

**EQUALISATION OF WELFARE**

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**Lodged au Greffe on 26th September 2000  
by the Connétable of St. Peter**

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**STATES OF JERSEY**

**STATES GREFFE**

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## PROPOSITION

**THE STATES are asked to decide whether they are of opinion -**

- (a) to agree that the cost of providing welfare for persons born in the Island should be met from parish funds with every parish contributing in accordance with the proportion of quarters of rateable value of land assessed in that parish;
- (b) to agree, in principle, that -
  - (i) each parish will be charged annually with the proportion of welfare costs for those born in the Island as is equivalent to that parish's proportion of the total rateable value of land in the Island;
  - (ii) a person claiming welfare will apply to the parish in which he or she is ordinarily resident; and
  - (iii) a central fund be established into which parish contributions will be paid and that provision should be made for the appropriate management, administration and audit of those funds by the parishes,

and to charge the Legislation Committee to bring forward for approval appropriate legislation to implement the changes.

CONNÉTABLE OF ST. PETER

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## REPORT

### Introduction

1. On 28th September 1999 the then Connétable of St. Lawrence, Chairman of the Comité des Connétables, informed the States that the Comité was considering what action could be taken to reduce the welfare burden on some parishes and hoped to bring recommendations for change to the States later in 2000. The Comité is most grateful to Mr. G. Grime and Jurat P. Blampied who assisted the Comité by establishing the cost of native welfare funded from rates income for each parish in 1998/99. The information contained in the tables at the end of this report is based on these costs. The Comité has discussed various options and considers the fairest and simplest solution is to equalise the amount contributed to native welfare from every rateable quarter in the Island.

### Background

2. At customary law, each of the twelve parishes was responsible for the provision of necessary assistance to persons in need who were born in the parish, and to the wives and minor children of such persons. The cost of such assistance was borne by the wealthy of the parish, later from the rates (based on property values) of the parish concerned. Thus the burden of native welfare, including residential homes, has always fallen on the parish. In time the States agreed to meet the cost of welfare to those not born in the Island (non-natives).
3. The historical duty to care for those born in the parish changed in 1953 to those “ordinarily resident” (see Poor Law Amendment). This recognised the change in place of birth with the establishment by the States of the Maternity Hospital in St. Helier. Costs of those “ordinarily resident” still related to the rental value of property in the parish based on the 1946 Parish Rates law.
4. Decisions of the States to concentrate housing development in urban areas of St. Helier, St. Clement and St. Saviour have adversely affected the balance within parishes of those “ordinarily resident” to rental value of property. This has led to an increase in population and an increase in the welfare costs in these parishes.
5. During 1992 to 1995 the States recognised high unemployment as an Island issue, and made a contribution to the three parishes bearing the majority of welfare costs of the unemployed. The high number of unemployed resident in these three parishes reflected States policy on the location of housing development, particularly social housing.
6. At the parish assemblies to set the rate, parishioners in the more urban parishes have regularly expressed concern about the high cost of welfare met by those parishes. This concern has resulted in the rate recommended by the Connétable being set at a lower level by the parishioners thus reducing the budget available to meet the parish’s expenses. Mr. G. Grime and Jurat P. Blampied reviewed the actual costs of native welfare paid by each parish and highlighted the percentage of the 1998/1999 parish rate spent on welfare (including the cost of providing care for individuals in residential homes) as follows -

| Parish       | Percentage of 1998/1999 rate spent on welfare |
|--------------|---|
| St. Clement  | 47.91   |
| Grouville    | 42.95   |
| St. Saviour  | 39.20   |
| St. Helier   | 32.56   |
| St. Martin   | 28.16   |
| St. John     | 25.28   |
| St. Lawrence | 25.14   |
| St. Peter    | 20.97   |
| St. Mary     | 20.06   |
| St. Brelade  | 16.43   |
| St. Ouen     | 15.20   |
| Trinity      | 7.37  |

### Recommendations for change

7. The Comité des Connétables sought an opinion from the Law Officers of the Crown as to the legal implications of changing the method of funding native welfare costs. At present, Article 2(2) of the Parish Rate (Administration)

(Jersey) Law 1946, as amended, provides -

*“The proceeds of the rate shall be applied in the payment of the general expenses of the parish in which it is made and levied and of expenses incurred in connexion with the relief and maintenance of the poor chargeable to that parish.”*

8. The Poor Law Amendment (Jersey) Law 1953 amended the customary position and provides that the duty of a parish to assist persons in need who were born in the parish and the dependants of such persons should devolve upon the parish in which such persons are ordinarily resident.
9. With regard to the mechanics of achieving a sharing of native welfare costs the Law Officers advise -

