

19-21 Broad Street | St Helier
Jersey | JE2 4WE

28th July 2023

Sent by e-mail

Dear Deputy Le Hegarat

Re: Work Permit Holder Welfare Review Panel

Thank you for your letter dated 21st July 2023. Please find below responses to each question in turn.

- 1. The Panel notes the Seasonal and Temporary Workers guide provides information about income tax and social security, and that Customer and Local Services (CLS) can provide support to new arrivals into the Island. Please can you outline the initial steps that a work permit holder should take upon arrival into Jersey?**

All individuals arriving in Jersey who intend to stay for 3 months or more are required to register with CLS. This includes individuals from the Common Travel Area (CTA) who do not require immigration permission and those from outside the CTA who do require immigration permission. The individual can make an appointment to visit the department or go online and we will register them for Social Security and tax purposes. A Registration card with a Social Security number will then be issued which is required to be provided to all employers under the Control of Housing and Work Law, and a tax rate will then follow within 10-14 days.

All individuals are required to provide a passport for proof of identity and also any immigration permissions/visas and/or work permits for any non CTA individuals (ie non-British or Irish nationalities).

Information is also provided about accessing healthcare at the initial point of registration through a leaflet (or email if processed online). Currently online registrations are also signposted to information about Employment and Discrimination rights on the Jersey Advisory and Conciliation Service website and work is underway to produce a more comprehensive advice leaflet which can be issued in person.

- 2. The Panel also notes the 'Moving to Jersey' section of the gov.je website sets out information for individuals arriving in the Island to live and work. Please could you provide more information about the development of the 'Moving to Jersey' section of the gov.je website?**

- What consultation and engagement with stakeholder groups was undertaken to inform the development of the website?**

The Moving to Jersey webpages were developed in 2018 to make it easier for all individuals/families moving to the island to access the information they needed all in one place.

Previously, information was held on different departments webpages which was difficult for individuals to navigate to get all the information required.

There was extensive consultation and engagement internally across Government departments to ensure all relevant information was included and to ensure the design was easy to read and understand in line with User Experience standards applied by our Web Services Team.

- **Does the information provided on the website reflect the categories of work permit currently available?**

The information on the website under Customs and Immigration provides all necessary information relating to current work permit rules.

3. Please can you describe the process that is used by Customer and Local Services to signpost work permit holders for support in relation to specific issues?

CLS will provide advice and guidance on all services provided by CLS and will signpost to other Government departments or external agencies as appropriate. Work Permit holders are treated the same as any other group and support will be provided depending on the issue.

We regularly signpost individuals to agencies such as Citizens Advice and JACS and also have an established safeguarding process to follow if staff want to raise a concern for the safety and/or welfare of an adult or child.

CLS supports the development of the Jersey International Cultural Centre and as services are established will work with the ICC to increase engagement with stakeholder groups.

4. How is information about the range of contributory benefits and access to healthcare communicated to work permit holders?

Access to Healthcare is covered in the leaflet provided to individuals visiting the department and covered in an email if processed online.

Information about the full range of Contributory benefits are not generally covered in the first contact with CLS for registration purposes unless the individual requested specific advice.

The information is available on Gov.je and covers all of the contributory benefits and the eligibility criteria.

In the Chief Minister's absence this week, I have provided this information from the operational teams at Customer and Local Services who provide services on behalf of both the Chief Minister and the Minister for Social Security.

Yours sincerely



Deputy Elaine Millar
Minister for Social Security

Appendix 1: Social Security Law – main conditions for receiving full rate contributory benefit.

SCHEDULE 2^[185]

(Article 14)

CONTRIBUTION CONDITIONS

1 Short term incapacity allowance

- (1) The contribution conditions for short term incapacity allowance are that –
 - (a) the claimant has paid contributions prior to the end of the relevant quarter and the annual contribution factor derived from those contributions is not less than 0.25; and
 - (b) the claimant has either paid or been credited with contributions in respect of the relevant quarter and the quarterly contribution factor derived from those contributions is 1.00.
- (2) In this paragraph the expression “relevant quarter” means the previous quarter but one before the quarter in which the entitlement to short term incapacity allowance first arises.

