Government has given Locate Jersey a clear view on whether it should be spending public money on attracting new businesses to the Island; and, if not, why not?

Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter (The Chief Minister):

Locate Jersey is a brand used by the Economy Department. The department aims to attract businesses which deliver the most benefit, with a focus on high productivity business and managing any reputational risk. Alongside the development of local business activity, inward investment is important in delivering sustainable growth bringing new capital skills and knowledge to the Island. An inward investment strategy is being developed to provide more strategic direction, including around promotion, alongside the ongoing work on the future economy programme. This will include considering our labour and housing constraints, costs and appropriate promotion to secure our strategic objectives.

3.5.1 Deputy L.V. Feltham:

It seems that perhaps the Chief Minister is stating that she did not follow up the action that she intended to do in her answer to my previous question. Can I get a clear answer from the Chief Minister whether she undertook the action that she promised to undertake within the answer to my original question last year?

Deputy K.L. Moore:

I have to apologise, I will have to look back and revert to that because I cannot check that right at this moment.

The Bailiff:

We come to question 6 ...

Deputy M. Tadier:

Sir, I did not know if there were supplementaries?

The Bailiff:

Only if you put your light on.

Deputy M. Tadier:

I wanted to hear what Deputy Feltham's question was first before I put my light on.

The Bailiff:

Generally speaking, and you are but one who does it as much as any Deputy, people line up their lights because they know they want to ask a question.

3.5.2 Deputy M. Tadier:

I have tried to be more restrained and only put my light on when I definitely want to ask one. But thank you for your direction. Does the Chief Minister accept that if businesses who come here with Locate Jersey are to be successful they also need workers, and we have a shortage of workers at the moment. Would she consider setting up something equivalent to Locate Jersey for work permit holders to recruit people to the Island that we need to work here? Because of course we know that they do not just contribute economically but work permit holders also do a lot for the charitable sector and they get involved in community groups and church groups, et cetera.

Deputy K.L. Moore:

I thank the Deputy for his question. The recruitment and retention element is, of course, part of our area of relentless focus. When we look at inward investment proposals one of the first and main considerations that we have is whether or not those applications are able to fulfil their potential services or their services to the Island and to the business with the current recruitment difficulties that many businesses are experiencing at the moment. With regards to work permit, of course that falls within the remit of the Minister for Home Affairs but we also have been looking recently at a number of policies.

[10:15]

Indeed we have already introduced one to enable care workers to live in entitled accommodation in order to improve their quality of life and welcome them to the Island.

3.5.3 Deputy S.Y. Mézec:

Given the recruitment difficulties that the Chief Minister just mentioned, could she confirm whether or not political direction has been given to Locate Jersey about what advice they ought to give to any clients who are seeking to locate to the Island and establish a business here, about what chances of success they may or may not have in applying for licences to bring non-qualified people to the Island, to work in those businesses when they are established here?

Deputy K.L. Moore:

The views of both the Deputy Chief Minister and myself have been very clear, along with our H.A.W.A.G. (Housing and Work Advisory Group) colleagues to officials who have been supporting us in this work.

Deputy S.Y. Mézec:

They were not clear in that answer though; what were they?

The Bailiff:

I am sure that was directed to me, Deputy, as well as the Chief Minister. I think that the complaint, which is probably right, is that you did not directly answer the question, Chief Minister, so if you could.

Deputy K.L. Moore:

Of course. Apologies, I felt that I had answered that in my first answer, which was that we are very mindful of recruitment and retention issue in the Island and therefore when taking decisions we have made it perfectly clear and we give great consideration to the ability for those applications to deliver on their proposals.

3.5.4 Deputy S.Y. Mézec:

It is wonderful that they are mindful and say they are clear but it would be great if they were clear and would say what political direction has been given to Locate Jersey about the advice they should give to their clients, on what success they may or may not have when applying for licences to bring people who do not have residential or working qualification status to the Island to work in those businesses. Have they told Locate Jersey to tell those businesses that they will probably not have much success if they are trying to bring loads of people to the Island and that they ought to be focusing on people who are locally qualified?

Deputy K.L. Moore:

Representatives of Locate Jersey participate in our meetings, they listen to our direction, and those points have been made very clear that recruitment and retention is a major issue for any business considering moving to the Island at this present time.

3.5.5 Deputy L.V. Feltham:

Given the Government's current value for money programme, will the Chief Minister commit to undertaking a value-for-money review of the activities of Locate Jersey, which take into consideration the current economic climate and labour market?

Deputy K.L. Moore:

Locate Jersey is part of the Economy Department, as I said at the beginning of my answer. The sense that I get from the Minister opposite me is that value for money is well-delivered under this department, but of course we are always striving for improvements and are happy to discuss that with members of that unit.

Deputy L.V. Feltham:

I do not think the Chief Minister answered my question as to whether she would commit to undertaking a value-for-money review.

Deputy K.L. Moore:

I will consult with the relevant Minister.

3.6 Deputy M. Tadier of the Minister for Economic Development, Tourism, Sport and Culture regarding the timetables for travel by ferry between the Island and France (OQ.121/2023)

Before next year's timetables are set for Manche Iles Express and Condor Ferries, and before any new service level objectives with them are agreed, will the Minister take action with the objective that timetables are more sympathetic to Jersey travellers, including for outbound day trips?

Deputy K.F. Morel (The Minister for Economic Development, Tourism, Sport and Culture):

I thank the Deputy for the question. The issue of timetabling and frequency in day trips is something I do bring up with both Condor and have brought up with Manche Iles Express as well. It is important to note that Manche Iles Express is serviced and owned by the Departmental Council of La Manche and it is fully funded by that body. In that sense, I have very little sway except to ask that they can have regard to trips for Islanders. The service of Manche Iles Express was created expressly for the residents of Normandy so that they may visit the Channel Islands because of the great pride that the people of Normandy have in their links with the Channel Islands. So my word goes a little less far in regard to that service. With regard to Condor, I have prevailed upon them on numerous occasions to have regard to frequency and with day trips in mind. I will continue to do so. In my estimation, Condor, while it is now moving as many if not more passengers than it did before the pandemic, because it has reduced its fleet from 5 vessels to 4 vessels, it is finding it more difficult to provide the frequency that enables Islanders to visit France as and when they wish. I find this difficult because I know that Islanders really do want to go to France for day trips, spend a full day in St. Malo, and enjoy themselves. But I also appreciate, as there are now only 4 vessels on those routes, it is more difficult to provide that service.

3.6.1 Deputy M. Tadier:

Last week I met with the Comité des Connétables with my hat on of President of the A.P.F. (Assemblée Parlementaire de la Francophonies) to discuss twinning matters. It is quite apparent that there are difficulties with travel between Jersey and the 11 twinning associations that are twinned with in Normandy. For example, there is only, I think, one day trip to Carteret for St. Lawrence this year and there are only 2 to Granville, so we fully appreciate that it is a French service heavily sponsored and subsidised by the region and the department. Would the Minister therefore consider what other action he might take and we might take as an Island to consider how we may have more leverage in the future with Manche Iles, which may go up to the point of co-funding the boat to ensure that Jersey people get a better service for going over to France?

Deputy K.F. Morel:

I am pleased to be able to say to the Deputy that I have already been on this conversations with the President of La Manche, Jean Morin. It is my view that Manches Iles Express, while it has been created primarily for the people of Normandy, provides an essential service for Islanders and I expressed that view to Messr Morin. I am happy to say as well, I also expressed the view that if there was the need for some element of funding from the Islands to maintain that service and to make sure that we therefore have slightly more leverage, that that is a discussion I am willing to have with them. So he knows the issues and we will continue to talk about those matters.

3.6.2 Connétable D.W. Mezbourian of St. Lawrence:

I was going to ask the Minister whether any consideration had been given to financial assistance to La Manches Iles in order to give him a bigger say in the timetables to allow us to get over there more regularly. But I think I need to ask him about the conversations he has had with Jersey Tourism or Visit Jersey to encourage the use of Manches Iles to get visitors to the Island from the Normandy landing beaches. I think we are missing out on a trick whereby we could have many more visitors to the Island generating income here. What conversations has he had with Visit Jersey to do that?

Deputy K.F. Morel:

I thank the Connétable for the question. Principally because it is always nice when you have already done the asking of the question before the question was asked. The very first meeting that I had with the new chief executive of Visit Jersey I raised the issue of Normandy landing beaches and the fact that Jersey does not tap in at all ... gains no benefit from the many millions of people who visit the Normandy landing beaches every year. So I did set that as a proposition, that this is a huge market,

primarily an American market as well, and there seems, in my head, no good reason why we are not attracting some thousands of those tourists who visit Normandy landing beaches to our Island. I will certainly raise that again, but I am sure the Connétable will be pleased to know that I have already raised that issue.

The Bailiff:

Supplemental question, Connétable?

3.6.3 The Connétable of St. Lawrence:

Yes, but not on that. I would like to know from the Minister what the response was when he suggested potential funding to Manche Iles Express. Is it something that they want in order to allow us to have more say in timetabling?

The Bailiff:

Generally, Connétable, a supplemental question to a question you have asked is exactly that. It supplements the question so you can gain further information on that topic otherwise people just get a succession of individual questions. I have to, I am afraid, without saying there is anything more to the question as such, it is not strictly so.

The Connétable of St. Lawrence:

Can I rephrase it, Sir?

The Bailiff:

If you can, yes.

The Connétable of St. Lawrence:

The addendum to that question is: in order to bring more tourists over from Normandy.

Deputy K.F. Morel:

I am pleased to say that the conversations I have had with Messr Morin have been conducted in a very good manner. He is very receptive to my thoughts and, of course, we know that during the pandemic Manches Iles Express, like all travel operators, suffered financially due to the lack of tourists during that time. He is certainly open to the idea that Jersey may help financially in delivering that service. I will also just add a little bit extra to the question, which is in regard to twinning, which has been mentioned a few times, I am delighted that Manche Iles Express do offer discounts for twinning groups who travel to Normandy with their services.

3.6.3 Deputy A. Howell of St. John, St. Lawrence and Trinity:

Please could the Minister also agree to talking to Condor, if he has not already done so, about more weekend trips for Islanders? I was very lucky we went over last Friday but the boat was absolutely packed because it was the only boat in June to go for a weekend. Could he also please agree to working with Guernsey so that Islanders can have more chance of going on day trips to Guernsey and back?

Deputy K.F. Morel:

I thank the Deputy for the question. I am trying not to make a smart answer in regard to parts of that question. I am more than happy to raise both those issues with Condor when I next speak to them.

3.6.4 Deputy A. Howell:

Guernsey I think were talking about a boat and I just wondered if we are also talking to them in relation to that too.

Deputy K.F. Morel:

With regard to Guernsey and our travel links, I am in contact constantly with Guernsey on all aspects of our travel links.

3.6.5 The Connétable of St. Brelade:

Picking up on the point of objective timetables, given that the 4 ports in Normandy, namely Granville, Carteret, Port Bail and Diélette, are all tidal, would the Minister not agree that the operations from those ports are very predictable? May I suggest that perhaps he would agree that he might discuss more positively and be proactive with the Normandy authorities and say: “Those are the dates that we can bring people to Jersey on, let us do it.” Would he agree that that is a way forward?

Deputy K.F. Morel:

I am more than happy to take that perspective forward. There is no doubt. As with anything, that relies on a wide range of technical matters not solely the tides. I think it is difficult for us in this Assembly to override those who manage the services because they understand the many other factors that play into any decisions about when timetabling is. It is not solely the tides. There are many other matters as well. But I am more than happy to take that view and express that view.

The Connétable of St. Brelade:

I thank the Minister for his ongoing interaction with the Normandy authorities.

3.6.6 Deputy S.G. Luce:

Some 50 years ago we had a very different tourist offering in Jersey but in those days it was quite normal for 3 or 4 ferries to ply their trade between Cherbourg Peninsula and Gorey. Would the Minister commit to, in the light of the fact that in the 1970s we had one year 170,000 tourists land in Gorey Harbour, with that in mind would he commit to talking to his neighbour in the States Assembly about a greater presence with customs officers in Gorey so that we can reinitiate those wonderful days of French being able to get here very much faster?

Deputy K.F. Morel:

I thank the Deputy. Again, because these are conversations that I have already started with my colleague to my left, the Minister for Home Affairs and myself are of the view that we would love to see Gorey being used once again. Interestingly though, when I put that perspective to Manche Iles Express they were less keen on travelling to Gorey directly, partly due to the wider lack of facilities; no bank machine, no hire car companies, things like this. However, I did explain that I am sure those sorts of factors can be addressed as well.

[10:30]

Yes, the Minister for Home Affairs and myself, I believe, are more than happy to take that forward with regard to Gorey.

3.7 Deputy R.J. Ward of the Minister for Children and Education regarding the on-Island facilities for children needing emergency care (OQ.113/2023)

Will the Minister advise what developments, if any, have been undertaken in the last 3 years to improve the infrastructure for on-Island facilities for children needing emergency care under the Minister’s care?

Deputy I. Gardiner of St. Helier North (The Minister for Children and Education):

Thank you, Deputy, for his question. Between 2020 and 2021 there were limited developments due to the pandemic and various other matters. I found when I was elected into the role that we do not have sufficiency in the system. It was a Government Plan bit and vote of this Assembly, thank you, passed and allowed us to progress. Since January we opened 2 new junior residential homes in St.

Helier for 4 children. I also have further property, which when refurbished will provide homes for 3 children, and this is underway. The capital and revenue budget are in place and I anticipate a therapeutic home will be provided on the Island in 2024. We are progressing with the site and plans. On top of this, we know that we have early intervention services which support children and families through the Hub and Government investing £6.5 million in the social care reform programme this year, which includes the priority of providing loving homes with other work streams.

3.7.1 Deputy R.J. Ward:

The original question was about children needing emergency care. Can I ask the Minister, the facilities that were mentioned in that answer, will they be available for emergency care, which may mean that for a significant time they will be empty?

Deputy I. Gardiner:

Thank you, Deputy, for clarification. We need to understand that emergency, it means emergency. During the last 12 months we did receive children in care or we needed to move them in an emergency situation on 21 occasions. From 21 occasions we have 3 when we need to provide emergency accommodation. One emergency accommodation resulted in 31 days and 2 others within 2 months. What we are doing, we are increasing sufficiency within the system to make sure that we have enough places as demand increased. On top of that we are working with the foster provision because some of the foster provision will be suitable specifically for this emergency accommodation. From 21 occasions that we had during the last 12 months, 3 that we needed to put in emergency accommodation, the other side we had sufficiency.

3.7.2 Deputy R.S. Kovacs of St. Saviour:

Partially the question was already answered what I wanted to ask. Can the Minister expand on what is the process when children need to be accommodated like that on very short notice and how much capacity there is for short-notice accommodation?

Deputy I. Gardiner:

Emergency, it means that it can come the night before, that foster place sadly is broken or the family circumstances change very rapidly and we have been notified that the children are at risk and we need to take the children in. It would be police notification or it would be a call decision. When the call decision was made it was very clearly stated to the court what type of provision is available and how we are going to proceed. The first instance is we are checking what we have in place, if it is best to foster, if it is with relatives within the family that can provide a secure place. It is going through the head of service, from the head of service it is going to the associate director and from the associate director it is going to the group director responsible for the children. It is going through all procedures to make sure that we looked at all possible options before setting immediate emergency accommodation.

3.7.3 Deputy R.S. Kovacs:

If the Minister does not know the figure now, can she look into providing a figure of how much availability there is for children in care, it is having the number?

Deputy I. Gardiner:

I will try to give some numbers that they have and I will try to address. First of all, we have 6 homes that offer accommodation, 2 homes offer short breaks, 2 homes offer supported accommodation for young adults, say, over 18. The majority of our children - 45 per cent of the children - are in foster care, 19 per cent in connected carers and 19 per cent in residential care homes, both on and off the Island.

3.7.4 Deputy A. Howell:

I was just asking the Minister if it is her ambition that we will probably hope not to send children off Island for placements in the future.

Deputy I. Gardiner:

I thank you for the question. It is my ambition to provide as many placements on Island as possible. But saying this, because we are a small jurisdiction it will be almost impossible to provide very specific, very specialised support that is available in the mainland. We will not be able to care for every circumstance. Something that we need to consider sometimes is the family circumstances will impact the decision but, as a general principle, I can give an example, from 20 options that we had children coming in and out of the care, we have a few, I am not allowed to mention the number but it is a very low number in the last 12 months that we had fewer than 5 per cent of the Island. The intention is to try to do everything possible to bring children to the Island. I am in discussion with my officers, when we have some children which are placed off the Island, how we are making sure that they may be stabilised and they are coming back to the Island when they can enter our provision here. The last point, therapeutic children home that were on the plans for years, it was raised before my term as a Minister, it was a previous term and now we are progressing with this. We would have therapeutic children home some time next year, it depends on the planning and we need to go through the process to make sure that we are providing therapeutic spaces here as well and not sending off the Island.

3.7.5 Deputy S.Y. Mézec:

Can the Minister give us her assurance that with developments that are planned for cases where there are emergencies, that we will not end up in a position in future where vulnerable children are housed in unregistered properties which are deemed to fail to meet official standards of care?

Deputy I. Gardiner:

Since it has come to my attention, I am working with the Children's Commissioner and Care Commission. We have meetings and discussions of what the framework needs to be in place to meet the standards. Because what is happening, we need to be very clear, the emergency accommodation that needs to be in place in very short notice will struggle to meet the children's homes settled requirement. What we need - and it is important to have in place - and this is what we are working, that it will be framework prepared for emergency accommodations that currently is not in place but it is developed and it will be in place to make sure that we are meeting the standards of the Care Commission.

3.7.6 The Connétable of St. Lawrence:

Can the Minister confirm whether or not foster carers are able to hold full-time employment, apart from their fostering duties?

Deputy I. Gardiner:

Thank you, Connétable, I need to double-check this. I know that there are different arrangements with different types of foster carers because there are some foster carers full time, there are foster carers who are in the system for different arrangements. I will be happy to provide follow-up information to the States Members.

3.7.7 The Connétable of St. Lawrence:

My understanding is that it is indeed the case that foster carers may hold full-time employment. When the Minister has confirmed that or not, will she advise the Assembly, please, how that is conducive to emergency placements?

Deputy I. Gardiner:

Absolutely, yes, I will provide a full answer for the Connétable's question. Thank you.

3.7.8 Deputy R.J. Ward:

Given that emergency placements do include going off-Island and there has been recent criticism from the U.N. (United Nations) about our lack of certainty over those placements, can the Minister reassure both this Assembly and the Island that those issues will be dealt with as raised but we are listening to those criticisms and that we will not, as was suggested by one person, one advocate, face another Care Inquiry in the future over these issues?

Deputy I. Gardiner:

Thank you, Deputy, for raising this. Because I am listening and I am in intensive work with the Children's Commissioner making sure that all these concerns will be addressed and work in very intense in progress to make sure that everything is in place. First of all, to bring as many children back to the Island, to make sure that we have enough sufficiency and to make sure that when the children are going off the Island they have all necessary provision. Just as a matter of fact, every placement of the Island is rated as good or outstanding by Ofsted. We are checking every placement and social workers are checking monthly what is happening with our children off the Island. We are working, we are listening and we know that we need to improve. We are not perfect but we are in the journey.

3.8 Deputy R.S. Kovacs of the Minister for Children and Education regarding the provision of PE (Physical Education) in Government primary schools (OQ.110/2023)

Will the Minister state whether there are 8 government primary schools which receive their P.E. (physical education) lessons through Jersey Sport and, if so, why there are not more? Will she further explain why P.E. in these 8 schools is not delivered through usual school classes and involves the use of external members of staff?

Deputy I. Gardiner (The Minister for Children and Education):

Thank you, Deputy, for your question. I can confirm there are currently 8 government primary schools which receive physical education lessons through Jersey Sport, where the headteachers have made the decision to use their services. These schools vary in size and the fact is they tend to lead to this decision related to professional expertise. The number of schools associated with Jersey Sport can fluctuate on an annual basis, depending on the need of the schools and some schools are beginning to seek to make their own appointments. These appointments are guided by the qualifications recommended in the Association for Physical Education Safety Guidance. In 2022 there were 9 schools and this academic year there are 8 schools involved. The numbers for 2023/2024 are not yet confirmed. Each school that decided to employ Jersey Sport as their provider has an individual service level agreement in place between headteacher and Jersey Sport. This is because the terms can vary from a day a week to full-time position. Circumstances are different and may vary year to year. These are the reasons that the service level agreements with Jersey Sport are reviewed annually.

3.8.1 Deputy R.S. Kovacs:

I have been informed that this is left to the latitude of the headteacher to decide if any at all of the physical education is given in school and the U.K. and other jurisdictions have this as part of the school curriculum. Does the Minister consider looking into making that a regular activity in each school?

Deputy I. Gardiner:

Thank you for the follow-up question. First of all, we have now the Curriculum Council working together with Jersey Sport to look into the physical literacy and to see how we are bringing the expertise from Jersey Sport into the curriculum.

[10:45]

It is also important to emphasise that the primary school teachers that usually train as generalists, at the same time each teacher has their own passion, their own specialisation specification. In some schools there are teachers that are very passionate about sport and they work together and they do not feel that they need to bring in the specialists because they have somebody at school. In some schools you have somebody who is a specialist in art. It really depends on what is the requirement and what is the makeup of the staff within the school. What is important when Jersey Sport come into schools they do provide not just a lesson, they can also provide the training and teachers can watch and learn to make sure that it is implemented through the school.

The Bailiff:

I will have to, I think, going forward restrict the number of supplemental questions and, in other words, call the list sooner because we are running out of time to deal with the questions on the Order Paper.

3.8.2 Deputy R.J. Ward:

May I ask the Minister, what is the payment arrangements for these services from Jersey Sport? Is a payment made to Jersey Sport from the school budget?

Deputy I. Gardiner:

Yes, this is the payment arrangements going from the school budget towards Jersey Sport. It is contracted by Jersey Sport and they are employees of Jersey Sport.

3.8.3 Deputy R.J. Ward:

We have a situation where an arm's length government-funded organisation is being paid by a government-funded school to provide a service for P.E. Is that cheaper than employing a fully qualified P.E. teacher in the schools and is that one of the reasons why this decision is being made by primary heads in order to save money?

Deputy I. Gardiner:

I would say that, first of all, we do have supply teachers and we are paying for supply teachers when we need the teachers within the school. I would not go that Jersey Sport professional coaches are cheaper than the qualified teacher. It depends if you have the teacher, that newly qualified teacher which will cost less than the qualified teacher after 10 years' experience, which will be paid more. I believe that it is about the headteacher making a decision on what is right for the team. Also, we need to consider when the Jersey Sport coaches deliver the coaching, the teachers can do other things, which we are talking about the teachers' workload and other things. Every headteacher is making the arrangements which are suitable for the teaching; this is the autonomy.

Deputy R.J. Ward:

I am sorry, can I just confirm whether the Minister was saying that Jersey Sport being paid the same as ... because I did ask whether it compares with P.E. teachers, are they being paid the same rates that a teacher would be paid?

The Bailiff:

I am sorry, Deputy, I am afraid that is a further development in the question you asked and I do not think I will allow that.

3.8.4 Deputy M. Tadier:

What consultation was there with teaching unions before these decisions were made to engage Jersey Sport instead of what we might call ordinary teachers?

Deputy I. Gardiner:

I am not sure that I can confirm this because it is the decision that was left to the headteachers. I personally did not receive ... any concern has not been raised with me, not by the unions, not by the teachers. If there is any difficulty I think that unions ... unions met with my officers, unions met with me, if there are any concerns - the arrangements are publicly known - it would be raised with me I assume and if there are any concerns I am happy to address them if it will be brought to my attention.

3.8.5 Deputy M. Tadier:

It seems to me that this should worry the Minister more. She does not seem to know whether any engagement with the unions happened. Is she not concerned that this sets a precedent, that you have, potentially, Jersey students and others go to university, do a P.G.C.E. (Postgraduate Certificate in Education), specialise in sport and P.E. and they come back to Jersey and find that there are not any jobs for them because they have all been outsourced to Jersey Sport, possibly to save money but the Minister is not sure because she cannot provide us with those figures? Will the Minister answer that question about precedent? Will she undertake to give the evidence like for like in terms of cost, as well as whether the unions have been consulted?

Deputy I. Gardiner:

Okay. I think that I have found information about the cost, to make sure that I address the cost issue as it is. The rate that coaches received in 2023 it is £20 an hour. The newly qualified teachers' salary is £39,000 a year, which is approximately £23.50 an hour. If the teacher was experienced obviously will earn more. What is more important is that we have plenty of vacancies; we have vacancies for the teaching. The moment that we would have a teacher, the teacher would be employed. Again, when we are looking into the primary schools, within the primary schools you have a primary teacher to each class; that I said they are usually generalists. Where you have an option, where you have a specialist in P.E. this school use this specialist to make sure that all teachers are trained. But when you have specialists in other subjects but not in P.E. you need to bring the expertise, and Jersey Sport is bringing this expertise to the school. This is the reason that we start to work together with the Curriculum Council to make sure that you have the same offer with schools for their physical education.

3.8.6 Deputy G.P. Southern:

I am still not totally clear as to whether the staff who deliver through P.E. lessons through Jersey Sport are qualified teachers or not.

Deputy I. Gardiner:

Can I ask, please, Deputy to repeat the question?

The Bailiff:

The question is those who deliver teaching through Jersey Sport, are they qualified teachers?

Deputy I. Gardiner:

They are not qualified teachers, they are qualified coaches. What they have is sport expertise and qualification in physical education. Also, we have monitoring. When you have a school review they are watched, as any other teacher, to ensure that the level of the delivery are meeting the skill standards. They all have the various in-house checks, so they are professionals in physical education but they are not qualified teachers.

3.8.7 Deputy R.S. Kovacs:

As mentioned before, that Jersey primary schools on the physical education are following the U.K. curriculum where currently it is compulsory within their school curriculum these lessons to be given through the school teachers. But here we have it is left to the latitude of the teachers to opt in or out and given also the fact that Government promotes an active and healthy lifestyle and it is in the process of developing a sporting strategy, does the Minister commit in working with the Curriculum Council and with the Minister for Economic Development Tourism, Sport and Culture in finding the appropriate way for each primary school, not just those 8, to have access to a qualified physical education teacher?

Deputy I. Gardiner:

Thank you, again, for raising this because I have asked already the Curriculum Council to address exactly the same point to making sure this is happening, so the work is in progress.

The Bailiff:

I will just gently remind Members not to address each other, so not “Thank you” or “Thank you for the question”; “I thank the Deputy for the question.”

3.9 Connétable K. Shenton-Stone of St. Martin of the Minister for Infrastructure regarding the promotion of greener transport alternatives, including cycling and walking (OQ.115/2023)

Will the Minister advise whether he has plans to ensure that any future initiatives to promote greener transport alternatives, including cycling and walking, will be supported by improved road-safety campaigns and promotion of greater awareness among users of heavier and faster vehicles and, if so, will he provide an outline of the plans?

Deputy T. Binet (The Minister for Infrastructure):

In December 2021 the Infrastructure Department lodged a road safety review, which suggested that adopting an interim target of a 50 per cent reduction in fatal and serious road accident injuries over the next 10 years. The review recommended that a road safety co-ordination team should be established to adopt a holistic approach involving various government agencies, which include Infrastructure, Health, the police, Parishes and the public. Sadly, due to budgetary constraints and competing priorities the work was never funded. However, the Constable might recall this, in March of this year the Assembly took the decision to approve a higher than usual increase in the parking charges, which has enabled us to fund the establishment of a qualified road safety team. The recruitment process is now underway and once the team has been formed educational campaigns will be among the top priorities, and this should go a long way to help to reduce the disproportionately high number of casualties that occur on our roads. On a personal note, I would like to assure the Constable that we have had a spate of horrible road accidents recently and I am extremely concerned and this certainly will receive my very best endeavours and those of the team to ensure that we bring about as much reduction as we possibly can.

3.9.1 The Connétable of St. Martin:

I thank the Minister for his answer. I have been waiting since my road safety proposition for this to happen and very keen for the hierarchy of road-users’ education to take place. Would the Minister agree that road safety is paramount and that money spent on road-safety campaigning and education is money very well spent?

