

4. Questions to Ministers without notice - The Minister for Social Security

4.1 Deputy G.P. Southern:

Does the Minister support the promise given by his predecessor in June 2008 that he intended that families including a child with a severe disability will be able to receive a high level of personal care component, Level 3 of Income Support, regardless of the level of family income and if not, why not?

Senator F. du H. Le Gresley (The Minister for Social Security):

Absolutely. This Minister is fulfilling that promise and I have made a number of Ministerial decisions to award the equivalent of PC3 to children over the age of 3, and I would stress that under the transition arrangements, those children under school-leaving age who were previously receiving attendance allowance were 100 per cent protected until they reach school-leaving age, of which there is about 15 left.

4.1.1 Deputy G.P. Southern:

Is that protection not at a rate which is 60 per cent of what was previously on attendance allowance, as according to R&O 075/2012?

Senator F. du H. Le Gresley:

No. I would direct the Deputy, who is an avid reader of Social Security information, to page 52 of our 2012 report where it says that we are maintaining those at 100 per cent of the old attendance allowance.

4.2 Deputy J.H. Young:

Looking back at the record I see that his predecessor was committed to producing long-term plans for the pension provision for the challenges of the ageing population, which has now arrived of course. Could he tell us what work his department is currently doing on looking at, for example, workplace pension schemes, or are we to be entirely dependent on the States pension scheme?

Senator F. du H. Le Gresley:

Sadly this is a piece of work that has been low in priority, given the delivery of all the changes that we have brought in recently, in particular the delivery of the Long-Term Care Scheme which will be debated at the next session. However, it is in our sights, although I do not think it will be delivered during my time in office.

4.3 Deputy R.G. Le Hérissier:

Notwithstanding the excellent Back To Work programmes and the excellent relations the Minister has with promoting educational programmes with us, could the Minister outline the circumstances under which he would award Income Support in order to support somebody in full-time education, which is ultimately going to benefit the long-term and medium-term future of the Island?

Senator F. du H. Le Gresley:

The Deputy and I frequently discuss this subject and now we are discussing it in this forum. There are some careers or jobs that have been identified as critical skills for the Island, such as nursing, where I have given absolute agreement to providing Income Support to a person who wishes to follow the local nursing degree course. At the moment that is the only course where I am committed to allowing somebody to claim Income Support rather than be a jobseeker, assuming that their basis of being on Income Support is to be actively seeking

work. However, if the Skills Executive or Skills Board come up with any further critical skills that are lacking in the Island which would go on that list then I would be quite happy to consider those as well.

4.4 Deputy M. Tadier:

Would the Minister confirm what constitutes a reasonable ground under the household component award for an under-25 not to be living at home?

Senator F. du H. Le Gresley:

The Deputy is absolutely correct, we do not award the housing component for people under the age of 25 unless there are particular grounds. They would include being a care leaver, where perhaps the parents have died or left the Island and are unlikely to return, and that person is effectively left homeless. Those would be the sort of grounds that we would consider.

4.4.1 Deputy M. Tadier:

The real question is to the Minister: what are the human rights implications of singling out under 25 year-olds who would otherwise be major in their own right for other legal purposes, and saying that they are not able to receive that housing component simply because we would not have the money to pay out everyone if that were applied across the board?

Senator F. du H. Le Gresley:

The Income Support Law when it was introduced would have been subject to a human rights audit. The fact is that the age 25 was a continuation of a policy from the Housing Department and, at the moment, given the calls upon the public purse for Income Support, I would not be proposing to review it.

4.5 Deputy J.A. Martin:

The Minister answered that he intended to honour, I think he said, the promise of the last Minister in 2008 to give children with severe disabilities benefits in their own right. He then went on to say he has passed many discretionary benefits. Can he confirm there is no benefit now for a severely disabled child in their own right unless he uses his discretion? This totally departs from what the promise was and also the law in the U.K. for the right of the child.

Senator F. du H. Le Gresley:

The Deputy should be aware - I am sure she is - that when Income Support was introduced we did away with a number of benefits related to a child, including child disablement allowance and attendance allowance. So it is a fact that the award of a benefit only applies to Income Support households. However, I do use Ministerial discretion to award - as I said earlier - the equivalent of what is known as PC3 to a young person, irrespective of the income of that household. So, in effect, I am delivering a benefit which is not means-tested.

4.6 Connétable D.W. Mezbourian of St. Lawrence:

I understand that the Alice Rayner Fund is a fund that has a large amount of money in it for the benefit of local people. I am not sure of the terms of reference of the fund. It is managed by a number of Jurats. Will the Minister advise the Assembly whether his department is aware of this fund and whether they make reference to it when dealing with people on low incomes who attend on the department asking for assistance?

