

## Social Affairs Scrutiny Panel

Meeting 8

Date: 6<sup>th</sup> March 2006

Location: Le Capelain Room, States Building

Present Deputy F.J. Hill, B.E.M., Chairman  
Deputy J.A. Martin, Vice Chairman  
Deputy D.W. Mezbourian  
Deputy A.E. Pryke

Apologies Deputy S. Pitman

Absent

In attendance Mr. M. De La Haye, Greffier of the States [Items 6 and 8b]  
Mrs. K. Tremellen-Frost, Scrutiny Manager [Items 1-9]  
Mr. W. Millow, Scrutiny Officer

Ref Back	Agenda matter	Action
	<p><b>1. Minutes of Previous Meeting</b></p> <p>The Panel approved the minutes of the meeting of 20<sup>th</sup> February 2006.</p>	
	<p><b>2. Matters Arising from the Minutes</b></p> <p>Further to its consideration of the powers of subpoena, the Panel noted that <i>Draft States of Jersey (Powers, Privileges and Immunities) (Scrutiny panels, PAC and PPC) (Jersey) Regulations 200-</i> (P.15/2006) had been lodged <i>au Greffe</i>.</p> <p>The Panel was informed that the Scrutiny website was now accessible through the 'Quick Links' section at <a href="http://www.gov.je">www.gov.je</a>. It was also informed that the Scrutiny Manager would be discussing the possible use by Scrutiny of an official notice board with Mr. M. De La Haye, Greffier of the States, and Mr.J. Lambert, Judicial Greffe.</p> <p>The Panel noted that the Chairmen's Committee had not met since the last Panel meeting and had not therefore been able to consider meeting with Mr. C. Bright, Editor of the Jersey Evening Post. The Panel requested that the matter of meeting with the media be placed on the Chairmen's Committee's next agenda.</p> <p>The Panel noted that adverts indicating the Terms of Reference for its reviews of Income Support and the GP Out-of-Hours scheme had been sent to the Jersey Evening Post.</p> <p>The Panel noted that the Minister for Education, Sport and Culture had advised the Scrutiny Officers that all requests for information should initially be made to him directly. The Panel was informed that the Minister had given the Scrutiny Officers permission to approach Mrs. S. Costigan, Principal Youth Officer.</p> <p>The Panel noted that it had received <i>Health Needs Analysis HM Prison La Moye</i> by Dr R. Wool.</p> <p>The Panel noted that the Minister for Health and Social Services</p>	<b>KTF</b>
[20/02/06, Item 2]		
[20/02/06, Item 2]		
[20/02/06, Item 3]		
[20/02/06, Item 4a]		
[20/02/06, Item 4d]		
[20/02/06, Item 5]		
[20/02/06,		

<p><b>Item 6]</b></p> <p><b>[20/02/06, Item 7]</b></p>	<p>had recently indicated that there would be no partial ban on smoking in the workplace as a lead-in to a total ban.</p> <p>The Panel considered whether it would be able to ask that <i>Draft Sexual Offences (Jersey) Law 200-</i> (P.196/2005) be referred to it for review. It noted this would be possible were the Proposition to come back to the States in a different form. It further noted that the Corporate Services Scrutiny Panel would present its report on the Proposition to the States prior to recommencement of the debate.</p>	
	<p><b>3. Other Matters Arising</b></p> <p>The Panel noted the updates on those actions which arose from its meeting on 20<sup>th</sup> February 2006.</p> <p>The Chairman reported that he had spoken with Channel 103, BBC Radio Jersey and the Jersey Evening Post. The Panel noted the media's interest in its decision to review the role of Centeniers in the Magistrate's Court. The Panel was informed of a Channel 103 news story that indicated the Centeniers' Association had agreed to undertake its own review of this issue. The Panel requested that it receive a copy of this news story.</p> <p>The Panel noted that it had received a copy of the March 2006 newsletter from A.T.T.A.C. It expressed concern that the format of the newsletter did not make it easy to read and requested the Officer to change the format accordingly.</p> <p>The Panel agreed to provide signatures to the Scrutiny Office in order that they could be scanned and thereafter used in correspondence. It was noted that permission would be sought before an electronic signature was used.</p> <p>The Panel noted that if the Chairman and Vice-Chairman were unable to attend a meeting of the Chairmen's Committee, another member of the Panel should attend to ensure the Panel's representation at this meeting.</p> <p>The Panel noted that <i>Report on an announced inspection of La Moye Prison, Jersey (27 June – 1 July 2005)</i> by H.M. Chief Inspector of Prisons had been forwarded to all States members.</p>	<p><b>WM</b></p> <p><b>WM</b></p>
<p><b>[20/02/06, Item 2]</b></p>	<p><b>4. Meeting with Senator B.E. Shenton</b></p> <p>The Panel met with Senator Shenton to discuss the work he had undertaken on Early Years Care and Education. A number of issues were discussed including the situation in Jersey as compared with Guernsey; the difference between 'education' and 'care'; and the provision of part-time education. Senator Shenton advised the Panel of the consultation he had undertaken as part of his work.</p> <p>The Panel discussed with Senator Shenton the work he had undertaken on Income Support. The Senator expressed his interest in this work and was informed that the Panel was considering the creation of a Sub-Panel for this review. The Panel agreed to forward a copy of the Terms of Reference for this review to Senator Shenton.</p>	<p><b>WM</b></p>

