

19th November 2013

3. Oral Questions:

3.1 Deputy T.A. Vallois of St. Saviour of the Chief Minister regarding the implementation of the Chapman Report of 2009 and employment policies in respect of bullying and harassment:

Could the Chief Minister advise what action, if any, the States Employment Board has taken in respect of the 6 recommendations laid out in the Chapman Report of 2009 and whether the policies and legislation which exist within the public sector in respect of bullying and harassment are in fact collective and understandable to all employees?

Senator I.J. Gorst (The Chief Minister):

The States of Jersey Bullying and Harassment Policy applies to all staff. It is readily available to employees via the intranet or through H.R. (Human Resources) staff. The Chapman Report of 2009 made 6 recommendations focusing on how the States as an employer can fulfil its duty of care to its employees. A number of improvements have been made following these recommendations.

[9:45]

The States has increased the number of A.C.A.S. (Advisory, Conciliation and Arbitration Service) investigators. A confidential helpline has been established for staff to use in the event of bullying and harassment. Training courses and awareness sessions about bullying and harassment procedures have been run for managers. There is zero-tolerance when allegations are proved. The Bullying and Harassment Policy was rewritten following the Chapman Report and is currently under review again as part of our Workforce Modernisation Programme.

3.1.1 Deputy T.A. Vallois:

Could the Chief Minister advise how regularly the policies are reviewed and updated?

Senator I.J. Gorst:

Not very. This is why as part of the workforce modernisation proposal something like 75 policies and procedures governing terms and conditions and workforce employment issues are being reviewed and good progress is being made on them.

3.1.2 Senator S.C. Ferguson:

What steps are the States Employment Board taking to ensure that Ministers do not bully and harass their officers?

Senator I.J. Gorst:

This is a difficult area. The Senator is right to raise it because, although it was not officers, the Chapman Report was commissioned in light of what was happening in the blogosphere and things that had been said by a former Minister about the staff in that department and in other departments. As we would expect in the electronic sphere, things have changed even from when that report was issued. We have a contract with Ashridge Management advisers, consultants, they are a leading management consultancy agency, which provides management training for senior management. Part of that is the availability of either one-to-one sessions or training for Ministers who feel that that might be an issue. A Minister's job is to hold his department and senior officers to account. That can be often a very uncomfortable position to find oneself in. But, it is right that Minister's do that.

3.1.3 Senator S.C. Ferguson:

Supplementary? Does the Chief Minister not feel that the updating is going to be somewhat delayed due to the fact that we have now lost our third H.R. director in something like 5 years?

Senator I.J. Gorst:

Not at all. We have excellent staff in that department. The Director and the Deputy Director of Employee Relations, together with their staff, are doing an excellent job in updating and dealing with the workforce modernisation, which is exactly with regards to the terms and conditions I think this Assembly would expect.

3.1.4 Deputy M.R. Higgins of St. Helier:

The Chief Minister's predecessor, when the Chapman Report was being discussed in the States, was challenged on the bullying that former Senator Syvret was alleged to have done. He stated that he would produce chapter and verse for the States evidence to support what he was putting forward. He never did so, which gives credence to the fact that it was perhaps a put-up job. Will the current Chief Minister revisit the Hansard on that and produce the evidence so that we can all see whether it was valid at the time or not.

Senator I.J. Gorst:

I do not think there can be much value gained in going back to consider the issues which the Deputy asks me to. This report was published in 2009. The issues have been ongoing for a number of months, if not years, as far as I am concerned. The way that we deal with blogs and the internet and technology has changed even from 2009. Particularly the first recommendation of that report to me would seem to be out-of-date already.

3.1.5 Deputy M.R. Higgins:

Supplementary? Surely the Chief Minister accepts that we have all these reports that are commissioned at great expense. Accusations are made against people and Ministers get up and state: "Oh, we will produce the evidence. We will produce the report" and never do. Does he not think that to ensure trust in Ministers and what they say, the evidence should be brought before this House and to the public?

Senator I.J. Gorst:

I think the Chapman Report stands alone. It does not need me to add to it. I was not the independent expert that was commissioned to do it. Not wishing to fall foul of what the Deputy said in his opening remarks to his question just asked, I do not wish to fall into that trap either. So, I maintain my position.

3.1.6 Deputy T.A. Vallois:

The Chief Minister stated in his first answer that there was zero-tolerance when allegations are proved. I have been aware of issues where public sector employees have been worried about reporting incidents and, therefore, feel that they are unable to advise their senior management or further up, due to fear of reprisal or public acknowledgment of the issues. What would the Chief Minister do in respect of these issues and whether there would be any place for the Health and Safety Inspectorate to carry out regular reviews?

Senator I.J. Gorst:

The Chapman Report did suggest that a collective approach, particularly with regard to health and safety, should be undertaken and the Deputy makes a very valid point there. A helpline has already been established. It is not being used particularly frequently. That may mean that there are not many cases which need to be considered. Of course, it may mean that it is not working in the way that we intended it to work. The Deputy knows that we are, as a result of some of her conversations, considering how we might deal with that particular issue in a better way than currently appears to be the case. With regard to the zero-tolerance that she mentioned, what it really means is the complaints that are proven will result in disciplinary action.