Deputy T. Binet:

I wholeheartedly agree and I thank the Constable for her original proposition that I think gave rise to this in the first instance.

3.10 Deputy G.P. Southern of the Minister for Social Security regarding the administration of Short-Term Incapacity Allowance (OQ.117/2023)

Given that reference is made in the report accompanying P.24/2023 to the option for those on short-term incapacity allowance to work without loss of benefit under a new scheme, will the Minister advise whether it is her intention to make participation in the scheme voluntary or, as is the case in the U.K. Department of Work and Pensions restart scheme, mandatory and subject to a sanctions regime?

Deputy E. Millar of St. John, St. Lawrence and Trinity (The Minister for Social Security):

I thank the Deputy for the opportunity to clarify this point. The Deputy has asked a similar written question to which I have responded in some detail about the differences between the U.K.'s restart scheme and our proposed changes to short-term incapacity allowance. As set out in the response to the written question, the restart scheme is completely different to our proposed scheme being aimed at people who are unemployed. I will be speaking about the short-term incapacity allowance changes as part of a debate later in this sitting. The new support scheme will be completely voluntary. It will be designed to offer people help that they feel positive about accepting. If they do not feel that it can help them they will have the right to remain fully signed off from work as normal due to sickness. We are confident, however, that lots of people will want to take up this help because individuals, employers, general practitioners and the voluntary sector have always made it clear that our existing system is too rigid in its restriction on work while unwell.

3.10.1 Deputy G.P. Southern:

Could the Minister assure the House that even if they only achieve a low take-up of rates initially, there will be no move in the future to make the scheme mandatory and not voluntary?

Deputy E. Millar:

I can see no basis with which this scheme will ever become mandatory. It is designed to help people who have certain long-term health conditions return to work. At present short-term incapacity allowance signs people off and means that they must stay at home, they cannot work, they cannot volunteer, they cannot work on a phased capacity, they cannot do therapeutic work and there are many conditions which will benefit from someone having some element of work; that is what the scheme is intended to do. If somebody does not wish to participate in that scheme, if they do not feel able to participate, they will be under no compulsion to do so.

3.10.2 Deputy S.Y. Mézec:

The Minister's reassurance on this is very welcome. In P.24 it states that the prohibition on S.T.I.A. (short-term incapacity allowance) claimants from being able to work will be removed from law but it will remain in an order. Given that orders are much easier to change than law is, could the Minister just give her assurances to the Assembly that when this further work is done on these changes that she will endeavour to keep States Members as well-informed as possible on those so that we can keep being assured that we do not, inadvertently or otherwise, end up with anything that resembles the restart scheme in the U.K.?

Deputy E. Millar:

As I say, the restart scheme is completely different and not relevant to our proposals here. I assure the Deputy that States Members will be kept advised.

[11:00]

I think all Members have been invited to a presentation about the proposals, which I think happens very soon. The Deputy is also quite right that while the change that is before the Assembly today is to the main law and we require the States to approve that change, the change we are making in the

main law also has to be made in the Order and I will be able to make that change to the Order to allow the scheme to come into play. But, as the Deputy says, yes, he is quite right, the Order needs to be changed and I will make that change to allow the system to come into place. The 2 will then reflect and have similar terms.

3.10.3 Deputy G.P. Southern:

I note that the aim of this new scheme is to target mental health issues, which are widely acknowledged, it is the most difficult to treat and to cater for in the workplace or out of it. Is she confident that the training of her officers will be most sensitive on mental health, which can vary from week to week, from day to day, which is why it is so difficult to treat?

Deputy E. Millar:

Yes, the officers in C.L.S. (Customer and Local Services) who will deal with this scheme will be given appropriate training. I completely agree with the Deputy, I understand that mental health conditions are very difficult. However, because of their variability in nature from, as he says day to day, week to week but for many people with mental health conditions they will benefit from being able to do some time in the workplace. There may be days where they are able to go to work and do a good day or even a good morning's work. There will be other days where they do not feel able to do so. The purpose of this scheme, which will also, I would assure the Deputy, involve medical input from the person's G.P. (general practitioner), will enable a person to come to work on a flexible basis. We will also work closely with - sorry, I am rehashing the speech I am going to be giving very soon, rehearsing my speech for later - employers to make sure that they are supported and allowing people a safe and productive return to the workplace.

3.11 Deputy S.Y. Mézec of the Minister for Social Security regarding the contribution rates for Long-Term Care (OQ.122/2023)

Will the Minister commit to ensuring that before any consideration is given to raising the basic contribution rate for long-term care, full consideration is given to raising the upper earnings limit in order to ensure equity between all income levels?

Deputy E. Millar (The Minister for Social Security):

I thank the Deputy for his question. Members will be aware that last week I published the latest actuary review of the long-term care fund. This shows the positive impact of the increase in contribution rate from 1 per cent to 1.5 per cent in 2020, however, we cannot be complacent. Our population is ageing and the demands on the fund will increase in coming years. Increasing then come into the fund will be necessary at some point in time to meet this increase in demand. A decision will have to be taken in terms of what is the right time to start increasing that funding? Clearly, we are all aware at the moment of cost-of-living pressures on our community. When the decision is made to look at increasing contributions into the fund I can assure the Deputy that all aspects of the way in which long-term care contributions are calculated will be considered before any proposal is put to the States Assembly for approval.

3.11.1 Deputy S.Y. Mézec:

Does the Minister agree with me that the prospect of asking working people to pay more in tax is unconscionable if there is no consideration given to ending the tax loopholes which currently exist for the super wealthy in Jersey and that we should unequivocally say that the long-term care tax rate should not be increased until we scrap the regressive cap that shelters the super wealthy from paying the same rates as the rest of us?

Deputy E. Millar:

I cannot agree with the Deputy's statement in the way in which it is being framed. I do not think that there are tax loopholes to protect the super-rich and possibly the super-rich are the very people who

will never claim under this scheme because they have no need to do so. Funding of long-term care is different from funding elsewhere. It operates the same way as the tax system. There are rates, I have a vast amount of information as to how long-term care is funded, which I cannot hope to explain sensibly. I take the Deputy's point and any amendment to the way in which the scheme is contributed will be considered carefully, as will all elements, including upper earnings levels.

3.11.2 The Connétable of St. Brelade:

Would the Minister not agree that increasing the contribution levels at 2 per cent should be done sooner than later?

Deputy E. Millar:

As I say, we have to recognise right at the moment there is a cost-of-living pressure and adding to anybody's costs at this point is difficult. There will have to be time. As I say, the information that we have from the actuaries is very clear that the fund will not exist for ever. We do have to make some decisions. I do not think those decisions necessarily need to be made right now but they will need to be made. We will need to have a plan and we will be thinking about that very soon in terms of the timing. Going up to 2 per cent would be a 0.5 per cent increase, depending on how it is funded but there are lots of other ways of making smaller increases over a period of time. But I am pre-empting a discussion that has yet to take place but it is a discussion that absolutely will happen in the relatively near future.

The Connétable of St. Brelade:

I thank the Minister for her answer.

3.11.3 Deputy S.Y. Mézec:

I guess I just want one final attempt to get the Minister on record to say that she is prepared to countenance the prospect of raising tax on working people in Jersey without abolishing the upper earnings limit which shelters the super-rich from paying the same as the rest of us and that she considers that to be an acceptable thing, does she not?

Deputy E. Millar:

Again, I find it difficult to accept the Deputy's use of language in terms of shouting "super-rich" and I can only repeat again that all options will be considered at the time we come to look at how funding into the scheme can be increased in future.

3.12 Deputy L.V. Feltham of the Minister for Health and Social Services regarding the development of a health service framework (OQ.119/2023)

Will the Minister provide the Assembly with an update on the development of a health service framework, as outlined in Action MHSS P.3.b.1 of her Ministerial delivery plan?

Deputy K. Wilson of St. Clement (The Minister for Health and Social Services):

As set out in the Ministerial delivery plan, the proposed health service framework is aimed to consist of 3 parts; a framework for community services, primary care and hospital services. On the community services element a gap analysis has been completed and a business case is being developed as part of the 2024 Government Plan. On primary care, following the Assembly's decisions that activity is underpinning, reform of health and care services should not be funded by the H.I.F. (Health Insurance Fund). The necessary resources are not in place to progress this but work will commence this year, pending availability of funding. On the hospital services Members will be aware that the new healthcare facilities programme of work continues. The hospital services framework is very much aligned to this programme of work and the detail will continue to be further defined over the next few months.

3.12.1 Deputy L.V. Feltham:

The Ministerial delivery plan states that it was the objective for quarter one to complete the community part of the delivery framework. Can the Minister confirm whether or not that has been completed and if third-sector organisations have been engaged in any consultation on that?

Deputy K. Wilson:

Some elements of it have been delivered and I can provide the Deputy with the actual elements, which have been delivered. We are engaging actively with third-sector providers, particularly in relation to the areas around intermediate care. Again, I can provide some more detail on that as we progress.

3.12.2 Deputy R.J. Ward:

May I ask the Minister how this element of care that we have just mentioned in terms of in the community differs from that element of the Jersey Care Model that delivered a similar approach to healthcare, i.e. getting it out into communities?

Deputy K. Wilson:

I think in principle the development of providing care in the community is the same; I think the funding mechanisms clearly were very different. But we are still committed to providing care closer to home to avoid unnecessary hospital admissions and to use the latest technologies to improve that care delivery.

3.12.3 Deputy R.J. Ward:

As part of that care delivery, it would be inevitable that we will need to use the third sector because it has such a large role in delivery of care on our Island. What is the Minister doing to ensure that the third sector are speedily - I cannot think of a better word - enabled to do that?

Deputy K. Wilson:

We have a number of forums and development groups and project planning groups set up and, again, I can provide a list of those to the Deputy that will demonstrate the areas of engagement.

3.12.4 Deputy L.J. Farnham:

In her quest for improving the health service framework, is the Minister working closely with the Future Hospital - or whatever it is called now - Oversight Group in relation to the provision of facilities to deliver the health service from, including the provision for a separate mental health facility and in a different location?

Deputy K. Wilson:

I thank the Deputy for his question. I think Members will be aware that the new health facilities programme work continues. It is very much aligned to what the Deputy has talked about in terms of the inclusion of mental health facilities as well. I think we have still got a lot to do to start to shape it up. We have been doing the feasibility studies. We are talking to third-sector organisations about their contribution to that. But I think the most important thing is that when we are in a position to be able to specify exactly how and in what way this looks, we will be bringing those proposals to the Assembly.

3.12.5 Deputy L.V. Feltham:

In the Minister's answers I heard references to the Government Plan and the future propositions to the Assembly. What I did not hear was when people receiving care, either in hospital or at home, will receive an improvement in services. I am aware that navigating care pathways is extremely difficult through work I have done with constituents and also my own family experience. Can the

Minister let the Assembly and people using the healthcare system know when care pathways will be improved and people can expect the types and levels of service that they should be getting?

Deputy K. Wilson:

I thank the Deputy for her question on this. There will be a range of care pathways that we will be putting in place, some of those are in place already. But I think what is more important is for the communication around how those pathways operate and what they are delivering for patients to be more transparent. Again, I think as part of our service strategy, we will provide much more detail and content around how those pathways operate and clearly that will involve the views and opinions expressed by service users on the effectiveness of those pathways.

3.13 Deputy L.J. Farnham of the Minister for Treasury and Resources regarding the funding of multi-site healthcare facilities (OQ.112/2023)

Will the Minister explain how the multisite healthcare facilities, as presented to States Members last week, will be funded and will he also agree to seek States Assembly approval through a standalone proposition prior to putting any funding arrangements in place?

Deputy I.J. Gorst (The Minister for Treasury and Resources):

As referred to in the last Government Plan, the financing strategy for the new healthcare facilities will be reviewed based on the updated plans. A detailed budget and financing strategy will be brought to the States Assembly in due course. From my perspective, ideally in Government Plan 2024-2028 any funding above that already approved by this Assembly in the last Government Plan would need an approval from the Assembly.

3.13.1 Deputy L.J. Farnham:

Does the Minister for Treasury and Resources recognise that having a much bigger health facilities estate spread across multiple locations will cost more to build than the single-site scheme?

Deputy I.J. Gorst:

While I enjoy the Deputy's question, he is going to have his day in court - not yours, Sir - but this one where he will be able to decide.

[11:15]

I hope it will be in the Government Plan but it may take later, so we may have to have a standalone proposition, as the Minister described in his answer. That choice will be between reverting to the work that he did, and I pay compliment to him for that, but that proposal was premised on the basis that there was a new approach to healthcare and it was based upon that. This scheme is based upon the proposal whereby that care model is not in place, therefore has 130 greater beds. It can use modern construction. But from my perspective, importantly, it can deal with the issue of risk around the build and the cost of risk. That debate is going to be had and I hope it will be had later this year.

Deputy L.J. Farnham:

Sir, I am sorry but I believe the Minister does have a duty to answer the questions that are asked. I know he speaks very eloquently but I simply asked: does the Minister for Treasury and Resources recognise having much bigger facilities are going to cost more? A simple question and requires a simple answer and if he does not know that is all he needs to say.

The Bailiff:

That was part of the question, Minister. Are you able to address it in the manner that is asked?

Deputy I.J. Gorst:

We heard the Deputy's calculus in action earlier in questioning my colleague, taking the square meterage and using it at a cost of £804 million; a number I do not recognise because this Assembly has never agreed that. They have only agreed to borrow up to £700 million. The Deputy knows that the Our Hospital project cannot be delivered for anything under the £950 million. If we are going to create greater capacity, provide more beds and provide those facilities that were not in the Our Hospital proposal, but if we can provide them in a phased way then we can manage the risk and it is a different proposal. But using those simple calculus you could get to a greater number. But I asked the Deputy to wait for the detailed numbers to come forward, at which point he and every Member of this Assembly can make their decision.

3.13.2 Deputy M. Tadier:

How does the Minister for Treasury and Resources' response now about saying that he will come forward with a plan which is funded and transparent fit with the comments of the Chief Minister last week to the media who said that she would not be releasing the cost of the new hospital project because it is commercially sensitive and it is not wise to tell your contractors how much you are willing to pay? How do we square those 2?

Deputy I.J. Gorst:

The Chief Minister was referring to the outline business case and she is absolutely right, we do have and have in the past almost touted around the amount that we were prepared to pay for a capital project and, hey presto, what then happens is all bids come in either at that price or, in the case of the Our Hospital project, well above that price. She is right, there will be a point where those things can be published but we need to do more work before we do that. I am mindful, as Minister for Treasury and Resources, as the Minister for Infrastructure has said, this Assembly is supreme and they will need to make decisions and they will need the information that they require in order to make decisions. But we do not want to fall into that trap of straightforwardly saying to all contractors: "Come and get us, this is how much we are prepared to spend."

3.13.3 Deputy M. Tadier:

I suspect we are getting into the realms of sophistry here because the reality is that we know that it costs money to build a hospital, let alone 4 different hospitals spread all over the Island, and that it is not about what we are willing to spend, it is about what that hospital and those hospitals will cost. At some point Ministers need to start telling us and the public about what it costs to build the hospital and the hospitals that they are proposing.

The Bailiff:

Could I have the question now, please?

Deputy M. Tadier:

At what point before the proposition is lodged will that information about what the real costs are be made to the public?

The Bailiff:

Are you able to assist on that?

Deputy I.J. Gorst:

I think my colleague, the Minister for Infrastructure, did say earlier, he, together with members of my department, are working on those detailed costings and they will be appropriately provided in due course.

3.13.4 Deputy L.V. Feltham:

I am quite amazed by the amount of uncertainty both in the Minister for Treasury and Resources' answers to these questions and the Infrastructure's answers earlier this morning. I received an answer to a written question from the Minister for Treasury and Resources yesterday about the value-for-money programme in which he said that one of the key points of that programme is ensuring that major construction projects are delivered on time and on budget. Given the level of uncertainty, how will his officers undertake to ensure that a project that currently has no timescale and currently has no budget is delivered with best value for the Islanders?

Deputy I.J. Gorst:

The same way that we always do. We remind ourselves that we have got appropriate processes in place. This Assembly makes ultimate decisions but Ministers are equally mindful that sometimes in the past we have given the game away well in advance of when was necessary and, therefore, built up to a maximum price, rather than dealing with things in a value-for-money way. But I remind this Assembly, unlike has been indicated by some of these questions, there is no decision of this Assembly which would allow the Our Hospital project to go ahead today. It is not in place. There is no contract within any envelope or any funding requirement that previous Assemblies have agreed that would allow that hospital to be built. Let us not pretend that there are 2 options, one of which is certain and one is uncertain; that is not the case. Ministers will bring forward the information and, as I say, Deputy Farnham and his colleagues will get their day in court.

3.13.5 Deputy L.V. Feltham:

Can the Minister confirm whether he and his Ministerial colleagues have discussed and agreed on a timescale and a budget for the hospital programme?

Deputy I.J. Gorst:

We can keep asking the same questions and I can keep giving the same answers. I have got nothing more to add, other than what the Minister for Infrastructure answered in a question about 2 hours ago now.

3.13.6 Deputy R.J. Ward:

Can I ask the Minister for Treasury and Resources, it seems to me that the plans for funding of the new hospital and the new hospital may be incorporated into the Government Plan, does the Minister agree that that means there is a real risk that there is a not a separate debate on the hospital, as it becomes incorporated into a much larger plan, which if not agreed creates real problems for the Island?

Deputy I.J. Gorst:

I do not accept that premise. For me, if at all possible, all monetary matters and all matters that fall under the Finance Law should come together. Although I do accept, as the Minister for Infrastructure said earlier, that may not be possible and, therefore, it may need to have a standalone proposal dealing with funding. I would like to see it in the Government Plan; that may not be possible.

3.13.7 Deputy L.J. Farnham:

Does the Ministry for Treasury and Resources not agree that this sudden call for secrecy around costs is a complete red herring and that this is not a tender for an extension to a house or a block of flats? This is a process to build, arguably, the most important development this Island has seen in modern times. The correct way to do it would be to engage a delivery partner to negotiate with that delivery partner with the backing of professional cost consultants to build in an accepted profit margin to the project ...

The Bailiff:

This is funding in terms of a standalone proposition before putting funding arrangements in place. This question does not appear to be dealing with that at all. In fact it does not appear to be a question yet, Deputy. If you can ask the question that would be very helpful.

Deputy L.J. Farnham:

Thank you, Sir. I might have to start again, interrupted in mid-flow but ...

The Bailiff:

I am sorry for interrupting you but I thought it was rather important that we kept within the terms of the question. If you could ask your final supplementary within the terms of the question, please.

Deputy L.J. Farnham:

Does he agree because this was brought up in answer that he gave to questions from other Members, that the correct way to do it is to appoint a delivery partner to negotiate with the backing of cost consultants and other professionals a budget with a delivery partner, including an approved and agreed profit margin for them, knowing the cost of absolutely everything, to ensure they have negotiated the best value for money and then come to the Assembly, as the previous project did, as pretty much demanded by the previous Scrutiny Panel and the Assembly to get the budget approved? That is the way large, major capital civic projects are dealt with, not putting it out to tender like he would do for a block of flats.

The Bailiff:

That is the question, I think, Minister.

Deputy L.J. Farnham:

He does not have to agree with me.

The Bailiff:

I am not sure that he does.

Deputy I.J. Gorst:

No, the reality is I would dearly love to agree with the Deputy. The difficulty I have is that that is exactly what happened under the Our Hospital project. The Assembly were told, having gone through all that work, that a hospital could be delivered for £804 million and we would only need to borrow £700 million. We stand here today, as soon as this Government came into office, and we were told by those officials that they were not able to negotiate that with the proposed approach that the Deputy has just said. It would cost £950 million. We are going to need to think very carefully about how we engage and move this project forward to learn from where things have not worked out in the past. One of the things that has not worked out in the past is the relationship between Government and the delivery partner because things were said, things were undertaken that in reality did not come to pass. We are working carefully in the best interests of Islanders. We are seeking to mitigate risk. We are seeking to provide the facilities that Islanders say they want that the Jersey Care Model did not provide. We will come back to this Assembly so that all Members can, ultimately, make their choice.

3.14 Deputy R.J. Ward of the Minister for Infrastructure regarding the Town ‘Hopper’ bus service (OQ.114/2023)

Part of the question was answered earlier but it is the second part of the question, if I may, to focus on. Will the Minister advise what actions, if any, have been taken to promote the town hopper bus but, most importantly, can this Minister state what the current fare is for a single journey?

Deputy T. Binet (The Minister for Infrastructure):

I thank the Deputy for his question. LibertyBus currently promotes its services by various means, mainly by social media, timetable booklets, bus station departure screens and bus stop displays. Single journey fares on the town hopper bus are the same as the standard LibertyBus fare structure. I often take the bus home of an evening and if my memory is serving me correctly I think they charge me £2.20. If that reflects the standard fare then that is what it would be. On the subject of bus passes I should probably mention the fact that most users of the town service are holders of concessionary passes.

3.14.1 Deputy R.J. Ward:

Can I ask the Minister whether through fares are available to use on the town hopper bus and, if so, how are they promoted?

Deputy T. Binet:

I am not familiar with any free fare situation, other than the fact that we have got concessionary fares and transfer ...

The Bailiff:

I think the expression he used, Deputy, was a through fare, as opposed to free fares.

Deputy T. Binet:

Through fares. Could I just check whether these are what is referred to as transfer tickets?

Deputy R.J. Ward:

Correct; the word passed me by.

Deputy T. Binet:

Sorry, I was not trying to be pedantic, I just wanted a point of clarification.

The Bailiff:

No, it is important that we achieve clarity as well as brevity.

Deputy R.J. Ward:

I should know because it was my colleague who introduced those.

Deputy T. Binet:

Could I suggest that the Deputy knows the answer to his question before he starts?

The Bailiff:

You can suggest that but you still have to answer it. Minister, quite often Members of the House ...

Deputy T. Binet:

To the best of my knowledge, we have concessionary and transfer fares in operation on the hopper bus.

The Bailiff:

Thank you very much. Quite often people ask questions that they know the answer to, they just want the chance to supplementary questions afterwards.

3.14.2 Deputy M. Tadier:

I am slightly worried that the Minister is not using the AvanchiCard, because it means we could support a good Jèrriais word in action and also save himself money. So I hope he has not the same

stance on the hospital project because we want to save as much money as possible. I know that is not a question but it is a slight hopefully welcome distraction. Given the fact that transfer fares do exist, and they were adopted by the previous Assembly, would the Minister remind the public and perhaps encourage Liberty to remind the public that if they use the hopper bus after coming in on another bus, where they have paid full price for their single ticket, they could have got a transfer ticket and used the hopper bus for free. So, will he remind LibertyBus to promote the transfer ticket for people who want to make throughfares?

Deputy T. Binet:

I certainly will. I have to say I got caught out by that coming back from the airport the other day. They very kindly let me off because I am a pensioner and I am sorry I do not have my voluntary card yet, I just simply have not had the time. I worked out it has cost me just over £12 already in unnecessary fares.

The Bailiff:

If necessary, I propose to add a couple of minutes of injury time to the end of the question period to allow for the diversions that we have had thus far, which perhaps now we could bring to an end.

3.14.3 The Connétable of St. Brelade:

Given that the business model for a town hopper bus has never been a great success, and I go back to days of Deputy Southern's proposals, would the Minister agree that it would be better to review the existing situation and enable buses coming from out of town to arrive at the centre of town, to provide a better service for those who need to get to different places in the town?

Deputy T. Binet:

I am rather embarrassed because I cannot claim to be an expert on every bus movement, but I am certainly happy to take into account what the Constable has said and pass that on to the team.

3.14.4 The Connétable of St. Brelade:

I, like others, wish to see the hopper service work, but clearly given it is not at the moment, would the Minister agree to make it more cost-effective and that further action needs to be taken?

Deputy T. Binet:

I did mention in an earlier response that the service will be reviewed later in the summer, so hopefully that will be part of it.

3.14.5 Deputy R.J. Ward:

Just briefly on the fare structure itself and the fares, can the Minister confirm how LibertyBus charge per fare? So if there is a transfer fare, do LibertyBus charge another fare on the hopper bus, or how is LibertyBus claiming for the cost of the hopper bus, or is it a set cost that is just paid to run the service?

Deputy T. Binet:

That is a very interesting question and I have to be honest and say that I do not really know the answer, but I am very happy to find out and inform the Deputy at a later stage.

3.15 The Connétable of St. Martin of the Minister for Health and Social Services regarding the provision of services within new healthcare facilities (OQ.116/2023)

Further therapies referenced within the blog post entitled *New Healthcare Facilities Feasibility Study*, will the Minister present a report to the Assembly outlining how the Government intends to ensure a range of departments and therapies are provided within the new healthcare facilities; and

will she further state whether departments such as the Assisted Reproduction Unit will remain accessible throughout both the development and lifetime of the new facilities?

Deputy K. Wilson (The Minister for Health and Social Services):

I thank the Constable for her question. What I can say is, yes, currently the draft functional brief has been prepared around these services and is under internal review. It is anticipated it will be published once it has been fully discussed and revised with the clinical users. With regard to the Assisted Reproductive Unit, as referred to in the question, it is scheduled to move to the Enid Quenault Health and Wellbeing Centre in the summer, along with a range of other outpatient services on the Overdale site. All of these services have been included in the overarching functional brief and schedule of accommodation for the healthcare facilities programme to ensure that they are captured.

3.15.1 The Connétable of St. Martin:

Given we will have healthcare facility sites instead of a hospital, will the Minister commit to publishing details on how emergency transfers for all these 3 proposed facilities will be factored into the development of each facility and the associated risks?

Deputy K. Wilson:

Yes, I will.

3.16 Deputy S.Y. Mézec of the Minister for Economic Development, Tourism, Sport and Culture regarding the working conditions of baggage handlers at Jersey Airport (OQ.113/2023)

What discussions, if any, have taken place between the Minister, Ports of Jersey, and Swissport regarding the working conditions of the baggage handlers at the airport, who have reportedly been required to work at severely understaffed levels?

Deputy K.F. Morel (The Minister for Economic Development, Tourism, Sport and Culture):

Swissport's failings on Saturday, 3rd June, were unacceptable, and I have made it clear that they must not be repeated. I have met with both Swissport and Ports of Jersey to discuss the disruption on 3rd June and to understand the steps taken to ensure that Swissport's ground-handling operation at Jersey Airport is fit for purpose and is resilient. I have made it quite clear that working conditions are one of the concerns that I have. I was contacted by a member of the public who raised that directly with me and I passed that on to Swissport. As I have said, I understand that Swissport's primary aim at the moment is to come up with a package, which ensures that they have the staffing levels they need into the future. I asked for assurances on working conditions and received them.

3.16.1 Deputy S.Y. Mézec:

Can I ask if, in that conversation, the Minister discussed some of the issues which have been raised by the ground staff workers union representatives where they have highlighted issues ranging from shifts being extended at short notice, changes to shift patterns, lack of access even to drinking water during shifts, and whether that has been something he has raised concerns about and would encourage them to improve what is on offer in the hope that they can find people to work in those roles so that we do not face what we faced recently at the airport?

Deputy K.F. Morel:

I talked about the welfare of staff in the generality. I did not specifically refer to length of shifts. But the issue of water and the ability to take breaks was raised. When I speak about welfare, it is all of the factors that the Deputy has mentioned are of importance and it is my understanding that Swissport are seeking to address them and certainly I was assured that matters such as breaks are of the highest importance, and they will ensure that their staff are provided with the breaks they need. The chief

operating officer assured me that the circumstances which led to breaks not being taken on Saturday, 3rd June, will not be repeated.

3.16.2 The Connétable of St. Brelade:

The Minister suggested in an earlier answer that Jersey Airport staff have been filling in, very admirably, for the shortfall of the Swissport staff. Will he confirm that, given those local staff will have been paid I would imagine overtime rates, will those costs be claimed back from Swissport?

Deputy K.F. Morel:

Unfortunately, I do not know the answer to that question. But I can ask Ports of Jersey.

3.16.3 Deputy L.V. Feltham:

Within his discussions with Swissport, has the Minister questioned their practices and whether or not they did make some staff redundant recently and then attempted to use a fire-and-rehire mechanism?

