



Corporate Services Scrutiny Panel

People and Culture Review

Witness: The Chief Minister

Monday, 21st June 2021

Panel:

Senator K.L. Moore (Chair)

Senator T.A. Vallois

Deputy S.M. Ahier of St. Helier

Senator S.W. Pallett

Panel Adviser

Mr. R. Plaster

Witnesses:

Senator J.A.N. Le Fondré, The Chief Minister

Mr. G. Charsley, Associate Director, People Services

Ms. S. Goodwin, Associate Director, People and Corporate Services

[9:30]

Senator K.L. Moore (Chair):

Thank you for joining us. We will start with the introductions. I am Senator Kristina Moore and I am the chair of the panel.

Senator T.A. Vallois:

Senator Tracey Vallois, a member of the panel.

Deputy S.M. Ahier of St. Helier:

Deputy Steve Ahier.

Senator S.W. Pallett:

Senator Steve Pallett.

Panel Adviser:

Richard Plaster, adviser to the panel.

The Chief Minister:

Senator John Le Fondré, Chief Minister.

Associate Director, People Services:

Graham Charsley, associate director, People Services.

Associate Director, People and Corporate Services:

Sarah Goodwin, associate director in People and Corporate Services, heading up the Organisational Development Service.

Senator K.L. Moore:

Thank you, nice to meet you both. Chief Minister, in your role as both Chief Minister and chair of the States Employment Board, what is your vision for the culture of the Island's public sector workforce?

The Chief Minister:

As you know, we have invested a degree of money in the last couple of years in terms of recognising that the organisational culture was not in a good place previously. That investment is starting to bear fruit but we have further to go as well. I think it is positive with the changes we have seen. If you are looking about it, it is about an organisation that buys into the collective values of the organisation that collegiately works as a team and is proud to work for the Island.

Senator K.L. Moore:

You suggest in your answer there that you feel the culture has improved during your tenure. Could you describe how you are delivering such improvement?

The Chief Minister:

I think you will find we are ... we also had a very difficult year with 2020, and that will have had an impact on everybody's views of where we are but I think if you look at things like the restructuring that has taken place with the target operating model, then with the various policies and procedures that are coming through with the bullying and harassment policies, the various improvements there.

Things like Team Jersey, things like the well-being improvements that are being put in place, I think it is quite a long list, which perhaps Sarah and Graham can allude to in more detail.

Senator K.L. Moore:

We will do that later.

The Chief Minister:

But there are quite a lot of actions we have put in place, which we have always said these things will take a while to turn round. So it is early days, but I think we are seeing an improvement compared to where we were when we began.

Senator K.L. Moore:

What role do you see yourself and your fellow Ministers and, of course, your fellow members of the States Employment Board, how do you see that role in delivering a positive staff culture?

The Chief Minister:

In terms of delivering the culture, the delivery side is more at the operational level, which is definitely delegated down to People and Corporate Services. But in terms of encouraging and enabling that role, that is a decision to be put in place. That is the tone from the top. It is also about how we engage with people.

Senator K.L. Moore:

Can you tell me how you have derived your view that there has been an improvement in culture since 2018? What basis do you draw that conclusion?

The Chief Minister:

I think the Be Heard survey was quite clear that people were proud to work for the organisation.

Senator K.L. Moore:

They always have been. The transition team said that good, committed and capable people work for the organisation.

The Chief Minister:

I think also, if you look at the HR Lounge side, which marked significant improvements in the culture around bullying and harassment, again there are marked improvements. We know we have got further to go but I think the point of that is there is demonstrable improvement compared to the beginning.

Senator K.L. Moore:

Thank you. We will look at the Be Heard survey a little bit later. What is your understanding of how officers intend to improve the quantity and both the quality of data that is provided to the States Employment Board regarding the workforce, including but not limited to staff engagement and turnover and the progress of the actions within the people strategy?

The Chief Minister:

Can you clarify what you mean by it because the quality of data we know we have an awful lot of issues around our I.T. (information technology) systems, which obviously does impact on the amount of data we can get hold of.

Senator K.L. Moore:

So how often do you receive data? There are the dashboards that give you the breakdowns of absence and overtime and other indicators that will be showing you on a consistent basis morale and the impact of it on the workforce. So if you could perhaps describe how the States Employment Board receives that data, what data they perhaps think that they would like to see that they do not yet receive and how they consider that data.

The Chief Minister:

I think when we are getting into detail I will get Graham ...

Senator K.L. Moore:

No, what I am wanting to understand is how you, as the political members who are there to set and define the policy with regards the culture in the workforce, how you receive that data. What you think is lacking.

The Chief Minister:

How I receive the data is that somebody produces it for me, so that is why I am asking. What are you trying to ... I would like to get to the question actually.

Senator K.L. Moore:

How you consider the data. You said that you feel that perhaps there are some holes in it, so where are the holes in the data that you do receive? How regularly do you consider it? As what is provided to you, how often do you consider it as a board? Shall we break it down into that first individual question? So how often, do you, as a board, sit down and compare and contrast perhaps the data that is provided to you about the workforce, such as the dashboards that show absence and overtime and sickness, et cetera.

The Chief Minister:

The reason I am pausing because that is a very, very wide question because it ...

Senator K.L. Moore:

No, it is not. It is a quite simple question.

The Chief Minister:

Because as an example, some of the data will include health and safety measures and reports on that, which is a standing item on the agenda. Whereas obviously other data we would produce on a quarterly basis. Other data will be produced on a 6-monthly basis. So as and when it is produced, according to the schedule, it will then come on to the agenda and will then be considered.

Senator K.L. Moore:

As we do not receive your minutes, we are not aware, you see, which is why we ask the question. So you mentioned that there are some holes in the data that you do receive and you would like to see a greater level of data, so what kind of data would you like to see?

The Chief Minister:

What I said was, that is why I was trying to get to the bottom of ... when you are asking about data I was seeking clarity from you because we have, as I have said in the past, we know we have issues within the I.T. system, so that is why we have put the money where it is. It means that not everything comes through as smoothly as one might like. So, for example, if we use the P.59 report that is now produced because the decision by the Assembly that takes 3 months, I think it is, of manpower, to produce that one report. In other words, that is the kind of hole I am saying, is that you do not have that level of political data as readily available as one might like. There are other times when we get questions. I am trying to think of the last example we had, which is why I am looking at Graham, where I think we said it is still held in manual form. If you want to give some examples.

Senator K.L. Moore:

We really do want to hear from the Chief Minister.

The Chief Minister:

Which is why I was saying that is where those sort of holes are, where it is held in manual format it requires, I think, going through individual files, and obviously that is a fairly blatant hole. That is a hole that we are looking to fill but that is why we put the money into the I.T.S. (integrated technology solution) system, for example, and the money we put into People and Corporate Services.

Senator K.L. Moore:

You still have not quite described the gaps in your understanding of the organisation and how greater access to data would fill. What sort of gaps and what aspects of the working of the organisation do you feel that you do not understand as a result to perhaps the perceived lack of data that you are receiving?

The Chief Minister:

If it helps, I think in terms of where the organisation is, I think we get sufficient information - I am sure - to make the crucial decisions that we make. What I am saying is I do not think we get it as smoothly as one might like or as easy as one might like because it is not available at the flick of a button. What I am also acknowledging is that because we know our systems are not as good as they should be there will be gaps in that data that comes through. But I am also saying is that we are taking steps to make those improvements and I think each quarter, each 6 months, whatever it is, we are seeing that improvement coming through.

Senator K.L. Moore:

Thank you.

Deputy S.M. Ahier:

Chief Minister, the follow-up HR Lounge report was issued in February 2021. It contained a number of conclusions and recommendations. Can you confirm how many have been resolved and/or completed and the timetable for those that are outstanding?

The Chief Minister:

That is definitely a detailed point for the gentleman to my left. But the general mood is that ... apologies, Graham has the details, there are a variety. It has been implemented and there are a variety that are in the process of being concluded on. But obviously he will make the point that the 2021 report obviously noted substantial improvement versus the 2018 report.