	<p>The Panel informed Senator Shenton of the remainder of its planned Work Programme for 2006.</p>	
<p>[20/02/06, Item 4b]</p>	<p><b>5. Meeting with Deputy G.P. Southern</b></p> <p>The Panel discussed with Deputy Southern what his rôle might be in the Panel's review of the Income Support system. Deputy Southern informed the Panel of the work he had undertaken on this issue and advised it of what he had to offer to the review. The Deputy stated he would be happy to work with Deputy J.A. Martin as Lead Member for this review.</p>	
<p>[20/02/06, Item 10]</p>	<p><b>6. Private Hospital Development</b></p> <p>The Panel considered the statement made by Deputy P.V.F. Le Claire (in correspondence dated 24<sup>th</sup> February 2006) that the Panel would be unable to undertake an objective review as requested in <i>Private Hospital Development: Scrutiny Review</i> (P.221/2005). The Panel noted further correspondence received from Deputy Le Claire on 6<sup>th</sup> March 2006 and considered its response. It agreed that the correspondence contained an appropriate apology and that Deputy Le Claire would be requested to forward this correspondence to all those who had received the earlier correspondence containing his allegations.</p>	
<p>[20/02/06, Item 4c]</p>	<p><b>7. GP Out-of-Hours Service</b></p> <p><b>a) Update</b></p> <p>The Panel noted that the Scrutiny Officers had met with Mr. M. Littler, Directorate Manager of Medicine, and Dr. B. Perchard, to establish working procedures between officers. The Panel noted that some information had been gained during the course of the meeting but that this would need to be verified and formally recorded.</p> <p>The Panel noted that the Department of Health and Social Services intended to implement the GP Out-of-Hours scheme on 3<sup>rd</sup> April 2006.</p> <p>The Panel noted that a registration fee would be charged for joining the Out-of-Hours scheme. It questioned whether this fee would apply to individual GPs or to practices.</p> <p>The Panel noted that the scheme in Jersey was not intended to mirror the system of locums currently used in Guernsey.</p> <p><b>b) Site Visits</b></p> <p>The Panel noted that a visit to Ambulance Headquarters had been arranged for 7<sup>th</sup> March 2006. It further noted that a visit to the Gwyneth Huelin Wing of the General Hospital had been requested for 12:00pm on 17<sup>th</sup> March 2006. The Chairman requested that all Panel members be informed of dates for potential visits before final confirmation was given.</p> <p>The Panel noted an invitation from Dr. Perchard to visit a surgery</p>	

