

7. Oral Questions

The Deputy Bailiff:

7.1 Deputy J.H. Young of the Minister for Education, Sport and Culture regarding schools charging their former pupils fees for providing the school-attendance certificates required for residence cards:

Will the Minister for Education, Sport and Culture inform the Assembly whether he condones the present practice of some schools charging their former pupils fees for providing school-attendance certificates which are required for residence cards and whether he considers the arrangements made to assist the Social Security Department to issue the cards to school leavers to be satisfactory, and will he state whether he is proposing any improvements to avoid undue bureaucracy in future?

Deputy P.J.D. Ryan of St. John (The Minister for Education, Sport and Culture):

Dealing with the second part of the question first, for a moment. Schools from this education year onwards will be giving students an attendance-confirmation letter automatically when they leave the schools. That is both in primary and secondary schools, because secondary schools can only attest to attendance for the previous 5 years, so that is not enough for members of the public to prove a 10-year residency, so they would need to go back into primary as well, and that is why we are doing that. Dealing with the first part of the question, it is only a small handful of our schools that are currently charging for the letters and although they are within the law to be able to charge up to £30 for this service, the maximum being charged by those few state schools is £10. To directly address the Deputy's question. Because I have only just become aware of this problem over the last week or so, I have had some careful conversations with the Assistant Minister in charge of the Population Office in the Chief Minister's Department, and we are in agreement that it is not satisfactory that schools should be charging for this service, so we will be prevailing upon schools, although I should not aim any criticism at schools; all that head teachers are doing is trying to control their own administrative costs in whichever way they can. So I will defend that situation, I do not think there is any criticism of school heads for doing this. We have agreed at a political level that this is not satisfactory for the public, so we will be making sure that in future schools do not charge for this service.

[11:30]

The extra administrative costs that there are on schools, and there undoubtedly are because the electronic records at schools only go back so far, and what we are finding is that information is being required from some considerable time ago in many cases, and of course, that is paper records, and in some cases those records reside in the public archive. That is where we are and the officers are currently discussing as to how the extra administrative costs in schools are going to be covered.

7.1.1 Deputy J.H. Young:

I am grateful for the Minister for Education, Sport and Culture's positive answer there, but can he confirm or advise the Assembly whether the improvements he is talking about involve an automatic-transfer of computer data about who is in our schools to the relevant department in the future, so that administrative glitches are minimised?

The Deputy of St. John:

That is not quite as simple as it sounds because, as I have already stated just a minute ago, most of these records that are being asked of the schools go back to the time before electronic data existed, so there is only paperwork. So it would be a pretty large ... I hesitate to use the word "massive" but certainly quite a difficult task to create a database right across the board going back decades to create an electronic database. Nevertheless, that will be possible for the period

of time that electronic records exist, and I believe that it may be necessary for the Population Office to bring some regulation to allow those transfers of data that the Deputy refers to, because of course it is at the moment covered under Data Protection (Jersey) Law so it will require this Assembly to debate a change to that.

7.1.2 Deputy J.H. Young:

The Minister for Education, Sport and Culture has advised the Assembly of the undoubted difficulties in collecting the historic data which is needed into a database, but could he advise the Assembly whether these matters came as a surprise or whether there were prior discussions in the 3 years this system was under its gestation. Was this a surprise to the Minister or was he involved in earlier discussions about how to solve this problem?

The Deputy of St. John:

Any discussions like that would be between officers rather than at a political level, that is the first point, and so yes, it was somewhat of a surprise to me, and that is not surprising because there are many different ways in which members of the public can obtain the necessary proof of residency. The recourse to school records is only one of several ways and really it a bit of a surprise, therefore, that many people have decided that the recourse to school records is the easiest version of the various different options they have.

7.1.3 Deputy M. Tadier:

Does the Minister agree that in this day and age - notwithstanding what he said about records - we have 2 States departments, the Education, Sport and Culture Department and the Social Security Department, from which the public would expect some legitimate information-sharing to be able to go on between those 2 departments rather than a whole rigmarole of being forced to have a card that potentially nobody wanted in the first place, then being forced to pay £10 to £30 for a certificate to prove that you exist in the way that you do? Will the Minister for Education, Sport and Culture look into direct information-sharing between the Education, Sport and Culture Department and the Social Security Department so that members of the public can be facilitated and not put in this position?