Associate Director, People Services:

I think there were 7 recommendations overall. Of those 7, 4 will be dealing with this part of the programme we are calling restorative practice. So restorative practice is an approach that we want to develop across the Government, which enables us to resolve potential issues quickly, pragmatically without redress to a formal process. For example, the recommendation around the 14-day resolution, we are talking about a 5-day fact find for anyone that wants to raise a particular complaint so that we would not be encouraging people to move to a formal process until that fact find had been completed because a lot of the research in this space evidences that if we can have a pragmatic honest conversation with the facts involved then we can address matters really quickly without creating victims. Quite often these situations create at least one victim, maybe 2, because

these kinds of formal cases are quite difficult. We want to move to a place where we are adopting restorative practice where we avoid going into a formal process where we address things quickly and easy, as locally as possible, and move forward in that way. If we do that well then we should see a significant improvement in our culture, a significant improvement in the way that people feel supported and listened to, and experience elsewhere, as demonstrated, that we can find significant improvements both in the reduction of bullying and harassment cases and in the number of disciplinary cases and grievance cases that we will experience.

Deputy S.M. Ahier:

It was mentioned that some are being resolved within 14 days but some cases are also taking more than 90 days to complete. How are you going to reduce those periods of time?

The Chief Minister:

I think again that is around ... Graham, you have got the details.

Associate Director, People Services:

Some cases are taking a significant amount of time to resolve. I personally meet with a member of the case management team on a weekly basis. We review all the cases that are outstanding. We have introduced a date stamp against each case so we know by the number of working days how many days a case has been outstanding. We will be soon introducing a date stamp per phase for every case. A lot of the time cases will take a long time to be resolved because one of the parties unfortunately is not able to attend a hearing or is not able to participate in an investigation. But I think you will find if we were to do the analysis that the average time to progress cases has reduced. Certainly the number of formal cases that we have had over the last year has dropped significantly.

Senator K.L. Moore:

Could you tell us how many formal cases there are currently?

Associate Director, People Services:

109. Sorry, it is 69 and of those ...

Senator K.L. Moore:

Sorry 109 or 69.

Associate Director, People Services:

It is 69. Of those 40 of the 109, 40 are informal attendance management cases. So they have not yet moved into the formal arena.

Senator K.L. Moore:

So 109 in total; 69 are formal and the remainder are informal?

Associate Director, People Services:

Yes. That is a slight increase over the previous month. Over the last quarter we have seen a reduction. I think in February it was 71.

Deputy S.M. Ahier:

Staying with the HR Lounge report, point 96 says: "Examples of heated and public arguments, insulting and aggressive behaviour and belittling were mentioned." Have you, Chief Minister, witnessed such behaviour during your time in Government?

The Chief Minister:

Yes. The reason I laugh, which is not actually a humorous matter, I have not only seen it, I have experienced it and it was absolutely appalling, which is why I am pretty keen to see this area significantly improved upon. I can go into further details if you wish.

Deputy S.M. Ahier:

Did you report those incidents yourself?

The Chief Minister:

Yes, you will find they were also considered by the then Comptroller and Auditor General and nothing was ever done about it.

Deputy S.M. Ahier:

So you acknowledge that there is a problem that should be tackled?

The Chief Minister:

The time I am talking about was in 2010, 2011, and Senator Vallois will be familiar with the era I'm talking about.

[9:45]

When particularly a Minister I was in the presence of was highly - I would say - abusive and rude to senior officers and that led to a significant report to the Comptroller and Auditor General, which does identify in a footnote that if the Minister in question did deny it was bullying, the chief officer of the day said in an employment context if it had been in front of an Employment Tribunal he would have considered it to be bullying. As far as I am aware, in terms of activity, I was not a Minister of the

day, I was an Assistant Minister, and I am not aware that any action arose out of that. But if you ask me, as is the question, because you are obviously going back to something I still recall quite clearly: was I appalled of the behaviour? Yes, it was not acceptable and that is why at that point the culture of the organisation, as far as I was concerned, was pretty poor. That is also why in my time as Chief Minister, when I have seen poor behaviour and incidents where an employee has been challenged or named or whatever, where I have been able to I have either taken action or I have referred it to the relevant person to see if it was appropriate or not.

Senator K.L. Moore:

Senator Vallois would like to ask a follow-up question.

Senator T.A. Vallois:

You mentioned about 2010, 2011, since then we have now got code of conduct, which specifically refers to responsibilities as elected Members and as Ministers towards ...

The Chief Minister:

We had a code of conduct then as well.

Senator T.A. Vallois:

... and of course we have got new bullying and harassment policies. In this term of office, or maybe last term - I am just trying to think when the code of conduct came in - how do you see that amending and changing at that behaviour? It should not just be the case of a new Minister or a new Chief Minister. It is that kind of long-term ... culture behaviour does not just change overnight. It takes time to bed in sometimes. The bullying and harassment types of things that specifically you mention are not acceptable, so how do you make sure we have those things changed and in place now, but you are still seeing it? Is there something that can be done to improve that situation?

The Chief Minister:

It is a really important question and it is a slightly difficult one to talk about in a public domain without naming people. What I have seen, and I emphasise I am not talking about anybody in this room, by the way, that there is a combination. What I always see as a politician is how politicians interact with officers. I think that is where, we talk about the tone from the top, it also has to go into the wider context of the tone from politicians; plural. So there have been different instances both at a non-Executive side and Executive side where there has been ... certainly I get feedback from time to time, where officers have not been happy with how they have been addressed or referred to, et cetera. Bearing in mind that officers do not have a right to reply. Generally if it is somebody, it depends on the circumstances, sometimes we have had a quiet word with the Greffe, for them to have a conversation. If it has been somebody that I have got direct liaison with I will either have a

conversation or, as is publicly known, I have suspended someone. So that was the result. The difficulty there, I think, as I am giving the context, is with the particular joys of things like social media as well, and I will also say with COVID, which I think has brought out a whole range of different behaviours, that sometimes people will tweet, will email, whatever it is, things that they would not necessarily say to somebody to their face. So when I talk about that, and that can be ... and so overall, there is an erosion, shall we say, of respect between the political side and the organisational side. There is a risk of that. That is where the code, and things like that, are important because legitimate criticism of the policies or the politicians is fine but when it gets down to then individual officers I think that gets difficult, and I think that is where we then get into that cusp of is it bullying, is it harassment and, more importantly, it is about that tone of respect. You have a disagreement with an officer, how you communicate that is really important. I do not yet have the answer to that, by the way, but it is around all of us. But I do emphasise I think COVID has concentrated the issue and we are seeing it is part of that wider thing of behaviour that we are seeing, I think, coming out of COVID. So I think one area, we know S.E.B. (States Employment Board), for example, we are planning to do some Dutch and things like that, if we get that all in place before a new S.E.B. when it is created, it would be probably worthwhile, as part of the induction for States Members that kind of professionalisation of behaviour it would probably be worthwhile for new politicians coming in, and maybe existing politicians to understand, about what their responsibilities are between the relationship between them and their political colleagues and politicians and the officers they will come across during their political life. That is obviously a personal view but, as I said, I have seen quite a lot of the range of behaviour in my political time and there have been a number of times when I would rate it as completely unacceptable.

Senator K.L. Moore:

You have talked a lot about historical moments ...

The Chief Minister:

Some of that is historical and some of that is in the last 2 years.

Senator K.L. Moore:

The HR Lounge report specifically is a follow-up report, which is contemporaneous, and therefore is referring to instances of behaviour that have been reported during your tenure. It very clearly identifies at the very top of the organisation.

The Chief Minister:

When you say "it very clearly identifies at the top of the organisation" bullying and harassment, would you like to point me in the right direction?

Senator K.L. Moore:

The comments about belittling behaviour, public arguments, heated discussion; if you refer to paragraph 96.

The Chief Minister:

That does not say at the very top of the organisation. It says: "We would encourage the top leadership team to discuss these and those of their direct reports' behaviours, in order to determine a code of conduct among themselves." "... which made the point well that such behaviour was always under observation and any breach that went unchecked took on significance that could be devaluing of your endeavours to embed the desired culture." What we are saying in all of this is that we have said we have made progress since 2018. The question that Deputy Ahier asked me then Senator Vallois asked me was had I seen behaviour and the answer to that question was I said definitely in the past and more recently within my time as Chief Minister. Senator Vallois was asking what my views were about how I might improve it. That is about the overall tone, that is what I was trying to answer. The point I also made is that we know there are gaps and improvements that need to be made within the organisation but we have made improvement since the 2018 report.

Senator K.L. Moore:

Shall we move on to question 7?

