

STATES OF JERSEY

Education and Home Affairs Scrutiny Panel Quarterly Meeting with the Minister for Education, Sport and Culture

WEDNESDAY, 8th JULY 2009

Panel:

Deputy R.G. Le Hérissier of St. Saviour (Chairman)
Deputy T.M. Pitman of St. Helier
Deputy M. Tadier of St. Brelade

Witnesses:

Deputy J.G. Reed of St. Ouen (The Minister for Education, Sport and Culture)
Mr. M. Lundy (Director, Education, Sport and Culture)
Mr. D. Greenwood (Assistant Director, Education Sport and Culture)

Also present:

Ms. S. Power (Scrutiny Officer)
Ms. E. Liddiard (Scrutiny Officer)

Deputy R.G. Le Hérissier of St. Saviour (Chairman):

I would like to welcome you to this quarterly meeting of the panel where we meet the Minister for Education, Sport and Culture. We will introduce ourselves and I shall ask by name and office if our guests could also introduce themselves. I am Roy Le Hérissier, Chairman of the panel, Deputy for St. Saviour.

Deputy T.M. Pitman of St. Helier:

I am Vice-Chair, Trevor Pitman, Deputy for St. Helier No. 1.

Deputy M. Tadier of St. Brelade:

I am Montfort Tadier, Deputy for St. Brelade.

Deputy J.G. Reed of St. Ouen (The Minister for Education, Sport and Culture):

James Reed, Minister for Education, Sport and Culture and Deputy of St. Ouen.

Mr. M. Lundy (Director, Education, Sport and Culture):

Mario Lundy, Director of Education, Sport and Culture.

Mr. D. Greenwood (Assistant Director, Education, Sport and Culture):

David Greenwood, Assistant Director of Education, Sport and Culture.

Ms. S. Power (Scrutiny Officer):

Sam Power, Scrutiny Officer.

Ms. E. Liddiard (Scrutiny Officer):

Liz Liddiard, Scrutiny Officer.

Deputy R.G. Le Hérissier:

Okay, thank you. Just to say that one member is not with us, Constable Butcher. He is on, I think, Planning at the moment but he will join us later in the day. We sent the headings for the questions. If we get incredibly succinct and condensed answers we might have to think of something else but this session is programmed until noon and then we will close. So, first of all maybe a general introduction and maybe it has passed its sell by date this question. I shall ask the Minister whether he has settled into his role and, in the light of what he has observed, become acquainted with in the last several months, how he now sees his priorities as the Minister?

The Deputy of St. Ouen:

I would say settled is an interesting word. Certainly I have now started to get a better idea of the role and responsibilities of the department and the areas of activities that I am responsible for. Regarding priorities, I think most of the priorities that I highlighted in the original speech I gave prior to being

elected still stand true and that my overall objective is to provide education and training that satisfies the needs of both academic and practically minded individuals to access long-term employment. Included in that I want to further promote and develop vocational and apprenticeship schemes and courses in order to increase job opportunities for all ages; I want to address and revisit university funding and how that is provided. Clearly, there are issues to do with the demographic changes that need to be managed within the school system. I believe to do that successfully we are going to need to ensure that we enable schools to adjust and that means that some certainty in their financial situation, perhaps in the short term, is necessary. Equally, I would like to see improved access for those with learning difficulties to access work and I particularly would like to see further development in vocational training for 14 to 16 year-olds.

Deputy R.G. Le Hérissier:

That is an ambitious list of priorities and we are going to deal with some in later questions, things like vocational education and literacy and so forth. I wonder if you could tell us, Mr. Minister, what impact has the move towards cutbacks had on what you want to do in the department?

The Deputy of St. Ouen:

Funding issues, I think, for every department adequate funding is paramount for a department to react to pressures as they arise and equally to ensure that the service that is provided is adequate. Equally, at the same time I think there is a determination which I have certainly seen within the department to manage the available finances in an efficient and appropriate manner. There are, I would suggest, quite a few political challenges that we will need to face collectively within the short and medium term.