2 Long term incapacity allowance

- (1) The contribution conditions for long term incapacity allowance are that –
 - (a) the claimant has paid contributions prior to the end of the relevant quarter and the annual contribution factor derived from those contributions is not less than 0.5; and
 - (b) the claimant has either paid or been credited with contributions in respect of the relevant quarter and the quarterly contribution factor derived from those contributions is 1.00.
- (2) In this paragraph the expression “relevant quarter” means the previous quarter but one before the quarter in which entitlement to long term incapacity allowance first arises.

3 Incapacity pension

- (1) The contribution conditions for incapacity pension are that –
 - (a) the claimant has paid contributions prior to the end of the relevant quarter and the annual contribution factor derived from those contributions is not less than 0.5; and
 - (b) the claimant has either paid or been credited with contributions in respect of the relevant quarter and the quarterly contribution factor derived from those contributions is 1.00.
- (2) In this paragraph the expression “relevant quarter” means the previous quarter but one before the quarter in which entitlement to incapacity pension first arises.

3A Home carer’s allowance

- (1) The contribution conditions for home carer’s allowance are that –

- (a) the claimant has paid contributions prior to the end of the relevant quarter and the annual contribution factor derived from those contributions is not less than 0.5; and
 - (b) the claimant has either paid or been credited with contributions in respect of the relevant quarter and the quarterly contribution factor derived from those contributions is 1.00.
- (2) A married woman who has made an election under Article 3 of the [Social Security \(Married Women\) \(Jersey\) Order 1974](#) and whose election has not been cancelled shall be taken to satisfy the contribution conditions in sub-paragraph (1).
- (3) In this paragraph the expression “relevant quarter” means the previous quarter but one before the quarter in which entitlement to home carer’s allowance first arises.

4 Parental allowance

- (1) The contribution conditions for parental allowance are that –
- (a) the claimant has paid contributions prior to the end of the relevant quarter and the annual contribution factor derived from those contributions is not less than 0.25; and
 - (b) the claimant has paid or been credited with contributions in respect of the relevant quarter and the quarterly contribution factor derived from those contributions is 1.00.
- (2) In this paragraph the expression “relevant quarter” means the previous quarter but 3 before the quarter in which the beginning of the parental allowance period falls.

5 Parental grant

- (1) The contribution conditions for parental grant are that the relevant person has paid contributions prior to the end of the relevant quarter and the annual contribution factor derived from those contributions is not less than 0.25.
- (2) In this paragraph –
- (a) the expression “relevant person” means the person by whom the conditions are to be satisfied;
 - (b) the expression “relevant quarter” means the previous quarter but one before the quarter in which it is expected that the relevant person’s child will be born or adopted.

6 Survivor’s benefit and old age pension

- (1) The contribution conditions for survivor’s benefit or old age pension are that –
- (a) the relevant person has paid contributions before the relevant time and the annual contribution factor derived from those contributions is not less than 0.5; and
 - (b) the life average contribution factor derived from the contributions paid by or credited to that person (as at the relevant time) is 1.00.
- (2) In this paragraph –
- (a) the expression “relevant person” means –
 - (i) in the case of a survivor’s benefit, the deceased spouse or deceased civil partner, and
 - (ii) in the case of an old age pension, the person claiming the pension;

- (b) the expression “relevant time” (except in the case to which clause (c) refers) means the date of the relevant person attaining pensionable age or dying under that age;
- (c) the expression “relevant time”, in the case of a reduced old age pension under Article 25(1A), means the date at which the relevant person becomes entitled to the reduced pension.

7 Death grant

- (1) The contribution conditions for a death grant are that –
 - (a) a contribution was payable by the relevant person in respect of the contribution month in which the death occurred; or
 - (b) the relevant person has paid contributions prior to the end of the relevant quarter and the annual contribution factor derived from those contributions is not less than 1.00.
- (2) In this paragraph –
 - (a) the expression “relevant person” means the person by whom the conditions are to be satisfied;
 - (b) the expression “relevant quarter” means the previous quarter but one before the quarter in which the death occurred or, where immediately before the date of the deceased’s death the relevant person was dead or over pensionable age, the previous quarter but one before the quarter in which that person attained pensionable age or died under that age.

Appendix 2:

Additional rules for eligibility when the person does not fully meet the conditions to receive a full rate of benefit:

A2.1. Old age pensions and survivor's benefits

These can be paid at reduced rates where the contribution record is not complete. This is covered in Article 4 of the Social Security (Old Age Pensions and Survivor's Benefit) (Jersey) Order 2001.

