

2025.04.22

### **3.5 Deputy C.D. Curtis of St. Helier Central of the Chair of the States Employment Board regarding hospital staff rest breaks (OQ.103/2025):**

Will the chair advise what measures are in place to ensure that hospital staff have access to legally-required minimum rest breaks and uninterrupted rest periods, and will he state whether he is aware of any circumstances in which such access has been restricted?

#### **Deputy L.J. Farnham (Chair, States Employment Board):**

Hospital staff working for Health and Care Jersey have their working patterns managed and recorded by a roster system. This ensures staff take their legally-required breaks or rest periods. On a day-to-day operational basis, it is the duty of the management team to ensure that any changes to the published rosters do not cause a contravention of the rules in relation to breaks and rest periods. The Deputy asked if there are any circumstances that could impact on this, and I would say that there may be occasions where we have a single-handed medic covering a night shift and holding a bleep, and this makes ensuring that breaks within shift more difficult to manage. But the operational teams will agree on how the in-shift breaks are managed to ensure the relevant breaks are taken. Other than that, the States Employment Board is not aware of any situation where the legally-required breaks are not being managed properly. If the Deputy is aware, we would be pleased to hear about it.

#### **3.5.1 Deputy C.D. Curtis:**

With responsibility for the S.E.B. (States Employment Board), would the Deputy explain what steps he has taken to verify that no staff, apart from the medic situation he mentioned, are working without legally-defined breaks and uninterrupted rest periods?

#### **Deputy L.J. Farnham:**

As I said in my opening answer, the States Employment Board are not aware of any situations where the breaks are not being managed or taken. As we are not aware, we are not taking any further steps at this stage because we do not believe there is a problem there. As the Minister for Health and Social Services said earlier, we have confidence in our management teams and staff. But I would reiterate, the States Employment Board is always open to receiving comments or observations from Members of the public and States Members. If there is any evidence of that, we will certainly look into it as a matter of urgency.

#### **3.5.2 Deputy L.M.C. Doublet:**

Is the chair of S.E.B. aware of whether employees are being allowed the right to request breastfeeding breaks equally across all States departments, especially in the hospital where it might be more difficult to provide these?

#### **Deputy L.J. Farnham:**

Yes, I understand that is a policy that is accepted throughout the public sector.

#### **3.5.3 Deputy L.M.C. Doublet:**

Is the Minister 100 per cent certain of this and if not, could he commit to making some kind of communication to ensure that that is communicated to all departments that that is the case?

#### **Deputy L.J. Farnham:**

One can never be 100 per cent certain, but I am confident that that policy is being adhered to. But we will certainly ... we are happy to check, and I will discuss with my colleagues on the States Employment Board how we best do that.

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

Is the chair of the S.E.B. aware of the facilities available to hospital staff for them to take rest breaks, and is he content that those facilities are fit for purpose?

**Deputy L.J. Farnham:**

Being absolutely honest, I am not sure that too many facilities are fit for purpose in our existing hospital anymore, so I cannot be certain about that. But I do know that staff are doing whatever they can with the facilities that they have to ensure that appropriate breaks for all staff members and appropriate spaces are provided. It is not ideal in the current conditions, which is why we need to get on and build our new hospital, where there will be much better facilities.

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

In which case, can the chair of the S.E.B. confirm that the new hospital will absolutely have fit-for-purpose facilities for staff to take rest breaks?

**Deputy L.J. Farnham:**

The previous plans have included that. I am looking at the Minister for Health and Social Services now and the Assistant Minister, who I am pleased to say are nodding.

**3.5.6 Deputy M. Tadier of St. Brelade:**

The European Working Time Directive requires that staff are given 11 hours rest a day between shifts. Can he ensure us or advise us whether this is the case in Jersey? If it is, in theory, does it happen in practice?

**Deputy L.J. Farnham:**

I would think so, generally speaking, but I would have to check on that and come back to the Deputy, if I may.

**3.5.7 Deputy M. Tadier:**

I understand that the W.T.D. (Working Time Directive) does not apply to Jersey and I would be grateful if the Minister could look at minimum rest periods between shifts. But also, I think these questions arise because we do hear stories regularly about shifts being moved and staff doing shifts back-to-back often without breaks, so full of 11 hours. Would the Minister look at the exceptions to that rule, even if it does exist?

**Deputy L.J. Farnham:**

I am trying to recall the Employment Law in relation to rest and break periods. I am sure that we might not adhere to that in those terms, but I think if you look at the legal requirements for rest breaks over a weekly period, I think our legislation is pretty up-to-date on that. But I will double-check and come back to the Deputy.

**3.5.8 Deputy C.D. Curtis:**

Could the chair ensure that rest breaks and rest periods are taken? Is he concerned that due to recruitment and retention issues and the recruitment freeze, there may be staff members now doing the work that was previously done by 2 or 3 people, and that this is an unsafe and unsustainable situation?

**Deputy L.J. Farnham:**

First of all, I will start by saying the recruitment freeze does not apply to front line staff in the hospital, so I do not think that should have an impact. We know that finding suitably qualified and experienced staff, especially in health, is extremely difficult currently. It is not just a problem we are having; it is a national and international problem. It is important that we work hard and management work hard to ensure the conditions are good, facilities are good, and that breaks and rest periods are properly provided. I will undertake to discuss with colleagues on the States Employment Board to make sure that is being adhered to. I reiterate, if any Member or member of the public know of otherwise, we would be very pleased to hear about it.