Senator T.A. Vallois:

This is around the Be Heard survey. The Be Heard survey highlighted leadership believability as a key problem driving internal dissatisfaction within the public sector workforce. How are you working to amend this?

The Chief Minister:

Do you want to point me in the right part of the Be Heard survey that we are talking about?

Senator K.L. Moore:

The one that is referring to the leadership believability.

Panel Adviser:

These are bespoke questions. "I support the changes aligned to the OneGov." "The OneGov vision is not clear to me" and the leadership ones. Those together create a ...

The Chief Minister:

I think there are 2 issues that we are seeing on the overall change of the OneGov side. It also is a feedback from Team Jersey; I do not know if you have had Team Jersey in front of you or not. I am

not telling you how to do your job but it might be referred to as well. The feedback we get, we know that the cultural change side through the organisation is taking a while, COVID has caused significant delays, we know that. But where, for example, the Team Jersey programme has been received, generally Graham - or actually, Sarah, I think, that is your area - generally people are much more confident and supportive of the changes. The other comment I would make, it probably splits into 2. One is of course any change will not be 100 per cent well received. It is that, and I know my private sector life as it were, the organisation needs to work before it merged - it was 2 large families coming together - that probably took maybe 3 to 4 years to settle down, if maybe more. I think on here we are basically saying we are still going through that change and I think we are probably 3 to 5-year time programme to hopefully get into the right place. The other point within the overall, depending on the respondents, is obviously people who are further away or lower down in a large organisation may not necessarily quite understand the whole rationale behind the change. That can impact on some of the responses as well to an extent ... a combination of that obviously with them and also actually just people outside of the organisation. It is one of the reasons why we have taken some steps about ... we have done a government video which is about this is what government does and understanding. It was quite well-received within the organisation because again it is making that positive point about reminding people this is what the organisation is about. That is part of that communication message we want to be putting through. There are other things that are coming through. I have gone off on a slight tangent. But I think the point is that that in a time of change, particularly with COVID, and this was done in the middle of COVID, people are going to be stressed and tired, et cetera. When they are going through changes that will cause stress. This does put down a marker. Go back to the point that the engagement was higher, that overall people are proud to work for the organisation. I think the other thing will be that we understand ... we look at these, we see what changes we can do, and when the next survey comes through, again one is hoping to see improvement further.

Panel Adviser:

In regards to the leadership questions?

The Chief Minister:

Sorry, can you repeat that one?

Panel Adviser:

In regards to the leadership questions because there were really 2 parts. Those which we brought to your attention. There was the OneGov side where there was 30 per cent neutral, 30 per cent negative and 30 per cent positive, rough split, which presents challenges quite clearly. Then there were the questions about the leadership. There were those which: "I am inspired by the person leading the organisation", "Senior managers organisation do a lot of telling but not that much

listening.” Those types of questions. Those are again quite challenging for the leadership. What is your leadership to get those areas improved?

The Chief Minister:

One of the queries I know when we were talking about it, when we first went through the results, which was some time ago now, was the definition of what people thought was their leader. Whether it was their immediate manager, whether it was further up the scale, and that was not necessarily entirely clear. But within all that lot, as I said, we are going through and trying to put steps in place. Part of that is around, if you look at the E.L.T. (executive leadership team) side, I think where there have been any issues identified there is more ... I will not put “training” but a bit more work being done around that. But I know it is Sarah’s territory.

Associate Director, People and Corporate Services:

When you think back to the Be Heard survey there was clear instruction that when respondents answered the question: “Who is a leader?” the survey said the leader of the organisation is the chief executive. It was clear because that was his role as opposed to it being conflated with the political leadership. Where respondents were asked to answer questions around who are senior leaders they were told to think about their director generals and their senior leadership groups. That was the instruction. Whether people remember that and hold on to that when they are filling it in and when they are more junior and more operational and front line, whether they think that and that is the leadership that they see day to day, that needs exploring. I think when you look at some of the questions and the answers around leadership, the people that are closer to senior leaders will have been able to answer that quite clearly. When they are more dispersed and distanced from the senior leadership of the organisation, people are going to think about their leaders as could be their head teacher. It could be their ward manager. It could be their shift manager.

[10:00]

I think that one is quite a hard one to just extract at that level. What we are doing in terms of addressing the survey is going into departments, sharing those results, working that down in departments, directorate levels and service levels to say: “Do you recognise this and when you were asking those questions who were you thinking about and what does that mean in terms of your life?” I think you have to adopt a degree of caution with it, just because we are so complicated as an organisation.

Panel Adviser:

Granted. One of the things I did pick up, and it is quite credit-worthy for the management group rather than the leadership group, was that the management group had quite positive feedback. That

is pretty good, but you said you are asking the questions. What type of feedback are you getting? What are the answers that you are getting back as you go into departments and you ask: "What did you have in mind when you were answering those questions?"

Associate Director, People and Corporate Services:

Yes, so we want to validate the results. Part of it is the survey was done in July last year. It is old and it was also at a time that was really tough for the organisation, and I think we were bold doing a survey at that time. The supplier has not had many public sector organisations that wanted to do that. Hindsight is great, was it the right time or not, but we need to validate and it is important for people to have their voices heard. So: "What does that mean to you and what does leadership mean to you and what are you looking for?" What we see a lot with the feedback that is coming in on leadership is it is more about communications, it is more about keeping us informed with what is going on. Certainly, the further down you get concepts like OneGov is much harder and if they are working in a school or on a ward people do not have time in their day to be talking about some of those bigger strategic ambitions that are going on. People are more about: "What difference does it make to me and my job?" That communication thread and how we make a lot of this real to all 7,000 staff shows what a challenge that is, but I think a lot of the leadership questions come back to communications: "How are you looking after me? What training, what development do I get and do I feel supported and valued in the work?" The feedback we are getting is more about: "What is in it for me and how do I grow and what are my opportunities within the organisation?" That is a broad generalisation but then when you look at the workshops that we are doing at different levels you can see what is happening. We started at senior leadership team levels and then wider teams and then drilling down and we are saying to people: "What does it mean to you?" so that is nuanced depending on what department. It is more about communication, being heard, having time to think. There are a lot of staff who have worked so hard under a lot of pressure. It is: "Have I got enough time to think and absorb and see what is going on?" because it has been such an unrelenting year. The value of the survey for me has been having those conversations with people and that we hear those voices and that we probably do not take enough time out to do, if I am honest.

Senator T.A. Vallois:

Not negating those points that you have made, is there an intention to provide a greater steer during the recruitment process that is going on now for the chief executive with regards to appropriate leadership styles and what that should look like?

The Chief Minister:

When you say "provide a greater steer", in what context?

Senator T.A. Vallois:

So you now have the survey, you have the information, staff going into departments trying to find out exactly what that means, what that looks like. Are you using any of that information and any of that feedback as the States Employment Board or as a Chief Minister for the process of recruiting the new chief executive officer?

The Chief Minister:

Well, I think you are working on the principle that you want to ensure that the person you are bringing in and obviously that will come out as part of the psychometric testing part of the overall interview process, that what you are receiving will be a consummate professional and therefore on that basis you would expect them to be a modern leader in terms of looking at where the organisation was, where it is now and how you keep taking it forward. Do not forget, there have been a lot of changes coming through, whether it has been diversity, whether it has been the "I will" campaign and things like that, which were started under the previous C.E.O. (chief executive officer) and the interim C.E.O. is carrying on that were not there previously. The Be Heard survey is part of that metric, if you like, to try to see how that change is going through. I think the point is that I would expect it to be and, as far as I am concerned, that is part of the interview process and part of the selection process, what you would expect from any modern professional C.E.O. to be applying and taking into account, if that makes sense. Sorry, when I talk about applying I am talking about requiring a professional standard and requiring the organisation as a whole to meet professional 21st century standards.

Panel Adviser:

Using psychometrics and the like is all part of the recruitment process, or some of that sort of level and of course below. The purpose of doing it is to identify certain traits, maybe traits that you do want, possibly traits that you do not want, and yes, they will be a professional leader who you appoint, but professional leaders come in a number of shapes and sizes and a number of different styles. I think where the question was coming from is what steer is being given to the recruitment panel as to the type of leader that you are looking for, for what is an organisation that is partway through a change, not at the start of a change, so partway through, with a number of significant challenges ahead of it? That is going to require a certain leadership style and psychometrics will help you with that, the interview will help with that, but it must be something you are looking for. What is that steer?

