

The Deputy Bailiff:

We then come to oral questions and the first one is from Deputy Southern. It was deferred from the last sitting at the request of the Minister for Health and Social Services.

2.1 Deputy G.P. Southern of St. Helier of the Minister for Health and Social Services regarding the progress of negotiations with the Trustees of Brig-y-Don over the future of that children's home:

Events have moved on since. Would the Minister advise Members of the progress of negotiations with the Trustees of Brig-y-Don over the future of that children's home, along with its experienced staff, as outlined in the Implementation Plan for the Williamson Report?

Deputy A.E. Pryke of Trinity (The Minister for Health and Social Services):

The Williamson Report identified Brig-y-Don as a centre of excellence in residential childcare with highly trained staff. Health and Social Services have been in longstanding negotiations with Brig-y-Don committee to develop a sustainable future for the excellent Brig-y-Don residential facility. The Williamson Implementation Plan proposed that Brig-y-Don would become one of the range of units designed to focus upon the needs of the smaller groups of young people. However, the Brig-y-Don building is in poor repair, requiring urgent refurbishment and redesign in order to bring it up to the standard required for modern residential care. Therefore, a plan was agreed that the home, in its current form, would close in order to allow major building work to take place. The target date for work was to begin September 2009. Brig-y-Don receives part funding from my department, which is supplemented by their own rapidly diminishing investment monies. Subsequently, the refurbishment was reliant upon funding within the Williamson Implementation Plan. The process of putting this plan in place involved the relocation of both staff and children to other care settings by early summer 2009 in order that the programme of alteration and refurbishment could begin. An urgent application for funding was made which included £300,000 for Brig-y-Don refurbishment programme and is for debate later on today.

2.1.1 Deputy G.P. Southern:

Will the Minister outline for Members what difficulties there were coming to a service level agreement with the Trustees of Brig-y-Don?

The Deputy of Trinity:

I met with the Chair and staff yesterday afternoon and obviously, as has been going back for many years, there have been great discussions about the future of it, not only the refurbishment but also the children that are placed there. I have not read all the information that they have on that because it goes back into 2 or 3 several files. At this moment in time, if we get the funding, as I said, later on today or tomorrow hopefully, we can now begin negotiations with the charity and the Trustees to begin to look at a way forward for the home to stay as a children's home and move forward with that.

2.1.2 Deputy G.P. Southern:

There was no reference in there to any service level agreement. That was not an answer. That was an evasion. Could the Minister please refer to any problems that have been met in reaching a service level agreement for future provision of service at this centre for excellence?

The Deputy of Trinity:

Yes, it is a centre of excellence and, as I said, I have not seen the service level agreement because the charity has decided as an outline policy that they had to close by the end of August. I will leave it there.

2.1.3 Deputy R.G. Le Hérissier of St. Saviour:

Would the Minister identify whether one of the issues has been the inability of her department to accept the work that Brig-y-Don did with a younger age group and the need for them to concentrate on this younger age group? Is part of the sticking point that the department now wishes to enforce a policy where they must take a broad age group?

The Deputy of Trinity:

I understand that there was some difficulty because many children, whatever ages, can be very challenging and have very many different and very specific needs to them as individual children, and that needs to be assessed and each child is an individual. I understand that there was some difficulty with having older children there with very challenging needs but when I met them yesterday, I can say that there were not any older children. There were all younger children there.

2.1.4 Deputy R.G. Le Hérissier:

Just a supplementary. Could the Minister therefore indicate whether, if reform is to go ahead or a new agreement is to go ahead, Brig-y-Don will be focusing on younger children or whether her department will insist on a mixed age range depending on who basically requires placing?

The Deputy of Trinity:

Brig-y-Don is run by a charitable organisation which, as I said, does great work and if we can have this money, then is to begin negotiations with that charity to find a positive way forward. Younger children, whether they are in foster care or needing foster care or whatever age... if their parents arrive at the port and for one reason or another they are arrested and the children have to be put in care for over one night or longer nights, they will always need a place which Brig-y-Don has been able to offer. That goes without saying, so I am hoping that we can start negotiations to find a positive way forward and that the home which has changed for many years - because it used to be a T.B. (tuberculosis) home originally - that it can develop and change and bring it up to the 21st century.

2.1.5 Deputy F.J. Hill of St. Martin:

The Minister mentioned about having to be closed because of urgent refurbishment. Surely there must be some refurbishment plan. Can the Minister assure us that the reason for closing is not really because of urgent refurbishment or some other reason which we have not been informed of?

The Deputy of Trinity:

The urgent closing at the end of August, as I understand from the Trust, is that they are going to virtually run out of money and they are a charitable organisation which employs, I think, something like 14 or 15 staff and, under good employment law, and they being good employees, they have to give due notice to them and also the care of

the children too is paramount and work needs to be done to make sure that the children are placed in other homes which are suitable to their needs.

2.1.6 Senator S. Syvret:

Would the Minister agree with me that the management committee of Brig-y-Don has done a fantastic job over the years and that they have been, in some respects, treated quite abysmally by the Health and Social Services Department, for example, waiting for one member of staff of Health and Social Services for a period of at least 4 years - I will repeat that, 4 years - to make any progress at all in the service level agreement?

The Deputy of Trinity:

Yes, I do agree with the Senator that the trustees and the chairman and the staff at Brig-y-Don have done an excellent job over all these years and they should be congratulated. As I have not been aware of a service level agreement with the agreement, I cannot comment on the Senator's other comments.

2.1.7 Deputy A.K.F. Green of St. Helier:

In a similar vein to the previous Senator. The chair of Brig-y-Don told us the other day that for 7 years she has been trying to negotiate a way forward. Would the Minister agree to look into and report back as to why this has taken 7 years?
[Approbation]

The Deputy of Trinity:

Yes, 7 years is too long. I think this should have been sorted out years beforehand but yes, I can give that guarantee to the Deputy.