The Deputy of St. John:

I think it is the Population Office and the Education, Sport and Culture Department that the Deputy is referring to rather than the Social Security Department. It would be better if departments talk to one another whenever possible. I think that goes without saying. We are, however, doing everything that we can to help the Population Office in this short period of time and it is fairly clear that once the initial flurry of requests has been dealt with that it should settle down, that would be my understanding. I cannot speak for another department and the Population Office, that question should be asked of the politician in charge of the Population Office.

7.1.4 The Connétable of St. John:

I am flabbergasted at what I am hearing this morning. Will the Minister for Education, Sport and Culture please confirm that the Population Office and the Education, Sport and Culture Department have not been working together over the last 3 years? That being the case, how long is it going to take for him to get all the records that are required down to the Social Security Department, hard-copy and/or microfiche plus computer files - because I am aware that the computer files only go back to 1991 at the Social Security Department - so that people can walk in there and not have to go back to a school, an employer or to another place to get information? Everything should be transferred to the Population Office. Will he ensure that the necessary barriers for data protection are removed?

The Deputy of St. John:

There are no barriers under what is currently under the law; the department has to abide by the law like any other department does. As far as the question of whether my department has been working with officers in the Population Office, of course they have, but I think that, as I have already said, there are several different ways in which members of the public can get the information they need, and they do not have to go to schools. We are, as I say, doing our best to help the Population Office, but any further questions that the Constable may have should be aimed at the politician in charge of the Population Office in the Chief Minister's Department.

7.1.5 Deputy G.P. Southern:

I have not quite yet heard what the Minister for Education, Sport and Culture is going to do about this charging. Is he saying that the charging will stop as of now ...

The Deputy of St. John:

Yes.

Deputy G.P. Southern:

... and when can he expect to have the information required - and it is commonplace, everybody knows you have to traipse around schools traditionally to get your 10-year qualies - what will he do to make sure that people do not have to, with or without the charge, traipse around the schools and/or Jersey Archive - which he is also in charge of - in order to establish their 10-year record? When will he do it by?

The Deputy of St. John:

Members of the public do not have to traipse around schools, there are several other ways that they can obtain this. All I can do is to provide the information as quickly as possible to members of the public. If it takes a little bit of time, I am really sorry about that but, as I say, that question should be aimed at the Population Office.

7.1.6 Deputy G.P. Southern:

Is the Minister saying that this was completely unforeseen, that there has been no discussion between the Population Office, the Social Security Department and the Education, Sport and Culture Department over this completely foreseeable problem of establishing 10-year residency?

The Deputy of St. John:

I think it was completely unforeseen, yes.

7.1.7 Deputy R.J. Rondel of St. Helier:

Would the Minister please clarify how many years of electronic data are being held by the Education, Sport and Culture Department? He mentions that a number of students have got a lot of other means of obtaining the information, but does he accept that students are perhaps being advised by Social Security Department to go to the Education, Sport and Culture Department to obtain the relevant information?

The Deputy of St. John:

The records are held at schools, they are not held by the Education, Sport and Culture Department, certainly from a period ... I do not have at my fingertips the actual dates where the electronic data is held, but they are held by schools rather than the Education, Sport and Culture Department. I cannot remember the last part of the question.

7.1.8 Deputy R.J. Rondel:

First of all, is the Minister saying that he does not know how many years electronic information has been held for - just to clarify that - and does he accept, although he mentioned that there are number of ways that students can obtain information, that perhaps the Social Security

Department are advising students to go to the Education, Sport and Culture Department and their schools?

The Deputy of St. John:

I would think that the Social Security Department - although I do not know for sure because I have not stood there and listened to the advice being given - will be advising members of the public that there are several different ways and one of them is to go to the school.

7.1.9 Deputy J.H. Young:

Would the Minister for Education, Sport and Culture agree that his answers today have revealed a serious systemic failure in the system, particularly for school-leavers, and would he accept that this is not going to go away, that it is an ongoing problem? Will he commit to bringing a report to this Assembly telling us how he proposes to rectify the situation for the future and the improvements made to our system?

The Deputy of St. John:

Any report would be the responsibility of the Population Office. This lies firmly in the remit of the Population Office, not in the Education, Sport and Culture Department.