

2025.02.25

**3.6 Deputy I. Gardiner of St. Helier North of the Minister for Health and Social Services regarding the Terms of Reference for any current consultation regarding the reorganisation of his department (OQ.48.2025):**

Will the Minister commit to providing the terms of reference for any current consultation regarding the reorganisation of his department, with either internal and external stakeholders; and if not, why not?

**Deputy T.J.A. Binet of St. Saviour (The Minister for Health and Social Services):**

I thank the Deputy for her question. I have to say that there is no current consultation, there is no planned future consultation. There were no terms of reference at the beginning and, as such, there are no terms of reference that can be made public. For my part, I cannot see where terms of reference would fit into this work, so perhaps the Deputy could explain to Members how terms of reference could be applied in this particular situation?

**The Bailiff:**

The answer to the question, I think, was that there were no terms of reference, and that is why they cannot be provided, was it, Minister?

**Deputy T.J.A. Binet:**

That is completely correct.

**Deputy I. Gardiner:**

Just to clarify, was it also answered that there is no ongoing consultation for restructure?

**Deputy T.J.A. Binet:**

The work that we are able to do is either being done or is in the process of being done. The work that has to come back to the Assembly is being formulated now and that will come to the Assembly in the form at the time.

**3.6.1 Deputy I. Gardiner:**

I do have a supplemental, and I would like to ask the Minister to clarify because at the public hearing with the chief executive officer on 12th February he expressly said that the Minister continued to consult its existing extensive consultation. When the consultation will be finished we will write a business case. What is important for me to understand: is the Minister and his team doing consultation for the restructure or not? Who is right and who is wrong with this?

**Deputy T.J.A. Binet:**

From my point of view, we have spoken to all the professionals involved because they are the ones that we rely on to have feedback and they are all very much in favour of what is happening. It does not mean that at certain points in time we may not ... we will continue talking to the professionals involved as we need to because it might need fine-tuning. But there is no formal consultation process currently happening or no formal process planned.

**3.6.2 Deputy M.B. Andrews of St. Helier North:**

If there is no consultation process that is ongoing could it be considered rather autocratic if we are to then see a new independent body be set up and charities are then given little choice but to be part of this new independent body, when they may choose to remain independent and away from the Government?

**Deputy T.J.A. Binet:**

I do not seem to remember saying that it would be an obligation for charities to become involved. It is an opportunity for them to become involved. I do not see that there is anything autocratic in this at all. We are elected to do a job, and it seems to have become a crime to have an initiative to do something positive to deliver better care for patients. I find that very strange.

**3.6.3 Deputy M.B. Andrews:**

The purpose of the independent body is to obviously bring everything into one. However, if charities and other organisations choose to remain independent, will the Minister still be providing funding for those entities, and if not, why?

**Deputy T.J.A. Binet:**

I think all that will depend on how things evolve from hereon. I do not see a particular tension in this regard at all.

**3.6.4 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter:**

Is the Minister aware of the Government of Jersey's guidelines on holding consultations, and when did he last consider them?

**Deputy T.J.A. Binet:**

I have not inquired about them because I do not think I need to. I will be bringing a proposition to the Assembly shortly, and that is the point at which the Assembly gets involved in this. I am really at a loss as to know what is going wrong here. I cannot help feeling that some of the Members here are trying to create a crisis of process abuse where none exists, and it certainly would not be the first time.

**3.6.5 Deputy K.L. Moore:**

It appears that the chief executive considers that a consultation process is under way. It might be helpful if the Minister could outline why there seems to be a difference of opinion with regard to the consultation process between himself and the chief executive.

**Deputy T.J.A. Binet:**

The chief executive is a busy man, and he may not know that we have reached the point at which the principal consultation is finished. But, as I say, this is not a crime. If I carry on talking to health professionals about fine-tuning, I do not see there is anything untoward in that at all. As I say, this looks to me like another attempt to create a crisis of process abuse where none exists.

**3.6.6 Deputy J. Renouf of St. Brelade:**

I think I heard the Minister say that he had spoken to a lot of professionals who had all agreed with the proposals. The former chief officer, Chris Bown, has been employed by the department in an advisory capacity since December. Can the Minister outline what discussions he has had relating to his reorganisation of the health service with Mr Bown?

**Deputy T.J.A. Binet:**

I do not have a list of the conversations I have had. I have spoken to a good number of people over a good many months, and we have to bear in mind that the former chief executive left office formally to go for an operation at the beginning of October. That is something like 5 months ago. I am sorry, I do not have a list of my engagements and conversations with him on the matter.

**Deputy J. Renouf:**

I do not feel that answered the question. It is one person.