Deputy K.F. Morel:

Can I ask the Deputy to clarify, when she says “recently”, is she referring to the COVID pandemic period?

Deputy L.V. Feltham:

Yes, I am, but it could be more recently.

Deputy K.F. Morel:

I understand that Swissport laid staff off during the COVID pandemic. I have not heard of layoffs since then. That happened obviously in many businesses, particularly in the travel sector. I did not refer to that specifically in my discussion with the chief operating officer.

3.16.4 Deputy L.V. Feltham:

Would the Minister please agree to have those discussions with Swissport and also have discussions with any other States-contracted entity and say that such practices, such as fire-and-rehire, are not something that the Government of Jersey supports?

The Bailiff:

You can answer that with regard to Swissport, but the other part of the question is too broad.

Deputy K.F. Morel:

With regard to Swissport, I personally do not think it is helpful to talk about matters that took place 3 years ago. I am much more focused on making sure that Jersey and businesses in Jersey receive the service levels that they need in the airport today.

The Bailiff:

We now come to question 17 that Deputy Tadier will ask of the Minister for External Relations and Financial Services. I understand the Assistant Minister will be answering it.

3.17 Deputy M. Tadier of the Minister for External Relations and Financial Services regarding the Russian nationals who were subject to the application of sanctions (OQ.120/2023)

Will the Minister inform Members of the total number of individuals who, as Russian nationals, are currently subject to the application of sanctions and advise whether the application of such sanctions exactly mirrors the sanctions imposed by the U.K. Government, with particular reference to those applied against Roman Abramovich?

Deputy I.J. Gorst (Assistant Minister for External Relations and Financial Services - rapporteur):

As of 8th June, there were 1,610 individuals, 228 entities designated for the purpose of an asset freeze under the U.K. Russia sanctions regime. The majority, if not all, of those individuals are Russian nationals and the information is publicly available on the U.K. Office of Financial Sanctions Implementation consolidated list. As designations are not listed by nationality, it is not possible to give a precise figure for how many Russian nationals are subject to an asset freeze designation. There are also a number of individuals who are Russian nationals designated under other sanctions regimes, such as the chemical weapons regime. Jersey implements all U.N. and U.K. asset freeze designations immediately and automatically. There is not a single individual or entity designated by the U.N. or the U.K. that is not designated in Jersey under any sanctions regime.

Deputy M. Tadier:

I am not sure how many questions I am going to have depending on the time, but I note that I do not remember if the parts of my original question about whether our system mirrors the U.K. system was answered.

The Bailiff:

I have assumed that it was inherent in the fact that all of the people who are designated in the other regimes mentioned by the Minister are automatically designated in Jersey. I had assumed that was an answer to the question.

3.17.1 Deputy M. Tadier:

I will take that as the clarification, thank you. So the supplementary is: has any of these individuals been removed from Jersey sanctions, from the lists, or had their requirements amended and, if so, why?

Deputy I.J. Gorst:

I am not aware of any individuals having been removed but I can confirm to the Deputy more formally than that, having been standing in today for the Minister. Of course the sanctions regime requires the issuing of licences to carry out various functions under those asset designations and that is the work of the External Relations Sanctions Division. Though any request for licences to carry out either payments or transfer of assets between one type of asset to another is carried out in line with the overall sanctions regime after appropriate professional advice.

3.18 Deputy G.P. Southern of the Minister for Social Security regarding the use of zero-hours contracts with employees in the Island on work permits (OQ.124/2023)

Given that, in the Employment Forum's April 2023 report on zero-hour contracts, evidence was provided that some employees who come to the Island to work on work permits have been given no choice but to sign zero-hours contracts on arrival, will the Minister take effective action to stop this unlawful practice by employers and, if so, to what timescale will she act?

Deputy E. Millar (The Minister for Social Security):

I thank the Deputy for his question. The question uses a phrase "unlawful practice by employers". As the Minister responsible for Employment Law, it is important that I confirm that it is not unlawful for an employer and an employee to agree a zero-hours contract. The reference in the Employment Forum's report is to a breach of work permit conditions. The responsibility for enforcement of rules relating to the work permit regime in Jersey rests with the Minister for Home Affairs and, under her supervision, the Jersey Customs and Immigration Service. The Employment Forum's report highlighted an issue of a particular abuse of the work permit regime in the context of zero-hours contracts. It made it clear in its report that the responsibility for enforcement and sanctions lies with

Jersey Customs and Immigration Service. I believe that the Minister for Home Affairs and her officers are taking the necessary actions under their powers to ensure that this practice does not reoccur.

[11:45]

3.18.1 Deputy G.P. Southern:

What conversations have taken place between the 2 Ministers involved in order to eliminate this practice, which is and remains unlawful?

Deputy E. Millar:

I can only reiterate that the practice of putting employees who are here on work permits on zero-hours contracts is unlawful. It is not unlawful to enter into zero-hours contracts. The terms of work permits dictate that employees who are engaged under work permits are required to have a fixed period of work of at least 40 hours per week. The responsibility for enforcing that rests with the Minister for Home Affairs and J.C.I.S. (Jersey Customs and Immigration Service) and there is really no need for us to discuss the matter because it rests firmly with the Minister for Home Affairs.

3.19 Deputy M.B. Andrews of the Minister for Housing and Communities regarding the creation of a home-ownership scheme (OQ.108/2023)

Will the Minister advise whether he is considering the creation of a home-ownership scheme during his term of office and, if not, why not?

Deputy D. Warr of St. Helier South (The Minister for Housing and Communities):

I thank the Deputy for his question. I can confirm that I am already actively considering the creation of an assisted home ownership scheme, as I set out in my Ministerial plan published in October last year. I anticipate making a further announcement during the summer about my proposals.

3.19.1 Deputy M.B. Andrews:

Of course we are seeing interest rates increase and also borrowing is becoming more costly, so does the Minister think that it is an appropriate time to go ahead with the intended scheme that he wants to go ahead with?

Deputy D. Warr:

Yes, absolutely, those points are very valid. The issues around high loan-to-value mortgages and lack of deposit are obviously major issues and the challenge for us is to work a method in which we can assist purchase, which meets the needs of the purchaser as well as the lender in those cases. What we have to be careful of is inflationary impact of any decision we make. But also we need to recognise that we have potentially the price of homes coming down at this moment in time and what we just have to be very careful is not to inadvertently inflate home prices.

3.19.2 Deputy S.Y. Mézec:

Can the Minister confirm what political direction he has given to his officers on the shape or form that an assisted home ownership scheme should take?

Deputy D. Warr:

I thank the Deputy for his question. There are a number of options here. There is a shared equity scheme as a potential opportunity where the Government provides an equity loan. There is a deposit loan scheme where Government contributes to the deposit that a home buyer puts down. There is a shared ownership scheme where a person buys a minimum share in a property with rent payable. There is a supply-side scheme where Government provides funding towards increasing the supply of assisted ownership and of course better use of our housing stock, for example bringing vacant properties back into use. So there is a flavour of the various policies we are looking at.

Deputy S.Y. Mézec:

Point of order; that was not an answer to the question that I asked. My question was about the political direction that he had given. He has merely listed off options without saying what the source of those options were, so it was not an answer to my question.

The Bailiff:

Are you able to indicate whether you have given political direction?

Deputy D. Warr:

Absolutely, I have given political direction on this because I want to see more people own their own homes.

The Bailiff:

You were asked what the political direction was.

Deputy D. Warr:

The political direction is we have a £10 million ring-fenced fund and we need to get that out into the home ownership market.

3.19.3 Deputy S.Y. Mézec:

That £10 million fund has been in Government Plans well before his time in office. That is not his direction.

The Bailiff:

You can have a supplementary question. Was that the supplementary question?

Deputy S.Y. Mézec:

It was an attempt at, because my initial one has not been asked. He stated the fact that a £10 million exists. That is not a direction. I am asking, in putting a scheme together, what has he said to his officers he wants that scheme to look like, what he wants it to achieve, what they ought to avoid, because of concerns he may have had. I am asking what input he has politically had in such a scheme, rather than what his officers are telling him?

Deputy D. Warr:

I thank the Deputy for his question and clarification. In terms of political direction, I stand here with the desire to increase home ownership. I am surrounded by very professional officers who give me advice as to the way in which we go, the options which are available to me. Once they bring those options to the table, I then determine which of those options I think is appropriate. I am given good professional advice. I would suspect that the Assembly would not expect me to go around bulldozing new options into a scheme without careful consideration.

3.19.4 Deputy L.J. Farnham:

The Minister's previous answer about a very good aim to increase home ownership, which I am sure we all support, after the first year in office does the Minister have any statistics on how that has changed and whether he is starting to succeed?

Deputy D. Warr:

I thank the Deputy for his question. In terms of are we succeeding, we have not carried out the deployment of our £10 million ring-fenced yet and we endeavour to bring that to ... our advice, our commitment, will be later this summer when we will have the various options available. At that point, I would really hope that we achieve what we are setting out to do and that is increase home ownership.

3.19.5 Deputy R.J. Ward:

May I ask the Minister just for some clarity because there is not any from what I was hearing. Is the Minister giving direction to the officers or is he taking direction from the officers on this project?

Deputy D. Warr:

I am giving the input, I am getting advice from the officers. I do not think that sounds very unreasonable.

3.19.6 Deputy R.J. Ward:

May I ask the Minister what input, what direction is he asking the officers to go in? What, as Minister for Housing and Communities, as a politician in this Island, is his political drive and his aim on this project? I think that is pretty clear.

Deputy D. Warr:

My Ministerial plan has been published back in October, which is for everybody to see, so hopefully the Deputy has read that, so we are looking at increased home ownership, the £10 million, which is exactly that, where I believe the Government should become the bank of mum and dad, if I like to use that term. We are working with the strategic housing partnership. We are looking at the Residential Tenancy Law. We are looking at homelessness, Gateway, all sorts of things. These are all in my Government Plan, my Ministerial plan. I guess that is political guidance, is it not, surely?

The Bailiff:

That is not for me to answer.

3.19.7 The Connétable of St. Brelade:

The principle of home ownership is one that is not shared in all countries. Could the Minister tell Members where the evidence comes from that dictates his present policy on home ownership?

Deputy D. Warr:

Thank you, Connétable, for your question. It is a theme of mine, which is about having skin in the game. It is really important people become more committed to this society. One of our issues in a recent published report was that there was a suggestion that 35 per cent of Islanders are looking to leave the Island, which is an extraordinary big number. Now, if you do not have skin in the game, maybe you will carry out that intention. If I believe you have skin in the game, i.e. you have a piece of Jersey as yours, then I would suggest that may well change your decision and you will retain. We need people in this Island to be economically active to drive our economy and that is really probably the *raison d'être*. In terms of are there other schemes out there around the globe, I am sure there are. It was a British-Irish Council meeting the other day where they were coming up with various schemes such as these. So we are always iterating these questions.

3.19.8 The Connétable of St. Brelade:

Would the Minister confirm that the English model is not always the best one and will he look to other countries in Europe for inspiration?

Deputy D. Warr:

Thank you, Connétable, I will take that on board.

3.19.9 Deputy G.P. Southern:

Could the Minister outline his principal direction not on ownership but on the rental sector; what is his political direction in that area?

The Bailiff:

I am afraid that is outside the parameters of the question. This was to do with home ownership schemes. I do not think rental can be covered by that.

3.19.10 Deputy M.B. Andrews:

Of course with the implementation of a home ownership scheme or even with the funding allocation of £10 million that potentially could be adding pressure to a market that already has seen demand fuel inflation. So how will the Minister ensure that there are no unintended consequences with the deployment of this £10 million?

Deputy D. Warr:

I thank the Deputy for his question. Absolutely. That is why we need to work with our Economics Unit, we need to work with Treasury, as well as Housing. It is the combination of all of those departments coming together to, as the Deputy correctly says, that we have to be very, very aware of and very sensitive to any unintended consequences of our actions.

The Bailiff:

That brings questions with notice to an end. We now move on to questions without notice and the first Minister for questions without notice is the Minister for Housing and Communities.

4. Questions to Ministers without notice - The Minister for Housing and Communities**4.1 Deputy G.P. Southern:**

What is the Minister's political direction in terms of dealing with the rental sector, which is also in crisis, as well as home ownership?

Deputy D. Warr (The Minister for Housing and Communities):

I thank the Deputy for his question. My political direction is one of looking at the Gateway. Towards the end of this month we are very seriously considering widening the criteria in a sustainable way. Obviously at the end of last year the income levels were increased. I had considered simply reducing the age limit, which is currently in excess of 40 years old, down to 25. However, on further research, that was quite limiting and a challenging option. So we are looking at a further way of widening that criteria, totally recognising the issue within the rental market.

4.1.1 Deputy G.P. Southern:

The issue in the rental market, one of them, is that people can no longer afford to save and rent, and therefore are stuck in a vicious circle, which means that they cannot get out of the rental market and cannot afford to rent. What is he doing about that?

Deputy D. Warr:

I feel like I have already answered that question. The recognition is that the Gateway, as it currently stands, is not sufficiently broad-brush to assist more Islanders who are in rental stress. So my objective as of the end of June, and we will bring these policies forward, is to widen the criteria in what I already said is a sustainable way.

4.2 Deputy S.Y. Mézec:

The Minister was at the landlords meeting at the Town Hall last week, which I also attended, and heard some landlords advocating that as part of the proposed renters reforms that the notice period for tenants and landlords to end a tenancy ought to be equalised in the interests of fairness. Would the Minister like to disavow this absurd suggestion, given that the impact on notice being issued is totally different for a tenant than it is for a landlord and for flexibility and moving on it is vital that tenants continue to have flexibility in this regard?

Deputy D. Warr:

I thank the Deputy for his question. I think while we are still in the consultation process I would not like to give an opinion on that. I am very interested, we have had in excess of 200 written responses back to us in connection with the Residential Tenancy Law and our proposals. So let us triage our way through that and then come up with some conclusions after that.

4.2.1 Deputy S.Y. Mézec:

I guess ignoring that answer, would the Minister like to state whether he thinks it is important that tenants do have flexibility to leave their homes that they rent when it is right for them and that an enhanced notice period that is compulsory for them would take away opportunities that they may have to secure a new and better home elsewhere or even to buy their own home, because of the complications that they could face if they ended up being gazumped in court?

Deputy D. Warr:

Just in answer to that, I would say I really want to hear from tenants. This is why we are consulting so widely; multilanguage cards, visiting, me personally going to Salvation Army, Caritas, Citizen's Advice Bureau. We are trying to find what are the big issues for tenants. As soon as we have that, and we really do need that balance - I cannot reiterate that more, I am saying this out publicly - and we are doing an open session tonight at the Town Hall to try to gather in that information. Because, as I have said earlier, I do not want to be writing a law which is my opinion. I want a law which works for this Island, works for the people of this Island, whether you are a landlord or a tenant. I think that is really important, and hence the extensive consultation period. So I do not really want to have an opinion at the moment because I think that is unfair. That is prejudging the consultation.

4.3 Deputy R.J. Ward:

The question I have comes from a constituent and the question is from a single person. What does the Minister consider a reasonable, expendable income, after critical expenses such as rent and utilities, for a single person in Jersey, given the high cost of living in other areas in Jersey?

[12:00]

Deputy D. Warr:

I thank the Deputy for his question. We recognise rental stress is when you pay over a third of your income out in rent. That is a reality. So the challenge is I cannot dictate what rents are charged in the private sector, but we can assist those individuals who are the most vulnerable in our Island to go on to the Gateway and assist them that way. We have a housing advice service, which also gives advice to many, many Islanders as to a way forward. So I am not quite sure if I have answered your question but, as far as I am concerned, I think we are trying very hard to try to mitigate some of that through the use of the Gateway and through using our stock. Obviously clearly also working with the Minister for Social Security in terms of helping individuals who are struggling financially.

The Bailiff:

The question was focused at a figure. What figure did you feel should be available? Maybe you cannot answer that.

Deputy D. Warr:

I cannot give a figure. I can only say a percentage, which is recognised as above this percentage is recognised that an individual is in rental stress.

4.3.1 Deputy R.J. Ward:

It is very difficult when you only have 2 questions to get an answer. Can I ask the Minister whether he feels that, after rent and utilities, for a single person who may be dreaming of owning their own

home, being left with £300 a month to live in Jersey, a month, for everything else is enough in his view?

Deputy D. Warr:

Clearly that is a very challenging amount but I reiterate the point, is one of the jobs of this Government and one of the jobs of the Social Security Department is to assist people who find themselves in these extraordinary challenged financial situations. Yes, I recognise that is a very difficult situation but we have processes in place that are to assist our most vulnerable people in this Island.

4.4 Deputy A. Curtis of St. Clement:

This one comes from a recent conversation I had surrounding an individual who had guest visit their accommodation and they were told that they were not allowed to have any guests visit and stay overnight. So my ask to the Minister would be: in reviewing his residential tenancy protections law, will he consider what protections all contracts must have with regard to the hosting of guests?

Deputy D. Warr:

It is interesting. I know it is hard to conflate these things, but this has been an issue raised with regard to pets and pet ownership and whether there should be restrictions written into contracts that say you cannot have a pet. I would say that there needs to be some broadening of the language in this area in much the same way that we cannot advertise for a male or a female for a particular job. I think there is certainly a lot of merit in looking at the law in that area.

4.4.1 Deputy A. Curtis:

One reason, it may be an innocent reason that someone is not happy with their tenant having guests, is in the scenario of a lodging house and the general provisions order that dictates maximum occupancy. The Minister has extensive provision to make orders. Perhaps I could ask: will he consider issuing further guidance to those operating lodging houses either by Order or by circulating to improve the guidance to enable better facilitation of guests?

Deputy D. Warr:

I thank the Deputy for his question there. The Lodging Houses Law at this moment in time is outside of what we are looking at. However, there is no reason why we should not bring forward those ideas, so thank you for that suggestion.

4.5 Deputy C.D. Curtis of St. Helier Central:

My question is about the Residential Tenancy Law consultation and whether anecdotal evidence is being included. I heard the Minister say on radio that anecdotal evidence would not be included. However, there have been emails to all States Members from landlords, which have included anecdotal evidence, to which the Minister has replied that he will include their feedback in the consultation. So could the Minister confirm whether anecdotal evidence is included or not?

Deputy D. Warr:

I thank the Deputy for her question. I must admit I do not recall putting those 2 different points across. I think it is important we collect all information. Clearly one of the things has been this analogue process of ours of putting cards out in various languages to Citizen's Advice Bureau, to Salvation Army, to Caritas, and getting that information back. It is a very great challenge and Deputy Ward at a recent Scrutiny hearing mentioned that: "Minister, are you going to make sure that you get to the most difficult-to-reach tenants and individuals on this Island?" Absolutely and that is our intention. Now, what is anecdotal? Anecdotal is somebody standing up in a Town Hall meeting I guess and saying something and saying their experience. That will be recorded clearly. So we are

taking on board all of those. So I apologise if I have confused the issue, but we are taking all views, everything that we get will be triaged.

4.5.1 Deputy C.D. Curtis:

So just to be clear, anecdotal evidence is acceptable from both tenants and landlords?

Deputy D. Warr:

Yes, we will take it on board. I want to see it in writing though. I do not want to see somebody picking it up. We need to have a record that information came into us.

4.6 Deputy R.S. Kovacs:

The Assembly voted to pass P.93/2020, the establishment of a digital register of all commercial and residential properties to be in place by no later than the end of 2021. The Minister then, in a written question from Deputy Andrews in his response in May to that question, stated that the report indicated significant practical challenges with maintaining a digital register of the ultimate beneficial ownership. Then, separately, the Council of Ministers, the Chief Minister has committed to a review of extant decision of the Assembly so they can see if it will be included in the government programme or otherwise brought to the Assembly for rescindment. Can the Minister confirm if this will be brought for rescindment? Does he have anything in plan to be brought instead?

Deputy D. Warr:

I thank the Deputy for her question. The issue around digital register is a good deal more complex than I think it says on the tin, as it were, when people have tried to research this more deeply. So, as a result of that, in terms of my Ministerial priorities that is very low down on my current list. What we are doing is we are building out what we call a housing data intelligence, and so this project is identifying data sources and improve access and quality, identifying trends, resolving housing supply barriers, and we are developing an in-house market analysis capability in partnership with Statistics Jersey and the Economics Unit. So we are not doing as specified at this moment in time, however we are working and we are aware that we do need more data and it is of a better quality and in a better format.

4.6.1 Deputy R.S. Kovacs:

Considering the census report, and it can be checked at page 83, it mentions on the fieldwork, 4 separate address lists were matched and combined to produce an initial list of all residential addresses in the Island. The lists used were the Jersey Land and Property Index, the Jersey postal address file, Jersey Parish rates address list, Jersey Electricity list of residential billings. Part of this information is already collated there. Can the Minister confirm if at least what is already available he would commit to have an ongoing register on that part?

Deputy D. Warr:

I thank the Deputy for her question. I am not quite sure about a register but certainly what we are doing, and it is something that is coming up through our Empty Homes Service, and that is establishing where the data gaps are. We recognise Rates Law is one very classic area, which has proven to be an issue. There are issues around when someone dies and land is moved on. There are a significant number of gaps. But while at the same time there is a significant number of data. It is just scattered all over the place. So one of our jobs - my team's jobs I should say - is to pull this data into a better way that we can use that data to effectively provide better data intelligence. Probably that is as simple as I can put it.

4.7 The Connétable of St. Brelade:

With regard to the responsibility for social landlords and really in connection with the scheme being brought by the Minister for the Environment, which I realise is not this Minister, but he has

responsibility for Andium Homes. So I wonder why he thinks that social landlords are being included in the Minister for the Environment's scheme?

Deputy D. Warr:

I think that is probably a question for the Minister for the Environment. But one thing I would say is, in terms of the Residential Tenancy Law, what has become apparent is that we have no legal definition of social housing providers, so that is one area, which is why this has been brought under this umbrella that we are looking at. We also saw an instance, unfortunately, from Jersey Homes Trust recently whereby they failed to give appropriate notice to their tenants, so we are aware that we could not catch up with them. They kindly listened to my request to extend that waiting period. But, as I say, I think in terms of why it is included as far as the register is concerned, maybe you could ask my colleague the Minister for the Environment.

The Bailiff:

That, I am afraid, brings the time available for questions to this Minister to an end. The Minister for External Relations and Financial Services will take questions after the luncheon adjournment. So we now come to questions, 15 minutes allocated for questions to the Chief Minister.

5. Questions to Ministers without notice - The Chief Minister

5.1 Deputy L.J. Farnham:

Can I ask the Chief Minister that is, shall we call it item A, was to cost more money to buy than item B, how could item A be more affordable?

Deputy K.L. Moore (The Chief Minister):

I thank the Deputy for his question. If item A is unachievable and unaffordable, meaning something that is not extendable, cannot be modified with time, cannot use modern methods of construction to deliver it, and is already way over budget, then item B most certainly can be more affordable. Item B, in terms of the new healthcare facilities, is not of course comparing apples with apples. But it provides a complete upgrade and refurbishment that is much needed to all of our healthcare facilities. A timeline has been provided, I do believe, in presentations to States Members, setting out exactly how this can be done. But we will deliver a more affordable and a deliverable option by simply taking the right decisions at the right time and taking this project in bitesize chunks that local construction companies would be able to tender for and deliver. They will be able to use modern methods of construction to speed the delivery of that, to reduce the costs, and also reduce the workforce impact. If I could make one further point, I think what is really important for Members to understand is that the Our Hospital project, because I do believe that might be item A, was built to clinical standards throughout. That did not take into account the simple fact that some elements of that build and the delivery within it did not require clinical standards and therefore the cost of building to clinical standards for all of its square metreage.

The Bailiff:

Supplemental question, Deputy?

Deputy L.J. Farnham:

No, thank you, I need 5 minutes to work that answer out and come back to you. **[Laughter]**

The Bailiff:

I did not pick you up on the question, but of course hypothetical questions are not permissible within the Assembly, and that was the absolute epitome of a hypothetical question.

Deputy L.J. Farnham:

I do apologise.

5.2 Connétable K.C. Lewis of St. Saviour:

We are all very well aware we have an ageing population. But the population report has just stated that we may need up to 150,000 residents by 2040. Does the Chief Minister believe that this is sustainable?

Deputy K.L. Moore:

I thank the Constable for his question. I think the Government has set out very clearly that we do not think 150,000 in our population would be a sustainable position to be in, in 2040. So we have set out in our population policy report that we need to take a different approach. We need to focus on productivity and I believe that the Deputy Chief Minister will be making a further announcement about that tomorrow. We have to look at our population needs and our recruitment needs differently. We also need to look at expanding and increasing our population from the very early years. Of course that comes currently with its own specific challenges, but it is something that, as a Government, we are focused on delivering so that we improve Islanders' quality of life, both now and into the future.

[12:15]

5.2.1 The Connétable of St. Saviour:

I thank the Chief Minister for her reply. As the Minister for Housing and Communities has just stated, I believe that 35 per cent of our present population have expressed a wish to leave the Island, presumably through lack of decent housing. How does the Chief Minister square this particular circle?

Deputy K.L. Moore:

Housing is one of our 3 areas of relentless focus and another of those is the cost of living. We are acutely aware of the impact that the cost of living is having and the cost of housing is having on many Islanders. We have set ourselves on a path to addressing that. Of course, with the Assembly's support, we have already done some things, such as increasing tax allowances. But there is of course always more to do. We are fully focused on doing that because we do not want to lose members of our community, valued members of our community, who of course have skills that we require to keep our economy going.

5.3 Deputy M. Tadier:

I was contacted by a Les Quennevais resident yesterday who said that she has diabetes, she has cataracts in both eyes, and that not so long ago she was told there was a 2-year waiting list but that recently when she had been back to the clinic she was told there was a 3-year waiting list before she could get her cataracts operated. Is the Chief Minister aware of this and is it something that she has or would bring up with the Minister for Health and Social Services?

Deputy K.L. Moore:

I have to say I am surprised but disappointed to hear that. I was under the impression that our waiting list times were improving. So I will of course go back and find out more information and I will discuss with the Minister for Health and Social Services as suggested.

5.3.1 Deputy M. Tadier:

Of course I am aware of anecdote and that there can be 2 sides to a story, but it sounds to me extremely worrying. She was very distressed about having to wait that long. Her mobility is being affected by it. So could I ask the Minister to come back and perhaps whether she would consider adding healthcare, if not waiting lists, directly to one of her areas of relentless focus?

Deputy K.L. Moore:

As Members will know, we have invested in a turnaround team who are bringing great change to our health services, along with the Minister's focus in that area. We are determined to ensure that there is an improvement of services, improved cost control, but also improved recruitment and retention in this really important area of service. If we cannot deliver good healthcare services and education, then what is the point? I have often been known to say that I am fully focused on ensuring that we deliver in those 2 important areas.

5.4 Deputy R.J. Ward:

What will the Chief Minister be bringing to the Assembly, in what form, regards the decision over the new Our Hospital facilities; I forget what it is called, I have lost track of the name now. Will it be a proposition for this Assembly to agree on with spending or will it be part of the Government Plan?

Deputy K.L. Moore:

As the Minister for Treasury and Resources outlined earlier, it is likely that there will be some cost element of the new healthcare facilities in the next Government Plan. It is of course important that this Assembly is taken on the journey with us and we of course expect to do that with the Assembly's support. If the Deputy might be asking this question in relation to my comments about publishing outline business cases and whether or not that is a wise approach, I do stand by that position that it is unusual for a jurisdiction to publish outline business cases prior to going out to tender for a significant contract, and I am currently in correspondence with the relevant Scrutiny Panel on that point.

5.4.1 Deputy R.J. Ward:

I am surprised from a Government that prides itself on transparency that will not happen for the public. Can I ask then what will come to the States Assembly? Will we see the outline business case? Will we see the figures? Will we be able to make a judge? And then will we be expected to not speak about those publicly, even though our constituents will ask us those questions, because they have been sold a project that will be cheaper?