*“The amendment or new law would have to set out the provisions and mechanism by which the parishes would be obliged to share the Island’s native welfare costs. An amendment to the Parish Rate Law will probably not be required provided the new/revised legislation made it clear that the relief and maintenance of natives not ordinarily resident in the parish concerned was chargeable to that parish.”*
10. The aim of any change is to reduce the high burden of welfare on those parishes most affected but to retain the administration of welfare in the parishes as the Connétables are of the opinion that, regardless of the source of funds, the best forum for dealing with the administration, assessment and payment of welfare is within the parish. The rate per quarter in some parishes may be higher than others because parishioners have agreed to set aside funds to meet capital expenditure, e.g. extension to the Parish Hall, new community facilities etc. (see Table 1, column 8). Other parishes have been unable to contemplate such capital projects because of the high cost of welfare.
11. Sharing the total native welfare cost based on the proportion of total quarters in each parish would result in the same contribution to welfare per rateable quarter across all parishes -using 1998/1999 figures this would be 0.73 pence per quarter. It recognises that States policy has affected historical custom and that legislation must be enacted to redress the balance and to ensure that no parish is adversely affected by States decisions such as the location of housing development. It would restore the balance of charge on the rental value of property in the Island to fund native welfare.
12. In recent years the rental assessments of properties throughout the Island have been reviewed and are now more closely related to the actual rental value. The proportion of rateable quarters between the parishes therefore gives a reasonable basis on which to share the total cost of native welfare. Table 3 shows the assessed rental values for a three-bedroomed house in each parish in 2000, compared with 1998, and the increasing uniformity can be noted.
13. The effect of the proposals on the rates paid by an average householder based on the assessed rental values for a three-bedroomed house in 1998 or 1999 is shown in Table 2, column 9. These are annual costs/savings and, as at present, there is the safeguard of Article 19 of the Parish Rate (Administration) (Jersey) Law 1946, as amended, which allows the Connétable to reduce or remit the rate in cases of hardship.

## **Conclusion**

14. It is nearly 50 years since the States last reviewed the Poor Law. Recent States’ decisions have resulted in housing development concentrated in the urban parishes and in a disproportionate amount of the parish rate being levied to meet welfare costs falling, by law, on those parishes. The States are asked to agree to reapportion welfare costs between the rental values of property based on the number of quarters in each parish.
15. The effect of this proposal will be that the native welfare cost will be shared equally between ratepayers of all parishes, i.e. a property of say, 12,000 quarters, will pay the same amount towards the Island’s native welfare cost regardless of the parish in which the property is situated. This will require legislation to alter those “chargeable to the parish” and to establish a central fund to be administered by parishes. The Comité des Connétables has sought a slot in the Legislation Programme for 2001 to enable the preparation of legislation required to implement any States decision.





**TABLE 3****Comparison of assessed rental values for three-bedroomed one-bathroom detached house in 1998, 1999 and 2000**

| <i>Parish</i> | <i>1998 assessed<br/>rental value<br/>£</i> | <i>1999 assessed<br/>rental value<br/>£</i> | <i>2000 assessed<br/>rental value<br/>£</i> |
|---------------|---|---|---|
| St. Brelade   | 7,000                                       | 7,975                                       | 8,555                                       |
| St. Clement   | 8,304                                       | 8,719                                       | 8,800                                       |
| Grouville     | 7,210                                       | 8,520                                       | 9,850                                       |
| St. Helier    | 8,580                                       | 8,800                                       | 9,398                                       |
| St. John      | 6,510                                       | 7,487                                       | 8,610                                       |
| St. Lawrence  | 7,898                                       | 8,143                                       | 8,550                                       |
| St. Martin    | 7,992                                       | 8,917                                       | 10,050                                      |
| St. Mary      | 7,590                                       | 7,960                                       | 8,350                                       |
| St. Ouen      | 6,760                                       | 6,760                                       | 8,112                                       |
| St. Peter     | 7,270                                       | 7,630                                       | 8,010                                       |
| St. Saviour   | 7,216                                       | 7,579                                       | 7,960                                       |
| Trinity       | 5,200                                       | 8,080                                       | 8,600                                       |