Deputy R.G. Le Hérissier:

I have to remind you that, as you know, you were very well known as being a proponent of cutbacks, or of cost efficiency, sorry. Are you facing a situation where these are being applied or you are having to apply them because the council has required it, for example, to the department and you are really having to squeeze some parts of the department, possibly to the extent of affecting service? We have already

heard about heritage, and we will in fact come back to that later in the questions, but in what other areas are the pips squeaking, as they say?

The Deputy of St. Ouen:

I am interested because of the label that has been attached to me over the past number of years, I hope that I have been seen to be requiring and demanding greater and improved financial management while at the same time flagging up the failures within the current system. With regard to the department, there is a need for some certainty in budgets which I believe is necessary there at present. With that certainty comes the ability to then deal with spending pressures and organise one's affairs in a more appropriate manner than perhaps has happened in the past.

Deputy R.G. Le Hérissier:

Can you tell us what areas other than heritage you are being squeezed in and it is making you very uncomfortable?

The Deputy of St. Ouen:

There are a number of areas that I have become aware of over the last 6 months, one of which is university funding and the variability in demand for the funding. The variables are not only the number of graduates that choose to go to university but equally the cost of the courses that they choose to undertake, and a final part of the picture is the cost that the U.K. (United Kingdom) universities attribute to the courses. Clearly, collectively those make up quite a variable feast. Equally, I have become acutely aware that with regard to the funding of higher education there is no certainty with regard to the cost until October/November of the current year for the following year. In other words, for the 2009-2010 school year no certainty will be known regarding the funding required until October/November of 2009. This does not fit necessarily with the budgeting process that the States follow which is January to December. As a consequence of that, and I am guilty of this, I have been critical of the sums of money that are presented at the end of the year which are classed as underspends because the department in the way it manages its funds and aware of all the variables linked to higher education, clearly there is no

desire to deal with spending pressures until there is certainty in quite a large area where the budget is attributed to. As a result, the department finds itself in a position annually where it is unable to react in a timely manner to spending pressures because it needs to know the higher education costs.

Deputy R.G. Le Hérisier:

We may come back to that but I will now move to the other members.

Deputy T.M. Pitman:

Can I just follow on from that? Given the present economic climate and the pips squeaking, as Deputy Le Hérisier said, obviously the higher education fees is an issue that a sub-panel is looking at later in the year but how confident are you that we will arrive at a fairer scheme within those limitations, particularly with issues like divorced, separated parents? Many people feel that they are not exactly getting a fair deal.

The Deputy of St. Ouen:

I would say that there is a genuine desire to deal with the perception of unfairness in the present provision of university grants. Clearly there are some difficult decisions to make and it is likely that a group of individuals will be required to contribute more in future to their child's further education and that group will be single and divorced parents.

Deputy M. Tadier:

Minister, you mentioned that you want to deal with the perception of unfairness. Will you be dealing with the unfairness itself as well?

The Deputy of St. Ouen:

Again, I would suggest that it depends what side of the fence you are sitting on. Clearly there are genuine concerns raised by parents or couples that they are being unfairly treated in relation to the single parent. However, we are in a society where there is an increasing number of single parents who are

required to provide for their offspring and one needs to be mindful of the fact that there are in a number of cases many individuals that do need proper support. The difficulty will be to define and determine a system that recognises that while at the same time it introduces a greater equity with regard to the provision of higher education funds for students who go to university.

Deputy M. Tadier:

What type of timescale are you confident of achieving some positive outcomes in?

The Deputy of St. Ouen:

We are in the process of initiating that.

Mr. M. Lundy:

There will be a review of higher education next year and this is one of the facets that is being looked at. It has been looked at for some time. It is a lot more complex than it may seem on the surface and I would point out that the current system favours the student. It is designed to ensure that no student is disadvantaged in terms of higher education, regardless of household income. To address the issue of divorced and separated parents, there are only 2 ways that you can go. You either take account of the income of both natural parents but then you have got to be cautious that you do not have to set up the equivalent of the Child Support Agency which then has to chase around the world in order to try and get income back from parents who may have gone missing. The only other way is to take account of household income, so then a new partner, for example, their income would be taken into account. So these are quite challenging issues. What we have tended to do is to ensure that, regardless of those circumstances, the student is not disadvantaged.