Deputy K.L. Moore:

I absolutely take the Deputy's political point there about transparency. But of course sometimes a judgment call has to be taken and the balance to be made here is whether transparency to the point that it is unusual for a jurisdiction to share such information publicly, and it would be of detriment to the public purse in terms of putting us in a position where we cannot drive the best value for money and we cannot deliver the most affordable options for the public, that has to be taken into account alongside a need for transparency, which of course we always aim to achieve. So we have already publicly stated that we would share information with Scrutiny colleagues as appropriate. We know and respect that there is an agreement of confidentiality and Scrutiny, of course, will uphold their part of that. Because we recognise that it is important for scrutiny to take place. It is an important and essential element of our parliamentary process.

Deputy R.J. Ward:

I did ask about wider States Members as well, not just Scrutiny, I wonder if I can get that answer.

Deputy K.L. Moore:

That will require a little further reflection.

5.5 Deputy A. Howell:

Will the Minister advise how long it is intended to keep the vaccination centre at Fort Regent open and what are her plans for the future of COVID-19 vaccinations on the Island?

Deputy K.L. Moore:

I thank the Deputy for her question. We have been asking questions about the provision of the vaccination centre and its appropriateness in its current form for some time. I believe that work is underway at the moment to find a better alternative.

5.5.1 Deputy A. Howell:

Does the Minister have any concerns that there are staff still allocated to this service provision who would be better deployed elsewhere to assist with our shortage of healthcare staff?

Deputy K.L. Moore:

I have to say I would agree with the Deputy that we need talented, skilled people to deliver healthcare services where they are most needed. That is one of the reasons why we have asked for a reconsideration of the provision of the current vaccination service. We hope that a new way forward will be delivered shortly.

5.6 Deputy G.P. Southern:

The Chief Minister has just referred to her Assistant Minister saying he will return to the House with some measures to improve productivity. Since productivity has flatlined for the past 20 years, what miracle cure has she got for her own flatlining of productivity?

Deputy K.L. Moore:

We are living through a technology revolution at the moment. Just last week I visited a large financial institution where they demonstrated to us how, through using technology and changing their administrative procedures, they have been able to improve productivity by 50 per cent in that organisation. That is an amazing piece of work, totally generated in the Island and now being rolled out to other areas of that particular organisation's international presence. It is a fantastic story and we want to see other fantastic stories that deliver improved productivity for the Island in the near future.

5.7 Deputy L.V. Feltham:

Paragraph 16 of the Ministerial Code talks about consensus decision-making and Ministers coalescing around a coherent public position. Would the Minister consider Ministers or Assistant Ministers lobbying other States Members to vote against a Ministerial proposition to be in breach of that paragraph?

Deputy K.L. Moore:

The description that the Deputy has given is a rather unfortunate position and it is one that I take a particularly dim view of. Now that I note that the Commissioner for Standards has identified that she will consider the Ministerial Code in her work practices, then I probably have no other course but to refer this question to her.

5.7.1 Deputy L.V. Feltham:

So was that a commitment from the Chief Minister that, if that was the case, and if that did happen, that she would be referring her own Ministers and Assistant Ministers to the Commissioner for Standards?

Deputy K.L. Moore:

As I said, I think, I would be left with little other option.

5.8 Deputy S.G. Luce:

Does the Chief Minister agree with me that when it comes to defence, when it comes to supply chain for food and fuel, technical, medical, educational, financial, and economics, that the Island faces more challenging times and greater risks than it has done for many decades?

Deputy K.L. Moore:

Resilience is always a challenge I think in a small island jurisdiction, particularly when we can be buffeted by weather and, of course, as the Deputy so well pointed out, there are many other contributing factors at this present time. That obviously means that we have to be ever more focused on the issue, which I believe we are. We are updating our legislation in this regard and the Deputy Chief Minister is equally focused on ensuring and improving our supply chain routes to the south as well as improving competition on that to the north.

The Bailiff:

That brings the question time available to an end. The Minister for External Relations and Financial Services has been able to rejoin us. Are you able to proceed, Minister?

Deputy P.F.C. Ozouf of St. Saviour:

Yes, perfectly happy to proceed, and apologies to the Assembly.

The Bailiff:

Not at all. The Assembly was entirely understanding of your position. Very well, we now have a 15-minute question period for the Minister for External Relations and Financial Services.

6. Questions to Ministers without notice - The Minister for External Relations

6.1 Deputy S.G. Luce:

I welcome the Minister back into the Assembly. I would like to ask him about border inspection posts in France and ask him if he could give the Assembly an update on whether the port of Granville will be, hopefully in the near future, designated a border inspection post and whether that decision rests with the French Government or with the E.U. (European Union) in Brussels.

Deputy P.F.C. Ozouf (The Minister for External Relations):

May I first of all thank Members for all of their understanding in the difficult weeks that I have had. In the last few weeks I have attempted to discharge my functions. One of the functions I have been focusing on very much is the French relationship and the important issue of the sanitary inspection point. There was some doubt as to who the decision-maker was. There is no doubt the decision-maker is Paris, and that is influenced by local regional authorities. My colleague, the Minister for Economic Development, Tourism, Sport and Culture, has been in very helpful discussions with the authorities in the regional area. I am not able to give a definitive answer but I remain, as I have been for some months, hopeful that a solution can be found. It is of fundamental importance to the viability of an industry, which the Deputy knows very well, and I am determined to deliver it.

6.2 The Connétable of St. Brelade:

We heard yesterday that Jersey Post was £6.5 million in the red. While this may not appear to be an External Relations matter, my view is that it probably is, given that the reason for that loss was primarily actions of Royal Mail in the U.K. Would the Minister confirm to Members that he will make as much effort as possible to ensure that Royal Mail U.K. are cognisant of our position in the Island and that being put in a position where our mail service is in a loss position is unsatisfactory and unsustainable?

Deputy P.F.C. Ozouf:

I have made it clear on a number of occasions, the Minister for External Relations is almost the servant, the actor for other Ministers. I am not immediately sighted after the news of Jersey Post's revelations yesterday. I find £6 million quite a large sum and all I can say is that I know other things about Royal Mail, which I am not entitled to really discuss in the Assembly today, but I can assure the Deputy that I will work with the Minister for Economic Development, Tourism, Sport and Culture and the shareholder representative, Deputy Gorst, to maximise all possible relations to ensure that our interests are maintained and that we are not put at a competitive disadvantage by what is clearly a problematic company in the U.K.

6.2.1 The Connétable of St. Brelade:

Would the Minister be prepared to facilitate negotiations between Jersey Post and European countries, should that be required?

[12:30]

Deputy P.F.C. Ozouf:

I do not know the answer to that question, so I would have to give notice and come back to the Constable on that question.

6.3 Deputy M. Tadier:

It follows on from the question I asked earlier about Russian sanctions. Is the Minister aware whether anybody has been removed, so any business or individual has been removed from Jersey sanctions or had their requirements amended and, if so, why?

Deputy P.F.C. Ozouf:

I was not able, because I was in the air, to hear the answer that the Assistant Minister gave. But I have been advised by email that Jersey has not unilaterally removed any sanctioned individual or entity, whether Russian or otherwise. However, the U.K. does periodically delist persons who no longer meet the criteria for a designation. This is normal practice. When the U.K. delists then Jersey delisting happens, and that automatically happens in Jersey. I should also take the opportunity of also commending the work of our Sanctions Department in giving as much information as it possibly can, because of our beneficial ownership register, and because of the data we have in Jersey, which assists the U.K. in their own work, and indeed that is recognised across Europe.

6.3.1 Deputy M. Tadier:

Can the Minister confirm whether such assets are completely frozen or is there an ability for some assets to be moved between portfolios that might be owned by the individual or business, or, for example, to other family members who are not subject to sanctions?

Deputy P.F.C. Ozouf:

No, any individual who is subject to a freezing order is not able to move assets absolutely and that is why the licence application is required. If such an application were required, it would be refused. There are a lot of applications that the department does have. In order just to give maybe Members an idea of the scale of applications that we have, they have gone up exponentially and it is something that the department is absorbing, having to bring in external assistance, but it does prove that Jersey does know who does business in Jersey. Perhaps rather than trying to look through my iPad at speed, I will give some statistics to the Deputy that might be helpful.

6.4 Deputy S.Y. Mézec:

In a communication to States Members regarding P.35, the Minister said that because the whale hunt in the Faroe Islands is contrary to our values that he and his colleagues saw no reason to not support

the proposition asking the Assembly to object to this practice. Could I therefore ask the Minister if he agrees in principle that such a proposition would be equally valid when referring to the treatment of human beings in countries such as Saudi Arabia, the United Arab Emirates, Bahrain, and others led by the Wahhabi dictators who frequently abuse human rights there, and would he say that this Assembly would be right to condemn those practices too?

Deputy P.F.C. Ozouf:

The situation in relation to our common external relations policy sets out exactly what we do in relation to human rights issues. We will come to the debate on the Faroe Islands. The Minister for the Environment is the expert. He will no doubt address the Assembly on his views on that matter. As far as I know, the Deputy and Reform have particular views about the practices in the Middle East. I maintain the fact that we do raise issues. We have been successful in raising issues. In fact, in my own case, prayers were said in mosques across Bahrain for myself and my late husband on the day that was announced. I think that there can be some misconceptions about exactly what views are about certain issues, about certain matters. We have discussed on many occasions human rights. I think the position that the Jersey Government has in relation to human rights is very well articulated by not only the common external relations policy but the supplementary guidance on our website, and I encourage the Deputy to reread that. If he would like to meet me to discuss that further, I would be happy to do so.

6.4.1 Deputy S.Y. Mézec:

Does the Minister accept the precedent being set by P.35 that it may become more commonplace for this Assembly to express a view on external matters such as whether it is the animal welfare in the Faroe Islands or human rights abuses taking place, not just in the Middle East, but in other parts of the world as well, and would he support the Assembly in its right to condemn those such practices and increase the amount that he does to express that view when engaging with some of these countries who we have relations with, with the aim of making money, despite the fact that they are led by some of the most evil people on the planet?

Deputy P.F.C. Ozouf:

It is his view that these people are some of the most evil people. It is a matter for this Assembly to decide what it wishes to decide. We are engaged in a constructive discussion about international treaties and how we deal with bilateral investment treaties, et cetera. I would say, and remind the Deputy, that we are not a sovereign nation and that does mean that we are different in terms of the influence we have. The influence we can have is by discussion; diplomacy is often about talking to the people you do not agree with. I talk to people that I do not agree with. It is not just about money, it is about influence and it is about influencing a changing world. Human rights are important to the external relations policy. That is why it is set out. We have codified it and we have discussed it and I will continue to discuss it and I will continue to discuss the issue of the Faroe Islands with the Faroe Islands representatives in London and further. In fact I may well be the only Member of the Assembly to have been to the Faroe Islands.

6.5 Deputy S.G. Luce:

Over the centuries, the Island has benefited from people coming to Jersey to help with our economy. I am thinking of places like Italy, Ireland, France, Portugal, Poland, Eastern European. But most recently, we have had people coming here from parts of Africa, from areas in the Caribbean and from the Philippines. I know the Minister has been very involved in that. Could he give the Assembly a very quick update on the success of those most recent schemes and whether those agreements will be ongoing?

Deputy P.F.C. Ozouf:

This is a matter that falls squarely within the remit of the Minister for Home Affairs who I almost would say, after having served in this Assembly after a period of absence for 3 years, since 1999, have had many debates about work permits. Because of Brexit, we appear to have now got a population policy which has now put work permits. This was the policy that was rejected persistently and consistently by many States Assemblies of the past. But it appears almost to have happened by the back door. I note that there is a Scrutiny Panel review going on. I know that the Minister is attentive and alert to the issues that are around in relation to this. I should make a declaration of interest that I have had in a previous life - I no longer have any financial involvement in it whatsoever, it was a pro bono - I gave money to it to try to facilitate the arrival of certain people from a certain African country, but I am no longer involved in that whatsoever. I think that it is a live issue. The Chief Minister has very clearly said to Minister for Housing and Communities that if you are good enough to work in Jersey, you are good enough to be housed properly. There were certain issues. I know that is an issue that the Minister for Social Security shares equally, in fact the whole Council of Ministers shares very deeply. I think there are some real unintended consequences of the decision of the last Assembly to effectively allow now a second tier of housing control. We used to have the Work and Housing Law. Now we have Work and Housing Law and the Minister for Home Affairs having to do an increasing and enormous amount of work permit applications, which is basically on a system that, while it has been updated, is pretty out of date. We all know that and it has to be fixed and it has to be fixed for the long term.

The Bailiff:

If there are no further questions for this Minister then I close the questions and the next item on the Order Paper would be a statement from the Chief Minister, following which of course there will be 15 minutes of questions, so it may be that is an appropriate thing to leave until after the luncheon adjournment if Members agree. The adjournment is proposed.

LUNCHEON ADJOURNMENT PROPOSED

The Bailiff:

Before we adjourn, could I ask Members to remain in or about the Chamber because there is to be some filming for the new States website and part of the filming is going to be His Excellency and I coming in again with the mace and things of that nature, which would probably look quite strange if there is nobody here. I do not know if that is the case but I have been asked to say would people remain for a short period. Very well, the Assembly stands adjourned until 2.15 p.m.

[12:41]

LUNCHEON ADJOURNMENT

[14:15]

The Bailiff:

Very well, the next item of business is under K, Statements on a Matter of Official Responsibility, and the Chief Minister will make a statement regarding the Common Population Policy following which there will be the usual period of 15 minutes available for questions. Chief Minister.

STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

7. The Chief Minister will make a statement on the 2023 Annual Report of the Common Population Policy

7.1 Deputy K.L. Moore (The Chief Minister):

As Members will be aware, yesterday the Council of Ministers published its first annual report on the common population policy. This meets our obligation under the States of Jersey Law to consider our common position on population policy at least annually and also my delivery plan commitment to publish a report on our current position by the end of June 2023. Further reports will be presented in each year of our term of office and policies will be further developed over this period. The report provides an overview of the current position with respect to population issues and policies, provides an analysis of current data, sets out the results of modelling, future scenarios and identifies actions and aims under 3 main themes. Analysis of the 2021 census provides a clear and up-to-date picture of the challenges ahead. Our population is ageing, the number of people aged 16 to 64 grew by just 1 per cent between 2011 and 2021 while the number aged over 65 grew by 29 per cent. Islanders living longer is of course positive and welcome news. We all want our parents, our grandparents, friends and other relatives to live fulsome lives for as long as possible and of course our community benefits greatly from the support and contributions that they make across Island life. Equally, however, we cannot pretend that having more people living for longer does not present inevitable challenges and we need to prepare for them if we are to continue to be successful. We are by no means alone in facing a changing demographic situation and, along with most other developed countries, we also face challenges in respect of climate change, the rapid growth in technology and uncertain global politics. Jersey also faces some particular challenges. Our skills and investment record is not good enough. The Island is a more expensive place to live, our 45 square miles imposes a clear physical limitation on our future plans. Ministers are resolute in their overall aim which is to balance the needs of the current community and the future needs of our children and our grandchildren. They have the right to expect that Jersey remains an attractive, affordable and an aspirational place to live, to work and to enjoy long into the future. As a stark warning, estimates suggest that to maintain our current economic activity by relying on population growth alone would require an estimated population of 150,000 people by 2040. I am clear, and the Government is clear, that that is not a future that we are prepared to consider. To avoid this scenario, we plan positive and co-ordinated action across multiple areas. There is no specific population target set in this report. Previous policies adopting this approach have failed time and time again. Our focus instead is to drive positive policies which will help us to make the best use of our existing resources, encourage new high-value activities and pay particular attention to building an inclusive community to support everyone who makes their home here in the Island whether they arrived yesterday or have lived here for their whole life. Together, these policies will help to reduce our reliance on inward migration, balancing key economic needs with a thriving and a sustainable community. Tomorrow the Minister for Economic Development, Tourism, Sport and Culture will be releasing more details of the future economy programme. This programme is designed to drive the high-value sustainable economy that we will need in the future to help avoid significant population growth. The actions in the common population policy report and the future economy programme will work together to deliver the progress that we need in the next few years. With reference to the report published yesterday, actions have been grouped into 3 main areas. Firstly, the development of a sustainable economy. To achieve this we need to drive sustainable and high-value growth that complements Jersey's unique features, build up a skilled workforce that is fit for the future and create responsive migration controls that adapt to the Island's needs. Secondly, to plan for our changing demographic, we need to maximise the potential of all who live here through supporting parents, people with health conditions and older people to stay economically active, take prompt advantage of new technologies to improve productivity and improve our use of local data to better plan for our future needs. Thirdly, to promote equity within our community we need to ensure that people arriving in the Island for the first time

feel welcomed and understand local laws and services. We need to review the need for and the impact of housing controls and take active steps to foster an inclusive, attractive and a vibrant community where people feel respected and able to flourish, as well as being safe and protected. Together, these themes support the Island's future prosperity without undue reliance on inward migration. They balance the needs of Jersey's current population and the future needs of Islanders, our children and our grandchildren. They are positive and realistic solutions which will work in co-ordination with the future economy programme to develop sustainable growth, allowing us to enhance the living standards of quality of life for all in Jersey so that everyone in our Island community can thrive. Thank you.

The Bailiff:

There is now a period of 15 minutes available for questions to the Chief Minister arising out of this statement.

7.1.1 The Connétable of St. Lawrence:

I would like the Chief Minister to tell the Assembly how these nice-to-have, airy-fairy, jam tomorrow objectives will be delivered.

Deputy K.L. Moore:

I thank the Constable for her very direct question. I do not consider this policy as a nice-to-have; in fact, what we hope it will do is crystallise people's opinions. We have identified that there is no opportunity now to be airy-fairy or even to avoid the question to pretend that it may never happen because the direction of 150,000 people by 2040 is simply not a direction that I think Islanders want to go in and so together we have to take action. That means harnessing our technological revolution and that means considering very carefully how we deal with migration and the requirement for more and more people. We currently have more people working than ever before, we have more jobs in the economy than ever before, yet, as I think I mentioned earlier, everybody is aware in this Assembly of the cries for more people. That is simply not sustainable and really that is what this policy is setting out, the need for change and the time to take action.

7.1.2 The Connétable of St. Lawrence:

I do understand that we have to set objectives; however, I still am unclear how they will be delivered, and that was the thrust of my question to the Chief Minister. So I ask her again: how will they be delivered and, importantly, by when?

Deputy K.L. Moore:

Well, by when, this is a long-term position and it clearly sets out that this is our first of what will now be annual population policies and so this is very much setting out the direction of travel, the what we need to do. The how follows in greater depth over the following year and will be presented in more detail in next year's report, but I think we have set out exactly and very clearly the direction of travel.

7.1.3 Deputy M. Tadier:

Previous population policies where they did exist were often predicated on a desire to keep people out, to stop people settling in Jersey in too big a numbers in order to keep the population numbers down. Does the Chief Minister believe that we are in a different scenario now where we may be entering a period of depopulation and that there may be therefore a different paradigm under which the population policy is unfolding?

Deputy K.L. Moore:

For me, the sense that I got last year at the elections from many members of our community is that very point, that we have entered a different period. People are becoming more and more aware of our very rapidly decreasing birth rate, of people, friends of ours, colleagues who have chosen to leave

the Island and seek a different life elsewhere. That is an area of concern for people. We need to reach out to our diaspora, we need to welcome people home but we need to provide them with reasons to be here, assurance that there will be a good quality of life and that accommodation in particular will not take up too great a percentage of their income.

7.1.4 Deputy M. Tadier:

When the Minister talks about reaching out to the diaspora, is she saying that she only wants to bring Jersey people back to Jersey, so keep Jersey for the Jersey, or is she saying that ... because of course there may be good reasons why Jersey people have left the Island and settled elsewhere. They may not want to come back en masse. Is it the point that we have got shortages and staff recruitment issues in all sectors, public and in the private sector, and that we are entering a period where we need to bring people and actively recruit people to live in Jersey rather than what may have been the case in the past?

Deputy K.L. Moore:

I think in the report it sets out very clearly, particularly since Brexit, how the balance of our community has really changed. Through the work permit process we are welcoming people from a much greater diversity of countries and they are contributing of course to our economy and all of those contributions are extremely welcome. We see here around us that this Assembly is now more diverse than ever before and so certainly this is an all-embracing and realistic approach in this population policy. Of course we want to see Islanders return and see their future in their home Island but of course also we see the benefit of embracing new people who bring their skills, much as I did, 23 years ago.

7.1.5 Deputy S.Y. Mézec:

Could the Chief Minister list 3 tangible actions which her Government will be undertaking to deliver on the wonderful aspirations in this document?

Deputy K.L. Moore:

Well as I think I set out in my answer to the Constable of St. Lawrence, this is very much a position paper, it is the first of a series of population policies, but what it sets out very clearly, I believe, is the need to use our migration controls in a different way and to also embrace the technological opportunities that we have so that we do deliver greater productivity within our economy so that we do not have to face the prospect of simply building and continuing to build to ensure that we can accommodate a very large increased population.

7.1.6 Deputy S.Y. Mézec:

I counted zero in that one. Would the Chief Minister therefore like to take the opportunity to admit that what is described as a common population policy is in fact not really a policy but it in fact is simply more data and more nice words and we have yet to see some tangible proposals come forward for how we are going to reduce Jersey's dependence on that migration in future years?

Deputy K.L. Moore:

I think I have already stated that our approach is very much based on increasing productivity by encouraging a turnaround in the declining birth rate and we have seen colleagues in the children's team who are looking at those policies. This is a policy paper that I am proud to bring to the Assembly. I think it sets forward the direction of travel and of course we will continue to build upon that in the coming years.

[14:30]

The Bailiff:

Deputy, was it you who provided the musical interlude then? Somebody did. So you were adjusting your phone from out there? Well I cannot fine someone who ... I technically could fine someone who is out there but I probably will not in the circumstances.

7.1.7 Deputy R.S. Kovacs:

What actions, if any, have been taken on a plan to utilise more of the existing workforce on the Island?

Deputy K.L. Moore:

I think I heard the Deputy say to “replace” more of the existing workforce on the Island because she ...

Deputy R.S. Kovacs:

To utilise more of the existing workforce on the Island.

Deputy K.L. Moore:

Sorry. Thank you, I missed that word. So I think the paper talks about encouraging older people to return to work if that is something that is an opportunity for them because what we need to do is very much utilise people who are here in the Island. That is part of increasing productivity because, as Members will recall, the measure of productivity is G.D.P. (gross domestic product) per capita. So it is within all of our interests not to ensure that people are conducting or living by holding down 3 jobs. We hope that people will be earning a good level of pay and enjoying a good quality of life but that work is now something for active and well people, it is something that can be a part of life for many years.

7.1.8 Deputy R.S. Kovacs:

Has any consideration been given to give more freedom of work to the under-5 years' resident already here to help with staff shortages and have additional contributions to the fund that we see are already ending at some point?

Deputy K.L. Moore:

So when I spoke about some of our migration controls, that is very much the nature of our considerations. We have already begun to consider how our current rules impact upon people and their ability to work. Just at the last sitting Members thankfully unanimously supported the proposition to encourage unmarried partners or to allow unmarried partners to seek work in the Island whereas they would only be able to access a restricted pool of work, therefore prohibiting some people from being able to use the very skills that they had spent their working careers training for to that point. I think that shows an example of the tangible difference that we are trying to make.

7.1.9 Deputy M.R. Scott:

The question I would like to ask is with respect to the objective not to have a fixed number to contain immigration while having an objective to increase high-value labour in the actual G.D.P., I take it, per head of the population, I think that must be how it works, how exactly is containment happening in terms of the barriers that are being raised to immigration as well as the solution being worked on in the future economy programme?

Deputy K.L. Moore:

Sorry, I am just trying to digest the question, apologies. It is I think thought-provoking. Perhaps it would help the Deputy if I outlined that ... sorry, I have to say I am really struggling to understand exactly what the Deputy is trying to ...

The Bailiff:

Could you find a way of rephrasing the question, Deputy?

Deputy M.R. Scott:

I will rephrase it. So the Chief Minister has informed us that this number of 150,000, which is to avoid, and then in the meantime while we are waiting for the future economy programme to go on, there is a certain element of perhaps business as usual in terms of we are not restricting numbers that are coming in. So I am just trying to understand what assurance she can be giving that she is containing immigration to the extent that this number is not reached while the future economy programme is worked upon as a solution. Does that help?

The Bailiff:

Thank you, yes.

Deputy K.L. Moore:

I am grateful for the clarification. Thank you to the Deputy. I think really what the Deputy is looking for is me to remind Members that of course the existing laws and rules apply and of course, when asked, Ministers apply them rigorously and have sometimes difficult decisions to take; particularly with regard inward investment which was a topic of discussion earlier today and of course our high-value residents. We balance all of that very carefully with the impact upon the community, the space and the ability we have to accommodate people with decent homes versus our desire to grow the economy and to not be seen as being closed for business. In fact, we want businesses to thrive and we recognise at the moment that many businesses do require further manpower to succeed while we also applaud those who are taking steps to use technology and to change their processes so that they are more productive.

7.1.10 Deputy M.R. Scott:

However, certain features of the common population policy emphasise things like the work permits that are being given to people who are working in what you might say are less in terms of economically productive or direct economically-productive industries such as hospitality. So I wonder if the Chief Minister could just explain exactly what has changed to start improving things going forward in terms of the possibility that lower-value economies or business sectors are being supported more than high-value business sectors.

Deputy K.L. Moore:

We value every working person in the Island for the contribution that they make to the vibrancy of the Island and of course our economy. Our economy is a multifaceted thing that requires input at varying levels to make it the diverse and interesting place that the Island is to live, so we value that greatly. Over the past year I think the Deputy will be able to agree that Ministers have taken actions, a series of actions, to support that by making changes to the work permit scheme, allowing a 12-month route for hospitality workers by allowing some to work in the Island for up to 3 years without a break period in their contracts. We have also made additions to industries that qualify for agricultural routes and allow U.K. students to be able to work in Jersey during their vacation. We have given a route for French students to work for up to 6 months where directly linked to a course and we simplified language and guidance. I hope that answers the Deputy's question.

The Bailiff:

That brings the first period of 15 minutes to an end and it is a matter for Members if we wish to go forward for another 15 minutes which is possible.

Deputy S.Y. Mézec:

Could I make that proposition?

The Bailiff:

Is that seconded? [**Seconded**]

Deputy M. Tadier:

Can I just ask for reference, how many questions did we get through on that?

The Bailiff:

We got through 5 questions and there are another 6 who have indicated a desire to ask a question. Do Members agree that we extend the period by 15 minutes? Very well, I will not take a vote on that, that appears to be common agreement.

7.1.11 Deputy S.G. Luce:

There are few statistics, accurate statistics, in this so-called policy. The one thing the Chief Minister does tell us is that in the next 16 or 17 years we need to increase the population from 103,000 to 150,000 to maintain our average economic activity if we do that on population growth alone. She says in her statement she is not prepared to consider that but she also said just a couple of minutes ago she wants to take a realistic approach. Is she prepared to accept that a realistic approach would be at least half of that figure that she would need to achieve?

Deputy K.L. Moore:

I really do not think it is wise to be bound by a particular number. We all know that that has been an almost impossible feature of politics for the past decade or so and what we need to focus on is that economic growth and we need to focus on productivity. So, I think I have already given the example of the business I visited with some colleagues last week where they had seen a 50 per cent increase in productivity and there are many other similar stories of success in other areas. We need to be driving that and through Impact Jersey there is an opportunity to provide that additional funding to support other areas of industry who are wanting to do the same.

7.1.12 Deputy S.G. Luce:

The lack of increase in productivity over the years, I think also we are guilty of taking some responsibility in various extents, but I think the Chief Minister needs to be realistic, as she said. We are going to need more people and we are going to need to be able to house those additional people. So my supplementary is: does the Chief Minister accept that as an absolute priority we need to review the Island Plan again as soon as possible?

Deputy K.L. Moore:

Well that is a very interesting tangent and a question that perhaps we ought to discuss with the Minister for the Environment who I believe has announced his intention to continue the current bridging Island Plan. Personally, and the Minister will not be surprised by this, I certainly think that there are elements that we do need to reconsider in order to deliver the quantum of homes, but there are also areas where we can address some of our housing needs by, for example, the St. Saviour's Hospital site that is currently under the planning process, and I look forward to those plans coming forward. Then parts of the current Overdale site that will no longer be required may also provide potential sites for prefab housing that can be delivered in short order because that is what we need to do but we see already we have delivered the Westaway Court key worker accommodation, that has really helped, and there are many other similar sites that we can attend to.