Senator K.L. Moore:

Before you answer, could you just pull the microphone a little closer to you, please, Chief Minister?

The Chief Minister:

The reason I am pausing is I was thinking that has all been put into the job description territory and I know it goes further than that.

Panel Adviser:

I could not find it.

The Chief Minister:

Sorry, the reason I am pausing was because I was trying to think how far back we went when the thing was put together. The overall steer that we have given to the selection panel and recruitment agency is I think part of it is about we have talked about the culture of the organisation and we have talked about it needing to be improved, but also we have been fairly clear that there are certain programmes, particularly when they are halfway through you do not want somebody coming in to try to rewrite or anything. You want a bit of stability coming through and maintaining some of these changes. I know there will be different views but I take the view compared to where we were that we are making significant investment and significant improvement. I think you want to get through those kinds of phases, let it stabilise and then if somebody wants to change on top of that rather than we are 2 years in, shall we say, maybe 2½ or 3 years but you know what I mean, and then somebody comes in and spends another year rechanging everything because we just go into turmoil. There is an element and when I say “stability” I am talking about maintaining the change process, if that makes sense. Sorry, it might not be the best way of putting it, but we have got a lot of programmes going on, a lot of change happening all of which has been approved by the Assembly.

Senator T.A. Vallois:

There was mention of dissemination of the results of the survey to departments. We have heard evidence that this has not been the case for Health. Is that the case, and if so, why?

Associate Director, People and Corporate Services:

No, it is not the case. Health were a little bit later. They had taken 2 or 3 extra weeks before their results were formally released into the organisation and that decision was made I think because of some operational pressures. There is a dedicated lead person working with somebody in my team who is rolling those results out in Health into all of the different care groups in Health, so the colleague is Anne Robson who is leading all of that and there are a range of Team Jersey leads and other volunteers that are in all of the different working groups. They did have a short delay because of operational challenges, as did Children and Young People Services, because we wanted to tie those up with the Education survey. They were 3 or 4 weeks after the wider ones but I know all of those workshops are happening. We have also been doing some training with colleagues in the department to be facilitators to help them understand the results and be able to work with more and

more teams. Health is so big, C.Y.P.E.S. (Children, Young People, Education and Skills) is so big, so we wanted to be able to support all of the different parts of the teams.

Senator T.A. Vallois:

That is where the question came from, though, Health and C.Y.P.E.S. being your largest cohort of employees. That is why the question was asked, so thank you. In terms of the results of the Be Heard survey that was presented to States Members, R.38, it contained the results of 15 bespoke questions and 56 standard questions, totalling 71 questions. We understand employees were asked 90 questions. Are you able to advise, Chief Minister, or explain, why some of the questions were omitted from the States Members briefing and what effect this will have or could have on the overall results?

The Chief Minister:

The short answer is no because I think we are getting to quite a detailed point. Sarah perhaps can pick up on that.

Associate Director, People and Corporate Services:

Yes. I think this happened inadvertently, so the results that were missing, if you like, if I go to the nub of the question, are some additional questions that the supplier includes as standard around customer service and some wider questions that they do not count the answers to when they are calculating the engagement scores. There is an additional suite of questions. I can provide that detail for you but Best Companies who are the supplier create your engagement score that they use for the Best Companies index on a suite of the 56 questions that you ask. They also include some supplementary ones that might be useful for organisations but they are never used in the calculation of the engagement level or any of those engagements factors, those 8. They are just wider ones that are made available to the organisation. When we got our first cut of data they did not provide those extra graphs, but they have since added them into the packs that went out to departments and they should be in your full pack that is here, so you have got the customer service slides and some additional generic questions on managers, I think, but that was why. When they gave us our first cut of data as the supplier it was: "These are the scores that we would use to compare you if you were to ever go in the Best Companies to Work For index."

Senator T.A. Vallois:

I asked that question because I suppose it is understanding why those would not be included, but also there are some questions in there that may be relevant to assist with policy changes or cultural behaviour changes or influencing what Team Jersey are doing. One was about avoiding conflict and dealing with it. That is quite concerning. Is that being taken into account in departments?

Associate Director, People and Corporate Services:

Yes, so you should see in the packs that you have got all of the departments have all of those additional questions in there. They are all in there and they have been fed into Team Jersey, so they are there. It was just how they got packaged from the supplier at the start, and so they are part of what we disseminate into departments. When we first released the results, you will know - you have been looking at them a lot - there is an enormous amount of information in there. How do we cascade it out in a way to help people start understanding without it being massively overwhelming at a time when we could help train and educate people? The ones that were excluded do not impact on the scores or the engagement factors.

Panel Adviser:

So they are not part of the engagement score?

Associate Director, People and Corporate Services:

No, absolutely.

Panel Adviser:

But each one of them has value in its own right, because they paint a story, they paint a picture of the challenges you have and the successes you have had, to be fair. There is good, bad and indifferent within that.

Associate Director, People and Corporate Services:

Absolutely, yes. It was just working with their methodology that they have been using for 25 years that is the standard and then they are evolving their methodology, so how we could use that, but they are all included in the packs.

Panel Adviser:

Are the averages? The averages are not included anywhere, or certainly not in the stuff that we have received. The mean scores, because the summary pack that was presented to States Members, R.38, were the mean scores for each of the 56 key questions. Are the mean scores available for the supplementary questions?

Associate Director, People and Corporate Services:

I would need to look and doublecheck. I would imagine they should be, but I need to doublecheck with those and they would be held on Best Companies database.

[10:15]

It is not something we would have in store. They generate the data for us.

Panel Adviser:

It is part of that summary picture.

Associate Director, People and Corporate Services:

Yes, we could certainly look at that for those additional.

Panel Adviser:

Yes, we have got all the others. We have got all of the detail and we can go through and add up the zillion of them and make our own mean, but it is a lot of work, if they are available.

Associate Director, People and Corporate Services:

We can certainly look at that, but people have had the complete picture. With the bespoke questions we engaged with staff across the organisation, with trade unions, about what additional questions we should be asking, so they are within the organisation's gift whether to use the same for the future or use different ones, but that is what we had as an opportunity.

Panel Adviser:

When is the next time the survey will be run?

Associate Director, People and Corporate Services:

The organisation has made a commitment to do this every 2 years, so it was a big undertaking. With the contractual agreement that we have with the supplier we can do a pulse survey this year, if we want to, to be able to measure if we are on the right track now that we are used to this level of data. Certainly, some departments are keen to be able to do that. Others would like to use the full 2 years because again, as you would expect in some of the big departments, it is a lot to do and it is much harder. It is a bit easier to move things a bit quicker in some of the smaller departments, but we have got 4 or 5 departments that are saying at the moment they would be keen to conduct another survey, maybe in the autumn time, October or November. We could again see how we are doing, see what the movement has been. I suppose the only other thing to mention is that with Education colleagues we have been having that dialogue because there is always an Education-specific survey and we do not want to be bombarding people with 2 lots of things and are they measuring the same or not. We have been working together with Education colleagues to say: "How could we combine this so that there is one survey that captures everything?" but we need to make sure that it has got enough in terms of the education standards and the teaching standards, so again trying to make sure it is simple and most useful for people.

Senator T.A. Vallois:

Chief Minister, when the report or the findings in relation to pay and leadership were being raised in the report were they brought to the States Employment Board?

The Chief Minister:

The overall Be Heard survey was brought to the States Employment Board.

Senator T.A. Vallois:

That included the pay and leadership area?

The Chief Minister:

I have got no reason to say no. I would have to go back to check.

Senator T.A. Vallois:

What was the feeling or reaction from those on the States Employment Board to the results that they saw in terms of the report, particularly with regard to pay and leadership?

The Chief Minister:

Frankly, I would have to go back to have a look because I cannot remember when it came to S.E.B. but it was a number of months ago now and I honestly could not tell you what their reaction was. I will have to go back to the minutes.

Senator T.A. Vallois:

If we cannot obtain the minutes is there a possibility of having something that gives us an indication of what the thoughts or the thinking of S.E.B. was?

The Chief Minister:

I can take the question away and go back to check.

Senator S.W. Pallett:

Chief Minister, why do you believe that the Be Heard survey reports have indicated a low level of support for OneGov?