**TABLE 1**

| <i>1</i><br>Parish | <i>2</i><br>Qtrs.<br>1998/1999 | <i>3</i><br>% of<br>total<br>qtrs. | <i>4</i><br>1998/1999<br>total welfare<br>£ | <i>5</i><br>% total<br>Island<br>welfare<br>paid by<br>each<br>parish | <i>6</i><br>Pence per<br>qtr. to<br>fund<br>welfare | <i>7</i><br>Pence per<br>qtr. for all<br>items<br>excluding<br>welfare | <i>8</i><br>Parish rate<br>pence per<br>qtr.<br>1998/1999 | <i>9</i><br>If parish<br>welfare is<br>shared by<br>all<br>revised<br>parish<br>rate p/qtr. |
|--------------------|--------------------------------|------------------------------------|---|---|---|--|---|---|
| Helier             | 255,107,919                    | 42.576                             | 2,312,433                                   | 52.855  | 0.906   | 1.994  | 2.900   | 2.724   |
| Brelade            | 58,610,125                     | 9.782                              | 182,484                                     | 4.171   | 0.311   | 1.589  | 1.900   | 2.319   |
| Clement            | 37,603,069                     | 6.276                              | 430,110                                     | 9.831   | 1.144   | 1.256  | 2.400   | 1.986   |
| ouville            | 29,120,938                     | 4.860                              | 228,675                                     | 5.227   | 0.785   | 1.065  | 1.850   | 1.795   |
| John               | 16,289,725                     | 2.719                              | 66,825                                      | 1.527   | 0.410   | 1.210  | 1.620   | 1.940   |
| wrence             | 30,943,729                     | 5.164                              | 139,655                                     | 3.192   | 0.451   | 1.349  | 1.800   | 2.079   |
| Martin             | 22,426,357                     | 3.743                              | 119,345                                     | 2.728   | 0.532   | 1.368  | 1.900   | 2.098   |
| Mary               | 11,419,888                     | 1.906                              | 38,286                                      | 0.875   | 0.335   | 1.365  | 1.700   | 2.095   |
| Ouen               | 19,259,259                     | 3.214                              | 72,555                                      | 1.658   | 0.377   | 2.123  | 2.500   | 2.853   |
| Peter              | 30,361,302                     | 5.067                              | 117,306                                     | 2.681   | 0.386   | 1.464  | 1.850   | 2.194   |
| Saviour            | 73,973,432                     | 12.346                             | 646,770                                     | 14.783  | 0.874   | 1.376  | 2.250   | 2.106   |
| nity               | 14,073,221                     | 2.349                              | 20,627                                      | 0.471   | 0.147   | 1.853  | 2.000   | 2.584   |
| <b>tal:</b>        | <b>599,188,964</b>             | <b>100</b>                         | <b>4,375,071</b>                            | <b>100</b>  | <b>Average<br/>0.730</b>                            |  |   |   |



**TABLE 2**

| <i>1</i><br>Parish | <i>2</i><br>Rate pence<br>per qtr.<br>1998/1999 | <i>3</i><br>Pence per<br>qtr.<br>1998/1999<br>of native<br>welfare<br>excluding<br>residential<br>homes | <i>4</i><br>Pence per<br>qtr.<br>1998/1999<br>of<br>residential<br>homes<br>welfare | <i>5</i><br>Pence<br>per qtr.<br>to fund<br>all<br>native<br>welfare | <i>6</i><br>1998/1999<br>rental<br>value<br>survey<br>three-<br>bedroomed<br>house | <i>7</i><br>Average<br>householder<br>£ rate on<br>actual<br>rate/qtr. | <i>8</i><br>Average<br>householder<br>£ rate on<br>revised<br>rate/qtr. | <i>9</i><br>Change in<br>rates<br>1998/1999<br>paid per<br>householder<br>£ if welfare<br>equalised |
|--------------------|---|---|---|--|--|--|---|---|
| Helier             | 2.900   | 0.400   | 0.506   | 0.906  | 7,800  | 339.30   | 318.67  | -20.63  |
| Blade              | 1.900   | 0.100   | 0.211   | 0.311  | 7,000  | 199.50   | 243.48  | +43.98  |
| St Martin          | 2.400   | 0.757   | 0.387   | 1.144  | 7,712  | 277.63   | 229.78  | -47.85  |
| St Andrew          | 1.850   | 0.399   | 0.386   | 0.785  | 7,210  | 200.08   | 194.12  | -5.96   |
| St John            | 1.620   | 0.289   | 0.121   | 0.410  | 6,510  | 158.19   | 189.43  | +31.24  |
| St Lawrence        | 1.800   | 0.094   | 0.357   | 0.451  | 7,898  | 213.25   | 246.28  | +33.03  |
| St Martin          | 1.900   | 0.294   | 0.238   | 0.532  | 7,992  | 227.77   | 251.51  | +23.74  |
| St Mary            | 1.700   | 0.129   | 0.206   | 0.335  | 7,590  | 193.55   | 238.51  | +44.96  |
| St Owen            | 2.500   | 0.105   | 0.272   | 0.377  | 6,670  | 253.50   | 289.34  | +35.84  |
| St Peter           | 1.850   | 0.192   | 0.194   | 0.386  | 7,270  | 201.74   | 239.23  | +37.49  |
| St Andrew          | 2.250   | 0.601   | 0.273   | 0.874  | 7,216  | 243.54   | 227.94  | -15.60  |
| St Anthony         | 2.000   | 0.055   | 0.092   | 0.147  | 5,200  | 156.00   | 201.52  | +45.52  |
| <b>Total:</b>      |   |   |   | <b>Average<br/>0.730</b>   |  |  |   |   |