7.1.13 Connétable P.B. Le Sueur of Trinity:

To continue with the theme of questioning which has already been undertaken, that while it is a good idea perhaps that maybe we encourage a few of my generation to do a bit more at the end of their working life, are there going to be any positive moves to make sure that all of our community of working age are encouraged and trained to take up all of the advantages to be in full-time employment and, to crib a quote from my colleague, the Constable of St. John, to sweat all our existing assets before we look to bring in additional? Because I read a report the other day on the fantastic treatment plant they have got at Bellozanne which has been designed to cope with a new population, which is nowhere near 150,000, and bearing in mind the struggle we are having with the foul drainage network as well, that we just cannot go down that road, so we have got to do more with what we have already got. Would the Chief Minister agree?

Deputy K.L. Moore:

I would very much agree with the Constable and I thank him for the question. I think what we have set out is that very desire to avoid that large number and to make the necessary actions so that we do not find ourselves in that situation come 2040. I believe that there are a number of tangible actions that we can do to ensure that we help our community to be more productive. We have a great level of activity in our current population; however, there are very few people who are not engaged in work of some kind or another who are able to. So what we have to do is look to technology and other opportunities to ensure that we continue to grow our economy to support Islanders both now and into the future.

7.1.14 The Connétable of St. Brelade:

The report alludes to improving the skills of the Island workforce. Could I ask the Chief Minister just to expand on what she means by that? In addition, could I ask whether she is considering those who are less academic in the Island and how we might provide further vocational training to enhance that sector of our population?

Deputy K.L. Moore:

I am very grateful to the Constable for that question because it eluded me when answering the previous question. We have of course set up the Skills Fund which has already, I believe, £600,000 and that helps Islanders to access life-long learning because we all acknowledge that learning is something that needs to continue throughout a person's life.

[14:45]

Apprenticeships are very much a matter of focus in the education team. It is absolutely a commitment to see increased access to education and improved skills for Islanders so that we can generate that productivity that we so need.

7.1.15 The Connétable of St. Brelade:

Will vocational training continue to be provided by Highlands College?

Deputy K.L. Moore:

It is certainly my understanding that that is the case, yes.

7.1.16 Deputy R.J. Ward:

I notice in the "policy" that there is talk about needing 150,000 to maintain an economic situation. There is no mention of the fact that the economic situation for too many people on this Island is simply not good enough and we have massive inequality. Where in this population policy are we going to deal with the issue of inequality which makes people economically less active? That is one area which needs to be addressed.

Deputy K.L. Moore:

Well we have committed very clearly to creating a community where everyone can thrive and that does mean by investing in skills, bringing new opportunities to people, and ensuring that everyone has the best start in life and the best opportunities, whether it is supporting parents with their childcare needs or helping people to gain new skills so that they can access a new job.

7.1.17 Deputy R.J. Ward:

Well part of that, ensuring in this example of single people who are working, they are economically active, they are in full-time employment, but after they have paid for the high level of rents and everything else they have very little left to be economically active with on the Island. At what point is, as part of the population policy, going to address the ridiculously high level of rents? Can I ask the Minister will her Government be brave enough to address that issue or just roll over like every other Government has done for the last 10 or 15 years?

Deputy K.L. Moore:

I do not think our Government has been shy in talking about supply. We believe that supply is the route to supporting Islanders to access better homes and we are very much believers in increasing the level of owner occupation. The Minister for Housing and Communities is, as Members are aware, conducting a consultation at the moment and he is also developing policies that will utilise funds that have been set aside to help Islanders get their foot on the property ladder.

7.1.18 Deputy L.V. Feltham:

I have in front of me a report from the Policy Advisory Committee that was produced on 8th January 1974. Reading this report, it is very similar to the report that we have in front of us from the current Government, so my question to the Chief Minister is: what has been learned from the failures of previous Governments and what actions of previous Governments will this Government not be repeating?

Deputy K.L. Moore:

Forgive me for not being familiar with that particular policy paper but I think we will all have identified over our time policies that perhaps have become outdated. Of course, life is a constant learning process, we have to look back and consider what has and has not worked, because of course many things have worked, and take into account our current situation and make tracks to move forward. I believe that we are taking account of where we are at and considering our very best endeavours of how we move forward now.

7.1.19 Deputy L.V. Feltham:

I would encourage the Chief Minister and other Ministers to perhaps look back at some of those reports. But going back to the learnings from the mistakes of previous Governments, of course we are now in a situation where we are not able to cater for the population that we have now and are having to look for places to build schools and hospitals. What, if any, does the Minister have as a figure of what might well be a sustainable population for the Island given our finite resources and the need for our Island to provide those public sector services to suit a population?

Deputy K.L. Moore:

Well a sustainable number of course is one that is sustainable with our resources that are available in the community, and I will not be pushed on providing an exact number because I think that that is something that needs to be carefully weighed up. Of course we recognise the challenges that we have in terms of infrastructure and then making plans to remedy them and that is the best approach to take.

7.1.20 The Connétable of St. Saviour:

The Chief Minister made mention of housing on the St. Saviour's Hospital site. With housing to the south and a new dementia centre to the north and with the proposed redevelopment of part of Les Cinq Chênes Estate, will the Chief Minister liaise with the Minister for the Environment and the Minister for Infrastructure and indeed the Parish of St. Saviour regarding the long-awaited Five Oaks masterplan before an area of heavy, heavy congestion becomes to an area of complete and utter gridlock?

Deputy K.L. Moore:

I am reliably informed that the Five Oaks masterplan is in the list and tracking its way to the top of the list, but it is certainly one that has been identified as work that needs to be addressed.

7.1.21 The Connétable of St. Saviour:

Could the Chief Minister give a timeline for that?

Deputy K.L. Moore:

I am afraid that I do not have a timeline at the moment but, as we know, Andium are developing their plans for the St. Saviour's Hospital site. It appears that the Constable is well briefed on that aspect of it. I will commit to continuing to maintain contact with St. Saviour and to keep them up to date and included in those considerations as we move forward.

7.1.22 Deputy A. Howell:

In relation to using Islanders who are already here, please can the Chief Minister state if she will ensure that jobs are advertised and local people given priority in the first instance if they have the right qualifications and only if no one is here then the advert is put outside the Island?

Deputy K.L. Moore:

It is my view that most businesses, and certainly the Government, conduct that as a process in seeking people for any role because it is a matter of practicality that those people who are in the Island are more likely to have accommodation already available to them. Of course, the limited amount of accommodation that is available is something that is a big consideration for anybody as they approach the hiring process.

The Bailiff:

I am afraid that brings the period of questions to the Chief Minister following the statement to an end. We now move on to Public Business.

PUBLIC BUSINESS

8. Health and Community Services Interim Board (P.19/2023) - as amended (P.19/2023 Amd.) (P.19/2023 Amd.(2))

The Bailiff:

The next item is the Health and Community Services Interim Board, P.19, lodged by the Minister for Health and Social Services. The main respondent is the chair of the Health and Social Services Scrutiny Panel. Now there are 2 amendments, Minister. You have lodged an amendment and one has been lodged by Deputy Feltham. Do you accept that amendment?

Deputy K. Wilson:

Yes, Sir.

The Bailiff:

So do you wish the proposition to be read as amended by both amendments?

Deputy K. Wilson:

Yes, Sir.

The Bailiff:

Are Members content that we take the proposition as amended by both amendments? Very well, I ask the Greffier to read the proposition as amended.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion to agree (a) that the Minister for Health and Social Services should establish an interim non-statutory Health and Community Services Advisory Board providing for improved governance and oversight of the Health and Community Services Department; and (b) the proposed terms of reference to which that interim board will function, as set out in Appendix 1 to the report accompanying the proposition, except that within Appendix 1 (i) all references to a “3-year period” should be substituted with “18-month period”; (ii) within point 53(b) the words “2 years” should be substituted with “18 months”; (iii) within point 92 the words “3 to 5 years” should be substituted with “18 months”; (iv) in the title of the Appendix the reference to “Interim Board” should be substituted with “Advisory Board”; (v) in paragraph 1, the reference to the “Health and Community Services Board” should be substituted with “Health and Community Services Advisory Board”; (vi) after paragraph 11, the following new paragraph 12 should be inserted and the subsequent paragraphs renumbered accordingly: “12. Amendments to the terms of reference could include providing for the board to work across other health and community services whether or not in Jersey if the Assembly were so minded”; (vii) after the current final paragraph there should be inserted a new paragraph as follows: “23. The board will meet every 6 months with the Council of Ministers to advise the council on (a) key matters arising in the department including: challenges; risks; delivery of the Minister’s plan, policies and directions, and compliance with decisions of the Assembly; and (b) the activities of the board. The requirement to meet every 6 months will not preclude the board, or the Chair, meeting with the Council of Ministers at any other point if deemed appropriate by the Chief Minister, the Minister and the Chair.”

8.1 Deputy K. Wilson (The Minister for Health and Social Services):

Good health is important to all and a well-governed healthcare system is essential if we are to all enjoy good health outcomes. Yet despite there being clear evidence that our healthcare system urgently needs to improve, we simply cannot stand here today to assure the Assembly that our services are safe and none of us can tell to our constituents that the care that they receive is of high quality, safe or effective. A board will be able to do just that once it is up and running. If we say no to this board we would be doing so at the very time that Jersey has had to seek help once again from external experts by asking the Royal College of Physicians to review our rheumatology services. When I stood for election as a Deputy in St. Clement I made the following commitments in my manifesto: restoring political control to Ministers, improving accountability and to setting high standards of care. When I stood for the role of Minister, I made a commitment to this Assembly to work first and foremost for the benefit of patients. I further committed to the Chief Minister after my appointment to address the shortcomings in our healthcare system by improving transparency, building and restoring public trust and confidence in the standard and quality of care and re-engaging a dispirited but valued workforce. The proposition I am bringing today meets those commitments. It is a proposition for the benefit of patients, for the benefit of staff, and this is ultimately for the benefit of the taxpayer. Our healthcare system cannot run on the goodwill and hard work of staff alone. Modern healthcare services are complicated machines and require oversight of people who understand how the machine should work and know the questions to ask in the interest of serving

patients well. Every day staff in my department come to work to do their best for patients. For me it is a daily occurrence to be stopped in the street or approached in other ways to be told about the care and attention provided. We know that despite many good experiences we have so much more to do to improve the service. The myriad of reports and reviews conducted over the years tell us this: the Comptroller and Auditor General reports, service and Scrutiny reviews into maternity and mental health services, the recent clinical governance review of H.C.S. (Health and Community Services) and now the Royal College of Physicians review of rheumatology services to name but a few. We read about the need to improve in the media, in our letters to our in boxes and through the many comments received through our parish meetings or local events. Jersey's healthcare system is everyone's business and getting it sorted is in everyone's interest. As I said, healthcare is an inherently complex dynamic business. I know from years of direct experience working as a nurse that complexity is best addressed through systems of good governance, backed up with talented, experienced and effective leadership, systems that can deliver and assure the quality, safety, efficiency and effectiveness of services. The challenges within our healthcare system are well-known about and documented and have persisted despite the dedication of staff and despite changes at senior leadership and Ministerial level. The simple fact is staff can only do the best for us if the systems in which they work enable them to achieve good outcomes to patients and value for the taxpayer. There is much to do if our healthcare system is to compare favourably against the best, to move from just about coping to a high-performing service. The Minister for Treasury and Resources recently stated that the Health Department needed to prove to Islanders that it was achieving value for money.

[15:00]

I agree with that but the department cannot prove it is achieving value for money, it cannot prove it has the right staffing contingent, that its services are safe or that patients have good outcomes. It cannot fully account to the public for its work in the way most modern healthcare systems are able to. The current financial deficit is a system of a lack of effective governance and oversight. If we are to address the long-standing and well-documented challenges that we face, we need renewed efforts and to be serious about creating an effective system of oversight for our health service so the public can be assured. We cannot continue to repeat and repeat again what we have done in the past, it just has not worked, and we must do things differently. This proposal is not a radical proposal and it is not restricted to public healthcare systems. High-functioning private healthcare providers also have health boards, as do some small island jurisdictions such as Gibraltar and the Isle of Man. Why is this, you may ask? Well the fact is that these jurisdictions acknowledge 2 things about the delivery of healthcare. Firstly, healthcare is inherently high risk and the nature of services, the vulnerability of service users, the complex array of interdependencies means that things can and do go wrong. Secondly, they understand that the risks associated with such complexity can only be managed through effective systems of governance which is about grip, control, challenge and assurance. In contrast, in Jersey we currently rely on one chief officer with no system of independent expert advice to support that officer and on one Minister to provide direction, challenge the department, critically examine and question what is said and assure the public. We have single points of failure. We have not historically addressed this and failed to grasp the complexity of what is required to deliver modern health and social care and instead just demanded change at the top. The proposed is a unitary board. Unitary boards are a predominant model that are used in most healthcare organisations across the U.S. (United States), British Isles and the Commonwealth. They combine the talents and the skills of non-executive directors and executives responsible for the day-to-day running of the service and in doing so they build knowledge, capability and trust, trust that is essential to developing a culture of robust challenge and supports the delivery of high-quality, safe, financially-sustainable and clinically-effective patient care. I am not going to repeat in detail any of the terms of reference, they are there for Members to review, but what I want to say to Members is that the purpose of this board is to bring a greater degree of transparency to what we do in the healthcare system and for it to operate with integrity and create an open, inclusive culture in which all staff are respected and listened to and

the public can be heard. Ultimately, they will ensure that the boards add value to the department and to Jersey and in developing these proposals I have given consideration to the Comptroller and Auditor General's reports on H.C.S. governance, I have consulted with the Council of Ministers, the chief executive officer, health unions and representatives of the primary care body. The draft terms of reference were circulated to the Medical Staff Committee and I have also spoken with several consultants and other key staff as part of my regular visits to H.C.S. It is notable that healthcare providers who have commented just want us to get on with it. They want effective governance that supports them in their work. The Jersey Care Commission is also supportive, recognising the need for better oversight, particularly as progress is made towards the regulation of hospital services. Furthermore, in accordance with P.170/2010, I consulted the Public Accounts Committee, the Privileges and Procedures Committee and the Health and Social Services Panel. The proposed board is non-statutory and, as such, it cannot issue directions, it cannot allocate resources or interfere with the legal and public duties of the States Employment Board or the accountable officer duties or myself as Minister. To be clear, I will still be accountable to the Council of Ministers, the Assembly and the public for the policy and strategy of health and care services in Jersey as I am today. The chief officer will remain accountable to the Government's chief executive for the management of the department and its financial resources and accountable to me for the delivery of my policy direction. So the board will work by advising me as Minister so that I can better hold the chief officer to account and by supporting the chief officer so that they can deliver improved services. What makes this board different is that, unlike health boards in many other jurisdictions, the existing accountabilities and duties of the Minister, the Assembly, the chief executive and the chief officer will remain as is. The board supplements but does not distract from existing established responsibilities. Its functions are the 3 As of governance which is to advise, assure and alert. It will provide advice to me and make recommendations as to the priorities for change and improvements, it will assure me, the Assembly and the public as to the delivery of well-governed, safe, high-quality, cost-effective and person-centred care and services and it will also alert to the risks, putting in place robust systems for identifying and managing risk, including safeguarding financial and other risks that are identified. I have been asked if it is an N.H.S. (National Health Service)-style board. It is not. Its terms of reference take the best of what works in other jurisdictions and adapts that for Jersey. Its key function is to listen to the voices of Islanders and staff. I have been asked whether the board will impact the role of Scrutiny. As we all know, Scrutiny examines and investigates Government, including reviewing policy, services and legislation. Conversely, the role of the board is to advise, assure and alert me as Minister responsible for the health portfolio. These roles are distinct and separate, although as set out in the terms of reference the board must co-operate with Scrutiny and provide any information requested. As such, the board provides opportunities for enhanced scrutiny of H.C.S. The proposition describes the board as interim pending development of legislation to make statutory. This also has been a cause for concern so it is important that I am very clear on this issue. I am only asking in this proposition for the Assembly to support the establishment of a non-statutory board and in doing so this Assembly is not in any way signalling support for the concept of a statutory board at this time. The terms of reference as amended by Deputy Feltham are only valid for 18 months, at which point I must return to this Assembly to seek your agreement for the board to continue or indeed for it to be disbanded. I have 18 months in which to demonstrate the value added by the board and to consider in consultation with others whether the terms of reference should be amended. During that 18-month period I will, in accordance with the Comptroller and Auditor General's recommendations of 2021, give consideration to options for improved system-wide partnership working and governance which would encompass non-governmental providers, for example, G.P.s, dentists, pharmacists, care homes and voluntary and community groups, but as with other matters this is for the future and not for now. Constable Jackson recently suggested that people need a better explanation as to why we should spend money on a board and I thank him for that advice. In short, the reasons are the poor clinical governance and poor performance in any health and care organisation leads to failures that are costly to individual patients and taxpayers. Patients can and do suffer harm,

they do receive poorer outcomes, staff leave and need to be replaced, working hours are lost due to stress, costs are incurred in responding to complaints, expensive external reviews are commissioned and, more importantly, people lose confidence in the services they rely on. In the context of a £242 million service the board will cost £206,000 from 2024 onwards. For that money, which is a very small proportion of the overall spend, we will secure experienced non-executive directors who will supplement the chief officer and the executive leadership team, bringing the skills and expertise needed to provide oversight of complex, high-risk services. They will understand the questions to ask, they will recognise what good looks like and be trusted to provide credible advice and support. I believe that represents value for money. In the lead-up to this debate, questions have been asked about the costs associated with the non-executive directors and chair's remuneration. I would like to clarify this. We are seeking to appoint up to 5 non-executive directors who will work up to 36 days a year and a substantive chair who will work up to 48 days a year. The rates of remuneration have been benchmarked against the N.H.S. remuneration structure, albeit the upper end of that structure. It is the case that some N.H.S. organisations pay below these levels but our levels are set at the upper end because we want to attract Jersey-resident candidates as well as non-Jersey-resident candidates and the reality is that board members in Jersey, including public service boards, generally receive higher rates of remuneration. I understand that some Members of the Assembly will have concerns about the proposition; this is something new. They may challenge the number of N.E.D.s (non-executive directors), they may query the value added, they may believe the board represents an abdication of the duty of senior managers and Ministers but, as Minister for Health and Social Services, I would be failing in my duty and my commitments to this Assembly if I allowed matters to continue as they are. I cannot in all conscience return again and again to this Assembly asking for money to address inefficiencies rather than improve services. I cannot allow staff to feel bullied or marginalised in the workplace or Islanders to receive anything other than high-quality, compassionate care. The board will not solve all ills but it will provide a much-needed structure and opportunity through which to deliver enhanced leadership and better assurance for the benefit of patients and staff. In 18 months' time we will know if it works. Healthcare is becoming increasingly complex due to modern technologies, new treatments, workforce challenges and serious threats to life arising from new diseases and the effects of climate change. We need to prepare and prepare fast. The proposals for this board are part of a wider programme to improve and transform our health and social care services. To vote against this proposition now is to vote in favour of a failing status quo. I urge Members not to do that. Our patients and our staff and indeed future generations deserve more. I would like to move to the debate.

The Bailiff:

Is the proposition seconded? [**Seconded**] Does any Member wish to speak?

8.1.1 Connétable A.N. Jehan of St. John:

Firstly, I am surprised that we are having this debate today. You will recall, Sir, that I wrote to you recently questioning if the proposition should have been relodged given the changes, having previously been referred to as a unitary board, an interim board and an interim unitary board, now as an advisory board, yet the terms of reference, which the Minister did not want to refer to, under the heading "Responsibilities and Task of the Board" it clearly states: "The board will direct." The board will direct. How can this be? A board can direct; an advisory board can only advise. The role of an advisory board is not to make decisions but rather to provide current knowledge, critical thinking, analysis to increase the confidence of the decision-makers who represent the organisation, in our case, the politician. Watching last week's Scrutiny hearing it was explained that adding the word "advisory" to the title was because people did not understand. Did not understand.

[15:15]

That is right, no acknowledgment that without statutory powers it cannot direct despite the retention of the reference 14. Well I still do not understand many things about this proposition and when I explain certain aspects, I think others will not understand as well and will share my disappointment. Where to start? I should start by saying that I am quite an experienced board member, both as an executive and a non-executive. As a Fellow of the Institute of Directors, I am fairly well-experienced when it comes to governance. Of course, I am not a chartered director so I have taken it upon myself to speak to 3 of those about these very proposals. We have heard, and probably will hear, that there is a difference between commerce and health. Well there is and there is not. Risk is risk, opportunity is opportunity, finance is finance, and so on. In fact, the company that we have used for this campaign regularly sends me links to their adverts looking for non-executives, including adverts for any N.E.D. posts on U.K. health boards. Clearly they do not want me for my health experience; they want me for other areas of my experience. While talking about the recruitment company, there was no mention of the change to an advisory board in any of the advertising, either through our agent or indeed our own website. What difference does that make, you may ask. Well, I spoke to 2 individuals who would have considered applying for an advisory board, but did not apply for the board as it was advertised. Equally, we will almost certainly have people who have applied unaware of the fact that it is an advisory board. Sticking with the advert, we originally advertised 20 days. Apparently that was the recruitment company's fault. For those who sought to find out about the role, you would have discovered on the recruitment company website, there were 5 other bodies looking for health N.E.D.s at the same time. The time commitment for the other roles advertised varied from 36 days, paying £13,000, to 72 days, paying £14,000; or in another words, a day rate of £194. Compare that to what was originally advertised for Jersey at £650 a day, albeit that is now closer to £420 a day, with the additional time commitment. The closest rate to ours was £361, so we are clearly paying very well. We are now told we will also pay half a day's travel; half a day's travel to come to the Island for a meeting. This is when one of our States objectives is to be efficient. If this had come to the S.E.B. (States Employment Board) it would never have got off the starting blocks in this form. I would like to take Members back to September 2021 and this report mentioned by the Minister, the C. and A.G. (Comptroller and Auditor General) report about governance arrangements for health and social care, and I was a member of the Public Accounts Committee so I took a keen interest. This report did not cost £85,000; the stated cost on 26th August last year of the Hugo Mascie-Taylor report. Members will be interested to know that that report did not cost £85,000. We have paid £127,625. That is 48 per cent more than we were originally told. The 2021 report from the C. and A.G. was well balanced and, while recognising the progress that had been made, identified further improvement. Anyone who watched the previous board would have been able to identify some, if not all, of these. Did I say you could watch? Oh yes, you could watch. The proposed open meetings are nothing new at all. In fact, Members of this Assembly and members of the public have been denied that opportunity for over 12 months. Not only that, but the staff, who continue to do their very best in difficult circumstances and who could reasonably expect quality oversight of the executive, have also been denied the same opportunity. The board last met over 12 months ago on 5th May and was fully disbanded in November on the appointment of the interim chair. Interestingly, the minutes of that last meeting are still not published. I should state at this point that I do support a board structure. I understand how a board works and I do believe it does give better oversight. However, I do not support the proposal in front of us today. The Government did sign a contract for an interim chair in November, but how many of you know that the contract is with a company. Yes, we have agreed a contract with a company, rather than an individual, to be our interim chair. How does that sit with transparency and accountability? Now, in June, we have been asked to support this proposal. To date, we have spent in excess of £100,000 on our interim chair. In answer to a written question from Deputy Rob Ward, we were had told the postholder would work 2 days a week. I had also been told, when asked, an average of 2 days a week. The proposition in front of us states: "The chair remuneration is £172,800 for 3 days a week." So what have we got for our 6-figure investment? Good question. What does an interim chair do full-time for 3 days a week? We were also repeatedly

told about a single point of failure on the previous board. Can I remind Members there are 3 Assembly Members on that board and this could have been increased to include, for example, someone with financial expertise, giving real political oversight of this area? In terms of costs, we read the costs of recruiting this board is up to £65,000. The S.E.B. recently approved a fixed fee of £37,000 for a board using the same company. I remind Members we have paid over £100,000 to our interim chair since November and surely we could have managed it in-house for much less; £165,000 and still rising. We are then going to be asked to pay a further £15,000 for recruitment of the chair. Why? Why is this not being done in parallel? In most organisations, if you are recruiting a board, you would recruit the chair at the same time. People want to know who they are working with. Why is the recruitment panel not looking at the existing candidates and identifying if there is someone suitable for the chair among their number? In terms of reference, 39 talks about the experience members should have. I would like to advise Members that the turnaround team, who are currently working with us, are doing some excellent work, ably led by the acting chief officer. The team includes all the experience that is being sought in this proposition. At this current time, H.C.S. are overspending at a rate of circa £400,000 per week every week; £6.8 million in the first 4 months of this year. What kind of message does this send out? We have been told that it is a fraction of the budget, but if we look at the spend on management and administration roles, roles that should be supporting governance, I think you will find that the spend is not low in this department in these areas. In fact, I would say it is high. An active decision was taken to cease the former board when the C. and A.G. had made recommendations on how further improvements could be made. I am of the firm belief that we could achieve the same outcome without spending the sums of money proposed. I would ask Members to give the original plans an opportunity of working rather than this expensive model. The C. and A.G. was very clear, she identified progress that had been made and further opportunities to progress. The fact that people could turn up to a meeting without submitting a written report was a simple failing. That simple failing could have been rectified and if that board would have continued to meet for the last 12 months those executives would have been well-tuned into what was expected of them and we could have been challenging and supporting them, the staff and our patients. I would ask Members to give the original plans an opportunity to work and to reject this expensive model.

8.1.2 Deputy B. Ward of St. Clement:

What are we being asked to vote for today? The Minister is asking us to vote in favour of an interim health board; my apologies, an advisory health board. It was up to 3 years, but we have heard earlier it is now 18 months. The ground seems to be changing all the time. Anyway, who could possibly object? We are to vote for a replacement of the previous Health and Social Services Board that was in operation until the end of 2022 and for a board who will use their expertise to advise the Minister. Seemingly a no-brainer, one would say. However, having read the proposition, which has embedded in the script the terms of reference paper and its subsequent amendment, the issue is not quite as simple or straightforward as it seems. I am not against a non-statutory health board, as was proposed by the Minister for Health and Social Services last year, going forward. Now, nearly 10 months later, we have a change of direction. The Assembly are being asked today to support this proposition, which I find confusing, and the costings still do not add up. Due to the number of queries around this proposition and accepted inconsistencies, why has the Minister not paused and put in a new proposition for the proper non-statutory health board, as agreed within the Government Plan funding? Why are we being asked to establish another health board, albeit now advisory, for up to 18 months? In the grid, on page 19, item 53, costings for 2023 proposes to pay the chair £172,000 a year plus expenses. However, we have already got an interim chair at the cost of £225,000 plus expenses, whose contract ends on 21st November this year. Will the interim chair be paid twice? It is not clear who is going to be paid what within the paperwork we have received in the proposition. How can I support this? It is not clear and it is not transparent from a fiscal point of view. Plus, in the amendment, the Minister wants to extend the board's abilities to engage and work across other health

and community services, whether or not in Jersey, if we the Assembly are so minded. How can we agree to this? Where are the costs that are going to be incurred coming from to furnish these extensions? The proposition does not explain this. I feel I am being asked to sign a blank cheque. Do we not have enough problems within our own health service without working across or accessing other jurisdictions? I mentioned earlier that the proposition set out has embedded in the script the terms of reference. These terms were written for the permanent, non-statutory health board, not the interim. The paper has only the title changed to blend with the proposition. Some of the terms relate to the longevity of the health board of its chair and its non-executive directors, going up to 9 years of being in position. The proposition relates up to a 3-year term, now 18 months, for its chair and its non-executive directors. Hence my concern that the paper says one thing and the embedded information relates to another. If this advisory non-statutory board proposition is approved, I understand it is the intention to then start on the legislation work to make the board a permanent statutory board, as mentioned on page 24 of the Hugo Mascie-Taylor Report of August 2022. This means the board will be responsible for all management and strategic decisions with further development for health to become an arm's length organisation, likened to the Ports of Jersey, which will leave financial and all of the decisions on health development to an unelected health board. This means responsible for some 20 plus per cent of Jersey's income. That is a fifth of the money that we receive. States Members will have little or no say in the future of how Health is run or how taxpayers' money is spent. Health is not a trading entity. This will leave Government only responsible for broad policy coming back to the States Assembly either in another report and proposition or in the Government Plan. Government control, I feel, will be severely diminished, leaving us all reliant on an unelected chair and non-executive directors and all the costs incurred to manage. One might say that would be a lot easier to delegate this in statute, but be warned as this unelected board would wield considerable power as Health would be devoid of political oversight.