The Chief Minister:

Basically what I said to your adviser earlier, that it depends on the distance of the individual being surveyed away from the centre. I suspect it is also the issue around change, that when you are in the middle of change it can be difficult. As I said, certainly from experience in the private sector I have seen, when in the middle of it, it can be quite difficult for people. I have seen that. When you

then look at your organisation 3 years later anybody coming in new says: “What was all the fuss about?” and we have got to remember we were at that point still in that process coupled with a very difficult year of COVID, which obviously we are not quite out of yet.

Senator S.W. Pallett:

Okay. Understanding that view, as it appears one-third of staff have a negative view of the OneGov process what steps are the States Employment Board taking to engage with this group to try to understand and address those concerns?

The Chief Minister:

Again we have also got to remember that it was a survey done in the middle of last year. There are a variety of factors. One is the rollout of the Team Jersey programme had ceased at that point, or been paused, I think, and I think it has been resumed now. Again, as I said, the feedback we were getting from within the Team Jersey side was that when people have been through that programme they are a lot more positive, I think would be the way of putting it. I think that does overlap into their views of the OneGov. it is part of that overall change programme. Also as I said, bearing in mind the impact of COVID, there are a variety of measures that are being put in place or funding has been sought for, which is around well-being and so on, which is then dealing with the difficulties of the year, which I would suspect will also impact upon their views of the organisation.

Senator S.W. Pallett:

Going back to the last part of that question, addressing their concerns, and you mentioned well-being, what is being physically put in place to try to improve staff and their morale, their well-being, and to make sure that we have got a happier organisation?

The Chief Minister:

I will give that to Graham or Sarah to elaborate on. There are a few programmes and we should be pleased.

Associate Director, People and Corporate Services:

Yes, we have put together a workforce well-being recovery plan for COVID that has a range of activities and interventions that we are looking to take forward, that is segmented based on employee needs. With work with colleagues from Health and Community Services we have been completing a diagnostic that looks at 4 primary levels of support that people might need in terms of well-being. Your bottom level is people that are managing to live, who are broadly living well and getting by, but it has been tough, to needing more help, there is a shout out: what more can we do in the organisation, what more can managers do, to then the third level having specific, more specialist interventions that you might need through specialist providers, to acute need right at the

top, where that requires really specialist medical help. We have built the hierarchy of need and now we are working in departments, with H.R. (human resources) business partners and well-being assistants and leads in departments to try to identify those segments of employees, and each of those segments then has different offers that are being made available to them to support them in their well-being. At the lowest level that is a lot of self-supported help. There is a lot going on online in terms of well-being support and other help that people can get. There is a Thrive app, there is a lot of stuff that is going on at that level, then we are looking at more acute training for managers to help them better manage in this difficult time and how they manage for their staff's well-being. A lot of workforce well-being will be directly linked to the way that managers manage teams, but our managers are equipped enough to have those psychologically-savvy conversations, so we are looking at trauma training and there is a range of different training with mental health right at the forefront. We have been using the Mind colleagues externally. Then we have been revamping the occupational health contract that is in place with the organisation AXA, our occupational health providers, so doing more to promote the employee assistance programme, so there is a whole heap of support that is available there.

Senator S.W. Pallett:

I think you have given us a flavour.

Associate Director, People and Corporate Services:

It is really important though.

Senator S.W. Pallett:

I know from some of the experience that I have had that the mental health of staff is absolutely vital and I appreciate your quite comprehensive response to that. Going back to around the OneGov vision, what is your understanding - and it is really for the Chief Minister - of the impact of the departmental target operating models on front line staff and to what extent do you believe that this may be driving negativity towards the OneGov vision?

The Chief Minister:

To front line staff I would not have said there would have been a huge impact, to be honest, because most of the time it has been very much the tiers above them. Other than this uncertainty of change, if you see what I mean, I am not entirely sure. I would also make the point, and Graham can correct me, but I think pretty well everything now in terms of target operating models is now ...

Associate Director, People Services:

The only outstanding area is I.H.E. (Infrastructure, Housing and Environment) which is closing soon.

Senator T.A. Vallois:

Can I drill down on that slightly? Target operating models, there might be added layers of management or less management or new management. Would that not affect front line staff?

The Chief Minister:

That might impact on uncertainty, which is what I have talked about, being in a change organisation, but it does not necessarily directly affect their post. Sorry, I am giving a generic one, but it will depend on circumstances I guess, but on the whole I would not have thought the target operating models would particularly affect the front line staff.

Senator S.W. Pallett:

You use the word “uncertainty”. Is that uncertainty that some staff have around the target operating model and their role within not one of the reasons to make the OneGov results to be as poor as they are?

The Chief Minister:

As I said, if you are going through change I accept in that respect that people who do not like change will criticise whatever that change looks like. Equally, whether you want to call it a target operating model or a restructuring, whatever you want to call it, yes, that change will be responsible. That does not necessarily mean that you should not be doing that change, because you can have arguments around: “Well, I do not like this change but I do want this change” type of thing, but at the end of the day, as we started the conversation organisation in 2018 and before, and I am going back quite a long time, versus organisation now although we are still having a change process and we are still going through a COVID pandemic, I still think the organisation is in a better place than it was. I go back to that point, it will be about people who have been through it, versus somebody new coming in who will wonder what the fuss is about, I think.

Senator T.A. Vallois:

Sometimes it is not necessarily what you are doing; it is how you are doing it that impacts on people. As an example, target operating models maybe should not have taken as long to implement, and that might have created some of the issues that we are seeing with responses to the survey. When you say some people do not like change, is that because of the complexity of the organisation or is it because of how the message and communication has been handled?

The Chief Minister:

If you are starting to get down to the specifics, I think if you are getting down to individuals it could be any of those. What you have got to look at is what is the impact of individual A versus individual B versus individual C? For some people I think we did recognise it took longer than we would have

liked. I think there were a variety of reasons around that, which I do not know are particularly relevant now. Equally, some people will think, certainly what I found, is that even when you think you are putting a simple message out there some people find it confusing, so it depends how that communication is. The communication may have been fine for 80 per cent of individuals but for those 20 per cent of individuals they may have an issue. Graham, do you want to talk about the delay side of things?

Associate Director, People Services:

The approach that was adopted when the T.O.M. (target operating model) programme started was a good programme, but it was probably more bureaucratic than it should have been or could have been. What happened over the course of the time of the T.O.M. programme was that we improved the toolkit, so what you have in your pack is a copy of the T.O.M. toolkit that was developed. What we were hoping to do and what we did do as a part of developing the toolkit in the way that we did was absolutely being concerned about people going through that change programme, so that people got to the end of the programme as quickly as possible. That way we gave them some certainty about their roles, some certainty about the structure within which they were operating as soon as possible.

[10:30]

One of the other things that we did as part of the toolkit was provide support for people going through the programme. That I think has been quite positive. As the Chief Minister said, going through a change is going to be difficult and challenging for most people. My sense is that because we have improved the way that we have run the T.O.M. programme and, as I say, we are nearly at the end of it now, so I.H.E. is the only part of the organisation at a strategic level that still needs to go through it, my sense is that we have provided the opportunity for people to experience less uncertainty, although there will always be change. If parts of the organisation are now going through service reviews at a more detailed level then of course we want to use the same kinds of principles that we use for the T.O.M. programme, but again our focus is making sure that people feel assured that we are doing things in the right way and as quickly as possible.

Senator S.W. Pallett:

You mention I.H.E. What is the target date for finishing the change?

Associate Director, People Services:

I do not have that with me at the moment, but I can share that with you.

Senator S.W. Pallett:

That would be appreciated. I have got one last question. How has the programme and concept at Team Jersey changed since its initial launch and what lessons have you learned during that period?

Associate Director, People and Corporate Services:

I think Team Jersey has evolved to try to meet the different needs of the organisation while still keeping true to its ethos that is around creating a positive workplace culture. The programme when it started was a lot about face-to-face training. There are I think 4 specific programmes that people went through and then a colleague programme. During COVID that had to stop, then it migrated to being online and that has meant the creation of a lot of online learning materials that have been useful, and now the Team Jersey colleagues are doing bespoke work in departments to help departments create their own people and culture plans. That has allowed them to do more workshopping, it is a different way of engaging, and it is linking those people and culture plans to departments' business plans. That is how it has evolved, with that focus on a positive workplace culture. I think the methodology and engagement approaches have evolved and developed and we have been able to get closer to the business rather than at the start, if I am being brutally honest. It was putting a lot of people through a big programme and now it has evolved to be much more tailored and nuanced to department needs and to be able to flex to develop those plans in departments. I am going on again. I have got a lot of information for you.

