

23.06.13

10 Deputy G.P. Southern of the Minister for Social Security regarding the administration of Short-Term Incapacity Allowance (OQ.117/2023)

Given that reference is made in the report accompanying P.24/2023 to the option for those on short-term incapacity allowance to work without loss of benefit under a new scheme, will the Minister advise whether it is her intention to make participation in the scheme voluntary or, as is the case in the U.K. Department of Work and Pensions restart scheme, mandatory and subject to a sanctions regime?

Deputy E. Millar of St. John, St. Lawrence and Trinity (The Minister for Social Security):

I thank the Deputy for the opportunity to clarify this point. The Deputy has asked a similar written question to which I have responded in some detail about the differences between the U.K.'s restart scheme and our proposed changes to short-term incapacity allowance. As set out in the response to the written question, the restart scheme is completely different to our proposed scheme being aimed at people who are unemployed. I will be speaking about the short-term incapacity allowance changes as part of a debate later in this sitting. The new support scheme will be completely voluntary. It will be designed to offer people help that they feel positive about accepting. If they do not feel that it can help them they will have the right to remain fully signed off from work as normal due to sickness. We are confident, however, that lots of people will want to take up this help because individuals, employers, general practitioners and the voluntary sector have always made it clear that our existing system is too rigid in its restriction on work while unwell.

3.10.1 Deputy G.P. Southern:

Could the Minister assure the House that even if they only achieve a low take-up of rates initially, there will be no move in the future to make the scheme mandatory and not voluntary?

Deputy E. Millar:

I can see no basis with which this scheme will ever become mandatory. It is designed to help people who have certain long-term health conditions return to work. At present short-term incapacity allowance signs people off and means that they must stay at home, they cannot work, they cannot volunteer, they cannot work on a phased capacity, they cannot do therapeutic work and there are many conditions which will benefit from someone having some element of work; that is what the scheme is intended to do. If somebody does not wish to participate in that scheme, if they do not feel able to participate, they will be under no compulsion to do so.

3.10.2 Deputy S.Y. Mézec:

The Minister's reassurance on this is very welcome. In P.24 it states that the prohibition on S.T.I.A. (short-term incapacity allowance) claimants from being able to work will be removed from law but it will remain in an order. Given that orders are much easier to change than law is, could the Minister just give her assurances to the Assembly that when this further work is done on these changes that she will endeavour to keep States Members as well-informed as possible on those so that we can keep being assured that we do not, inadvertently or otherwise, end up with anything that resembles the restart scheme in the U.K.?

Deputy E. Millar:

As I say, the restart scheme is completely different and not relevant to our proposals here. I assure the Deputy that States Members will be kept advised.

[11:00]

I think all Members have been invited to a presentation about the proposals, which I think happens very soon. The Deputy is also quite right that while the change that is before the Assembly today is to the main law and we require the States to approve that change, the change we are making in the main law also has to be made in the Order and I will be able to make that change to the Order to allow the scheme to come into play. But, as the Deputy says, yes, he is quite right, the Order needs to be changed and I will make that change to allow the system to come into place. The 2 will then reflect and have similar terms.

3.10.3 Deputy G.P. Southern:

I note that the aim of this new scheme is to target mental health issues, which are widely acknowledged, it is the most difficult to treat and to cater for in the workplace or out of it. Is she confident that the training of her officers will be most sensitive on mental health, which can vary from week to week, from day to day, which is why it is so difficult to treat?

Deputy E. Millar:

Yes, the officers in C.L.S. (Customer and Local Services) who will deal with this scheme will be given appropriate training. I completely agree with the Deputy, I understand that mental health conditions are very difficult. However, because of their variability in nature from, as he says day to day, week to week but for many people with mental health conditions they will benefit from being able to do some time in the workplace. There may be days where they are able to go to work and do a good day or even a good morning's work. There will be other days where they do not feel able to do so. The purpose of this scheme, which will also, I would assure the Deputy, involve medical input from the person's G.P. (general practitioner), will enable a person to come to work on a flexible basis. We will also work closely with - sorry, I am rehashing the speech I am going to be giving very soon, rehearsing my speech for later - employers to make sure that they are supported and allowing people a safe and productive return to the workplace.