[15:30]

Yes, political oversight; we should never lose that, other than through the Minister and the Council of Ministers a couple of times a year. I am unsure how much influence the Minister et al would really have. If I may remind the Assembly that we are here to vote on the public proposition and amendment as is presented and not on information presented at private, non-public briefings, some one or 4 days before we have this debate. I would urge Members to vote against this proposition as presented and ask the Minister to go back and bring forward a new proposition with the full financial checks and balances for the non-statutory health advisory board as expected and costed for under the Government Plan. Thank you, Sir, and the Assembly for listening. Please vote against the proposition at this time.

Deputy K.F. Morel:

Sir, if I may a point of clarification, please?

The Bailiff:

Are you prepared to give way for a point of clarification?

Deputy B. Ward:

Yes.

Deputy K.F. Morel:

I was wondering if the Deputy could clarify where exactly she read about the creation of an arm's length health organisation.

Deputy B. Ward:

It is in the Mascie-Taylor report.

Deputy K.F. Morel:

In relation to this public proposition and public report, where has she read about this arm's length health organisation, please?

Deputy B. Ward:

When we have had conversations with Mascie-Taylor, he has said about being arm's length.

Deputy K.F. Morel:

May the Deputy clarify who is the Minister? Sorry, I ask, because in her answer the Deputy said that in conversations with somebody who is not the Minister that she has been told about an arm's length organisation.

The Bailiff:

I am not sure that clarification can be given ...

Deputy K.F. Morel:

That is not the Minister.

The Bailiff:

No, clearly it is not, but I would not have thought that clarification needs to be given as to who the Minister is.

Deputy B. Ward:

Forgive me, I may have mumbled my words, I did not say Minister; Mascie-Taylor, when we have had conversations with him.

Deputy M.R. Scott:

Sir, could I raise a point of clarification too?

The Bailiff:

Are you prepared to give way for a point of clarification?

Deputy B. Ward:

Yes.

Deputy M.R. Scott:

The Deputy mentioned the board having political oversight. I did not see how that could be. Perhaps she could clarify where the basis of that statement comes from.

The Bailiff:

It was not the statement I heard, but if you can clarify what you were saying.

Deputy B. Ward:

Yes, it was about Health ... it would be devoid or reduce the political oversight. It is a reduction of the political oversight.

The Bailiff:

It was not that the board was going to have political oversight, because it cannot. It was that the board was going to lack political oversight, is the point being made by the speaker as I heard it.

Deputy B. Ward:

Yes, thank you, Sir.

8.1.3 Deputy K.L. Moore:

Earlier during this session, I referred to learning; learning through experience and building upon those experiences to drive forward and deliver a better conclusion. I believe that that is the journey that we are on today. It is, of course, not comfortable to hear close colleagues, who have publicly now expressed concerns about aspects of this proposition. However, our Council of Ministers has a Ministerial Code that sets out very clearly the consensus-based approach that we have agreed to adopt. We have consulted and discussed this proposition on many occasions now. Members will be quite aware that we have amended this proposition to meet with some of those requests and, yes, it is true that within it there are many aspects of detail that have been discussed in private on a number of occasions and equally the Ministerial team have spent a good deal of time refining this proposition so that it comes to the Assembly. However, what is also important is time and delivering on our agenda. It is the Minister's agenda that we are committed to, absolutely committed to delivering health improvements and through a patient-focused approach. That means ensuring that there are checks and balances in place, so that we can deliver that patient-focused approach and ensure that patients are indeed confident of the health services that they are accessing. I said earlier that if we cannot deliver education and health services, we might as well pack up and go home, to be honest. This Government is very focused on ensuring that we are delivering the best health services and indeed on delivering the best value healthcare services. I will talk later about the turnaround team, who are doing a fantastic job of supporting us for a short period of time and helping us to deliver exactly those things. I do have to just touch upon the previous speaker and the scaremongering, I am afraid, that was expressed in that speech. It was deeply uncomfortable on the one hand to hear difficulties raised about Members receiving information in private briefings and having to rely on that information, some of it that was not featured exactly in the proposition, but then in the next breath the Deputy moved on to refer to comments made in private by another individual who is not even a States Member. We have a system of Ministerial Government and it is extremely clear how that operates and how a Minister hold responsibility in particularly for the resourcing of their department. There is absolutely no agenda to create an arm's length organisation for our very important health service. Our agenda is simply to ensure that we are delivering the best health services for Islanders and the best value health services for Islanders. I can only comprehend that that suggestion has come from a complete misquote, I know not from where, but it is certainly not something that is on the agenda of this Government, not now and not at any point in the next 3 years. What we are committed to doing is ensuring that we reach out to our sister Island and perhaps generate efficiencies by delivering services jointly with them when it is appropriate. That work is underway. We also have a turnaround team, who have now been here for 6 months. They are delivering a very fine piece of work, using their skills and their expertise. It is a huge investment of our Government because we want to make that improvement. We recognise that we have considerable improvements to make and considerable financial improvements to make. With their assistance, we are doing that, but they are here simply for a year. This board will come into being during that year. The role of the board, as the Minister set out, is one very different thing to the work of a turnaround team, who are very operationally focused. They are there to support the executive leadership team and to take that leadership team on a journey. The role of the board, as the Minister explained, is there to advise, to assure and to alert a Minister. It is absolutely right with one of our highest spending departments, with a huge amount of technical information available, and not normally having a Minister who has such technical knowledge and expertise as our current Minister for Health and Social Services, it is absolutely vital that any Minister holding the reins of such a large budget and such a diverse and large department should have that opportunity to seek the knowledge and expertise of a board who can be there to advise, assure and alert them. I have personal experience of being a patient within our health service and I can only thank those amazing healthcare professionals who supported me and my family during that period of time. However, I do want to share one particular part of that experience, because it is very valid to today's debate. The surgeon

who looked after me was new to the Island at the time. I, in passing the time of day, was interested to understand whether there was a particularly high number of cases in that year or not and how I compared and what kind of cancer was particularly prevalent at the time. The answer he gave me was he did not know. He was new and his predecessor had not kept any records whatsoever of the number of cases that they had treated nor the types of cancers that had been treated. There was simply no evidence from which he could give me that simple answer. I was quite shocked by that simple experience and interaction. Of course the good surgeon is still here 10 years later and has, of course, built up his own database and body of evidence from which he can work. That experience shows some of the practice that has been in place and some of that that needs to change. It is part of the role of a board to go out and seek that assurance to give to a Minister, because it is absolutely vital that we have it. It is absolutely vital that we go on our improvement journey to assure patients, as well as Ministers, of the services that we are delivering for them. I will sum up by saying that I absolutely support the vision of this Minister for Health and Social Services and her great efforts to attempt to achieve consensus through our Council of Ministers, the diligence with which she has answered numerous and detailed questions and the time that she has spent in providing that assurance and reassurance to the majority of the Council of Ministers who wholly support her in this endeavour. We really hope that Members will today support us in progressing to delivering this 18-month interim board, so that we can then start work to create the legislation and move on to a statutory footing in the near future. It is not just a matter of agreement here and today. This is a matter of assuring our health services and keeping them in tip-top condition for now and into the future.

8.1.4 Deputy M.R. Ferey of St. Saviour:

For those that want to push this proposition into touch purely on the grounds of cost on one of the departments with the biggest budget, I say simply this: what price good governance? This proposition is about good clinical governance that this Island is sadly lacking. The Minister for Health and Social Services in her opening speech alluded to the fact that we have been around all 12 Parishes, just about, we have 2 more left, and we have gathered stories. Very few people come to tell us of positive outcomes, but I guess that is to be expected. We have a body of work off the back of those health roadshows. It has been a humbling experience to sit and talk to people about their experience of our health system. If anyone thinks that everything in the garden is rosy that is far from the case. We are not talking about the staff who do brilliant diligent work, but we are talking about the governance systems that are around the work that they do. They are not fit for purpose. We only need to look at the recent rheumatology report to see the effect of poor governance and the far-reaching impact that that can have on people. This will drive patient safety. That is really what the board will do. That is at its heart. We cannot have a health service that is self-policing. It does not work in the modern age. The Minister for Health and Social Services, it is fair to say, has put her heart and soul into this proposition. The reason she has done that is because she knows that it is needed. It is an important feature of knowing that in the coming months and years, the sooner this board is put to work the better outcomes we can have for patients and the better experience patients will have within our health service.

[15:45]

I urge Members to please support this proposition, no more further delays.

8.1.5 Deputy A. Howell:

The Minister for Health and Social Services is asking you to vote in favour of an advisory board that is an interim board. I ask this Assembly should not vote in favour of such a board until it is completely clear how such a board will operate, its aims and objectives, its accountability and the exact costs are known. What we do know is that there is no agreed funding for 2024 or future years. We know that if the board is established then additional audit committees are to be set up under its auspices, yet with no proper detail, limited allocated additional funding for such committees and costs, again,

unknown. We read that if this board is approved then its remit could well be increased to include other providers on-Island and also other jurisdictions. Yet again, there is no detail of how this would work and no mention of accountability. Has any discussion taken place with any other jurisdiction in this regard? If this board is agreed, it is an interim advisory board, but in the report it says: "Pending the development of the legislation to establish in statutory form." I agree with an advisory board, but I do not agree that we should have a statutory board which will wield too much power and we will lose political oversight. I am concerned about that. We do know that the independent chair of this interim board was appointed in November 2022 by Ministerial decision at a salary we have been told of £225,000 for a year plus expenses. We also know that this chair was responsible for the 2022 report, *Review into Clinical Governance Arrangements in Secondary Care*, as well as mentoring the present medical director of the hospital. At very least, does this not raise a question of conflict of interest? The report accompanying the proposition states that the chair of the board will receive £172,800 for 2023. It seems there are a few possibilities. Is this written incorrectly? Is this the £225,000 minus the payment for December 2023 and the 9 days of November 2023? However, there are still inaccuracies. Unfortunately, the figures do not stack up within this report and this is what we are voting upon today. We do know that an advert has now closed for 5 non-executive directors of this non-existent board. Although, once again there are uncertainties as to what their remuneration will be. A few weeks ago I spoke with Deputy Feltham, who also happens to be chair of the P.A.C. (Public Accounts Committee), in a private capacity. She said she has brought this amendment for the 18 months because they are already advertising for non-executive directors. This is not right. We are being led by the nose. I do not think we should have gone ahead with advertising for non-executive directors before this Assembly has agreed to this board. Although the Minister for Health and Social Services has been very kind to hold meetings in the last few days to clarify certain questions that Deputies and others have had about the proposition, this would not have been necessary had the proposition been clear from the outset. However, all we can do is vote on what is in this proposition and public. The Minister confirmed in a briefing on 12th May that there is no mechanism for the proposed board to engage with patients, staff and Islanders. I strongly believe that all this should be sorted out and agreed before any new board is created. Surely this is pretty fundamental, colleagues. The previous director general of Health and the chief nurse have recently departed. We already have the change team; hired by the chief executive officer at £800,000 for this year, to turn around our failing hospital with a new head appointed. They need time and space to address all the issues, including those highlighted in the various reports. They are here to sort things out, to set up some systems, to make sure that patient care is safe and reliable. This team needs to be clear about who is doing what and who is responsible for outcomes. We should wait until they have filed their report at the end of this year before deciding on the way forward. To agree this board at this time would seem a duplication of talents of these experts. It seems to confuse and replicate responsibility and will compromise outcomes. Let us wait until they have done their job. This board is no magic bullet. Now is not the right time to be introducing this board. I know I should not, but I will say that the board is too costly. The Minister is telling you that the overall cost is worth it, because it will save millions of pounds a year. Where is her evidence? She says it is an insignificant amount compared to the Health budget, but this is still at least half a million for 18 months. This is taxpayers' money. We have all signed up to spend Islander's money judiciously. With Health finances in disarray and a forecast of a deficit of £20 million and rising this year and having to be brought under control, it is sending the wrong message to the public who want less bureaucracy and fewer layers of management and instead money spent on their care. They want to see more front line nursing and medical staff employed, a reduction in waiting list times, and better equipment. We already know the problems, as highlighted in numerous reports, let us let the turnaround team get on and fix them. P.19/2023 raises too many questions. The report contains inconsistencies and inaccuracies. We should not be appointing this board at this time. We should think about what we are doing. I urge Members to vote against the proposition at this time.

8.1.6 Connétable M. O'D. Troy of St. Clement:

I was not going to speak this afternoon, I am half prepared, but one thing strikes me above all else and that is the time factor. We cannot build a hospital or several hospitals until we have our model right. We cannot go into discussing what we are going to build or what facilities we are going to build if we cannot manage them properly, if we cannot staff them properly or if we do not find the right consultants. We are not able to do that currently. We are losing people; 2 senior officers have gone. That leaves a new, people say a little bit inexperienced, chief officer. There needs to be a layer of Government that is below the chief officer and advising the Minister, who cuts a lone figure currently. The other factor is I do not think we should be hypothesising about what the board does later on. This is not what we are here to vote on. We should not hypothesise about what the cost will be later on. We can vote on that and the construct of the board much later on. In the meantime, time is of the essence. It does not seem to be the fact with the new hospitals group. We seem to be waiting for ever and ever and ever with costs, no projections, no cost analysis, just: "We are going to do multiple sites." We have just found out that obviously the St. Saviour Hospital is now wrong. Somehow, out of the ether, we have found out that St. Saviour Hospital will be partly domesticated for the housing stock and half mental health. I was not aware of that previously. There is no hurry to get on with the hospital decision. There should be because the clock is ticking and the cost is mounting. As far as the cost for the advisory board is concerned, it is not great and I would urge the Minister to rethink that and see whether there are any savings to be made. From my point of view, as somebody who spent 3½ years in the General Hospital for various reasons, who has received what I would class as world class service and facilities and healthcare, I have to point out that it does not exist everywhere in the hospital. It is broken in many areas. The whole hospital facility is falling to pieces. We know there are serious problems in rheumatology. The Minister for Health and Social Services was attacked, not physically, but verbally attacked, at one of the meetings we had at St. Clement Parish Hall with our Deputies at Meet the Constables and Deputies, by an individual who damned the digitalisation of the records. She was quite right to complain, but she possibly went too far. Her husband's records went missing and it is part of the process of reorganising the hospital and bringing it up to the 21st and 22nd century. In this case, while I am not happy with the apparent cost, there needs to be this other tier where the consultants, without fear of prejudice later on, and the general staff and all the ancillary workers can make presentation to another tier and system of management that will help the whole package of the current hospital and its facilities and services and also advise, hopefully, on whether it is relevant to build one hospital or several hospitals in context. For that reason, I will be voting for the current proposition.

8.1.7 Connétable R.P. Vibert of St. Peter:

I never believe that throwing money at a problem will resolve it and I certainly feel that that is what we have here. My other concern with the creation of a Health and Community Services Advisory Board is that it creates an unnecessary additional level of bureaucracy in providing advice to the Minister at considerable cost. It has been proposed at a time when we should be considering why the hospital continues to operate at a deficit of some £20 million a year. We are already paying hospital executives substantial salaries, because when they were employed we believed that they already had the knowledge and experience to advise the Minister. If they are unable to do so, we should address that issue with them, not by creating an additional board, which will duplicate a role we are already paying for. The cost to the board in 2023 is in the region of £340,000, adding to the hospital's deficit without providing any additional medical care or reducing the delays that Islanders now face for routine operations. How can we justify paying the chair of this board £172,800 per annum for working 3 days a week and expenses of another £30,000 when the chief executive of one of the largest N.H.S. is paid £178,000 annually? On top of this, we have the cost of 5 non-executive directors at a cost of £75,000 per annum and expenses of another £36,000 per annum, with recruitment costs added to this of £65,000. We already have several layers of bureaucracy within the hospital's administration. We should be addressing this and investing in permanent healthcare staff

who can provide the medical care our Islanders require. The result would be a reduction in our waiting lists and I believe a reduction in the substantial deficit. It is disappointing that within the first year of the new Government there are no signs of addressing the deficit. Instead, we rely once again on employing consultants whose answer it appears is not to immediately address the very apparent issues, but to create another board and throw more money to address issues that we already have powers to address ourselves.

[16:00]

Finally, I do not see clear lines of accountability for this board. It does not exist as a legal entity. It will meet with the Council of Ministers on a 6-monthly basis, but who is it accountable to? If the proposition is passed today, who will ensure that the board meets the need, not only of those seeking treatment at the hospital, but also of all Islanders who ultimately bear the not insignificant costs and currently bear the costs of an over-bureaucratic hospital with issues that require immediate attention. For these reasons, I will not be supporting the proposition.

8.1.8 Deputy R.J. Ward:

I am not going to speak for a long time. I am going to speak from 2 perspectives. I start off by talking in terms of Scrutiny. There is a very short comments paper because there was not an agreement on the Scrutiny Panel. I will say I am concerned about Scrutiny being used correctly in terms of these types of things. One of the comments made in the Scrutiny Report is there is an 18 month ... with the amendment of Deputy Feltham, which comes back to this Assembly in 18 months, which is the right thing to do. It gives time for Scrutiny to look at an actual board and its working and to look at any legislation that comes through. We are critical in that report of the time that has been available to look at this in terms of what it is. That is partly a product of the confusion within, I have to say, Government over who is supporting and who is not. We see that acting out on the floor of this Assembly. That confusion has created exactly some of the issues that have arisen. However, Scrutiny can, when there is clarity as to what is happening, look at that legislation. I would warn that we would want information very much as soon as possible, so that we can see the validity of any legislation, the validity of anything that comes through in the future. Then we will report back on that in 18 months' time. In terms of the board itself, it is clear that we do need more oversight of our health system here. It is clear. Unfortunately, and I have an issue regards costs of directors, of a number of issues, and I have said it a number of times in here, but it is expensive to do that. One of the things we need to look out for, as this Assembly, is whether the money that is being proposed to be saved because of the decisions made by that board and therefore the improvement in services that will happen because of that, are happening. That needs to be proven and that needs to be shown, if this board is seen to be effective. I am very concerned that we are talking about individuals so often in this. There is obviously some sort of issue with an individual and the report produced by an individual. We need to look beyond that. We need to consider what it is that this board is set up to do. The health service here has a really difficult role to perform because we are a significantly wealthy Island. We have expectations as individuals of the healthcare that we want to receive. Every single one of us wants the best possible healthcare in the world on a small Island. We also have a relationship with the U.K. and a lot of our medical care is taken from the U.K., a lot of essential services from the U.K., particularly when there are serious issues that we have to face as an individual. Many of our Islanders have to go off-Island to receive that medical care. That relationship is also extremely important. An oversight of that relationship with Jersey healthcare and the way it needs some independence to see how it is working and to evaluate that. There will be vested interests on this Island as to who does what. Consultants, G.P.s, et cetera, of course there will be interest, because they are interested in performing well and interested in making a living, as we all are. Some of the fears over this board are extrapolating. It is a classical use of the word extrapolation. We are going from a point and getting to an end point that we are not clear about. What we should be saying to Deputy Feltham is: "Thank you very much for bringing the amendment, which brings this board

back to this Assembly, not the next Assembly.” That was done too often. Sometimes they have been brought back to the next Assembly with a change of personnel and it means that you are not accountable for the decisions that you made earlier. In 18 months’ time, we will be clearly accountable for the decision we make today. If we decide to have this board in 18 months’ time, the Minister will come back, should report back to us, Scrutiny will report back and we will know the success or not during that time of this board. That is a sensible, pragmatic and, I hope, a successful approach. However, I, standing here, am not determining the outcome of that approach, because it could be a complete disaster. Take it from me, if it is I will be the first person to stand up in this Assembly and say: “This is a complete disaster.” We cannot just make that up as we go along and say it will be for whatever reason. We can take any area of our governance and look at the costs and the people who are paid at the top, from the C.E.O. downwards and say: “Why are we paying that amount of money?” Those who are sat here, many on S.E.B., who opposed this, because of the cost and said: “Let us put the money in the right places.” I really hope that you are pushing and pushing for a pay rise for nurses and teachers and those who are on the front line of delivering those services, because otherwise you cannot have both of those things at the same time. Let us make sure we are doing that. I have no problem with supporting this at this stage: an advisory board. It is non-statutory at the moment. To be quite frank, I am not entirely sure whether statutory is a good idea or not. Part of me says it is. Part of me says we need to decide on what that governance structure will look like. We need to do that in a lot of our services. We have shown it in C.Y.P.E.S. (Children, Young People Education and Skills), we have shown it in Health and we have shown it in all sorts of our services that the governance structure becomes complex, overloaded and we do not know where we are. Perhaps sometimes a well-working advisory board is what we need. The success or not will be on how well this board works. Rather than throwing this out and saying we can fix this type of board that we already have, because there have been some recommendations, and the same people will change their ways and it will all work, what we need to do is say that this advisory board is given an opportunity. However, that is an opportunity. It is not the end of this because we need to come back and prove its value later on. That is the check and balance that we have now in place, with the acceptance of that amendment. With that, I would suggest that Members do support this and they support it for the right reasons. In 18 months’ time there is going to be an enormous amount of reading for us to do and an enormous amount of us to do on the success of that board, so that when it comes back we make a much more informed decision, given a context that we can all understand.

8.1.9 Deputy M.R. Scott:

Deputy Rob Ward has made a lot of points that I was intending to raise. First of all, there does seem to have been some muddled thinking both in the preparation of this proposition, which might explain why there is that need for some further support of the Minister for Health and Social Services. That, in itself, may have caused a bit more muddled thinking. I honed in on paragraph 19, the terms and references, and thought this is advisory. I can see the positives in terms of the Minister for Health and Social Services having independent expert advice that is not delivered in the form of another bunch of consultants giving a report and going off again, rather some continuous support. Perhaps in the U.K. they will be talking about special advisers, but very transparently saying: “Right, these people help our Minister do her own level of scrutiny of what is being presented to her.” There has been this concern raised about lack of accountability. There are people within the health service who really should be accountable for delivering change. We have also seen a culture where people should be accountable, but they almost dodge that accountability in some way. There can be some advantage in having people who are there to advise. I have, in my own mind, my experience of serving in what I might regard as advisory committees myself, whether that has been at public council committee level or at statistics uses group level. The point about the costs and fees is a good one. I very much commend Deputy Feltham’s proposition for seeking a limitation there, because I have worked in advisory committees where people are working for nothing and doing it because they want to help, and also control to some extent, not only by a code of conduct, which I hope these Members would

have - I did not quite pick that up - also just by a certain element of self-respect in terms of they are the people that they are and they have a social responsibility. When it came to the Constable of St. John articulating his concerns it highlighted something else to me, which was the real mess we have in terms of the S.E.B. and its interaction with the health service. We have this condemnation, to some extent, from this area, but we know that the S.E.B. itself has been declared unfit for purpose by the C. and A.G. I have been asking written question of the States Employment Board and not getting good answers at all, which does make me think in terms of the support they are giving to this important area of service in the Island. Perhaps we might have something similar, because we still have the same independent adviser who was around at the time of the previous chief executive. We know that things got a bit messy. I still do not really know what happened there. There is still some serious work to be done there. Even in terms of my last question, when I was asking about the deliverance of performance reviews, I do urge Members to look at the answer. How many people have had performance reviews in the health sector, in the education sector? It is shocking. So I would really love the S.E.B. to sort its house out itself. It would be useful for the Minister for Health and Social Services to explain a bit more about the different roles of the change board and really where the advisory board comes in and really to emphasise, I hope, that part of the objective, what she is trying to deliver, is in fact what the C. and A.G. wants her to deliver, and that is the removal of layers of management. If she needs an advisory council to assist her in that respect, to challenge people within the organisation who could perhaps be conflicted, then I think let us allow her that chance. As Deputy Feltham has suggested, we give 18 months to see how this is going on and then step back. I have seen far more shoddy propositions pass by the States Assembly for far more amounts of money. The number P.75 comes to my mind, but I am sure there are many more. In terms of the potential delivery and the real need for improvement in this area then I really would wish to support the Minister for Health and Social Services.

8.1.10 The Connétable of St. Lawrence:

Very briefly, the Minister made a telling remark to me in her opening speech. She said, effectively, that we may see the appointment of an advisory board as an abdication of the duty of senior management. I have to agree with that. Absolutely, yes, in my view that is the case.

[16:15]

Seemingly, the Constable of St. Peter may well share that view, because he touched on the employment of senior civil servants and their cost. That to me is the worrying issue here. It seems we are paying 2 lots of people an extortionate amount of money, essentially to be doing the same job at the end of the day. I do not see in any way that that can be right. In my view, the poor governance of the hospital is the responsibility of senior management; no doubt about it. What are they there for? What do we employ them to do? We do not employ them to continue the poor governance that is the practice it seems within the Health Department. Ultimately, it is the responsibility of senior management. The accountability for that lies firmly at the door of the Minister. That does not apply only to the Health Department, it applies to every single States Department. In a far lesser way as Constable of St. Lawrence I employ 6 staff, I am accountable for them, I am accountable for the governance of the Parish. So not only is senior management not accountable for poor governance but the Minister is also not accountable for the poor governance. The way she is trying to manage it is by appointing an advisory board that is going to cost we know not exactly how much money; 2023 costs are £343,500 - I am looking at the second amendment. So I just think she mentioned the abdication of responsibility of senior management; I think she is doing the exactly the same by proposing this advisory board and there is no way that I can support it. I look forward to her addressing my comments when she sums up.

8.1.11 Deputy I. Gardiner:

Several things. As a previous chair of the Public Accounts Committee, I have read a report about health governance and personally, together with the Connétable of St. John, we were concerned looking through this report when the name “board” came to my radar; I was very, very concerned. Because the previous board, which was established in 2019, and from the moment that it was established during 2 years the structure changed within the department and not sure what was the board’s oversight. I understand how we all hold back from the bad experiences that were there but what was happening previously, it was piecemeal going all over the place. I have challenged the Minister for Health and Social Services, we did have discussions, and I asked the same question as the Connétable of St. Lawrence: what this board would do that our management would not do. But as a Minister myself with probably the second biggest department - I am not sure which department is bigger, C.Y.P.E.S. or Health and Social - there are so many things that we need to understand, to address, to learn. What we do not have in place is continuation. So somebody who would start, deliver, will be held to account, adjust, because we do not know, like Deputy Ward said completely right, it might work, it might not, but we do have 18 months. It is less than 1 per cent. We spend so much money to support an effective system, the system does not work, the system does not have the governance, the system does have poor outcomes, we are all crying out and the public are rightly crying out how bad the health service is. So what are we doing to improve it? If we are saying: “But we do have turnaround team.” Yes, it is turnaround team but it is operational; operational is day in day out to do today’s surgery, tomorrow’s surgery, I do not have a patient. It is not about looking out and thinking strategically what is happening, what trends are there, what does not work. Because the operational team needs to deal with operation, not ... and this is why we are finding ourselves ... okay, today we are very fortunate that our Minister for Health and Social Services has a health background and understand and asking the same question, but tomorrow ... not tomorrow, hopefully not. In 4 years’ time we will have a Minister for Health and Social Services that might have a different background but you do have the specialist who needs to advise the Minister. When the Minister has professional advice ... as a Minister I receive advice and I know a lot and I read a lot but before making a decision about the policy I receive all possible options from people who understand in this specific area. After I am considering, I am going to my colleagues and I am checking. So we cannot be professional in everything; we need professional advice and this professional advice needs to come from independent people. We have poor governance, poor performance, how are we changing it? We need to give a chance. We need to give a chance to the Minister for Health and Social Services to take the steps and we will work together and see if it does not work it does not work, but without putting a clear board, which was suggested by C. and A.G., and unfortunately the previous board did not work because it was a big mix between officers, politicians and other people around. Here we are talking about a professional board that will be advising to the Minister. If you look at page 18, and I am not sure if it is the first or second but page 18 in front of me, it is a very clear structure, it is very clear accountability, it is a very clear diagram explaining to us how it works, and we will hold to the account. So from my perspective do I have concern? Yes, I do, do we have any other choice, we do not. So I am really asking to support the Minister for Health and Social Services, give the Minister for Health and Social Services and the Council of Ministers a chance and let us try together to deliver the best outcome for health for the Islanders.