Deputy M. Tadier:

Surely the logical consequence from that then would be to not take into account the parents' income at all, given that it should not be the responsibility of the parents?

Mr. M. Lundy:

Then you would be providing a full grant to everybody.

Deputy M. Tadier:

That is right but presumably you are not suggesting that?

Mr. M. Lundy:

You could not do that because you would not have the resources to be able to do that.

Deputy M. Tadier:

There is a perception there is a concrete problem that there are, for example, millionaire parents who may no longer be married, one partner is extremely wealthy who is abdicating their responsibility purely because the system allows it. They may be paying maintenance as well on top of that but they are benefitting from a full grant and that is what is grating with various members of the public.

Mr. M. Lundy:

There is that danger in the current system and that is what needs to be addressed. Other jurisdictions have taken the more forthright and easier route and have tended to take account of household income. Household income would not necessarily address that issue because quite clearly if a single parent was living alone and still had a very wealthy husband living elsewhere the income of the wealthy spouse would not be taken into account in the grant. There are some complexities around it. I think what the Minister is saying is there is a will to address them and there is a piece of work ongoing at the moment to make sure that they are addressed in a way that remains fair to the student. If, for example, a simple solution might be to say that the income of both parents will be taken into account and if one parent does not submit the income then the assumption will be that the parents will receive the minimum support but, of course, what do you do if that disadvantages a particular student?

Deputy M. Tadier:

That would be back full circle. What if both parents do not want to submit any funding?

Mr. M. Lundy:

Then we treat them as maximum contributors.

Deputy M. Tadier:

What is to stop a parent from doing that?

Mr. M. Lundy:

There is nothing to stop any parent from doing that.

Deputy M. Tadier:

So any parent who does not want to contribute to their children's tuition fees can say ...

Mr. M. Lundy:

No, any parent who does not submit their income is treated as a maximum contributor so they get minimum financial support.

Deputy T.M. Pitman:

Can we just get an answer to the original question? If you are linking that, I think you said, to the review next year, realistically a timescale then, what are we looking at? 2011 before something ...

Mr. M. Lundy:

Possibly.

Mr. D. Greenwood:

It depends how radical the change is and how much warning. If it is a really radical change then we need to warn people. So if it is a radical change we are looking at perhaps 2011. If it is less radical then

clearly something could be done in 2010. It depends on the outcome.

The Deputy of St. Ouen:

I think with all of these changes it is only right that we encourage individuals, especially parents, to contribute to the discussions and I would not want to bring forward a proposal that people not only did not understand but were not supportive of. I think that is a challenge for me.

Deputy R.G. Le Hérissier:

Thank you. I will have to put a line under that. We have got quite a lot of fairly big questions to ask. So let us move now to Highlands College.

Deputy T.M. Pitman:

How will Highlands College cope with the projected demand from young people for training places?

The Deputy of St. Ouen:

There are a number of areas that we have already been looking at to ensure that additional provision is provided for the expected increases in numbers of students that Highlands will be expected to support. I am not trying to pass the buck but I would like David Greenwood, who has been directly responsible for this particular area and working quite closely with the Skills Board, to expand on what we are doing.

Mr. D. Greenwood:

We are fortunate on 2 counts this year. Firstly, there has been some refurbishment work taking place at Highlands College on the Turner building which is due to be finished and while that refurbishment work was taking place there were a number of temporary classrooms erected on the site which we understand we can keep for the time being. So we have increased capacity within the college. The second thing is that we think the demand would be around 14 per cent increase in demand for places and we are fortunate in that many of those who are making requests for places at Highlands College this year are looking for subjects that are not necessarily technical. So, although the workshops are pretty close to

capacity, the pressure is on there, the pressure is on classroom space. Many of the people who are looking for places this year appear to be 18, 19 year-olds who perhaps did not go to college on the first instance and are now looking for access courses leading them on to higher education perhaps, so a lot of it is classroom-based and because we have got the additional capacity within the Elliott huts, the temporary buildings, we can accommodate it. What we have had to do initially is that there is a lead time. You have to get the kit in place in order to provide for these students when they arrive in September and we have committed already something like £200,000 to getting the rooms and the accommodation and the kit in place ready for when those students arrive in September.

