

# Health, Social Security & Housing Scrutiny Panel

## Public Meeting

Date: 7th October 2010

Meeting No: 12

Present	Deputy G.P. Southern (Chairman) Deputy D.J. De Sousa
Apologies	Connétable D. Mezbourian Connétable S. Yates
In attendance	Mr. M. Robbins, Scrutiny Officer

Ref Back	Agenda matter	Action
	<b>1. Scrutiny Matters 2010</b>  The Panel approved the minutes of the meetings of 13th, 22nd, 24th and 29th September 2010. The Chairman was to sign them.	<b>GS</b>
<b>Item 2</b> <b>27.07.10</b>	<b>2. Vice Chairman.</b>  The Panel recalled its previous decision to defer the appointment of a Vice Chairman and in the absence of full Panel attendance at its current meeting agreed to a further deferral.	
<b>Item 4</b> <b>27.07.10</b> <b>510/3(2)</b>	<b>3. Long Term Care of the Elderly</b>  The Panel recalled its previous decision to retain the further services of Professor J. Forder to provide advice on the forthcoming white paper on Long Term Care of the Elderly. The Panel recalled that Professor Forder had indicated that subject to his availability he would undertake desk work to review the white paper as he had already provided advice at the green paper stage  The Panel was advised that there had been an enquiry to the President, Chairmen's Committee from the Minister for Social Security requesting access to Professor Forders' expertise for the Department. The Minister had been advised that there would be a conflict of interest and that it would not be appropriate for the Department to retain the services of the Scrutiny advisor when an agreement in principle with the advisor to undertake further work for scrutiny had already been reached.	<b>KTF</b>
	<b>4. Transitional Protection</b>  The Panel noted the response to a letter sent to the Minister for Social Security asking questions about Transitional Protection.  The Panel recalled that email correspondence dated 3rd October 2010 from the officer and the advisor had confirmed that the phasing of Transitional Protection had been mentioned in the Review of Benefit Levels terms of reference. However, no evidence had been collected in this connection and that advisor had not received direct instruction to include the issue.  The Panel had been advised and agreed that the advisor would not undertake any additional work on Transitional Protection as it would require significant additional time and would not allow completion of the	

	<p>report by the end of November.</p> <p>The Chairman maintained that the Panel would need to return to that topic at some stage in the future. The review would have to be considered as part of a work programme addressing the whole of the Panels remit.</p>	
	<p><b>5. Ministerial response to SR5/2009</b></p> <p>The Panel examined the Ministerial Response to the Income Support Review undertaken by the Sub-Panel, chaired by Deputy G.P. Southern and presented to the States on 10th July 2009.</p> <p>The Panel expressed disappointment that the Minister for Social Security had not accepted any of its recommendations especially as the report had been the culmination of numerous submissions from the public and professional care organizations. The Chairman stated that the responses should also be followed up in the current Review of Benefit Levels Report.</p> <p>The Panel noted that the Minister would examine the delivery of Income Support in his forthcoming Departmental review.</p>	
	<p><b>6 Notification of Private Member work</b></p> <p>The Panel recalled that the Minister for Social Security had responded to SR5/2009 and that the report had raised the issue of under 25 year olds and their difficulties in accessing Income Support.</p> <p>Whilst the Panel was not undertaking any work in this area, the Chairman advised that he was doing some private Member work on that topic.</p>	<b>GS</b>
Item 3d 24.09.10	<p><b>7. Quarterly meeting with Ministers</b></p> <p>The Panel discussed its responsibility within its remit together with the potential benefits of holding quarterly meetings with the Ministers in accordance with paragraph 7.3 of the Code of Practice for Scrutiny Panels and the Public Accounts Committee.</p> <p>The Panel held differing views on the purpose of quarterly hearings with its Ministers. It was suggested that to gain a clear understanding of Ministerial thinking and the basis for policy formation it was important to encourage dialogue between Scrutiny and Ministers. Following such hearings, it would enable the development of questions and ultimately assist in work programming. The Chairman advised that he did not believe such practice was best use of officer or Panel time as he did not believe that building relationships with Ministers was the best way of holding them to account.</p>	
Item 3c 24.09.10	<p><b>8. Hearing with Minister for Housing</b></p> <p>The Panel considered its forthcoming hearing with the Minister for Housing scheduled for 9th November 2010.</p> <p>The Panel requested the following information prior to the Hearing;</p> <ul style="list-style-type: none"> <li>• A Review of Social Housing in Jersey (The Whitehead Report) published in July 2009 and</li> <li>• Achieving Affordable Housing as a Proportion of Private Housing Development (Kelvin MacDonald) published in June</li> </ul>	<b>MR</b>