	<p>once the GP Out-of-Hours scheme had been established. It was agreed that the Officer would confirm the exact nature of this potential visit before any decision were made.</p> <p><b>c) Hearing Dates</b></p> <p>The Panel agreed that the following dates would be provisionally set aside for Public Hearings. The Officer was requested to make the necessary arrangements and clarify what other Scrutiny commitments were in place for 19<sup>th</sup> May 2006.</p> <ul style="list-style-type: none"> <li>• Monday 3<sup>rd</sup> April 2006</li> <li>• Tuesday 11<sup>th</sup> April 2006</li> <li>• Thursday 11<sup>th</sup> May 2006</li> <li>• Friday 12<sup>th</sup> May 2006</li> <li>• Friday 19<sup>th</sup> May 2006</li> </ul> <p>The Panel noted that no invitations had yet been sent for people to appear at the Public Hearings.</p> <p>The Panel was advised that overall budget estimates provided for two days of hearings for this review and that consequently it would not be necessary to hold hearings on all identified provisional dates.</p>	<p>WM</p> <p>WM</p>
<p>[20/02/06, Item 4c]</p>	<p><b>8. Income Support</b></p> <p><b>a) Update</b></p> <p>The Panel received an update from Deputy J.A. Martin, Lead Member. It noted that the Lead and Assistant Lead Members had met with the Scrutiny Officers and requested they contact the Department of Social Security with questions on the following issues:</p> <ul style="list-style-type: none"> <li>• Health Insurance Exemption</li> <li>• Definition of a household</li> </ul> <p>The Panel noted that the Statistics Unit would be providing information to the Department of Social Security that the Department required for its work on Income Support.</p> <p>The Panel noted that the Comité des Connétables were to be contacted with regard to its view on the proposed system as well as its specific views on the Citizen's Fund and the use of Parish Halls as 'satellite offices.'</p> <p>It was noted and agreed that the following groups were to be invited to meet with the Panel to discuss their views on Income Support. It was agreed these letters would be sent in the Chairman's name. The Chairman gave permission for his electronic signature to be used on communications to the following :</p> <ul style="list-style-type: none"> <li>• States Tenants Action Group</li> <li>• Support Through Divorce</li> <li>• Citizens Advice Bureau</li> <li>• Jersey Childcare Trust</li> <li>• Family Nursing and Homecare</li> <li>• Jersey Association of Carers</li> </ul>	<p>WM</p> <p>WM</p>

- Age Concern

The Panel agreed that the Samaritans would be contacted in order to establish whether they would be able to make a submission.

WM

It was agreed that Mrs. E. Martins, Data Protection Commissioner, would be contacted to establish whether she had been consulted with regard to *Draft Income Support (Jersey) Law 200-*.

WM

#### **b) Sub-Panel**

The Panel agreed to establish a Sub-Panel for the above review with the following members:

- Deputy F.J. Hill, BEM
- Deputy J.A. Martin
- Deputy S. Pitman
- Senator B.E. Shenton
- Deputy G.P. Southern

The Panel agreed the Chairman would contact Senator Shenton and Deputy Southern to invite them to sit on the Sub-Panel. It was further agreed that, subject to their acceptance of this invitation, they would be sent all papers which the Panel had so far considered on the subject.

BH

WM

The Panel agreed the sub-panel would meet on Wednesday 15<sup>th</sup> March 2006 at 11:00am but that Tuesday 21<sup>st</sup> March 2006 at 9:30am would be set aside as an alternative.

WM

The Panel noted it did not require ratification from the Chairmen's Committee to create a sub-panel but that the Committee would need to be informed. It further noted the provision of Standing Order 139(3) that:

*A scrutiny panel may not allocate any of its resources to a sub-panel without the agreement of the chairmen's committee.*

The Panel noted that the creation of a sub-panel would not result in any extra financial or manpower implications as a matter of course to those already considered.

The Panel noted the provision for sub-panels under Code of Practice 4.15:

*Sub-Panels operate on behalf of the Panel which has appointed them and only with the authorisation of that Panel. The appointment, remit and timescale must be agreed by the full Panel and recorded in the Minutes. The Sub-Panel will appoint its own Chairman and it is the responsibility of the Sub-Panel Chairman to report to the full Panel on a regular basis. The quorum for a Sub-Panel is one half of its members, rounded up to the next whole number. The report prepared by the Sub-Panel on its review will be presented to the States in the name of the full Panel.*

