

2019.01.29

2 Deputy J.H. Perchard of St. Saviour of the Chairman of the States Employment Board regarding the success of the States of Jersey in demonstrating and promoting equality and diversity in its policies, practices and structures: [OQ.18/2019]

Will the chairman explain how the employment of one woman at the director general level out of 8 such roles meets the indicator of success listed in the States of Jersey's equality and diversity policy to "demonstrate that we actively promote equality and diversity through all our policies, practices and structures"?

Senator J.A.N. Le Fondré (Chairman, States Employment Board):

If you look at that one measure, it clearly does not and there is further work to do at that level. Obviously, if I can remind the Deputy, as, in fact, we discussed in the Scrutiny hearing 2 weeks ago I think it was, obviously we have an approximately 50/50 split between men and women at the tier 2 level. I would hope over the course of time that would lead to a more equal balance at tier 1 through succession but that will not happen tomorrow.

3.2.1 Deputy J.H. Perchard:

Given this lack of diversity at this level, would the Chief Minister agree that the States has been guilty of inaction when it comes to the promotion and recruitment of women at the senior level?

Senator J.A.N. Le Fondré:

I would certainly agree that there is a lot more room for improvement. As we have also touched upon in the Scrutiny hearing, the difficulty in this is some of the issues raised take longer to resolve than one might expect. Part of that, if we use the example of the tier 1 positions, is obviously a number of the existing chief officers were matched in the last recruitment process to the advertised positions, so that will lead to a less diverse recruitment. In other words, some of the director generals are former chief officers, so that will have some implications. In terms of the 4 roles that were recruited through an open competition, that was definitely done through the Appointments Commission and I believe in that position 20 per cent of the applications were from women. As I said, the Appointments Commission oversaw that process and the final position was made on merit based on the applicant's experience and ability for that particular role. So, the world is definitely changing, even in the States recruitment process, but the external side is done by the Appointments Commission according to the various measures they follow.

3.2.2 Deputy L.M.C. Doublet of St. Saviour:

Does the Chief Minister agree with me that equality and diversity should be a part of the chief executive's key performance indicators?

Senator J.A.N. Le Fondré:

That is an interesting question. I think I would have to and I would be delighted to have a look at the measures and make sure they are going forward. Given that Deputy Doublet has just thrown a question in, I will also just point out we had a very useful conversation very recently, again building on the work that she would like to do, perhaps looking at the best ways we can ensure within the Assembly how we promote things, and also looking forward perhaps to how we sort out some of the legislative problems. That has also been raised, particularly by the Deputy of Grouville in previous conversations, that it will probably make worse our discrimination problems.

3.2.3 Deputy L.M.C. Doublet:

Specifically, would the Chief Minister encourage the chief executive to seek leadership development opportunities for some of the women members of staff slightly lower down the ranks as this is one of the defects that has been identified by interviewees in some of our public hearings?

Senator J.A.N. Le Fondré:

Just to clarify, is that by interviewees familiar with the States system or just generically within the Island workforce?

Deputy L.M.C. Doublet:

Both.

Senator J.A.N. Le Fondré:

Right, so then I see no reason why it should not be the case and, yes, I would support the Deputy's position.

3.2.4 Deputy M. Tadier:

On the theme of diversity, given Jersey's official bilingual status with French as another language and the fact that Jersey wants to work more closely with other European countries, what recruitment drives have there been or what effort has there been to recruit outside of the U.K. (United Kingdom) for some of these positions?

Senator J.A.N. Le Fondré:

That is a very interesting question and I do not know specifically the answer to that. I would imagine that it would be normal for most of the posts that we advertise externally, they will go through a standard portal, but whether that is done on a European basis I shall endeavour to find out. I will point out that certainly I can think of one individual, who I think has recently retired, who was definitely not from the United Kingdom. But as the Deputy points out, the norm does seem to be that is where we point our sights at the moment. Obviously, if there is anything we can do to change it ...

3.2.5 Deputy M. Tadier:

Is there any criterion for applicants, especially to top positions, to either be able to speak French or at least is there any acknowledgement given to whether they might be able to converse in French given our increasing correspondence and workload that is done with our closest neighbours in France?

Senator J.A.N. Le Fondré:

I think it will depend on the role because I can certainly think of one officer that I used to work with who was fluent in French and used to do it as part of their particular role. He now reports to the Minister for Infrastructure. Specifically, I think it will depend on the role. Again, I can find out.

3.2.6 Deputy G.P. Southern:

Does the Chief Minister accept that simply saying that it will not happen tomorrow is an inadequate answer because it will not happen tomorrow or the day after or the day after unless the Chief Minister comes to this House with some concrete proposals to deal with this issue, which is obviously a serious one in the Civil Service?

Senator J.A.N. Le Fondré:

The point I was trying to make is that if we use the tier 1 roles particularly, if we have existing chief officers who themselves are male and who have been recruited to a D.G. (director general) role, you cannot remove them tomorrow because that would be a dismissal or redundancy or constructive dismissal, whichever terminology we want to go down. That is why it is a longer burn because of the structures that have been going through for the last 20 to 30 years. As we discussed at the Scrutiny Panel a couple of weeks ago, I think this is about societal change and it is about getting the right structures in place to make sure that those attitudes change. So, dealing with those particular issues of the tier 1, that is why it cannot be done tomorrow.

[10:00]

Is there other stuff we can put in place to improve matters? To an extent some of that is happening but it is very clear we have further to go.

3.2.7 Senator K.L. Moore:

As a follow-up to the previous question, would the Chief Minister remind the Assembly whether or not those tier 1 applications went through a thorough recruitment process?

Senator J.A.N. Le Fondré:

As far as I understand, certainly for the roles that were not fulfilled by the existing people, that was undergone by the Jersey Appointments Commission and I had assumed - and I will confirm - that all roles were overseen by the Appointments Commission. But either way, it will have been a rigorous appointments process.

3.2.8 Senator K.L. Moore:

What policies and procedures are the States Employment Board putting in place to ensure that proper succession planning is present and that work is done to ensure unconscious bias does not figure in a recruitment process?

Senator J.A.N. Le Fondré:

The States Employment Board are certainly mindful of the issues that we face around diversity and that has already fed into the Appointments Commission processes. In terms of the specifics, I will request the relevant officers to send a full and detailed response to the Senator.

3.2.9 Deputy J.H. Perchard:

In a recent public hearing, the chair of the Jersey Appointments Commission stated that we now know that merit is not a gender-neutral concept in recruitment. Would the Chief Minister agree that in order to achieve best practice we should have leadership structures that truly represent the community in which we live?

Senator J.A.N. Le Fondré:

The reason I am pausing is that that is a very wide question in terms of representing the community we represent. Does that mean that we have to mirror in proportionate terms the community make-up? I think that is slightly different. If it is around the initial issues of ... well, I say initial issues, the predominant issues around diversity that the Deputy certainly has alluded to in the past, I think the system is changing. It probably is not changing as fast as the Deputy might like but it is changing relative to where it has been. In terms of the next step, I think let us get the first step sorted out, which is improving matters as to where we were, from where we are coming from to where we are now to where we need to be. Also as has been identified and I think is the subject of another question later, getting things like the C.E.D.A.W. (Convention on the Elimination of all Forms of Discrimination Against Women) provisions and the conflicts in legislation that we already have sorted out, that was something that the

Deputy of Grouville was raising with me even last week. What we have agreed to do on that front, which may then feed into the work, is we will set up a small board which will be chaired by the Deputy and with other people putting in to start addressing those issues at a technical level.

The Deputy Bailiff:

Very well, question 3 falls away because Deputy Morel is marked malade.