

Reference for the review, which are as follows:

1. To evaluate the policies and procedures in place for the States Employment Board and the implementation and impact thereof since the previous People and Culture Review in 2021. This will include, but is not limited to, consideration of:

I. The procedures for handling complaints of inappropriate behaviour, bullying and harassment.

When representing employees in the workplace, there are delays in the way that procedures occur for those who have the accusations made against them. For those in school there is little secondary validation of accusations, with a lack of checks and balances on initial information. This make those in the school workplace more vulnerable than other employees to the potential risk of false allegations being upheld.

II. The grievance and disciplinary procedure, its effectiveness and impact.

When representing employees in the workplace, there are delays in the way that procedures occur for those who have the accusations made against them. For those in school there is little secondary validation of accusations, with a lack of checks and balances on initial information. This make those in the school workplace more vulnerable than other employees to the potential risk of false allegations being upheld.

III. The impact of policies and procedures on workplace culture.

The SEB policies should apply universally, yet for education staff this is not the case. Overtime Policy, Voluntary work policy, Part time or Job-share policy, Flexitime Public sector policy do not apply in the same way to those who work in schools compared to other public sector employees. Policy on capping a pay scale (based on experience) for supply teachers is different to hourly rates for other employees pay grades. The effect of differences in the application of these policies across public sector pay groups means that this negatively effects workplace culture in education due to a lack of parity across these different public sector groups.

Teachers have reported working 53 hours in an average week. This effectively means working 25% more than they are paid to do, so teachers are working 8 weeks a year for free! It is hardly surprising therefore that 60% of teachers disagree that they are well paid for what they do. Teachers are not eligible for overtime or bonuses, there is no hourly rate for teachers and the government continues to exploit the generosity of teachers to do the best for their students. Although terms and condition talks have started there has been little urgency to address the core issues here.

2. To consider the effectiveness of the States Employment Board in implementing actions to secure improvements for employee wellbeing since the People and Culture Review in 2021. This will include, but is not limited to, consideration of:

I. The action taken, and the impact thereof, following the HR Lounge reviews and reports into 'bullying and harassment', including analysis of the initial report (February 2018) and follow-up progress report (February 2021).

II. The action taken, and the impact thereof, following the recommendations published in the reports by the Comptroller and Auditor General, 'Role and Operation of the States Employment Board' (March 2019) and in the follow-up report 'States Employment Board – Follow up' (September 2022).

III. The action taken, and the impact thereof, following the Best Companies Be Heard Surveys' findings for 2020 and 2023.

IV. The report and recommendations by Professor Hugo Mascie-Taylor (August 2022).

3. To consider the culture within the Government of Jersey as a workplace since the commencement of the new term of Government. This will include, but is not limited to, consideration of:

- I. The current status regarding inappropriate behaviour, bullying and harassment. Clear evidence of unsubstantiated claims and erroneous data in facebook posts that have been associated with a member of the SEB are at the very least unhelpful in building industrial relations with unions when they are in dispute. This process of creating out-groups amongst employees further strains industrial relations as it does the opposite of building a consensus towards a resolution. The Government instructed representatives to take this down, yet it was held in the public domain for over a week and the page was published in the media, as a post that was to be taken down.
- II. The impact of Government restructure, policy and procedures on employee wellbeing. When representing employees, the HR processes involved in cases requires that a judgement is given by the investigating officer, this can skew their findings in their report with a particular editorial slant. It would be better to review the process involved here, so that the findings of the report are assessed by a case manager in order to determine if there is enough evidence to proceed with the case brought by the commissioning manager. The Commissioning manager should be supported by HR resources not by the Case manager. The current length of time involved in such processes are having a significant negative impact on employees.

The most recent teacher survey reveals that over 50% of teachers have experienced verbal abuse by a pupil, 1/4 have experienced a threat of physical harm and 14% have been physically attacked by a pupil. These findings reflect some of the difficult working conditions that teachers face, and this leads to high levels of anxiety. Almost 60% of teachers felt anxious at some point the previous day compared to 40% of the general population.

The impact of the coronavirus has had a significant negative effect on teachers' mental health and work life balance compared to the general public. 57% of teachers report that there has been a negative impact on their mental health and a 60% negative impact on their work life balance compared to 40% in the general population. This shows that teachers are 50% more affected post coronavirus in terms of mental health and work life balance, and this is fed into aspects related to their working conditions and the way that they feel about their role leading to high levels of anxiety.

Well-being indicators also reflect high levels of stress and anxiousness with 95% of teachers saying that they are sometimes, often or always stressed or anxious.

There has yet to be increased levels of support for teachers and effective policies to consider what can be done to lower anxiety in teachers.

4. To consider the restructure of the Chief Executive Officer role, its impact on the Cabinet Office and workplace culture. This will include, but is not limited to, consideration of:

- I. The recruitment process for the interim and permanent Chief Executive Officer.
- II. The changes to the structure and functions of the Chief Executive Officer role.
- III. The resultant changes to the structure of the Cabinet Office and its functions.
- IV. The impact of the restructuring on employee well-being.

The Panel would also be interested in receiving your views or any comments you may have on the following key areas to help inform its review further:

- The current understanding of the organisation's culture, including any challenges facing the public sector in relation to addressing any behaviour concerns, since the start of the new Assembly term.

Members of the assembly are being briefed with data that hasn't been checked and triangulated – eg number of teachers leaving States employment (using HR rather than speaking to CYPES or Headteachers) this results in incorrect data entering the public domain.

- The effectiveness of the current grievance, disciplinary, and bullying and harassment processes for employees and any changes required.

When representing employees, the HR processes involved in cases requires that a judgement is given by the investigating officer, this can skew their findings in their report with a particular editorial slant. It would be better to review the process involved here, so that the findings of the report are assessed by a case manager in order to determine if there is enough evidence to proceed with the case brought by the commissioning manager. The Commissioning manager should be supported by HR resources not by the Case manager. The current length of time involved in such processes are having a significant negative impact on employees.

- How employee morale and wellbeing could be improved.

A richer understanding of what the employees face in their different roles by the SEB. Recognition of the long hours that teachers undertake in their role. Teachers have reported working 53 hours in an average week (this is consistent in teacher surveys). This effectively means working 25% more than they are paid to do, so teachers are working 8 weeks a year for free! It is hardly surprising therefore that 60% of teachers disagree that they are well paid for what they do. Increasing the core basic rate of pay to reflect these long hours worked or decreasing the workload are key to improving morale. Wellbeing would be improved as a better work-life balance could be established.

When some policies are not applied universally, yet pay awards are, this creates a disparity within the public sector leading to low morale.

- Whether the employee exit interview policy and procedures could be improved and how.

Establishing how frequently this is conducted (and any potential flaws in the current mechanism when it is undertaken need to be established). When used effectively, however, a clearer understanding of how this information can be used to change practice and make improvements could be gained, especially in areas where recruitment is difficult.

- The effect of frequent Chief Executive Officer (CEO) changes on leadership of the public sector, people and culture in the workplace and service delivery
- The impact of the CEO role's restructure on the Cabinet Office and the broader public sector.
- Any other issues that the Panel should consider as part of its review

To fully represent the views of employees in the workplace as an independent body and support a better working environment the role of unions should be supported. The government have stated that it is committed to working in collaboration with the Trade Unions with an inclusive approach to decision making. In order to do this effectively an approved system for the allocation of facilities time to Trade union officials, that is suitably funded and staffed needs to be fully implemented. A final draft of the Trades union consultation framework had been developed in December 2022 and no progress has been made on finalising and implementing this since; this needs to be addressed.

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