4 Partial satisfaction of contribution conditions and reduced rates of benefit

- (1) Where a person would be entitled to an old age pension or survivor's benefit but for the fact that the contribution condition set out in paragraph 6(1)(b) of Schedule 2 to the Law is not satisfied, that person shall nevertheless be entitled to benefit at a reduced rate ascertained in accordance with paragraph (3) or (4) of this Article, as the case requires, if the life average contribution factor derived from the contributions paid by or credited to the relevant person (as defined in paragraph 6(2) of Schedule 2 to the Law) is not less than 0.10.^[3]
- (2) Where a woman would be entitled to an old age pension by virtue of Article 3 but for the fact that the condition set out in paragraph (b) of that Article is not satisfied, that woman shall nevertheless be entitled to an old age pension on attaining the age of 60, at a reduced rate ascertained in accordance with paragraph (3) of this Article, if the life average contribution factor derived from the contributions paid by or credited to her is not less than 0.10.
- (3) Where a person is entitled to an old age pension under paragraph (1) or (2), the pension shall be payable at such weekly rate as bears the same relationship to the weekly rate in paragraph 3 of Part 1A of Schedule 1 to the Law that applies in the person's case as the person's life average contribution factor bears to a life average contribution factor of 1.00.^[4]
- (4) Where a person is entitled to survivor's benefit under paragraph (1), the benefit shall be payable at such weekly rate as bears the same relationship to the appropriate weekly rate set out in paragraph 5 or 6 of Part 1 of Schedule 1 to the Law as the person's life average contribution factor bears to a life average contribution factor of 1.00.¹

A2.2. Incapacity benefits

These benefits can also be paid at reduced amounts as set out in the Social Security (Incapacity Benefits) (Jersey) Order 2004:

Partial satisfaction of contribution conditions

- (1) This Article applies where a person would be entitled to an incapacity benefit but for the fact that the relevant contribution conditions set out in paragraph 1(1)(b), paragraph 2(1)(b) or paragraph 3(1)(b) respectively of Schedule 2 to the Law are not satisfied.
- (2) The person shall nevertheless be entitled to that benefit at a reduced rate ascertained in accordance with paragraph (3) or paragraph (4), as the case requires, if the contribution factor derived from contributions paid by or credited to that person in respect of the relevant quarter is not less than 0.33.

- (3) The weekly rate of short term incapacity allowance or incapacity pension payable in respect of a person by virtue of paragraph (2) shall be the same proportion of the appropriate weekly rate of benefit set out –
 - (a) in the second column of Part 1 of Schedule 1 to the Law; and
 - (b) where applicable, in Part 3 of Schedule 1 to the Law,as the contribution factor derived from contributions paid by or credited to that person in respect of the relevant quarter is of a contribution factor of 1.00.
- (4) The weekly rate of long term incapacity allowance payable in respect of a person by virtue of paragraph (2) shall be the same proportion of the percentage of his or her degree of incapacitation as the contribution factor derived from contributions paid by or credited to that person in respect of the relevant quarter is of a contribution factor of 1.00.

A2.3. Parental Benefits

A similar rule applies to parental benefits in the Social Security (Parental Benefit) (Jersey) Order 2020.

Partial satisfaction of contribution conditions and reduced rates of benefit

- (1) A person is entitled to a parental allowance at a reduced rate calculated as set out in paragraph (2) if –
 - (a) that person would be entitled to a parental allowance but for the fact that the contribution condition set out in paragraph 4(1)(b) of Schedule 2 to the Law is not satisfied; and
 - (b) the quarterly contribution factor derived from contributions paid by or credited to that person in respect of the relevant quarter is not less than 0.33.
- (2) The amount of allowance to be paid is the full rate of allowance multiplied by the quarterly contribution factor in respect of the relevant quarter.

Appendix 3: Eligibility for benefits under the Health Insurance Law

Current benefits include medical benefit and pharmaceutical benefit and the right to be covered by contracts made under the Health Insurance Law. The contracts cover additional primary care services.

6 Right to benefit^[13]

- (1) An insured person may claim benefit for himself or herself and any child of the household.
- (2) However, no claim may be made unless the insured person –
 - (a) has been entered into insurance for at least 6 months; and
 - (b) has paid such contributions, if any, as the person is required to pay under the Social Security Law.