**The Bailiff:**

But the Minister has said that he does not have a list of his conversations, and therefore he cannot answer the question. What the consequence of that is a different thing but if he cannot answer ...

**Deputy T.J.A. Binet:**

I am happy to say that I have spoken to the chief executive on it on a number of occasions, but as I say, when you have hundreds of conversations with people about a particular issue, it is hard to be able to ... if the Deputy would have asked me for a list, I could perhaps look back in my file. But as I say, off the top of my head, I cannot give him a list of dates. I think if the Deputy was in the same position as me, he would find that very difficult too. I do not think it is a realistic question, to be honest with you.

**The Bailiff:**

There we are. That was the question.

**3.6.7 Deputy J. Renouf:**

The Minister said that the former chief officer had gone for an operation 5 months ago. However, he did come back to the department in an advisory capacity and has been working in that capacity, or available at least, in that capacity since December. So the department is paying him money. He is highly experienced in different types of health organisations. Can the Minister confirm whether or not he has spoken to Mr Bown since he came back to work in December?

**Deputy T.J.A. Binet:**

No, I have neither seen nor spoken to the individual concerned, and I will say again that I do not consider that to be a crime.

**3.6.8 Deputy L.M.C. Doublet of St. Saviour:**

Could the Minister give some information, if there is not a terms of reference, what materials were presented to those being consulted? Who was included in the consultation? Who was not included? What format did it take? What questions was the Minister seeking to answer? How wide was the scope? We would like some more detail, I think, on it exactly what the form of the consultation was.

**Deputy T.J.A. Binet:**

I will tackle this from my notes. I will just say details of this consultation, who was consulted, the ideas upon which they were consulted and the feedback received is all a matter of public record. All Members of this Assembly were invited to a briefing on the consultation results, and the feedback report was circulated to all Members. I think everything that needs to be said has been said.

**The Bailiff:**

Effectively the answer is that it is in the public domain.

**3.6.9 Deputy L.M.C. Doublet:**

Can the Minister explain what the difference is between a briefing and a consultation is in the work that he has done around this matter?

**Deputy T.J.A. Binet:**

A briefing I think is when you tell somebody exactly what you are going to do and a consultation is when you take ideas to people and ask them for opinions.

**3.6.10 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter:**

I would just like a bit more information about the “all professionals” comment. When the Minister said that all professionals had been consulted, could he give some examples of what he considers to be “all professionals”? What levels are we talking and how far is that encompassing? Is it just within health or elsewhere?

**Deputy T.J.A. Binet:**

I make the point again that all of this material ... and I wish that Members, if they can ask these questions would first do their homework because all of the stuff that I have spoken about is in the public domain. I think we did 14 different consultations. We spoke to G.P.s (general practitioners), charities, care homes, home care providers and various sections of H.C.S. (Health and Community Services), so it is pretty comprehensive.

**3.6.11 Deputy L.K.F. Stephenson:**

The Minister did say various sections of H.C.S. Again, I was asking about the levels that people were consulted at, and I think it is one thing saying that there are sections. G.P.s for example; is it all G.P.s were spoken to and all healthcare professionals? What level are we talking about here?

**Deputy T.J.A. Binet:**

I do not want to use the word, I will be careful how I describe that question. I think there were over 3,000 people involved so I have to say categorically we did not speak to 3,000 people; no, we did not. We, in the main, spoke to their representative bodies in exactly the same way as you would expect.

**3.6.12 Deputy I. Gardiner:**

At least we have a clarity. I would like to ask the Minister, so if I understood correctly, there is no consultation any further for the reorganisation of the Health and Care Jersey. If it is correct, can the Minister communicate with the chief executive and reassure him that the consultation is finished and that the officers can get on to create a business case, which the chief executive agrees is important to good governance, which is previously requested?

[10:15]

**Deputy T.J.A. Binet:**

The question presupposes that somebody has been prevented from doing something insofar as they are going to be allowed to get on. Of course they are getting on with things. I do not see the chief executive every day of the week. I am certainly happy to update him. He has an awful lot of work to do, and I think he has taken the view that we get on with things and things have been progressing without interruption. Once again, there is no crisis here and there is no crime being committed. I think it is a good piece of work trying to improve patient care, and I am sorry that certain Members do not seem to be able to be a little bit more supportive than they are.

**Deputy I. Gardiner:**

It was not about a crime, it was asked if he can inform the chief executive that the consultation is finished? Yes or no, that he can progress with business.

**Deputy T.J.A. Binet:**

I certainly can, but I consider that to be a complete irrelevance, if you do not mind me saying.

**The Bailiff:**

I think the question has been answered, Deputy Gardiner, and we are moving on.