

STATES OF JERSEY



OUTSOURCING POLICY: SAFEGUARDS (P.63/2016) – COMMENTS

Presented to the States on 12th July 2016
by the States' Employment Board

STATES GREFFE

COMMENTS

The States' Employment Board ("SEB") is delivering on its responsibilities as a good employer. In the case of outsourcing, this means considered decisions which treat employees fairly and sensitively, while also delivering value for money for taxpayers.

The SEB therefore accepts this proposition, as it reflects the principles that SEB itself already upholds.

In doing so, it should be recognised that much has changed since 1999. At that time, there was concern that jobs would be outsourced outside of Jersey, which is not the case today. Furthermore, the structures of government were very different, so while the principles in the Report are correct, the detail needs modernisation, including reflecting the creation of SEB. Indeed, services have been outsourced since 1999, and along with more recent processes, this has generated learning that should be included in any new framework.

In particular, while safeguards are appropriate, we should not compel private companies providing services to have the same pay, and terms and conditions as the public sector. We need to be fair, while delivering value for money through a proper tender process. In delivering this, SEB has been consistently clear that compulsory redundancy is a last resort. SEB have also been clear that where services are outsourced, then safeguards are needed. Safeguards are already being applied by the Department for Infrastructure, including that employers must have a track-record of compliance with relevant legislation, should not be reliant on new permissions for migrant labour, should deliver appropriate training and development, and should provide terms and conditions commensurate with their sector.

In delivering this work, SEB continues to believe that an SEB Sub-Committee dealing with organisational change, including outsourcing and compulsory redundancy, would have value, broadening advice and support. This would include the current non-ministerial members of SEB, plus 2 additional non-ministerial States Members nominated by the Chief Minister. Having appropriately consulted, the Sub-Committee would advise SEB as the employer on applying the principles outlined in paragraphs 17 and 20, and base a new framework on the high level principles set out in paragraphs (a) to (h), supporting that with more recent experience, including ensuring that sufficient freedom exists to judge each proposal on its merits within that framework.

This is a sensible, inclusive and practical way forward, appreciating the importance of this issue.

Statement under Standing Order 37A [Presentation of comment relating to a proposition]

These comments were submitted to the States Greffe later than the noon Friday deadline set out in Standing Order 37A because final internal review processes had not yet been completed at that time.