

4.2 Deputy J.M. Maçon of St. Saviour of the Minister for Health and Social Services Health and Social Services regarding staff suspensions:

Will the Minister provide an update on the number of Health and Social Services staff who are currently suspended, whether any employees have been suspended for more than a year and, if so, would she explain why?

Deputy A.E. Pryke of Trinity (The Minister for Health and Social Services):

There is currently one member of staff suspended. This suspension was initiated in February 2009 and remains current due to an ongoing police investigation.

4.2.1 Deputy J.M. Maçon:

I thank the Minister for her response. Can the Minister give an undertaking that the skills gap of the individual will continue so that we do not have a repeat of what has already occurred with another member of staff?

The Deputy of Trinity:

Yes, I am happy to confirm that.

4.2.2 The Deputy of St. Martin:

In a written answer I received on 9th March I asked how much had the suspension cost for the present doctor and the answer I got was £406,000. That is getting on towards £500,000. Could I ask the Minister what actions she is personally taking to ensure that this suspension comes to a speedy conclusion?

The Deputy of Trinity:

Like all suspensions I would like it to come to a quick conclusion but as I said before, this is a matter which is due to ongoing police investigations, so from that point it is very difficult.

4.2.3 The Deputy of St. Martin:

Could I just ask confirmation from the Minister, is it a police investigation or is a matter for the Department for Social Security? Is the Minister in a position to tell me or tell the House who is responsible at the moment for the investigation? The police or has it been handed over to the Department of Social Security?

The Deputy of Trinity:

That particular case is utterly engaged, as I said, with the police as well as Health and Safety Executive and the Law Officers' Department. But the police investigation must take primacy in this matter.

4.2.4 Senator J.L. Perchard:

Why does the Minister consider it important that any police or criminal investigation should be completed before disciplinary action could be taken against members of staff?

The Deputy of Trinity:

Because I think it is a police investigation and must take first account. I do not wish to go into any particular details in this particular case.

4.2.5 Senator J.L. Perchard:

I am not asking the Minister to go into any details of the case, can the Minister explain why she considers it important that any police or criminal investigation be completed before a disciplinary action can be taken against a member of staff?

The Deputy of Trinity:

As I have said, the police investigation must take prime concern.

4.2.6 Senator S.C. Ferguson:

Would the Minister like to comment on the fact that it is quite probable that it was a management failure that led to this suspension?

The Deputy of Trinity:

No, I would not like to make any comment whatsoever about this particular case.

4.2.7 Senator S.C. Ferguson:

I appreciate that but would the Minister confirm that she will be looking into the management implications?

The Deputy of Trinity:

All these suspensions, if there are any, then they will come out publicly with the police investigation, I would have thought.

4.2.8 Deputy R.G. Le Hérissier of St. Saviour:

Can the Minister tell the House who initiated the referral to the police?

The Deputy of Trinity:

I do not have that information but I can get it to the Deputy.

4.2.9 Deputy R.G. Le Hérissier:

A follow-up. Given the issues that arose with a previous case where there were inordinate delays, has the Minister at the end of all this, without in any way prejudicing ongoing investigations, made it possible to sit down with the relevant authorities and ask why these cases go on for ever and ever?

[10:00]

The Deputy of Trinity:

Yes, one of the recommendations was about developing a memorandum of understanding with the States of Jersey Police and the Health and Safety section. This will lay out how all the agencies work together to try and cut through investigations. That is in the process of being done.

4.2.10 Deputy M. Tadier:

Is the preponderance of suspensions in recent years symptomatic of the growing and underlying malaise in the Health Department and, if so, what steps is the Minister taking to address the underlying issue?

The Deputy of Trinity:

To totally refute that, the previous case was, as we all know, down to a review and we had to deal with that. But within the Health and Social Services staff there are well over 2,500 staff, all of which do a very particular and very good jobs, sometimes

under great pressure. The main importance is for patient and client safety and that is my number one thought. That has to be my number one priority.

4.2.11 Deputy P.V.F. Le Claire:

I was surprised by the answer that the Minister gave and I would like to ask a supplementary along the lines of what Senator Perchard inquired about in relation to police activity and suspensions. Because we follow best practice from within the National Health Service and other places in Jersey, and a lot of people have medical practices from there, is this common place in other jurisdictions within the United Kingdom, for example, within other health care trusts or within other councils' portfolios of health care, is it common?

The Deputy of Trinity:

Yes, it is common. As I said, we have well over 2,500 and the number of patients and clients that come through - let alone hospital - each day is very high; let alone admitted into hospital; let alone in the areas of mental health, child protection. The areas of Health and Social Services are very diverse and I stress that patient and safety is the number one priority.

4.2.12 Deputy P.V.F. Le Claire:

Sorry, I do not believe the Minister understood my question, possibly my fault. I was trying to ask is it common that no disciplinary action will be taken until police procedures have been completed in other jurisdictions?

The Deputy of Trinity:

I need to have a written request of that to be absolutely sure.

4.2.13 Deputy T.M. Pitman:

Could the Minister advise, is she aware whether there is a consistent policy among all departments on these matters and is there any lead given by the Chief Minister?

The Deputy of Trinity:

Yes, there is a set policy laid down. I think that is within the States Employment Board, of which the Chief Minister is the Chairman.

4.2.14 Senator B.I. Le Marquand:

Would the Minister accept that the reason why in general the criminal investigation takes place first before the civil investigation is because of the danger of prejudice to a fair trial of an individual due to contamination of evidence by virtue of leading questions and such other matters?

The Deputy of Trinity:

Yes, I thank the Senator for that comment.

4.2.15 The Deputy of St. Martin:

The Minister made great play, and I can understand why, when she was under ... talking about a concern about the various reports and the previous doctor, but the Minister made great play on the words "lessons have been learnt and we must move on." Can the Minister tell the House what lessons have been learnt so we are able to move on because this particular doctor has been off work now since December of

2008 - so it is 18 months - so what lessons have been learnt to ensure that we do not have another doctor suspended for 3 years and de-skilled at great public expense?

The Deputy of Trinity:

As I stress, lessons are always to be learnt and I think if lessons are not learnt then the job has not been done. But to stress that suspension is being reviewed monthly by the Suspension Review Panel and takes account of all employees in States employment who are currently suspended for 28 days, and a direct manager of the Suspension Review Panel meeting provides any change in circumstances on a monthly update.