Senator S.W. Pallett:

I can tell you are passionate about it.

Associate Director, People and Corporate Services:

I am really passionate about it, but they are doing a lot on diversity and inclusion and they are doing some other training materials on that psychologically-savvy-type conversation, so how to help people in a safe way. It has evolved to the climate that we are going through as well.

Senator K.L. Moore:

Staying on Team Jersey, could you talk us through how it fits into improving well-being and support strategies for employees?

Associate Director, People and Corporate Services:

I think it helps in 2 key areas. With the face-to-face programmes that colleagues and leaders can go on they have a very safe space where they are able to talk about their experiences and share that with colleagues. Then the facilitators that are running those sessions are able to bring those back and they are fed into Denise Drieu who heads up that programme to say: "What are we learning and how do we put more support in?" I think the other angle of that is going back to the bespoke consultancy work in teams on those people and culture plans that allows teams to shape what they

think is going to be important in terms of the support that people need that is going to be most useful for them.

Senator K.L. Moore:

Could you describe the specific elements of Team Jersey that addresses the reduction of bullying and harassment within the Government of Jersey?

Associate Director, People and Corporate Services:

One of the main components is a Team Jersey diversity and inclusion and belonging training programme. That is a full day programme that has been designed and is rolled out and has had a huge amount of interest. People are volunteering and booking themselves on to it to learn more about that. That to me is one of the biggest things that Team Jersey has done, because it is helping people understand more about difference, that diversity, that sense of belonging, those behaviours and what impact that has. They will be able to give you the data on how many people have gone through that. My team augment that with what we call an espresso session, all of the essentials around law and knowledge. They do that and also within their modules they are doing quite a lot about respect and influencing and negotiating and understanding others' perspectives. I think they approach it from a very holistic perspective that is about understanding people and difference and seeking to understand. It is woven through their programmes.

Panel Adviser:

You talk about data and you can pass that through, but are these types of programmes for everybody or is it focused on maybe just the management groups, middle management? Where is that focused?

Associate Director, People and Corporate Services:

There is a blend, so there are some leader sessions, manager sessions and then some sessions that are for all colleagues. There is a blend of what is available.

Panel Adviser:

Are these optional or compulsory?

Associate Director, People and Corporate Services:

The training ones that I have just mentioned around diversity and inclusion are optional. This is for people if they want to do that. I do not think we have ever said Team Jersey is mandatory. What we have said is it is highly desirable and that it would be great if you can go through that. The organisation has tried to encourage people to want to do that. They have got the statistics and they

regularly go out to departments to say: “How many of your people have been through it? Can we encourage more?”

Panel Adviser:

Take something like diversity, for instance, you might expect that those who would sign up for that would be those who would have an interest, would be open to maybe new approaches, maybe want to challenge their own bias, their own preconceptions. How do you reach those who either do not realise they have got a problem or a bias or do not want that problem, if they do recognise it, to be challenged? Those are the ones who are more likely to be causing problems within the organisation, not those who put their hand up to find out more. How are you going to deal with that group?

Associate Director, People and Corporate Services:

For me the nub of that is managers and performance management. The more we can do around getting better performance management in the organisation the more we can do around My Conversation, My Goals, where we are really encouraging managers to have those regular conversations, they are setting objectives, they are setting development objectives with their staff, that they do their quarterly reviews, a formal mid-year review, a formal end-of-year review, is the way to unlock this but we need to equip managers with the confidence and the tools to allow them to do that. We have done an awful lot this year to improve My Conversation, My Goals. We are getting the data through now back to how many people have completed those, how many people are completing quarterly reviews and we will be able to, when we have got the integrated technology solution, draw off more data around what those training requirements are. It is managers in that 2-way conversation that are going to be the first way that we can identify some of those issues.

Senator K.L. Moore:

Other than attendance, how else do you obtain feedback about Team Jersey and then analyse it?

Associate Director, People and Corporate Services:

I am not directly owning that programme but Be Heard is one way that we have done that. There is the attendance on the programmes, and then there are our facilitators that are leading the bespoke sessions in departments, so they will be hearing what is happening and what more support that they need to do.

Senator K.L. Moore:

What do they do with the evidence that they are hearing in these bespoke sessions? Who do they feed it back to?

Associate Director, People and Corporate Services:

My understanding is that is fed back to the senior leadership teams in each department and where that work has been going on, so what does that department therefore need to be working on. There is regular dialogue. Each department has got an allocated number of days to have additional consultancy support with Team Jersey. So they have a programme, they have a plan of how they are helping them with their people and culture plans, and then the product will be the plan and what they are going to be working on that will identify and seek to address those other issues.

Senator K.L. Moore:

Is it the senior leadership team as owners of the programme now?

Associate Director, People and Corporate Services:

I would not say that. I would say the programme is still central and is run as a programme, but the work that they are doing is then we want the departments to own that work. That is the only way it is going to get traction. The programme is still central until it ends, but the products and the activities need to be owned by departments.

Senator K.L. Moore:

Is the idea that it is a trickle-down process? You mentioned that those who do not volunteer for certain programmes like the D. and I. (diversity and inclusion) programme will be tackled through performance management, essentially.

Associate Director, People and Corporate Services:

In terms of the wider Team Jersey programme for the set modules, for all the face-to-face things, the programme team are managing that and they are feeding back to their departments about who has not yet attended them. You went to one very recently.

The Chief Minister:

I did.

Associate Director, People and Corporate Services:

Because you missed one of the modules, so they regularly contact you to make sure that it is known. They provide those reports to departments, so it is encouraging everyone to go through them.

Senator K.L. Moore:

Then the department leaders would ...

Associate Director, People and Corporate Services:

They would have that information and then they would be having those conversations with their staff to say: "You need to book on them" or I think it goes in a double-handed approach. The departments get that information but the individuals also get contacted to say: "You have not yet booked on them. We have allocated you a space."

Senator K.L. Moore:

At a cost of £4 million, Chief Minister, do you consider having seen now the Be Heard survey results that Team Jersey is value for money?

The Chief Minister:

Yes.

Senator K.L. Moore:

Could you explain why?

The Chief Minister:

Well, you have got to do something for changing the culture. This is part of it and the whole measure of the Team Jersey is it is meant to be something that as it gets embedded, is it ambassadors they use? I can't remember.

Associate Director, People and Corporate Services:

Team Jersey leads.

The Chief Minister:

Thank you, yes. The idea is that over time they will train up their leads and do you remember how many they have got?

Associate Director, People and Corporate Services:

It has changed and they are just refreshing, so some people have moved.

The Chief Minister:

I thought they were into several hundred.

Associate Director, People and Corporate Services:

Oh yes, it is 300 to 400.

The Chief Minister:

Okay, and so the idea is that they build up that kind of structure within the organisation and then essentially Team Jersey almost get themselves into the organisation and it becomes an ongoing programme.

Senator K.L. Moore:

Would you consider yourself to be a Team Jersey lead?

The Chief Minister:

As you may appreciate, we have had quite a lot of delays because of the last 15 months but the Council of Ministers, or at least most of them, did have their first Team Jersey induction 4 weeks or 6 weeks ago, relatively recently. I think we were trying to encourage States Members to do so also, but we thought Ministers might set the example.

Senator K.L. Moore:

I think we met with Team Jersey some time ago. Thank you.

Senator T.A. Vallois:

On exit interviews, I think it is quite pertinent with regards to what we have just been talking about, that feedback process. Sometimes the best way to improve yourself, your organisation, is to receive that feedback. How is that utilised to move through the layers of people, some of us might call it bureaucracy, that ultimately ends up on the States Employment Board table to say: "We need to make these changes to policy. We need to make this change to legislation" as it might be something more exacerbated than that? How does that process work?

Associate Director, People Services:

At the start of the hearing we had a question about data and one of the areas in which we need to improve our data is around leavers. There is an automated online leaver survey that leavers are given the opportunity to complete before they leave and that is asking for people to tick a box on why they are leaving, so whether it is a resignation, a retirement, or whether they are leaving Jersey or whatever it might be, but also there is a free text box so that they can be more explicit around some of the reasons why they might be leaving. That survey comes into the people in the Corporate Services team and every survey is reviewed by somebody in my team. To answer your question, it is used in 2 ways. That specific survey is used in real time to understand whether there is a specific issue that might raise concerns about some issues that we need to address there and then, and in some cases we contact either the individual, if we have permission to do that, or the line manager to discuss those issues and see if they need to be resolved, or if we can do something about it. The more strategic issue and the more strategic point is around those surveys and that feedback plays into the work that we do to review our people policies.