#### **c) Hearing Dates**

The Panel agreed that the following dates would be provisionally

	<p>set aside for Public Hearings. The Officer was requested to make the necessary arrangements:</p> <ul style="list-style-type: none"> <li>• Tuesday 11<sup>th</sup> July 2006</li> <li>• Friday 14<sup>th</sup> July 2006</li> <li>• Tuesday 25<sup>th</sup> July 2006</li> <li>• Tuesday 5<sup>th</sup> September 2006</li> <li>• Friday 8<sup>th</sup> September 2006</li> <li>• Tuesday 19<sup>th</sup> September 2006</li> </ul>	
<p><b>[20/02/06, Item 9]</b></p>	<p><b>9. Public Meeting</b></p> <p>The Panel noted that a display presenting the Panel to the Public would be prepared for the meeting. It further noted that an information pack would be prepared for members of the Public to take away from the meeting.</p> <p>The Panel considered providing tea and coffee at the meeting. It was agreed that the Scrutiny Officer would look into the matter with Deputies Pryke and Mezbourian.</p> <p>The Panel agreed that the structure of the meeting would be as follows:</p> <ul style="list-style-type: none"> <li>• Introduction of the Panel to the Public</li> <li>• Description of the rôle of Scrutiny</li> <li>• Presentation of the Panel's remit</li> <li>• Presentation of the Panel's planned Work Programme</li> <li>• Suggestions of further review topics from the Public</li> </ul> <p>The Chairman asked that the Panel arrive at the Town Hall at 7:00pm. The Panel agreed the meeting would last one and a half hours.</p> <p>The Panel considered and amended the draft advert with regard to the above for publication in the Jersey Evening Post. It was agreed that requests should be made to place the meeting in media diaries.</p> <p>The Panel noted the cost of advertising on Channel 103.</p>	<p><b>WM / DM / AP</b></p> <p><b>WM</b></p>
	<p><b>10. Topic Proposals</b></p> <p>The Panel noted receipt of the following topic proposals and agreed to defer consideration of each proposal until the next meeting:</p> <ul style="list-style-type: none"> <li>• Legitimacy (Jersey) Law 1973</li> <li>• Education for Democracy</li> <li>• Poverty in Jersey</li> <li>• Speed Cameras</li> </ul> <p>The Panel considered whether the <i>Legitimacy (Jersey) Law 1973</i> fell within its remit. It requested the Officer to clarify the situation and agreed to consider the proposal at the next Panel meeting.</p>	<p><b>WM</b></p>
	<p><b>11. Forthcoming Propositions</b></p> <p>The Panel considered the following propositions and agreed that</p>	

	<p>it would not seek to have them referred to it for review:</p> <ul style="list-style-type: none"> <li>• P214/2005 - <i>Employment legislation – petition</i></li> <li>• P258/2005 - <i>Composting Facilities</i></li> <li>• P.270/2005 - <i>Draft Employment (Amendment No. 2) (Jersey) Law 200-</i></li> <li>• P5/2006 - <i>Draft Employment Relations (Amendment) (Jersey) Law 200-</i></li> </ul>	
	<p><b>12. Co-ordination of Questions to Ministers</b></p> <p>The Panel noted that the Chief Minister and Minister for Social Security would be subject to questions without notice at the States sitting of 14<sup>th</sup> March 2006.</p> <p>The Panel agreed it would be beneficial to co-ordinate questions without notice for those Ministers within its remit. It further agreed to defer consideration of the matter pending an opportunity for the Panel to discuss the matter with members of other Scrutiny panels.</p>	
	<p><b>13. Future Meetings</b></p> <p>The Panel noted that the next meeting would take place at 9:30am on Monday 20<sup>th</sup> March in the Le Capelain Room, States Building.</p> <p>The Panel agreed that it would hold its meeting on 18<sup>th</sup> April 2006 at Trinity Parish Hall.</p> <p>The Panel noted that the following Panel meetings would occur on a Tuesday:</p> <ul style="list-style-type: none"> <li>• 18<sup>th</sup> April 2006</li> <li>• 2<sup>nd</sup> May 2006</li> <li>• 16<sup>th</sup> May 2006</li> </ul>	

Signed

Date

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Chairman, Social Affairs Panel

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