Deputy T.M. Pitman:

If the kit is in place and you have decided not to increase capacity what about pressures on staffing? Are you going to be able to cope in that area?

Mr. D. Greenwood:

In the areas where the students seem to be applying, yes, we can. If the demand had been different we may have been struggling. If it had been in the technical trade areas then we might have been struggling but certainly Highlands College has a relatively small full-time staff and a relatively large part-time temporary staff and what Highlands have been doing over the last couple of months is making sure that they are in touch with people who are trained and qualified to deliver the kind of courses that the demand is being asked for on a part-time, temporary basis.

Deputy R.G. Le Hérissier:

Is the assessment of need, which apparently the Skills Executive is doing, does Jersey need more plumbers and carpenters, for example? The only criteria you have to meet then is the capacity of the workshops at Highlands. Is that how it is essentially done at the end of the day?

Mr. D. Greenwood:

Does Jersey need plumbers? I think if you try and get a plumber you would know the answer to that. It

is not easy to find plumbers. I think the issue for Highlands is that the bread and butter of Highlands is your 16 to 19 year-olds who are following courses which they, in many respects, have determined themselves. So they are demand led to some extent by the student. The work of the Skills Executive has been to try to take a longer view and ask the kind of question you are asking yourself there. The structure of vocational education at Highlands is such that while there is a degree of time spent on learning the trade there is also a significant amount of time spent on vocational education which is not linked necessarily to any one trade. So it is about customer care, it is about health and safety, it is about motivation, it is about timekeeping, it is about doing a good job for the employer. So the answer is plumbers, like hairdressers, do we need all that many? It is difficult to say in 5 years time but certainly the young people who have been through a Highlands experience would be able to chop and change and retrain and re-skill. At the moment, for example, we are getting information that the building trades, some aspects of building like bricklaying, there is not a great deal of demand for bricklayers but if you can convert a bricklayer to a dry liner there is as much work there as ever, in fact probably a little bit more. One of the bits of work that are going on between the Careers Service and Highlands College is to put together very quick conversion courses for that kind of thing.

Deputy R.G. Le Hérisier:

When you say there is not much demand, for example with bricklayers, we have just had this case where all the concrete base workers had to be imported to deal with La Collette. Is this because bricklayers are being imported or because genuinely they are not needed?

Mr. D. Greenwood:

I do not know. The Skills Board is only months old and it is still doing the work.

Deputy R.G. Le Hérisier:

But the issues have been around for years, have they not?

Mr. D. Greenwood:

Yes, they have.

Deputy R.G. Le Hérissier:

Years and years and the general feeling has been in society that the lack of large scale vocational education has been masked basically by immigration. Would you agree with that sort of assertion?

Mr. D. Greenwood:

I think I would want to wait and see the results of the work that the Skills Board are doing before I answer that one. I understand that is a perception and it may be right, it may be wrong, I do not know.

The Deputy of St. Ouen:

Just picking up on that for a moment. I am very conscious of the fact that the Careers Service with the Skills Executive, and indeed the Skills Board, are wanting to quite clearly identify business-led demand for employees and quite a lot of work is going on to particularly develop that information base because quite clearly the questions that you rightly raise unfortunately there is not the solid evidence to support or deny the comments, whereas if we can get some proper business-driven, documented information and link it to our Careers Service then we stand a far better chance of matching local people to local jobs.

Deputy T.M. Pitman:

Does business-led run the danger of everyone being channelled into the finance industry?

The Deputy of St. Ouen:

Not at all. In fact, we have got small business groups in the Chamber of Commerce and let us not lose sight of the fact that even our service industries require workers and so we have a very wide cross-section. In fact, we are starting from quite a good point because, as you are probably well aware, across the schools we run Project Trident which is an opportunity for our young people, while still at school, to go and experience employment in all sorts of different areas and with that comes all the contacts that we have gained with all those businesses. That is something that we want to build on.

Deputy T.M. Pitman:

I do not ask that in any way to denigrate finance but, taking David's point, it would be one thing to try and guide someone from a bricklayer to a dry liner but I think it would be a bit sad if we are putting an aspiring bricklayer into the finance sector. That is what I am really getting at.