[10:45]

So you will know that at the moment we are developing a new people policy framework and one of the ways in which we want to ensure that we are reflecting issues, concerns, themes is by using the input from or the outcomes from that survey. As I say, we are not in the space yet where we have got enough people completing those exit surveys and we need to do more to engage with people to do that, but it is certainly one of the routes that we use to improve on people policies, but we also engage with trade unions. We have forums and other ways in which we engage with people to develop those people policies.

Senator T.A. Vallois:

Just on people policies, Chief Minister, the people strategy, we have seen a presentation of what the people strategy may look like but do we have an actual document that lays out what the people strategy is?

The Chief Minister:

I think the answer is we are there in part, because there is an overarching one, which I can turn to but I will leave it, and then there is also the point that there had been a whole range of issues, which I think are the ones that are fairly obvious. In other words, they are switching to implementation stage on those while in parallel completing the documentation. Graham, do you want to add to that?

Associate Director, People Services:

Yes, I can certainly answer questions on it and I think Sarah can probably help as well. So we have got a people strategy document and it reflects a number of commitments, 4 commitments: your experience, your development, our organisation and our future. It also reflects a number of commitments or pillars. So they would be, we talked about the policy review, the I.T.S. programme, the talent strategy, performance culture. So all of those and the reward review are key elements of the people strategy. The advantage of the strategy as it has developed is that it gives us the flexibility to be able to align what we need to deliver with the Government Plan and with the business plans. The implementation strategy was delayed somewhat by COVID and so the decision was taken that there were some things which we just know need to happen, and so we have started with that implementation already. Sarah can talk about some of those from her perspective as well.

Senator T.A. Vallois:

I am just aware of how close we are with time, but it would be helpful to have where we are in writing, if that is possible, just to let us know where you are and a deadline for when that document might be available, because that would be really useful.

Associate Director, People Services:

Yes, of course.

Senator T.A. Vallois:

Just quickly on the bullying and harassment side of things, if I can, so in terms of the extent of involvement in the States Employment Board with regards to the creation of the bullying and harassment policy, how much involvement did the board have or was it a case of “here is the policy” and you thought it was relevant, appropriate?

The Chief Minister:

There are 2 approaches, I would say. From my perspective it had been “here is the policy” but what I will just say always at the informal level officers are pretty clear on my views, or certainly the head of People and Corporate Services is certainly clear on my views, but equally at that level the vice-chairman does an awful lot of work and liaises very closely with yourselves. I suspect that usually he gets a bit more involved in the detail, but you would need to put that question to him.

Senator T.A. Vallois:

Okay. In terms of the evidence that we have heard, employees are reluctant to use the bullying and harassment policy. What have you and Ministers done to improve the attitude of public sector staff towards this policy? It is great having a policy but is it working in practice if there is a reluctance to use it?

The Chief Minister:

I take the point. I will do a high level but I just have a question as well. I was looking at a couple of submissions you have had from the unions. What seemed to come out in certainly one of the letters is there seemed to be a split between what I would call historic practice and there is also, certainly looking at the bottom of the letter - I understand it is from Unite - saying that work is being conducted to improve this, which is about the bullying culture but it then talks about the historic problem. So I think any queries in terms of submissions you have had sometimes people do ... I talked about it 10 years ago but people look at the historic experience versus what has been happening in the last year, 2 years, 6 months. I could give an example but ... so the reason I make that comment is I know Unite recognise that there is work happening to improve, bearing in mind I have seen some of the other comments in the written submissions.

Senator T.A. Vallois:

If I use just quickly as an example the restorative process that was talked about before, there is this argument about whether you call people victims or you do not call them victims and there is this

argument about whether you can sit people down in a room together. If it is at the point where somebody is not, especially if it is a manager, a line manager, somebody above you with authority and power, how do you manage that situation?

Associate Director, People Services:

Sensitively and for me this is about the kind of changes that you need to make about the process, so people need to have confidence in the process. If you look at the second HR Lounge report, what that reflects is that we have made significant progress between the 2017-18 report and the 2021 report. It talks about the fact the case management unit and the way that the policies are being implemented are much quicker, much more assured. There is still improvement to make, so for example the investigation process needs still to be improved although we use guidelines for our investigations. The training that we implement for people involved in the process needs to be developed and that is one of the things we are going to roll out in the next 6 months or so to make sure that we are in a place where people have more confidence in the process. But my sense is that we are not there yet, we have still got quite a way to go, but if you do look at the HR Lounge report or 2 HR Lounge reports what you see is that there is a much better process and people have a much greater sense of confidence about what we are doing.

Senator K.L. Moore:

I think we can ask some relatively quickfire questions now, so for time if I could ask for really concise answers to the following. I am going to hand over to Deputy Ahier.

Deputy S.M. Ahier:

How do you monitor and ensure that senior officers maintain impartiality when investigating complaints made against other officers, for example line managers?

The Chief Minister:

That is definitely a detailed one.

Associate Director, People Services:

Investigations are conducted by an independent person.

Deputy S.M. Ahier:

The panel has heard evidence that more junior employees are more likely to have procedures used to resolve issues compared to more senior employees who are accused of similar behaviours. How are the S.E.B. ensuring that the process works consistently across all levels of seniority?

Associate Director, People Services:

The case management unit that supports these processes applies the same consistent approach for everybody up to senior management.

Deputy S.M. Ahier:

Chief Minister, how do you intend to mitigate the risks that an outcome of resolution by mediation or general informality is not seen as minimal disciplinary action or not addressing the issue, particularly in more senior roles?

The Chief Minister:

I think the whole point of mediation is that you are ... are you worried about that somebody is treated, that a senior manager is treated through mediation, which is seen as easier than a junior person who might for some reason be going through a disciplinary process? Is that the kind of nub of the question?

Deputy S.M. Ahier:

Yes.

Senator K.L. Moore:

I think also the submissions that we have received indicate that the feeling is that there is inconsistency in the handling of cases, dependent on a person's seniority.

Associate Director, People Services:

It is important to stress as much as I can that the process that we apply for these kinds of cases is consistent and applied without fear or favour. Once an investigation has been completed, a decision is made at that point on whether there should be a hearing and the hearing is an independent body, which will make a decision about the case regardless of the seniority of the individual who is ...

Senator K.L. Moore:

Why do you think there is that sense then that we have received in feedback very clearly that there is inconsistency?

Associate Director, People Services:

If I may, if this is the feedback that you receive from the unions, what I would say to you is that I believe you only heard from one union.

Senator K.L. Moore:

No, we have heard from, I think, all of the unions present in the Island, both in written submissions and public hearings. JCSA Prospect, in signing off their letter, said: "Team Jersey was aimed at

changing the culture. There has been no culture change. Communication and fair treatment remain areas of concern.” But we also have a string of private submissions from a number of individuals who have come forward and shared their experiences with us and there are clear themes and patterns throughout those.

The Chief Minister:

Not those recent submissions. Sorry, they will be recent submissions to you but are their experiences in the last 2 years?

Senator K.L. Moore:

Yes.

The Chief Minister:

Even 6 months ago?

Senator K.L. Moore:

So, for example, processes that take months.

Associate Director, People Services:

It is important to say that we have had conversations with some of the unions about some of the feedback that you have received, which was reported recently, and they are concerned about the feedback that you had had. In terms of the process, I can assure you that the investigation and the progressing of these cases has overall reduced the amount of time it takes me. I explained earlier that we track by time now all of cases. We are clear that some of the cases cannot be progressed appropriately either because people are unavailable to participate or they are ill, but we track that very, very closely. Now, we do not publish that information widely. You asked the Chief Minister earlier about the kind of data that we would need to publish perhaps more quantitatively going forward and for me the ability to publish that kind of data would be really important to give people confidence in the process and to demonstrate an improvement in the time it takes to resolve those cases.

Senator K.L. Moore:

So if I may just ask if you could share with us your chart that tracks the number of cases that you have and the period of time that is taken to deal with each one of them.

Associate Director, People Services:

Yes.

Senator K.L. Moore:

Excellent. Thank you. If I could pass on now to Senator Pallett for questions 28 to 29.