8.1.12 Deputy H. Miles of St. Brelade:

I do not want to repeat a lot of what has already been said but I thought it might be a good idea to give some examples of where a board structure can work well. We have heard lots of negatives about boards but I think this proposition is all about how we get independent assurance. As the Minister for Home Affairs, we have a lot of existing boards in Justice and Home Affairs. Some of them are statutory, some are not, but all of them give me independent assurance that all is as it should be. In my area, specifically around policing in prisons, there is an awful lot that can go wrong. My boards provide robust challenge to the authorities, to the chief officers that I am responsible for. If I think

about the Jersey Police Complaints Authority, soon to be Complaints Commission, they can assure me and assure the public that complaints are handled properly and fairly. If I think about the Independent Prison Monitoring Board, that assures me that prisoners are treated with dignity and respect, that their needs are met. If I think about the C.I.C.B. (Criminal Injuries Compensation Board), this assures me that victims are compensated properly and that their cases are dealt with fairly and in a timely manner. I could not function effectively as Minister without these boards. The value they add is immense. They provide advice that is credible, they give me assurance that all is as it should be, and they alert me to difficulties or potential issues before they become a crises. I think if an effective board structure had been in place ... I too was a lay member on the Public Accounts Committee when the Comptroller and Auditor General produced her report. If a firm structure had been in place perhaps we would not be in a position requiring the commissioning of professional bodies such as the Royal College of Physicians to assess services and get them back on track. The boards give me assurance that I am not going to have to pull in the College of Policing or I am not going to have to pull in the Home Office. So I think that this board will provide the best governance model and I urge the Assembly to support the proposition.

8.1.13 The Connétable of St. Brelade:

The Minister spoke about the proposed board replacing contracted advisers. I would question whether this will in practice occur and if the board would have the depth of knowledge that a specialist adviser will have; particularly in a subject such as rheumatology. Will we still have to contract in specialist advisers if the board were to be appointed? Leadership is the responsibility of the Minister and the director general, if we have one. I feel there is a desire to abrogate responsibility but, to my mind, the proposed advisory board is not accountable to anyone. The public perceive the hospital to be top heavy with administration and it seems we are simply adding to it, so please listen to the staff and listen to the public. Benchmarking against the N.H.S. is the sort of message we are receiving but surely an advisory board should be far less paid than a full board who might have proper responsibility and accountability. I get the distinct impression we are being milked. What about the health advisory panels which operated using local people free of charge in the past? I am afraid that £500,000 over 18 months is difficult for me to swallow, and I note the interim chair receives an eye-watering Jersey untaxable sum, given that he operates through a U.K. company. I suggest that supporters of this proposition are being gullible and I would urge them to reconsider. We need a structure fit for Jersey and not an emulation of the failing N.H.S.

8.1.14 Deputy E. Millar:

I had not been going to speak today because I like to think - although it might not always be apparent - that I know my limitations, and my limitations begin very clearly at the door of the hospital. I have also spent 20 years working in and around boards of all natures and all types but not in health and I have absolutely no idea personally how you run a hospital. I think you need experts who know what they are doing and you need to pay those people sensibly. It seems to me that what I am hearing today is that we just do not want to pay anybody anything. We cannot get people with the expertise and the qualifications and skills we need. I think we are very unlikely to get people to do this on a voluntary basis. We have to accept that if you want experts and people who really know what they are doing then you have got to pay them, and we seem to really have a problem with paying anything in health. That is what I seem to be hearing today. Deputy Ferey said to us: "What is the cost of good governance?" I would turn that question on its head. What is the cost of not having good governance? I do not know, I am not fully up to speed with what is being said about the Rheumatology Department but I know, I have read the article in the *J.E.P.* (*Jersey Evening Post*) about a person who says he has been given the wrong medication for 13 years. That is appalling. What I do know, because I am a lawyer, is that lawyers are very, very expensive. As I have said before, if you think a medical professional is expensive, wait until you see how much a good litigator will cost you. A lawyer in Jersey can cost you £600, £700, £800 an hour, and I am out of date but I

think that is a decent estimate. A good law firm running a personal injury, a medical negligence claim, a good law firm will run up tens of thousands of pounds without thinking twice about it, as will the law firm acting on the other side. As for the award to the person, one medical negligence claim could completely overwhelm the cost of this board, the turnaround team and half the cost of running the management in hospital. Medical negligence is very expensive. We have to get our governance systems right to make sure we are providing good care to patients and that, I think, is what the public want. I imagine that members of the public are just despairing that this debate is even happening. They want, I believe, a healthcare system that they can be confident in and which is reliable. I have a constituent that I have spoken to several times recently. I would not like to guess how old he is; he could be his late 60s, he could be his late 70s; I am not very good with age. But every time I have seen him recently he has said to me that he has seen people in our hospital and he is terrified about what is going to happen when it is his turn.

[16:30]

What care is he going to get? The public are nervous about the state of our healthcare and we have to change that, and if this board, whether it is advisory ... it is not an abdication of responsibility, it is clearly not an abdication of responsibility, it is to advise and help and get good governance systems in place. But the public want good, reliable healthcare. I am very fortunate, I am blessed with good health, I think I could probably count on the fingers of one hand the number of times I have been in the hospital building in the last 10 years for anything other than very routine, minor matters. But what I have become very aware of in the last few years, both in my role at the Viscount's Department and just among my own family and friends is the fragility of health. None of us can take our health for granted. Any one of us could walk out into Royal Square and have a heart attack or a stroke or a seizure or discover we have got a brain tumour. We might have a child that we discover has a genetic illness. Our parent might have a fall and need a hip replacement. We cannot assume that we are immune to health issues and I really, really want to know that when I need healthcare it will be there, and that is what my constituents want as well. They want to know they can rely on good quality healthcare and I think that this board will help make sure we can provide that and so for that reason I will be supporting the Minister for Health and Social Service's proposition and I would urge other Members to do so.

8.1.15 Deputy D. Warr:

I am rather glad to be following Deputy Millar because my experience of the health service on a personal basis is very limited too. Thankfully we both have good health. I just want to talk at a very personal level and it is around the issue of trust. I want to share some very profound experiences with the Assembly that I have personally experienced when my life has been touched with tragedy and how in turn these experiences have coloured my perspective on the absolute imperative to trust our health service. When I was 11 my mother was involved in accident that resulted in her being rushed into the local hospital. Sadly she never made it out. She was a perfectly healthy woman just 39 years old. When I was 18 my father collapsed with a brain haemorrhage and was rushed to hospital. He was pronounced dead 48 hours later. My grandmother, who reached the grand old age of 96, was taken to hospital because of a minor heart attack. It was the first time in her life that she had ever needed a hospital. A few days later sadly she died. By my mid-20s my only experience of a hospital was one of death. It was where my nearest and dearest died. It was not anyone's fault, it was simply circumstances, but I did, however, trust the system. I turn to the birth of my first son a few years later and I remember a terrible dread coming over me when my wife's waters broke and we headed into hospital. In an instant I was back with the horror I experienced at the death of my mother. But despite that fear I still trusted the system. I trusted that the doctors and nurses would help to deliver our child successfully. They did. The first time in my life that one of my nearest and dearest had come back home alive from hospital. My faith in the system was slowly being restored. Is not though this the case with all our healthcare professionals? I expect my dentist to be properly

qualified and accountable for his or her actions. When I step on a plane I expect that all the necessary checks have been completed to ensure that I get back safely. How is it possible that in a prosperous and well-resourced Island such as Jersey report after report questions the integrity of the healthcare system: “Clinical governance was not fit for purpose, there was no strategy or plan, and the body in place to oversee the clinical and care audit programme did not take an effective role. There was a fragmentation of responsibilities even with the planned implementation of the target operating model. There was much work to do to rationalise, clarify, communicate and implement governance structures and arrangements.” That is from the Comptroller and Auditor General back in 2018. Now we have the Hugo Mascie-Taylor report in which he states: “The processes that provide assurance that care is good or even acceptable are not well-developed and need urgent improvement. The clinical governance is weak and the risks are substantial.” As the current Comptroller and Auditor General says in her latest report, what H.C.S. now needs to focus on in the next stage of governance development are the capacity and capability of those involved in governance, including ensuring shared values, skills and culture. Therefore, I conclude with some numbers, as many Members in this Assembly seem particularly focused in this area. Did you know the average compensation payout by the N.H.S. in the U.K. is £50,000. However, the largest claim ever made was to the family of a young boy who were awarded £37 million after failings by the reputable Guy’s and St Thomas’ N.H.S. Foundation Trust left their child brain damaged and needing lifelong care. But it is ultimately not about the money. If that child was yours or mine how would you feel about your life being devastated simply because the right checks and balances had not been instigated. The people of this Island have a right to trust that the healthcare they receive is properly monitored and continually assessed. How many times do we need to be told that the current situation is untenable? I for one am not going to sit idly by. I demand change and I urge the Assembly to back our Minister for Health and Social Services and ensure that this proposition is passed so that we can give confidence to the people of this Island that they are in safe hands when they are all at their most vulnerable.

8.1.16 Deputy T. Binet:

You will have to forgive me if I am a little hesitant this afternoon. I have just received a text message from our Chief Minister informing me that she is going to report me to the Commissioner for Standards if I stand up and speak. Nonetheless, I am going to do exactly that, I am afraid. Before I get into my little bit of written script I just want to pick up on some comments made by the Constable of St. Clement. All rather a shame really because I am a fan of the Constable of St. Clement but I think that the rather flippant comments that he made about the new hospital facilities were unnecessary, incorrect and really not worthy of his normal conduct. It is with a good degree of regret that I find myself having to speak against this proposition this afternoon in its current form because, as a rule, I think I am a fairly constructive individual and I have spent my entire life trying to build things and create things in a constructive way, so it does not come easy for me to break ranks with my colleagues. I have to say that I am objecting to it in its current form because I should make it clear that I do not have an objection to a board comprised of various professionals. That is not my issue this afternoon. My objection comes from a slightly different angle and that is the political responsibility. I have been told over the course of the last few weeks by several of those directly involved in this proposal, including Professor Mascie-Taylor himself, that it is the job of politicians to explain what they want from a service, then leave it to the professionals to get on and deliver it. That is all very well in theory but look where that has taken us in recent years. For the 4 years before we came to office we witnessed a systematic deterioration in our health service for reasons aside of the very difficult job of dealing with COVID. Perhaps I am wrong but it seemed to stem from a combination of on the one hand weak political leadership, that is both generally and in connection with the then Minister for Health and Social Services, and on the other, poor operational leadership by the professionals involved. What disturbs me is that this proposition seeks to repair one side of the equation without addressing the other. We are being asked to steadily hand over to a board of professionals with no countervailing structure to provide political oversight. I will repeat that

because that is what we are here to do: there is no countervailing structure to provide political oversight. Given that the intentions for the proposed board to oversee all elements of healthcare in the not-too-distant future, including the charitable sector, primary healthcare and G.P.s, I think the general public would be quite horrified if we do so without an appropriate level of political engagement. Having heard some of the disparaging remarks about the future of G.P.s for example, the idea that one politician will interact with the board to decide possible changes to their arrangements fills me without dread. That is without the other pressing and controversial matter of health funding. Yes, we might have periodic presentations to the Council of Ministers from the Health Board but is that really sufficient given the current state of affairs? It might be worth considering for a moment that the last Government left it to the professionals and look where we ended up. Yes, currently we have some experienced visiting individuals striving to turn this situation around but there is still a great deal of change required and those people will not always be here. Surely it must be our duty to get our own arrangements in order for the future. I am sure that we will be told that we can sort all of this stuff out later on but, as far as I am concerned, failure to set out the correct structure in the first instance is simply careless dereliction of our duty to the people who have trusted us to look after their interests. Strangely enough, we do not tend to have this level of neglect in other areas of Government. For example, in my own sphere of activity, I oversee several quite important areas. The hospital is one and here the project is overseen by a well-composed political oversight group. Indeed it is worth pondering for a while on the composition of that group. I am not left with the professionals to do as I please; I have got to report into the Chief Minister, the Minister for Health and Social Services, the Assistant Minister for Health and Social Services, the Treasurer - I am obviously present - we have the project director, clinical advisor, and 3 non-executive directors. It is worth saying that with Property Holdings we have a similar arrangement. I cannot do as I am pleased with the team; we are governed by the oversight of the Future Places Group which is just as it should be. We need to be mindful of the fact that Health is the largest operating budget by some margin and occupies probably the most important place in the minds of the public, so why not comprehensive political oversight here too, especially while the service remains in such poor shape and there are clear underlying intentions to make significant changes to the fundamental structure of our health service? With all this in mind, what I would really like to see is I would like to see the proposition taken back and all of these things put in order. I am certain that is not going to happen. I realised before I got to my feet and probably risked my job that I was on a losing wicket but I just thought that somebody needed to say it because it needed to be said.

8.1.17 Connétable D. Johnson of St. Mary:

Again I was not going to speak but there was a comment made by Deputy Millar which prompts me to do so. She correctly referred to the question of litigation. I have been a lawyer; unfortunately I did not receive the £800 an hour to which she refers to however, but I am aware of current rates and it is the case again to my knowledge that the hospital has been subject to litigation claims. So I have a question for the Minister rather than anything else which is, in the course of working out the best system for the future has there been dialogue with the insurance company to find out what they would want, what they would need, on what basis would they reduce premiums, or if we kept it as it is would there be an increase in premium. Is she able please in her summing up to advise whether there has been any dialogue with the insurance company when she speaks.

8.1.18 Deputy J. Renouf of St. Brelade:

I want to focus my comments on what we are here to talk about. The principal issue we are debating is the setting up of an interim, non-statutory advisory board to oversee the operation of the Health Department with up to 5 non-executive directors for a period of 18 months. Of course the real underlying issue is patient care, as the Minister for Health and Social Services and the Chief Minister made clear. Therefore, the question I ask myself is a simple one: does this proposal make it more or less likely that the Health Department and the Government is able to deliver better healthcare to our

people? I am convinced that that is the case, which is why I am speaking in support of this proposition. It has been interesting to hear the debate so far. It seems to me that there are an awful lot of distracting issues being raised. In my humble opinion, the actual proposition before us is a simple one and if we keep the focus on what is actually being proposed the decision to support it is also relatively simple. I think we have already heard many people say that the problem we are trying to solve has been widely acknowledged and identified.

[16:45]

The C. and A.G. report and the Mascie-Taylor report, and interestingly the Minister for Housing and Communities used exactly the same quotes that I had pulled out to draw attention to those issues so I will not repeat it, but I will say that what all the evidence reveals to me is these are stark, serious, and frankly scary conclusions that have been reached. The Government accepted the report and the recommendations of the Mascie-Taylor report, which included the consideration of a board at recommendation 13. The solution to the problems that have been identified is clearly complex, it needs a relentless programme of improvement in many areas, but the first step or a first step is relatively simple in organisational terms and it relates to the architecture of governance. A health board, as we have heard, is a standard way of governing large, complex health services. Because it is so widely used it is impossible to argue that introducing a health board implies any particular model of healthcare going forward or any particular funding of healthcare going forward. It is simply a well-tested organisational structure to ensure that management is held to account for the performance of the health system. The role of the board is summed up in the report when it says that: "The board will ensure that H.C.S. is managed in the interests of the people of Jersey with the N.E.D.s acting as custodians of the governance process to ensure excellence in decision-making and management." That is a worthwhile objective and I think the board will be well-placed to deliver it. The proposition is clear in what it sets out to achieve and how it will do so. I think the problem is that there are a lot of other issues being thrown into the pot. Who is the board accountable to, asks the Connétables of St. Peter and St. Brelade. Well, to the Minister of course, and through that to the Council of Ministers and the Assembly and the people of this Island. There were lots of questions raised including by Deputy Howell about what might happen in the future. That is indeed for the future. This is an interim board for 18 months. Questions like whether other jurisdictions like Guernsey will wish to join in our system of governance is something that we will decide in the future. We are not voting on it now. There are people who have said they disagree with the idea of a statutory board which might follow. Again, fine, but we are not voting on that. I am slightly staggered when I heard that we were being urged to wait until the end of the year before putting in place a board because it seems to me that delay and procrastination when we know the scale of the problem and we have a proposed solution would be particularly poor practice. I do think, therefore, that if there is one thing that critics of this proposition have to achieve - and I do not think they have, to be fair - if you are going to argue that the board is not the appropriate solution to the identified problems, or if a different type of board is required, then the obligation is to explain what the alternative is. There is no amendment before us to propose a different way forward. It is nihilistic to say no to this: "Just wait, we are not sure it will work" without being absolutely clear about the alternative. One of the suggestions is that we need greater political oversight. I think we should be careful here. We need strong political oversight. The problem with the call for greater political oversight is that when it is interpreted in terms of volume rather than strength and clarity. Politicians belong in the policymaking process and in holding officers to account. But we do not need more politicians trying to oversee the operational side of the health service. That is a recipe for confusion. Accountability through a board to the Minister, through the Minister to the Council of Ministers and to the Assembly is clear. Adding additional political oversight of the board would confuse lines of accountability. It would be a recipe for meddling and micromanaging. I think with respect to Deputy Binet, he referenced the Future Places Group and I think that would kind of make my point in a way; the Future Places Group is involved in deciding policy and strategic direction, not in overseeing the running of any particular

government department. Let me say a few words about the Minister for Health and Social Services as the person who will hold the board to account and the role she has to play. I am particularly struck by the challenge the Minister faces in needing to both sort out continual day-to-day problems, deal with obstacles that arise, while maintaining momentum in terms of driving towards the destination of a better health service. I think it is a bit like driving towards a distant destination while people keep throwing obstacles into the road necessitating detours down all sorts of back roads. It would be easy to get lost. The Minister for Health and Social Services has not got lost and she has not been overwhelmed. She has pursued a steady course, starting with the Mascie-Taylor report, carrying on with the turnaround team, and now with this board. It is a clear, coherent programme of improvement. It was also said that this starts our way down to the road to the N.H.S. in Jersey or arm's length organisations or other kind of independent means and so on. I do not believe it does. As I have said, a board of this type is standard practice in many types of health system. It is a bit like arguing that we are copying the U.K. in our building standards because we insist on putting foundations into all our buildings. We need solid foundations for the governance of our health service. Having foundations tells us that the building is likely to stay upright and I think a board is a key part of those foundations. The question of how health policy is decided and who should be involved is not a part of this proposition. It is a separate question or, to put it another way, we need the board any which way. Whatever layers of political oversight you put in place they should not be involved in the day-to-day interactions with the board. It is the job of the board to hold the service to account, and then through the Minister. It seems to me that in terms of the criticism of the Minister for the changes that she has made to this proposition that she cannot win. She has listened and accepted changes and she is accused of confusion. If she had not done so she would have been accused of intransigence. I think what we have is a Minister who has worked tirelessly to try and listen to the objections and to accommodate them where she can. Let me turn to the question of the cost of the Health Board. At the risk of sounding flippant, were I not to have swapped the dull grind of a career in television for the glamour and the glory of life as a politician - I think I got that the right way around - I would be earning at least 50 per cent more than we are offering to pay our non-executive directors. You may think all this proves is how overpaid a bunch of talentless people in the entertainment industry are, but as the Minister for Health and Social Services says - and others have made the same point - we are trying to attract people of quality to this Island. So I would say that while £400 a day is of course a lot of money, it is not excessive in this context. If we want good quality candidates we need to pay for it. In fact I would go further and say that for me investment in top quality leadership of our health service is every bit as important as investing in our frontline medical staff. There are those who simply do not believe we need to have this organisational structure, and if that is the case of course, if you disagree with the structure, you are bound to find the cost too great. But for the reasons I have already stated, I do think we need this level of governance and I do think we are paying an appropriate amount for it. It is being argued that the budgetary and other problems in the health service suggest we should be spending our money elsewhere, that the greater priority lies in front line services or in some other method of holding people to account. I would suggest it is almost the exact opposite. The problems we have require us to change the governance. That has been clearly identified by all the reports. We cannot do this without sorting out the governance. Of course if you are still worried remember this is an advisory board for 18 months. If it does not work we can try something else. Setting up a board closes off no options in terms of political oversight. I have not heard a single argument as to why we cannot set up a board and then, if necessary, work on the political arrangements around it. Even the board itself can be changed or abandoned in 18 months if it is not working as planned, but it all starts with a board. This proposition is not a radical step but it is a decisive first step. It is a perfectly normal way of holding a health service to account. Where it goes after this is all up for grabs, but please, let us maintain forward motion. Let us support the proposition and continue the improvements that are underway.

8.1.19 Deputy I.J. Gorst:

I was not sure whether to speak. I am not sure that this debate has been quite as productive as it might have been. Having said that, I think there are important points which every Member that has spoken has agreed upon and it is important for us to remind ourselves of that, whichever way we are to vote this afternoon. We are an Island and we glory in our constitutional rights and privileges and so do other sub-sovereign jurisdictions around the globe. But it is true to say that in the modern age, as the governance requirements in whichever field we are talking about increase, and those in larger states create large bureaucracies to in their eyes ensure good governance. Almost by default smaller places, as we are, have difficult choices to make about ensuring good governance of our institutions. That really is the nub I think of the debate that we are having today. It is right that we have these debates. It is right that we think about the size and the cost of good governance and government, because we all start from the point of wanting to offer to Islanders a good value for money health service that is responsive and provides access - whether that be here on-Island or elsewhere - to the latest medical interventions. We can all agree that various reports that have been read from this afternoon, that we have been reminded of show quite clearly that the current state of good governance of our health service is not where it should be. We are even now unfortunately in the middle of a review and investigation in regard to one particular element. The Constable of St. Mary asked about insurance. Of course I think about money and things like that; you would expect me to. He is right to highlight that point because insurance companies and our insurance provider look to see that we have good governance provisions in place, as they do when we are taking out personal insurance which is no different to: "Is your house locked?" Most of us probably have a little bit of grey there when we fill that in on our insurance form, living where we do, in light of us thinking that our doors are locked knowing that we do not really check whether they are locked or not because it is not an issue for us, and other things in that regard as well.

[17:00]

Insurance brokers and providers look to see good governance, they look to see what practice is going on and they look to see where there are faults and difficulties and they adjust premiums accordingly. So I think that we know that, and the Constable hits on a very good point; anything that we can do to strengthen governance will help mitigate premium increases. The challenge I think that most Members have found is whether the board that is proposed is going to have appropriate oversight and whether it is the right structure and whether management of costs are appropriate as well. I come to this from the perspective that I think having tried many other approaches that a governance board is the right approach and I am not really sure that I have heard anyone this afternoon suggest that a governance board with non-executive directors and the executive of the hospital seeking to improve the governance across the board and ensure thereby ... although it is not necessarily the case. We have got to be clear about this, bureaucracy does not always produce good outcomes, so we have got to do this with our eyes open and be prepared, as other speakers have said, to adjust during the course of the 18 months that this will be in place. But we expect, as the Minister for Home Affairs said with boards in her area, boards can help with governance and produce better outcomes. If we look at that model then that is what we should see as a by-product. As you will have gathered as the debate has gone on, we have discussed this at Council of Ministers and I think we have had good discussions. Not all issues have been resolved, as you will have noticed. One of those issues which I think does remain open, but I know that colleague Ministers are mindful of, is how the Minister for Health and Social Services herself is supported in balancing what will now be a good governance around the everyday administration of the hospital and the provision of services and how she is supported to make sure there is proper governmental - we like to say political and then we can be unkind about it - oversight and control there as well. Because creating a governance body is not providing an open cheque just to say you can spend whatever you like and the Minister for Health and Social Services knows that. There are those areas which are still to be addressed. There are others who have spoken about the board and the number of people on the board and I have a lot of sympathy for them. It

comes back to that point of, yes, we know we have got to improve the governance, a board will help us improve the governance but do we always in Jersey - and I have been guilty of this as much as the next person - have to go for the very best and the most expensive? The truth is that we do not. It could be argued that maybe we have not quite managed that bit as well as we might have done in this regard. But that for me does not mean that we should not go ahead with this improvement in governance. I am extremely pleased that this is an advisory board and for my part I make it clear in voting to support this board today that I wish it to remain an advisory board and not become a statutory board. The reason that I am clear about that now is because I do not believe that you can square all of the circles of accountability to this legislative Assembly, accountability to the Council of Ministers and financial accountability if you do create a statutory board. I think the benefits of a non-executive advisory board, which will help with governance, are suddenly no longer there if you create a statutory board because what you are ultimately doing is you are encapsulating in legislation friction between services at the hospital, between the Minister and between the legislative Assembly and, therefore, between the hospital and Islanders and, therefore, I cannot support that. I cannot see any legal way in black and white that you can solve those problems. Therefore, for my part, it has got to remain advisory. I have spoken for 9 minutes. I know that Members feel strongly. I know that they are thinking carefully about how they vote today. I know that for my part they have raised some really good points. I, on balance, think that this is an appropriate step because it will enhance the governance of the hospital and the health service. I would say there are some elements that do not fall within the Minister for Health and Social Services' remit but have now been moved to the C.Y.P.E.S. Minister's remit around C.A.M.H.S. (Child and Adolescent Mental Health Services), for example, that really should come within the remit of this new board and yet they are outside. I think that is something that can be undertaken as well within this 18 months, to make sure there is a co-ordinated approach to health services to Islanders. I support the reporting back to Council of Ministers every 6 months, perhaps it could be even more. I know that Ministers are busy but I do think I, for one, was surprised by how many times on the doorstep in the election Islanders raised with me the difficult experience that they had had in the provision of health services. That is not about the individuals in the health service, it was about waiting lists, it was about their experience, about travel, it was about all of those things and that for me showed that we need to do something different, we needed to be really quite creative in what we were doing. I think that this is a good positive step.