2.1.8 Deputy P.V.F. Le Claire of St. Helier:

I appreciate the Minister is fresh out of the blocks and she is running a fine race already, but I would like to ask her a particularly difficult question. I have been informed that one of the challenges that Brig-y-Don faced was having to receive a 14 year-old who was drunk who then beat up a 4 year-old and forced the management to say to Health and Social Services: "Keep your money, we are not geared up for this." Is this correct and, if so, why has this been kept out of the argument so far?

The Deputy of Trinity:

As I said previously, I am aware that there are older children with very difficult and challenging behaviour but I would not like to comment on the specific case that the Deputy has made because I do not know the ins and outs of that. I think it is one specific one and I would not like to pick it up in this Assembly.

2.1.9 Deputy P.V.F. Le Claire:

Could I then ask a supplementary if that is too difficult to answer? I appreciate the words that the Minister is using are very carefully chosen. Can I therefore ask her in general terms, will she be seeking to ensure that proper facilities for children that have particular problems, in particular drunkenness, are tackled and dealt with and handled and managed in a better way than put in rooms with 4 year-olds where they can beat them up?

The Deputy of Trinity:

Yes.

2.1.10 Deputy D.J. De Sousa of St. Helier:

Can the Minister assure the House that any funding that will be applied for today will not have unrealistic constraints put on it?

The Deputy of Trinity:

Yes. If we do get the funding, I will begin negotiations with the Trust to find some sort of a way forward but, at the end of the day, the building and Brig-y-Don is still owned by the Trust. The department does not own the building and it is trying to find a working relationship through that of which Brig-y-Don can still in some way continue as a children's home and also they have had negotiations working together, and I give that undertaking.

2.1.11 Deputy T.M. Pitman of St. Helier:

Slightly pre-empted by my colleague's question. Could the Minister give 100 per cent guarantee that Brig-y-Don reopen and could she clarify for the House what progress, if any, was made at the meeting she told us of that happened yesterday?

The Deputy of Trinity:

I cannot give 100 per cent guarantee because the States of Jersey do not own that building. As I said, the building is a Trust and at the end of the day they have to decide for themselves what they wish to do with the building. I am sorry, I cannot remember the second part of the question.

Deputy T.M. Pitman:

Nor can I. [Laughter] [Aside] The progress of the meeting yesterday.

The Deputy of Trinity:

Yes, I went down to Brig-y-Don yesterday and met the chair of the Trustees and one of the Trustees whose family has had long involvement with Brig-y-Don because I understand one of the conditions of the Trust is that a family member has to be always on the Trust, and also the head of house. I walked around the place; they told me what has been going on - the 7 years' negotiations - as I said. They showed me all the files. They are wanting to move forward but they are also realistic that at this moment in time if they have not got the money, they have to close at the end of August.

2.1.12 Deputy A.E. Jeune of St. Brelade:

I am almost reiterating what other people have said, but if the Minister could kindly confirm. It would appear she has inherited a major problem and, if I am hearing correctly, we may well have lost the opportunity to have Brig-y-Don. Is that a fair assumption if the Minister could reassure me?

The Deputy of Trinity:

As I said, I cannot guarantee that Brig-y-Don will never ever open again because that bit is out of my hands but, as I said, if we get the funding, I will have negotiations with the Trust to see if some way forward can be reached which is agreeable not only to the Trustees but to me, and also be able to care for young children which they have been doing exceptionally well over the last years.

2.1.13 Connétable P.F.M. Hanning of St. Saviour:

Perhaps the Minister has answered a lot of what I was going to ask but I would just like confirmation, if I can, from the Minister. Can she confirm that in the negotiations with Brig-y-Don, that their reputation for achieving excellence in their care will not

be compromised and pressure will not be put on them by taking children of an inappropriate age, because if there is pressure in their negotiations the whole level of excellence is going to be compromised. Can she confirm that they will not be pressured in their negotiations?

The Deputy of Trinity:

Yes, I can. The trustees are very firm and they have worked with young children, as I said, for many, many years and they know and they are a highly trained and expert staff. I am sure they will not be pressurised into doing anything that they do not wish to be doing.

The Deputy Bailiff:

Senator Perchard and then a final question from Deputy Southern.

2.1.14 Senator J.L. Perchard:

I am delighted to have had the opportunity to ask this question after the question from Deputy Jeune of St. Brelade. Can the Minister confirm that an agreement had been made with Brig-y-Don to secure their future and the last straw for the Brig-y-Don trustees was the decision of this Assembly to put back the debate on their future funding until the end of June, and that is when they decided enough is enough, they have had enough of the States of Jersey and they intend to close.

The Deputy of Trinity:

As I said, the building was going to close at the end of August anyhow because things had turned out differently in need of some refurbishments. Other than that, I have not been party to the ... I have not seen the agreement that might have been reached. I do not know so this is where I am coming from at this present moment in time, and if we do get the funding today or tomorrow I will begin as soon as possible negotiations to try and find some way forward.

2.1.15 Deputy G.P. Southern:

I am very disappointed with the quality of the answers provided today, given that she had a fortnight's notice that the question was going to be asked. Will the Minister undertake to return to the House this morning in time for No Notice questions with some further documentation from the brief she appears not to have read, about the service level agreement and the issues still outstanding with the management of Brig-y-Don?

The Deputy of Trinity:

I do not know what that can achieve because we are where we are at this point in time. The trustees are closing at the end of August because they do not have any money. I cannot go forward to begin negotiations however hard that will ... whatever service agreement can come out of it without that money because my hands are tied and I do not see what that can add.