	<p>2009.</p> <p>The Panel agreed that it would be appropriate to defer any decisions about its work programme until after the hearing.</p> <p>The Panel agreed to advise its officers of its areas of concern so that draft questions could be prepared for the hearing.</p>	Panel
	<p><b>9. Comprehensive Spending Review, part 2</b></p> <p>The Panel recognised that the second part of the Comprehensive Spending Review was due on 26th October 2010. It requested that the Ministers within its remit be invited to attend public hearings during the first half of November 2010 to deal with this matter. The timing was imperative to allow the Panel to meet the States deadline for receiving amendments on 26th November 2010.</p>	MR
<p>Item 4 24.09.10 517/8(8)</p>	<p><b>10. Dental Health Review.</b></p> <p>The Panel received an oral update from the Lead Member.</p> <p>The Panel recalled that it had requested a number of amendments to the report at its last meeting. Those amendments had been incorporated and additional information had been included to reinforce the key findings and recommendations.</p> <p>It was noted that some additional redrafting was required to ensure that all of the recommendations were clearly supported by the evidence collected.</p> <p>The Lead Member was delegated responsibility to finalise the draft with officers.</p>	DDS/ MR
<p>Item 3a 24.09.10 517/14(8)</p>	<p><b>11. Use of Discretion within the Social Security Department.</b></p> <p>Consideration of the use of discretion within the Social Security Department was deferred until the full Panel was in attendance.</p>	
<p>Item 4 24.09.10 517/13(8)</p>	<p><b>12. Review of Benefit Levels</b></p> <p>The Panel recalled that the early publication of the Jersey Income Distribution Survey Report 2009/2010 meant that the Sub-Panel would need to revise its draft report to include the new data.</p> <p>It was agreed that it was essential that the report was presented to the States by the end of November 2010 and that there were no further delays. The Chairman gave an oral update of the review again confirming that Transitional Protection was not included within the remit of the review.</p> <p>Work was currently being undertaken by the Panel's advisors and redrafting of the report was expected to start at the end of October 2010.</p>	CLQ
	<p><b>13. Financial Report</b></p> <p>The financial report of the Panel's budget as at 29th September 2010 was noted.</p>	
	<p><b>14. Working Practices</b></p> <p>The Panel discussed the abovementioned item having been placed on the agenda. Following clarification the Chairman indicated that he</p>	

	<p>expected to be advised or asked prior to a Panel member adding an item to the agenda.</p> <p>Deputy De Sousa apologised, advising that she had been unaware that there was any issue with placing an item on a Panel's agenda. She explained that the purpose of the inclusion had been to improve Panel performance at hearings and to ensure that effective scrutiny was facilitated by a shared clear process that everyone understood.</p> <p>The Chairman agreed that working practices should appear on the next agenda for consideration by the Panel. To assist the Panel in its consideration the Chairman's Committee, Code of Practice Review Report should be included on that agenda.</p>	MR
	<p><b>15. Written Questions relevant to Panel's remit.</b></p> <p><b>a) Data List</b> The general lack of statistical information was noted and in particular, the omission of a comprehensive Data List was noted. The Panel was advised that the Migration and Population Sub-Panel Review would monitor the progress of this issue.</p> <p><b>b) Unlinked Anonymous Testing</b> A written question to the Minister for Health and Social Services by the Deputy of St. Mary, along with the answer tabled on 13th September 2010, had dealt with anonymous testing for the Human Immunodeficiency Virus. It was noted that neither the question nor the answer had included Hepatitis screening. The officer was directed to obtain the information to clarify the position with regard to Hepatitis screening. It was agreed that an email would suffice and that the issues would not escalate into a review.</p>	MR
	<p><b>16. Ministerial Decisions</b></p> <p>The Panel noted the recent Ministerial Decisions within the Panel's remit.</p> <p>The continued inclusion of Ministerial Decisions and Questions asked in the States was questioned. It was suggested that the reformatting and presentation of information already received by States members was not best use of officer time.</p> <p>Only matters pertinent to current reviews should be included on the agenda.</p> <p>The Chairman advised that he was unaware of which documents Deputy De Sousa was referring to and which would negate the need for the additional paperwork. Deputy De Sousa undertook to provide the Chairman with examples.</p>	DDS
	<p><b>17. Income Support: Home Owners.</b></p> <p>Under 'Any Other Business', the Chairman advised the Panel that he was to raise the issue of people who were made redundant and were homeowners with existing mortgages, which in the main precluded them from receiving Income Support to assist with mortgage or interest payments.</p> <p>It was suggested that applicants appeared to be receiving conflicting</p>	GS

	<p>advice from the Department to that given by the Minister for Social Security.</p> <p>The Panel recalled its previous decisions that it intended to look at other areas within its remit and move its focus from the remit of the Minister for Social Security to its other areas of responsibility.</p> <p>However, the Chairman advised that he would bring this topic to the Panel for consideration when appropriate.</p>	
	<p><b>18. Future Meetings</b></p> <p>It was noted that the next Panel meeting would be on Thursday 28th October 2010 at 9.30am in Le Capelain Room, States Building. The Chairman advised that he was out of the Island. It was also noted that it was essential that the Panel to meet as the questions for the hearing with the Minister for Housing needed to be circulated to the Minister on the 2nd November 2010. The only date available was the 1st November. In appreciating that, the two Connétables on the Panel may have a meeting of the Comité des Connétables that day, the Connétables were to be contacted to establish a suitable time inclusive of an evening if necessary.</p>	<p>MR / CLQ</p>

Signed

Date:

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Chairman  
Health, Social Security and Housing Scrutiny Panel