Senator S.W. Pallett:

I am going to cut straight into some shorter questions. How are resolution and mediation processes recorded to ensure that there is an historic understanding of how interventions into incidents have concluded and that there is an acknowledgement of individuals who go through multiple processes?

The Chief Minister:

Sorry, I do apologise. Could you repeat the question?

Senator S.W. Pallett:

Repeat it? Yes, absolutely. How are resolution and mediation processes recorded to ensure that there is an historic understanding of how interventions into incidents have concluded and that there is an acknowledgement of individuals who go through multiple processes?

Associate Director, People Services:

So they would be recorded by the case management team and held securely so that we can refer to them subsequently.

Senator S.W. Pallett:

What training is being or will be provided to case management teams to deal with allegations of bullying and harassment?

Associate Director, People Services:

In fact, it is a good point. One of the recommendations from the 2017 HR Lounge report was that the resources recruited into that team were increased and we have all bar 2 vacancies now completed and increasing headcount for that team. As a consequence, we have now completed also an induction programme and a very specific training programme for all members of the team in bullying and harassment and in other policies as well. That training programme is an ongoing programme. So we also work with the people hub, which is another team involved in this area, and we are developing an ongoing training programme both for the case management team and the people hub team.

Senator S.W. Pallett:

Just following on from that, how often will that training be revised?

Associate Director, People Services:

It is ongoing, so it will ...

Senator S.W. Pallett:

Okay. So it will be constantly reviewed?

Associate Director, People Services:

Yes.

Senator S.W. Pallett:

Okay. My last question is: how can those who have gone through processes relating to bullying and harassment provide feedback to relevant officers?

Associate Director, People Services:

So they can write to me if they want to.

Senator S.W. Pallett:

So there is a set process for them to provide feedback that they are aware of?

Associate Director, People Services:

We are always open to receive feedback from colleagues. Senator Vallois asked a question earlier about development policies. So we will always invite colleagues to participate in the development of those policies but if individuals have feedback on the process then they can write either to me or to Mark Grimley who is the Group Director of People and Corporate Services, and I have to say to you they do that regularly.

[11:00]

Senator S.W. Pallett:

Okay, thanks.

The Chief Minister:

Can I just pick up one matter? When we were talking about confidence and about perception as well, I know Graham picked up an observation that was made I think to you in evidence, which was, as Graham might want to elaborate, about the ...

Associate Director, People Services:

If I may, I just wanted to reference there was a claim made that there had been couple of £180,000 payoffs at some point and I wanted to say that we do not recognise that claim.

Senator K.L. Moore:

I think it was £281,000.

Associate Director, People Services:

Yes. We do not recognise that.

Deputy S.M. Ahier:

But that was not a single claim, as I recall, that was collective.

Senator K.L. Moore:

You do not recall that at all?

Associate Director, People Services:

No. We will be having a conversation with the union about that.

Senator T.A. Vallois:

Very briefly, you mentioned before about front line workers, they are not necessarily involved in the things that we might be and yourselves might be at higher levels. In terms of understanding how to raise a complaint, the awareness of raising that complaint and what process they go through, whether it is a grievance, whether it is the harassment policy, whether it is whistle-blowing, how do they understand that in simple terms?

Associate Director, People Services:

We have a number of routes by which people can raise a complaint. For employees, that would either be talking to the people hub and one of the changes we are making over the next few weeks is encouraging or developing material which is much more clearly signalling how people access the opportunity to make a complaint. We are also developing toolkits off the back of the new people policies for managers and employees, which will signal very clearly in very simple terms with decisions trees how and where people would make a complaint. But again what I would say to you is that for me the heart of this issue is managers and enabling managers to have the skills and the knowledge and the ability to handle these kind of situations before they move into a formal stage. That is a significant step change, which we are just at the beginning of that journey. We have had a lot of conversations today, rightly, about culture and for me a move to an environment where people look to resolve those matters pragmatically and quickly and sensibly without moving to a formal process is absolutely key.

Senator T.A. Vallois:

If I give you an example of an individual in the civil service who was sanctioned for bullying and harassment, how do you work to ensure that the victims of this bullying and harassment are made to feel valued by the employer and that they did the right thing in coming forward?

Associate Director, People Services:

Yes, good question, if I may say. It is very important. In fact one of the recommendations in the HR Lounge report was about witness support. We have some witness support. If I am honest, I do not think it as good as it should be and that is one of the areas that we want to focus on going forwards. It is very important, whether it is bullying and harassment placed or a grievance placed or even disciplinary, we need to make sure all parties involved in those cases feel supported and valued.

Senator T.A. Vallois:

I was going to ask about false allegations but we are running out of time, so I will just quickly move on to the last part. Referring to the draft standards in public service, which we understand is the first of the new and refreshed codes of practice, can you explain why there is no duty on public servants to disclose and report bullying in part 3 of the code?

Associate Director, People Services:

I have not got it here but I am happy to produce something for the committee.

Senator T.A. Vallois:

Will there be an intention or suggestion?

Associate Director, People Services:

Yes. If you are telling me there is not a specific then there is not, but I am sure, absolutely, that the code will cover that as part of the code. I am sure that ... we would expect any senior leader to have a responsibility to report that kind of behaviour. It is not something that we would accept. The Chief Minister explained that is not tolerated at all and we would expect every leader to be able to report that kind of behaviour going forwards.

Senator K.L. Moore:

A couple of times today, Mr. Charsley, you have referred to you would pick that up, whatever matter it was, with the unions, have a conversation with them. How constructive do you consider your conversations with the unions to be and how regularly do you meet with them?

Associate Director, People Services:

Thank you for giving me the chance to answer that question. We have worked really hard over the last 2 years to develop a much more proactive and open relationship with all of the unions and the

feedback that we get from the unions themselves is that that relationship is much better than it was. If I can give you an example, this year all the pay negotiations with all the pay groups were negotiated without industrial dispute and for the first time in 7 years. Our sense from the unions is that we have a much more positive working relationship with the unions. As I said to you earlier, we make an effort to consult with the unions on all sorts of matters. We try to do it in good time, so the people policy review that is ongoing we have been talking to the unions about that. The restorative practice initiative I talked to you about, we are talking to them about that. We have a really broad-ranging and open conversation with them, which is why perhaps it is disappointing that you had the feedback you did. We have to accept that. We want to work with them to understand it and, to be honest with you, if any of the unions have got any issues that they feel they want to raise, we are very happy to talk to them about it and try and resolve them.

Senator K.L. Moore:

Thank you. Chief Minister, how many times have you met with the unions during your tenure?

The Chief Minister:

I will say 2 or 3, and bear in mind that obviously last year has been an exceptional year as COVID has wiped out what would have been nice, all the stuff that we would have liked to have done.

Senator K.L. Moore:

Thank you. Clearly also staff have gone above and beyond the call of duty on many occasions. As you are working towards the new codes of practice, how will the S.E.B. be consulting with the unions about those? The question was particularly for the S.E.B. and how they will be consulting.

The Chief Minister:

They consult through the officers with the unions.

Senator K.L. Moore:

But will you be having face-to-face conversations? At the end of the day, those codes of practice are your policies.

The Chief Minister:

Well, as I said, I have met with the unions I think on 2 or 3 occasions but usually that is to listen. It is not a negotiation or to consult necessarily. It is just to hear. But in terms of the policies and procedures that are being put in place, it is usually very much an operational point, I would suggest, and that is being done throughout the operational level through the officers. If there comes a point that says we need to have a meeting I am sure we will do, but most of this stuff is done at operational level at officer level.

Senator K.L. Moore:

Thank you. When can we expect to see the S.E.B.'s annual report for 2020?

The Chief Minister:

Well, I have seen the second draft and fed back some comments. That was, I think, last week, so it will be quite soon.

Senator K.L. Moore:

Likewise, your minutes that we have requested?

The Chief Minister:

I will take that to the S.E.B. and they will make a decision.

Senator K.L. Moore:

We did make our request some weeks ago, several times I think now.

The Chief Minister:

Well, the comment that has always been made, as you know, is that normally those minutes are not released and it is a matter for the whole of the S.E.B. to make a determination.

Senator K.L. Moore:

Okay. Well, thank you all. I note the time and I did promise the team that we would be exiting the building by 11.15 because there is a rather important event on, interestingly, tonight, so with that I shall close the hearing. Thank you for your time.

[11:09]