The Deputy of St. Ouen:

Yes. I think we want to encourage our young people to achieve their potential in whatever career path they choose to follow and as such if we have a child that wants to become a jockey I think we should help them and direct them to learn to become the best jockey that they can be.

Mr. M. Lundy:

I think to be fair it is a misconception that the education system guides young people into any particular sector. It does not. It provides a broad range of opportunities, it provides a broad range of advice, and you have got to remember that it is not just about employer and business-led demand. It is about student-led demand, students want to follow particular courses because they have particular interests, and I think you would be hard pushed to channel a potential bricklayer into the finance industry.

Deputy M. Tadier:

Out of interest, how many jockeys do we have at Highlands College?

The Deputy of St. Ouen:

I would not know about Highlands College but I am certainly aware that there are many apprentices that are involved in the various stables right across the Island.

Deputy R.G. Le Hérissier:

That leads us neatly then into vocational education.

Deputy M. Tadier:

The next questions are about vocational education and there is a huge amount of public interest, I am sure you will agree. What reforms are being proposed for secondary education with this in mind?

Mr. M. Lundy:

At this time it is really about providing a broad range of opportunities and making sure that the curriculum is broad enough at secondary level to be able to provide both for the academic and those people who perhaps are more vocationally oriented. There were aspirations to develop and still are aspirations to develop a collaborative offer at Highlands College. The funding has not been available to do that as of yet but that is still an aspiration. This year, building on the success of a vocational project that was working at Haut Vallée School, 2 other secondary schools, through funding that they managed to secure from the Skills Executive, were able to develop similar projects which is around giving people vocational experiences, both at Highlands College and perhaps in the workplace. Each one of the secondary schools now has a pre-vocational curriculum where young people can spend maybe 4 days at school and one day on work placement. So that is in place; it is targeted.

Deputy M. Tadier:

What age does that start at, Mr. Lundy?

Mr. M. Lundy:

That would start in year 10, so you are looking at youngsters coming up to 15, 16. Quite clearly one of the things that has been recognised is that the vocational experience itself, working with other adult workers, can give tremendous benefit to young people in that adult environment. So those are the things that have happened to date. You will be aware, of course, that the secondary school curriculum in the U.K. is being directed towards the introduction of vocational diplomas. We have not chosen to go down that route just yet because there are some concerns in the U.K. about the place of those diplomas and also about whether or not they will represent a good currency that will get young people into university should they choose to go in that direction. So what we are allowing them to do is to work through the

pitfalls of the diplomas and then we will look at them once they have got the scheme up and running and working properly.

Deputy M. Tadier:

There is a perception almost under the British system, and there has been for a while I believe, that up until a certain point you pursue the academic path and then at a given point if a student is not good enough, so to speak, to pursue the academic path then there is a default position, they are channelled in another direction but almost at too late a stage. So they are not doing something because they necessarily want to but there is a perception they are not going to make it to university, they are not academic, so therefore they are going to be a bricklayer, an electrician, a plumber. I suspect that may have a negative impact on their self esteem. Do you think this new system can try and counter that?

Mr. M. Lundy:

Firstly, I think you are absolutely right. I think it is more than a perception, I think it is a strongly held view among educationalists. In other words, the question is why should someone have to experience failure or low grades at G.C.S.E. (General Certificate of Secondary Education) in order to discover that they can be successful in other areas of their life? What we are trying to do is to think differently in Jersey, not to be influenced by the U.K. model in this respect, and to see how we can identify the talents of young people as early as we possibly can and channel them through successful avenues that prepare them for the things that they want to do rather than put them through failure before they find that out. That is a bit more challenging for us because we do not have our own examination boards. We do have the potential over time to work with the examination boards to develop something that might be locally acceptable but then the difficulty is whether or not our local qualification would have national recognition so that if young people did go through that would they be able then to gain employment or go into further education or higher education in the U.K. So it is not an easy thing to address but it is a real problem and I think it is one that we certainly do need to take steps to address over the next 3 years.