8.1.20 Deputy K.F. Morel:

For those Members who have cited cost as one of the concerns they have with regard to this health board, I ask them to listen to the Minister for Treasury and Resources. I think all of us could probably agree that the Minister for Treasury and Resources is a man we know as someone who cares deeply about spending and never spending too much. He has just said that is an appropriate spending of money - they are my words, not his - but he is in support of this proposition and it is because he sees this as good value for money. I believe if the Minister for Treasury and Resources tell us that this is value for money, then that is correct. To second-guess him is to have different reasons for not wanting this health board. Tomorrow I have to speak to an audience of business people at the Chamber of Commerce and students. I will taking as my starting point the immense demographic challenge that the Island faces. There was reference earlier today when questions were asked of the Chief Minister and others about the common population policy. We, as an Island, need to have our eyes very wide open with regard to this demographic challenge. Within 17 years the amount of working people supporting the amount of retired people will have fallen to 1.4; that is 1.4 working people supporting every retired person on this Island. Today that ratio is 1.9. We are going to lose half a working person for every retired person in this Island. That creates an immense economic challenge for our Island and we need to start sorting that out. I will tomorrow be arguing that we need to be set on a course for significant sustainable economic growth. At the same time - and I will not be discussing this tomorrow - I also know that one of the ways that we can help avert the financial

problems that come from that demographic challenge is to reduce the cost of our healthcare system and, by reduce, it will only grow in overall terms but make it much more efficient than in current years. We have heard people today talk about paper records, we are still in that world. This is the 21st century. We have heard people talk about their experiences of doctors or being told about consultants who had not kept records for years. We have talked about reports which have told us time and again that governance in our healthcare system is not good enough. Every single Member in this Assembly, I believe, would say we need to improve the healthcare system. Yet what do I hear? I hear people saying, Members of this Assembly saying, we need to improve the healthcare system but not like this. Every time there is a wish to change the healthcare system it is, no, you cannot do it like that. Have they come up, have I heard one example of how, instead of doing this board a different board or a different mechanism could be used? Not one. For all those critics they have no suggestions to put in place. We need significant change in our healthcare system; that is one of the ways we deal with the massive demographic challenge we have ahead of us. That means we cannot have a health system that is modelled on the 1960s, 1970s, 1980s. We need a healthcare system that is fit for the 21st century and that means a healthcare system where governance is its foundation. Currently, unfortunately, we do not have that healthcare system. Governance is not currently the foundation of our healthcare system and this has been shown to us time and again in report after report and yet the very people telling us not to adopt this proposition are the people saying to us but we need change. Yet they are not willing to allow the Minister for Health and Social Services to exact change. This is a Minister for Health and Social Services who has experience of governance in healthcare systems. Previous Ministers for Health and Social Services have included lawyers, investment managers, catering managers, cabinetmakers. In the future we will be going through a list like that again for Ministers for Health and Social Services. They need the support of an expert board to help guide their decision-making and I put it to this Assembly that one of the reasons why the healthcare system is in the situation that it is is because those lawyers, those investment managers, those catering managers did not have the support of experts to guide them properly. When I hear people telling me, people who equally many of whom have not worked healthcare systems, and I know one or 2 have, but most of the people who have criticised this report have never worked in the healthcare system. They are telling us that this is wrong, yet when they talk about cost the Minister for Treasury and Resources then comes back and says, no, this is an appropriate cost; that is implicit in his support for this proposition. That argument falls away. If I had heard one suggestion of how we could have the support for the Minister that will take us into the 21st century I would be willing to listen to those suggestions. But I have heard not this board, a different board. What is a different board? Do not know, that is for somebody else to work out. I have heard rumour this is just a privatisation of the healthcare system. It is just not true. We have had the Chief Minister stand there and say that is not happening. We have had the Chief Minister saying, no, the Minister for Health and Social Services will remain in charge of the healthcare system. We are talking about gossip, rumour. We are talking about people who genuinely, all of us in the main, do not know what we are talking about with regard to healthcare. But we have someone who is an expert in governance of healthcare systems putting a proposition forward to say: "I need this to make sure the governance in the healthcare system is appropriate." But the rest of us, no, who are you to tell us such a thing? We have to wake up in this Island. We have immense challenges ahead. We need the Island to come together because we want to give healthcare to those people, especially older people who will need that healthcare. These are our mothers, our fathers, our grandparents. They will need this healthcare system to work for them. We will have 1.4 people per retired person supporting that healthcare system. The healthcare system has to modernise. It absolutely has to become much, much more efficient and that does mean, potentially, working much more closely with Guernsey in the delivery of healthcare.

[17:15]

Why not? Why would that be such a silly idea? We had a proposition last year from Deputy Tadier which was about having radiation treatment units in Jersey. One of the things that came out of that was that these particular units that we were talking about need a population of 250,000 in order to work properly. The Channel Islands as whole cannot deliver that population, so we know that we have an issue with scale. As 100,000 people we have a much bigger issue with scale than 160,000. These are the questions that we are going to have to, as an Assembly, come to terms with as we seek to modernise, desperately needed modernisation of our healthcare system. Those who stand in the way of that modernisation are standing in the way of Jersey moving forward into the 21st century. They are standing in the way of Jersey moving forward into the 21st century. They are standing in the way of Jersey being competitive in the 21st century. They are standing in the way of us looking after our elderly population properly in the 21st century. That is not where I want this Island to be. This is a reasonable proposition. It is for 18 months. If this does not work then we will all be able to be back here in 18 months' time and say: "This did not work." I have a funny feeling the Minister for Health and Social Services would be the first person to put her hand up and say: "This is not working the way I expected it to work; therefore I am not continuing with it. This is something else I am putting in its place." This is not a multimillion-pound proposition. This is not building massive hospitals on hills with billion-pound price tags. This is about £206,000 a year to deliver the governance, which will provide the safety that we need to know is being delivered in our hospitals. Yet we know in the last few months we have had reports from the Royal College of Physicians telling us that there are issues with safety in departments in our hospital. Yet, Members of this Assembly will deny the Minister for Health and Social Services the opportunity to put that right. I ask you to put aside prejudice, to put aside any personal animosity. I ask you for the good of the Island to help our children enjoy this Island in the way that they need to, to deliver the healthcare for the elderly people that we will all be. We will need that healthcare, but our children will not have the other people around them in the workforce to deliver it in quite the same way. I ask you to put aside all of that to vote for this 18-month long proposition and to say: "Yes, Minister for Health and Social Services, we are backing you in trying to transform the health system that we know needs transformation and we know needs the safety record and the governance that is currently missing from the health system." Please, I urge you, support the Minister for Health and Social Services in this. This is an important, small, but vital step forward in taking our health service into the 21st century.

8.1.21 Deputy L.V. Feltham:

I am pleased to follow the previous 2 speakers, because unusually we are in agreement in this case. It is important to make that point, because listening to Deputy Morel just now he made the point about putting what is right first. That is what we absolutely need to do here. This is not about personal and petty politicking. I find myself really quite sad that we are in a position that Members of the Government cannot work together in the best interests of the Island in this instance and have not come to the Assembly with the consensus that they promised that they would do at the beginning of this term, particularly on an issue that is so critical for the health and well-being of Islanders. We have large issues to resolve when it comes to the health service. For me, this is the only option on the table currently that gives us any ability to try and resolve them in a sensible manner. I listened with interest to the Constable of St. Lawrence, because I have some sympathy for her views. I, myself, have been on a bit of a thought journey about this proposition. I have to say when the Minister for Health and Social Services and officers first came and consulted with P.P.C., I was quite irritated. I was irritated because I felt that we were being consulted too late in the day. I have got over that now, but I do hope that the Minister and her officers will take those comments on board. I was also feeling the same as the Constable of St. Lawrence, the first thought that went through my mind was: "Well, is that not what the senior managers in health are paid to do?" However, I have since read more into the proposition and in my position as chair of Public Accounts Committee I have had conversations with the Public Accounts Committee, with the lay members and also with the

Comptroller and Auditor General. I have reminded myself of the previous reports and recommendations put out by the Comptroller and Auditor General, which did recommend that there should be a board of governance for Health on the Island and also, when the previous board was in situ, had commented that overall governance had been improving. However, there were flaws, as Deputy Gardiner has pointed out, as the previous chair of P.A.C., in that set up of that particular board of governance. One may well have been that it had unpaid voluntary members that were also local and perhaps it did not have the level of expertise that the board that is being put in front of us today will have. I brought the amendment that I brought in the spirit of collaboration, in the spirit of wanting to take us forward. Even at that time, and I am looking at the date of the amendment, it was the beginning of May, there was discussion, gossip and rumour in these corridors about what this board meant and how much it would cost. For me, the big question is: what is the cost of doing nothing? What is the risk to Islanders if the governance within Health and Social Services continues to deteriorate? What is the risk to our health service if staff morale continues to deteriorate? I brought the amendment to reduce the periods of appointment from 3 years to 18 months to mitigate some of the risks and some of the concerns that I knew Members had about the cost, about whether this was the right solution and about whether it will deliver what it needs to deliver for the public. I also did that knowing that, as the chair of P.A.C., my committee has made the governance of health and social care a key focus for this term of office. We have also recently launched a review into the governance of health and social care. I can give the Assembly my word that P.A.C. will not let this subject go. We will be scrutinising the senior officers and holding the senior officers and the health board to account for the actions that they take and how they are managing the health service and also for the advice that they are providing Ministers. I do hope that Members that are hesitant, worried, concerned about what this proposition means will change their minds and support it. At the moment, as Deputy Renouf and Deputy Morel have both pointed out, this is the only option on the table. This is the only option on the table, despite it having been on the table for several months. The people speaking against it, the naysayers, the people telling us that it will not work, have had all of those months to either bring their own propositions or bring amendments to this proposition. The fact that they have not done it suggests to me that they do not have a better option. At the moment, this is the best option on the table for us and we need to take action for the good of our health service and for the good of the public of the Island.

8.1.22 Deputy S.G. Luce:

I hope I will not be bothering the timekeeper. I ask Members to bear with me for the first couple of moments, because after I read this the first thing I wrote down was A.L.O.s (arm's length organisations). I read this and I started to get, whether right or wrong in my growing abrogation of political responsibility, and I thought about Ports and I thought about Jersey Development Company and how those 2 in particular have worked or have not worked in the way that politicians might have imagined when they were first set up. Certainly Members may know that I was never very happy with the way Ports were moved. Anyway, this is one of those debates that I see where you have a number of things where you can move one way or the other very quickly. The first thing I want to say is: detail. Do we need more detail? Some would say: "Yes, we do." Then others would say: "Yes, but getting that extra detail is going to hold you back and do you want the delay?" Then we get to the question of political oversight. Some will say: "You have to have political oversight. It is vital." Others will say: "The last thing you need anywhere near this is politicians." Then if you do have the political oversight, you will have the Minister for Health and Social Services. Having a Minister for Health and Social Services who is knowledgeable and at the top of their game is really what you need. However, in many instances in the past I have always taken the view that you have to imagine the absolutely worse possible person in this role and the power and influence that you might give them. The next thing I wrote down after that was a conclusion, if you like. It was these words: set them loose and let us see what happens. I found myself asking myself: "Really, with such a vital service?" Which is why I am surprised that some people who have said that they want to

support this talk about the advisory board could move to a statutory situation, it has less remit than it used to have and maybe that could change as well. I just finish with this. It has been said to us, and it was the Minister for the Environment who said it, he said: “Set it up first and let us have the political arrangement after.” He talked about foundations. However, I would say to the Assembly that, for something as vital as this, before you start building you make sure your foundations are 100 per cent solid. I am sorry, this is a close call for me, but I will not be able to support this proposition.

The Bailiff:

We are within 2 minutes of the time and Standing Orders require that I ask the Assembly whether or not it wishes to continue or wishes to adjourn until the next continuation day, namely 9.30 a.m. tomorrow morning. I have no one listed ready to speak at the moment. If it helps Members, is there anyone who is intending to speak? Obviously the Minister will have the opportunity. There is one person who has indicated a wish to speak in addition, of course, to the Minister’s right to respond. I am in the hands of the Assembly whether we adjourn or whether we ...

Deputy I.J. Gorst:

Sir, may I propose that we continue until 6.00 p.m.?

The Bailiff:

That is seconded [**Seconded**]. I am asked to remind Members that although the proposition that is currently being made will not prevent that, there is a briefing from the Commissioner for Standards scheduled for 6.00 p.m. in the Chamber. That is what Members will be committing to. Very well it is seconded. [**Seconded**]. Does any Member wish to speak on the proposition, staying until 6.00 p.m.

Deputy M. Tadier:

I do not think it is wise, even though some are staying until 6.00 p.m., others have appointments to get off to. It is unwise to work right up until 6.00 p.m..

[17:30]

It does not give Members a chance to stretch their legs and to clear their heads before talking to the Commissioner. I do not think we are going to finish the debate today anyway and we are going to have to come back tomorrow. I simply make those points. We will fill the time allotted and it will go into tomorrow and we will finish at whatever time we finish. I, for one, have an appointment this evening and would not be able to stay until 6.00 p.m. anyway.

The Bailiff:

Does any other Member wish to speak on the proposition, as quickly as you can? No other Member wishes to speak. Do you wish to say anything further, Deputy? Those in favour of adopting the proposition, which is to remain until 6.00 p.m. kindly show. The appel is called for. I invite Members to return to their seats. The vote is on whether or not to remain until 6.00 p.m. for the continuation of this debate. A vote pour is to remain until 6.00 p.m. I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. The proposition is adopted: 29 votes pour, 13 votes contre, no abstentions.

POUR: 29		CONTRE: 13		ABSTAIN: 0
Connétable of St. Lawrence		Connétable of Trinity		
Connétable of St. Brelade		Connétable of St. John		
Connétable of St. Peter		Connétable of St. Clement		
Connétable of St. Martin		Connétable of St. Ouen		
Connétable of Grouville		Connétable of St. Saviour		

Connétable of St. Mary		Deputy M. Tadier		
Deputy C.F. Labey		Deputy M.R. Le Hegarat		
Deputy S.G. Luce		Deputy S.M. Ahier		
Deputy K.F. Morel		Deputy S.Y. Mézec		
Deputy R.J. Ward		Deputy H.L. Jeune		
Deputy I. Gardiner		Deputy A. Howell		
Deputy I.J. Gorst		Deputy T.J.A. Binet		
Deputy L.J Farnham		Deputy M.B. Andrews		
Deputy K.L. Moore				
Deputy B.B.S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy M.E. Millar				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F Stephenson				

We continue until 6.00 p.m. Does any other Member wish to speak?

8.1.23 Deputy M.B. Andrews:

This is probably one of the most contentious items that has been presented before the Assembly for some months now. I understand why there are pluralistic discourses among the 49 of us in this legislature. It is absolutely paramount that something ought to be done. When we are looking at our health service, we need to be looking at the amount of expenditure relative to G.D.P. and compare that to other jurisdictions, the percentage is very low. However, compounding this, we need to look at the problems we have, the problems with culture from within. This is something that the Comptroller and Auditor General and also the Mascie-Taylor Report highlights too. Can we really expect the Minister for Health and Social Services alone to address the cultural issues when there is a headcount more than 2,000 in the Health Department? The answer is: absolutely not. That cannot be done. There needs to be external assistance. If you are asking senior management to be reporting directly to the Minister, you also need to question: is it not those individuals who potentially could be the reason why we have a poor culture in the first place? This is why having an external board, where you have those 5 non-executive positions, you have people who are here independently, being impartial, who have no prior knowledge of the culture from within, who can observe what is put before them and they can properly come up with findings and they can inform the Minister for Health and Social Services on what the best way is forward. Now it seems to be the case that some politicians are very concerned about the cost, and rightly so, absolutely. You also need to think about if we do not have this board in place, are we going to be seeing overspend after overspend after overspend,

year upon year? The answer is yes, most likely. Are we also going to see culture be addressed? Probably not, because there seems to be a resistance to culture. At least with Mascie-Taylor, he was the one who identified this problem and we still have him in place. As much as some people may disagree with the appointment of Mascie-Taylor, he is very clearly a very intelligent man. He is one of the most capable individuals that we have available to us. On a U.K. level, he is one of the best in the country. We can count ourselves very fortunate to see this individual be heading this board and by informing the Minister it means the Minister can be better equipped, better informed to implement change. That is the whole purpose of this board. There are some politicians who are questioning is there only going to be the board who is accountable to the Minister for Health and Social Services. We also have to remember that there is a structure within the health service, there is head count. Also civil servants have to be still responsible to the Minister for Health and Social Services. There are 2 lines of reporting here. However, one of them we have to question. If it continues to be civil servants reporting to the Minister for Health and Social Services, is the Minister for Health and Social Services being properly informed? I do not think that would be the case, no. Who wants to be properly informing your boss about some of the issues within your department? Would there be that potential that some people would withhold certain information? Of course, that could be a potential risk. Therefore, by having this board external to the Health Department we have people who can observe from afar, who can report back to the Minister for Health and Social Services and report back to the Council of Ministers as well, more broadly. This is probably better that we see the entirety of the Council of Ministers being informed here, rather than, say, an individual Minister. At least you have that broad discussion around the table where you have 12 Ministers and also the 3 Assistant Chief Ministers as well. That is where you can potentially build a consensus and you can directly then bring about change. Whereas if you have power within the hands of one individual, there is always that risk, for instance, that the person could become potentially politically ... political ideology, a political conviction. Whereas if you have everybody round the table it means you can provide those cross-checks and balances more. That is one of the benefits of the amendment being brought forward. It must be said as well, when we are speaking about the timeframe, initially when the Minister for Health and Social Services said it was 3 years that the term would be of this health board that was a prudent move, because what you are seeing is a level of continuity. One of the problems we have with our legislature is we have elections every 4 years and, as we have seen in the 2022 election, 22 new politicians to the legislature, a massive change. Coming with this is potentially a change in direction as well. What the Minister for Health and Social Services was seeking to do is to try and provide some stability and build a working relationship with the health board. That was absolutely crucial. By setting up a statutory board in the first instance, what happens if it goes wrong? That is the reason why it has been brought forward on the basis of being an interim advisory board. The Minister for Health and Social Services has reiterated if things do go wrong, then absolutely as we have all taken our oaths of office, we have to be accountable. We have to say: "Yes, it has not worked out. Things have failed and we have to go back to the drawing board." I feel as well it is important to remind Members we are a legislature of 49 individuals. Quite rightly, as some politicians have mentioned in their speech, we can quite freely bring forward propositions. If someone is complaining about a proposition or proposal that is in the works then we can, as Back-Benchers, especially non-executive Members, bring forward our own proposals. That does not seem to be happening in the non-executive. It is not being disrespectful, but it is the same figures, such as myself and the likes of Reform, who keep on bringing things forward all the time. As a legislature, we have the freedom to bring forward propositions. That is what we need to be seeing more of. That challenge, challenge the Executive. It is understanding the political framework within our Assembly. The Executive, absolutely, need to be bringing forward proposals, but where the Executive are not doing their job sufficiently enough the non-executive have the ability to enforce the Executive. There has been plenty of time to do that. The reason why I have not brought anything forward is because, yes, I was content. I had questions, do not get me wrong. I attended 2 briefings. The first briefing I was not given the opportunity to ask questions, so we rearranged. In the second briefing I was able

to ask 4 questions where there were things outstanding and I wanted that clarity. That was important; communication. We have to see a good line of communication between the Executive and the non-executive. It is good to provide that positive challenge, but also we have to reinforce with constructive feedback too. What seems to be happening is evidently there are tensions in this Assembly. It is more toxic than the last Assembly is what quite a few people are telling me. That is not good for democracy. As an Assembly, we need to get our act together in quite a lot of ways. It is stuff like this where we need to be looking at the content of propositions and it is not about individuals so much and voting for or against individuals who might be proposing certain propositions or amendments. This is a crucial piece of work. It is important to mention as well, we have an ageing population, as Deputy Morel mentioned, and social expenditure is going to increase, inevitably. What I mean by social expenditure is education and healthcare budget expenditure. It will gradually increase in the next couple of decades. It is going to happen. If we have a poor level of governance being maintained in Health, what does that mean? It could be compounding issues. Now is the time where we take a look, we appraise things and we come up with solutions. That is what we are paid to do. The non-Executive have to be supportive of the Executive. It is a tough ask. We all know that. It is going to be some massive challenges. We know there are problems in Health and Social Services. For me, I am very passionate about being outcome-based. That is what I have elected to do, to come up with answers. The board, yes, the cost is fairly extensive, but it is a better way forward to be assisting the Minister for Health and Social Services rather than continuing as is. By continuing as we are there is not going to be any form of resolution to this and we are going to go down this bad road that nobody wants to be going down at all. We do need to commend the Minister for Health and Social Services, who has been innovative in what she has come up with. We also have to remember as well, she is somebody who has a good pedigree, a level of specialisation in this field as well. She is one of the very few people in this Assembly who have that experience, so that also has to be remembered. You will, of course, have those individuals externally to the Assembly who will make comment, but at the end of the day we have somebody who is highly qualified in the profession, who has previous experience of establishing boards and we are very fortunate in that respect to have her here with us. However, it also has to be known as well, when you are looking at the Health and Social Security Panel, there are a couple of individuals who have the experience as well to provide that constructive scrutiny. They also have to be heard. In the meeting yesterday there were some comments that were made that made me think, because it was about providing a healthy challenge in regard to what the Executive are doing. That is how it should be. We should be like that more often. I most certainly will be supporting the Council of Ministers in bringing forward this proposition for approval.

The Bailiff:

Do you give way for a point of clarification?

Deputy M.B. Andrews:

Yes.

The Connétable of St. John:

The Deputy mentioned that the Mascie-Taylor Report was the first to mention culture. Would the Deputy accept that the Comptroller and Auditor-General raised culture in both her 2018 and 2022 reports, please?

Deputy M.B. Andrews:

I can confirm that I have read the 2022 report and, yes, I did mention in my speech that it was both Mascie-Taylor and the Comptroller and Auditor General's reports that did mention the problem of culture.

8.1.24 Deputy P.F.C. Ozouf:

Having been in this Assembly, albeit with a 3-year break, since 1999, I have had and seen more debates about the health service and health problems than the majority of Members who have not been here as long as I have.

[17:45]

It is not unusual for there to be disagreements between the Council of Ministers. There was a collective responsibility mandate under law, which no longer exists, it is currently a voluntary collective responsibility and I do not think it is bad in a democracy for there to be disagreements, albeit that they are best dealt with within the confines of the Council of Ministers. I say as a Minister of some years there is a lot to change in the way the civil service provides assistance to the Council of Ministers at the moment in terms of communication. A lot of the issues that we have heard about in the debate this afternoon are about miscommunication or a lack of communication among key issues. The issue of private secretaries in the way private secretaries explain to Ministers what is important is something that needs to happen. I will be supporting this proposition because I believe in collective responsibility. I would also, however, encourage, if I may, the Minister for Health and Social Services to recognise that this is not simply the setting up of a board of which she is going to have sole and direct and absolute control and power over. Health is too big, too important, too expensive and the challenges in terms of infrastructure and facilities are too big to be dealt with by simply one Minister, who is also not in fact in charge of dealing with the building of the things. Also, the Minister for Health and Social Services needs to recognise that there has been some lack of clarity, and I am not sure I know, with the relationship between primary healthcare. Primary healthcare is fundamentally linked in with the future of our health service and primary healthcare, in terms of the responsibility of the Ministerial responsibilities, is a matter for the Minister for Health and Social Services. I would welcome that the Minister for Health and Social Services will undertake that the conclusion of the board, whatever they are, as relevant to the primary health body profession, will be absolutely something which the Minister will deal with. In terms of Treasury, at present the Treasury has the biggest amount of difficulty with Health than with any other department. Difficulty because it spends more money than any other department; difficulty because it is overspending more than any other department; and difficulty because the last Government gave the fiction that a hospital could be built for nothing. The reality is a hospital and hospital facilities cannot be delivered for nothing. They cost money. They are going to require a huge amount of investment. I congratulate the Minister for Infrastructure, the Chief Minister, the Minister for Health and Social Services and indeed all the other Ministers responsible for coming forward with a realistic and buildable hospital with health facilities that are going to be fit for purpose for the longer-term future of Jersey. I encourage the Minister for Health and Social Services to say that she is a collaborative Minister and she is going to work with others. This is not just about a board and indeed a whole structure within the Health Department, which is just about health, and that she is going to be working with this board in order to improve health services, which are going to require better relationships, better communication and better value for money - indeed more money in some cases that is going to have to be offset by savings - and that this is going to be a collaborative approach, rather than what has been put forward as simply an almost one-Minister only reporting line. I am not an expert in all of the issues because I have not been part of all the discussions. I know that there have been some really tense discussions at the Council of Ministers. I hope that they can be resolved. I am sure they can be. With her summing up, I am sure that she can bring as many Members on board with what is a, as we have said, not a statutory body, an advisory body, for a limited period of time. I will be supporting the proposition, but I look forward to hearing those confirmations from the Minister for Health and Social Services.

8.1.25 Deputy M. Tadier:

I have managed to inform the people I was meeting with that I will be sitting a bit later tonight. The job has to come first. One of the humbling things - it is not the best word I could find, but I think Members know what I am trying to say with this - about being a representative is that people tell you things that they often would not tell other people, that they might not tell their friends or even their family. One of those issues that are recurrent often relates to healthcare. It has been my experience that people in Jersey do not instinctively like complaining about the healthcare system. We might say slightly glibly that we think that people in Jersey like to complain, they like to write letters and they like to voice their opinions about several things, but my experience is when they do talk about healthcare and they do raise issues with me or with us about issues that they have been having, they always do it very difficultly because there is fundamentally an underlying thankfulness and recognition on their part, and I think we all share this, for the difficult job and the care that is provided in the sector more generally, so that we have good staff there. But the word always comes back. I was at the hospital the other week for an operation or I visiting someone and I cannot fault the staff because they were doing a great job, but ... and then it is "but" with 3 dots after it. Then they tell you about their experiences and after a period of time you get to build a picture that all is not well in the health system in Jersey. I know from my part, in my own personal manifesto, I singled out health. I did not have as many words maybe as I might have liked in terms of what we were supposed to produce for the online content, for example, but I made sure that health was one of the 3 areas that I wanted to focus on. I said that health is the great leveller and that I am proud of our front line workers, but there are urgent issues that we need to address in the healthcare system. Those do relate to things like waiting times for operations. Something I raised this morning in questions to the Chief Minister and which I am also in contact with the Minister for Health and Social Services about. I thank her for her speedy response on that. Also, making G.P.s more affordable was a core part of the Reform Jersey manifesto, which has now become part of the Government commitment and adopted by the wider membership of this Assembly. There is still more to do. Listening to Deputy Andrews who said we need to support the Executive in this. Others have also said that. On this occasion we do, but we do not support the Executive simply because they are the Executive and we must do what they say. We look at the proposition that they have been putting forward and we look at the content of that and what is trying to be achieved by the Minister for Health and Social Services. I do feel for our Minister for Health and Social Services sometimes, because it seems like she cannot do right for doing wrong. She is told by lots of people in this Assembly, specifically those who feel that they were elected on some kind of health mandate, that there need to be stark improvements in the Health Department and the way it is run, and that we cannot keep doing things as we have done in the past. Then when she tries something new, which is a collaborative approach, which says we do need to change things here, we do need to change the culture, we basically get the response of - excuse me, Sir, for saying it like this - "We do not like it and we do not want it." That was something I used to joke about with Deputy Labey of St. Helier in the past. The lowest common denominator arguments in the Assembly when you got through everything: what is it that you do not like about this proposition? It just boils down to: "Well, I do not like it and I do not want it and we do not need it." That is unfortunate, because I must admit, as a party and as individuals in the party, we looked at this when it came out and we thought, okay, what is going on here now? Some of us have been around long enough to say: "Is the Government trying to pull something here? Are they trying to pull the wool over our eyes? Are they trying to buy time?" We looked at it and we said: "They are on to the right thing here. They are doing something which is correct. They recognise that there are serious issues in the health service that need to be addressed and they recognise that we cannot keep going as we have done." This is why one of our Members, Deputy Feltham, and we need to thank her for this, we did not have a separate debate on the amendment, but it is an amendment which adds a safeguard to the proposition. It means that this Government will have to be accountable for a policy

area that they are leading on, that they are bringing forward, with the conditional support of this Assembly. The Assembly is saying to the Ministers, including the opposition party here, because Reform Jersey, if you like, is the opposition in this Assembly, the formal opposition. However, we are not one that opposes simply for the sake of it because an opposition party in another jurisdiction might have simply said: "Here is an opportunity to sink the Government and to send it back with its tail between its legs, because that is the kind of politics we support." In Jersey, however, our party, Reform Jersey, says: "Let us look at the substance of what they are trying to achieve. Yes, it is the way we should be moving, but let us put that safeguard in place to make sure that the Government can come back. If it is working, great, the Assembly can re-endorse it for a further period. If it is not working or if it needs tweaking, there will be that opportunity in 18 months' time for the Government to come back, they must come back, and get approval for what is being proposed. Also, it is a period of reflection, so that we can reflect on what has been done." So it might be slightly unusual at this point to go back to a former Minister for Health and Social Services, which was Deputy Andrew Green, who said, when paraphrasing Einstein: "If we keep doing what we have always done, we will keep getting what we have always got." The Minister for Health and Social Services on this occasion needs to be given the support to say: "We do not want to keep on getting what we have always got, we want to be able to do things better in Jersey than we have done up until now." In doing this, we can help the Minister and help the Council of Ministers deliver, what we should all be supporting, a better healthcare system for our whole Island, Sir.

The Bailiff:

Thank you very much. We are 3 minutes from 6.00 p.m. As Members will know, we will move on. It is quite clear that even if no one else wishes to speak, the Minister for Health and Social Services is going to take more than 3 minutes to sum up. The adjournment is proposed. Could I just remind Members to remain because there is a meeting with the Commissioner for Standards, but aside from that the Assembly stands adjourned until 9.30 a.m. tomorrow morning.

ADJOURNMENT

[17:57]