Senator F. du H. Le Gresley:

I can confirm that the Minister is aware, and I think it is the Ann Alice Rayner Fund, and in fact I have made an application for one or 2 individuals who fell outside of Income Support guidelines, and was successful. As to whether officers are aware, well, I could not speak for every officer because this is slightly outside of our remit, but in a situation where a person was needing extra help which did not fit in with Income Support, special payments or whatever, officers would normally refer people to the Citizens Advice Bureau and I am aware that the Citizens Advice Bureau have details of various trusts and funds, including the Ann Alice Rayner Fund.

4.7 Deputy G.P. Southern:

Just for clarity's sake, when the Minister said that he will arrange for the equivalent to these Level 3 of Income Support personal care component, does this apply to all cases or does it just apply to those who previously were in receipt of attendance allowance, or does it apply to new cases?

Senator F. du H. Le Gresley:

It will apply to new applications but they have to be over the age of 3-years old and under school-leaving age. After school-leaving age they are entitled to claim income support in their own right.

[16:30]

4.8 Deputy R.G. Le Hérissier:

Following on from my previous question, would the Minister not accept, given Digital Jersey's most ambitious project of getting at least 2,000 people within that sector by 2020, that should be one of the courses or the kind of skills that make people fit for the digital industry? That should be the kind of priority that should be reflected in the way he deals with income support supporting courses, rather than - good though it be - merely engaging in job substitution and putting some quite highly qualified people in jobs which tick the box but do not necessarily help the long-term development of Jersey's skills.

Senator F. du H. Le Gresley:

Given that the Deputy is the Assistant Minister for Education, Sport and Culture I am sure he will be making representations if he believes that Income Support should be supporting candidates who wish to study I.T. (information technology) or relevant I.T. skills and receive effectively 3 years from job-seeking. Unfortunately I will not be supporting that. The reason being, of course, if you are studying I.T. then you should be computer literate and therefore distance-learning is the obvious solution.

4.9 Deputy M. Tadier:

Given the statistics which have been released that more and more households are facing both relative poverty or the financial pinch, will the Minister concede that now is the time for his department to consider removing the Social Security cap?

Senator F. du H. Le Gresley:

I smile because the Deputy manages to get this question in no matter what question he asks me, so he is quite clever in that respect. We are talking about relative poverty and then we are talking about removing the upper-earnings limit which is a cap that applies to employers paying Social Security contributions up to £152,000, from memory. So, I suppose what the Deputy is asking me is removing the cap will perhaps create more income if employees are required to pay more Social Security contributions but that will only put money into the

Social Security Fund. It will not put money into tax-funded benefits such as Income Support, which is there as the safety-net for people in relative poverty. So the answer is no.

4.9.1 Deputy M. Tadier:

Does the Minister not think that that money could also be used to fund health initiatives such as free G.P. visits and affordable dental care which should have a very tangible effect on those who currently cannot afford to go to those because they are perceived as luxuries?

Senator F. du H. Le Gresley:

I agree with that point.

4.10 Deputy J.A. Hilton of St. Helier:

Can the Minister tell the Assembly what major legislation he hopes to bring to the Assembly before his term of office finishes?

Senator F. du H. Le Gresley:

Yes, I think I can probably get through a list of about 12 items and there may be more. One of the first items will be the regulation changes to do with raising the levels of housing component for people who are not in the new Housing Company's accommodation. We will have a new scale which we will have to put into legislation. We will be amending the Employment (Jersey) Law 2003 to deal with maternity/paternity rights, family-friendly legislation. We will be looking at bringing in the new characteristic of gender discrimination. I am running out of thoughts at the moment, may I sit down? Thank you. **[Laughter]**

The Deputy Bailiff:

I thought you were going to run out of time, Minister. We are in time for one more question. Deputy Southern.

4.11 Deputy G.P. Southern:

What efforts, if any, are made to ensure that placements on Advance to Work or Jobs Fest are made on the usual terms and conditions and that unpaid overtime or unusual hours are not imposed?

Senator F. du H. Le Gresley:

The Deputy has already had an answer to this in a written answer. You have not had an answer? I am sorry, I do apologise.

Deputy G.P. Southern:

I had a response but there were no answers in it. **[Members: Oh!]**

Senator F. du H. Le Gresley:

I was quite pleased with this response; I thought it was one of our better ones. **[Laughter]** Can I just say, and I know I am going to run out of time so I will carry on speaking, but Jobs Fest was an extremely successful ...

The Deputy Bailiff:

You have done perfectly, Minister. Thank you very much. **[Laughter]**