The Deputy of St. Ouen:

You raise a very interesting question which is how do we measure success and achievement. You made a number of comments that there are certain people that view individuals that do not achieve the high academic levels as somewhat second class. I believe that some of those individuals that perhaps do not achieve the big G.C.S.E. and A-level result in many respects achieve more than some of those with the academic skills because, due to hard work and effort, they attain a level which is at their maximum. I think the challenge for us at the department is to make people more aware that success is not necessarily measured just in academic results. It is more to do with the development of the individual.

Deputy M. Tadier:

If I can just clarify, I am not saying that anyone who does not achieve good G.C.S.E. or A-level results is a failure. What I am saying is that if we are testing the wrong things then we are never going to get the right results and we need to be more student focused essentially. If you want to test whether someone is a good plumber you do not give them a French exam to sit.

Mr. M. Lundy:

What you are stating there is a consequence of the British education system for about the last 7 years, effectively trying to get parity between vocational training and the more academic routes. I think if we were honest we would say that it has never been fully achieved. I think there is a very different perspective on education now which, while it still holds to the more liberal view of being about the whole person and the development of the whole person, it is also about developing the skills that the person will have to enjoy a good economic future and to make a contribution in Jersey to the Island.

Deputy R.G. Le Hérissier:

I think the debate will go on and on there. I am not sure, as you have just said, we have found a satisfactory answer. The next question is on disciplinary procedures for staff and we want to expand this in the light of what is happening on the Island at the moment. As you know, the whole history of discipline is a very controversial issue because you, Mr. Minister, have answered questions in the States about this.

The Deputy of St. Ouen:

In what regard?

Deputy R.G. Le Hérissier:

The issue, for example, of staff who may have been implicated in the Haut de la Garenne inquiry.

The Deputy of St. Ouen:

We are not prepared to discuss that and I think I have made it quite clear to this panel before that this is an issue that is required to be dealt with by the States Employment Board and I do not believe it is appropriate within this forum to discuss any matters such as the ones that you are suggesting that you plan on speaking about. I am afraid that we will not be prepared to even go down this particular route.

Deputy R.G. Le Hérissier:

Well, I think there is a valid issue, not in terms of individuals but in terms of the general procedures that apply.

The Deputy of St. Ouen:

I am sorry, Chairman, I am going to be pretty strong on this. You are well aware of the procedures that are in place. You are well aware that there are police investigations with regard to the Haut de la Garenne. You are well aware that in recent times we have agreed propositions to strengthen the issues to do with suspended staff and the like and I do not believe that this is the appropriate forum to discuss with us, and myself in particular who is not responsible directly to the staff under my responsibility, to deal with this matters. I do not want to find ourselves having a major disagreement but I am very strong on this point. I am not prepared to discuss this and I do not expect my officers either to be involved in this discussion. So I suggest, politely, that you move on.

Deputy M. Tadier:

Can I interject there? This is a public hearing and scrutiny has a function to ask questions in public and I think it is understood that anyone coming to give evidence should at least co-operate. How can the Minister ...

The Deputy of St. Ouen:

I am quite happy for the media to record this. I am not prepared to enter into a discussion of this nature. I just want to draw a line under this. We have come to discuss departmental business. The particular topic that the Chairman has raised is not departmental business and if you choose to pursue this particular line you will force us to leave.

Deputy T.M. Pitman:

Is that just really an indication of the contempt, maybe, that scrutiny is held in because nobody, I think, is asking about specific cases? I find that quite a remarkable statement I am afraid, Minister.

Deputy M. Tadier:

If we wanted to ask a question about the suspension policy of the department I do not see why that cannot be answered. It is not a specific question.

The Deputy of St. Ouen:

The Chairman suggested that the questions revolved around the Haut de la Garenne issue. If they do then I do not believe it is acceptable.

Deputy R.G. Le Hérissier:

I said that and I may have sent you off on the wrong track, so to speak, Mr. Minister. I said that in the sense that, because that was going on and because of what happened, for example, yesterday, it has clearly taken a high profile and people are much more interested, as they should be and as some were in any case. They are much more interested in how we are going to deal with all the effects of what is going on and your department, because it deals with children and students, is absolutely centrally

involved. The question we were going to ask you was a general question but we have obviously got into sensitive areas, it appears. As I think Deputy Tadier or Deputy Pitman said, let us listen to the question and this was the question: are you satisfied with the Education Department's disciplinary procedures for staff? That strikes me, even irrespective of the background against which we are discussing this, as a good question just about how the management of staff occurs in the Education Department.

The Deputy of St. Ouen:

I am confident that there are general procedures in place to manage the responsibilities of all staff within the employment of the States and we have the controls and arrangements in place and the bodies in place to ensure that that is the case, and that is all I can say. I am not an employer.

Deputy M. Tadier:

At this point, just for the public's information, was it the case that the Minister and the guests had been provided with the questions beforehand?

The Deputy of St. Ouen:

Not at all.

Deputy R.G. Le Hérissier:

They were provided with some topics.

Mr. M. Lundy:

Can I give you some clarification on this. The first thing is that the policies in respect of discipline are the policies of the States Employment Board, not the policies of the Minister. There are some modifications to those policies, as you would expect, because of certain professional groups. So we have, I think, 8 different groups that work in the employ of States of Jersey but directly in relation to education, so teachers, teaching assistants, youth workers, manual workers, et cetera. So the policies in respect of those are slightly different but the policies are all agreed centrally and the modifications to

those policies would take account of the different requirements of different professional associations. In respect of the disciplining of staff, there is an important distinction, I think, between what happens in Education, Sport and Culture, also Health and Social Services, as to other departments. The first thing, and this is just in general terms, when a complaint is made what we do is we determine the nature of that complaint. If that complaint relates to child protection then the very first thing that we do is to take advice from the Family Protection Team, which involves child protection officers and States of Jersey Police. If that is a child protection issue then there would be a strategy meeting and out of that strategy meeting would come, as one would expect, a strategy and a decision would be taken at that point in time, according to the risk and to the gravity of the situation, as to whether or not a suspension was necessary. There are other options other than suspension. One might be removing a person from the workplace for a period of time but keeping them in the employ and, of course, the other option is around a suspension. If at the outset the nature of the complaint does not relate to a child protection issue then the likelihood is that there would be an internal investigation and once again, based on the gravity of the complaint, a decision would be made at that point as to whether it is a suspension, removal from duty, reallocation, reassignment, or whether or not the person could remain in post.

Deputy R.G. Le Hérissier:

When we asked the Minister we asked the question - a question that is going to be raised increasingly in the next few months, indeed in the foreseeable future - as these procedures are applied, in your view, or indeed of the people who oversee these things, are there the appropriate checks and balances? Surely this is a question that must occupy you?

The Deputy of St. Ouen:

Again, I think it is a question that needs to be directed to the States Employment Board and those responsible for it. I underline the fact that they are responsible for all employment within the States.

Deputy R.G. Le Hérissier:

But when, for example, the Director mentioned internal investigations, are those investigations carried

out within E.S.C. (Employment, Sport and Culture)?

Mr. M. Lundy:

It would depend on the gravity of the complaint. You would not necessarily have an external investigation into every minor complaint but if the complaint was of a major nature ... you have got to remember that there is also a healthy structural differentiation between the H.R. (human resources) department, which is no longer the H.R. department of Education, Sport and Culture. It is the Chief Minister's Department as a business partner working with Education, Sport and Culture. So if an investigation or an inquiry into a complaint was being made there would be not a degree of independence from the States of Jersey but a degree of independence from the department. If there was something of a very serious nature, and if you look back through history you can see where this has happened, it might well be that somebody would be brought in externally to look at it but, again, it would be about the gravity. You have to bear in mind that E.S.C. alone in terms of headcount has got well over 2,000 staff, and, given the nature of it, it is not unusual, for example, for a parent to make a complaint about perhaps a minor issue with a teacher in a school and you would hope that the response to the complaint would be commensurate with the gravity of the complaint.

Deputy T.M. Pitman:

Can I just ask the Minister this question and I hope he feels able to answer it? As the Minister for E.S.C. are you happy that the department's policy on suspensions then is consistent with other departments, other ministries?

The Deputy of St. Ouen:

I am led to believe that is the case.

Deputy T.M. Pitman:

Are you saying you are happy?

The Deputy of St. Ouen:

Well, I am led to believe that that is the case because this is not an area of my responsibility. I am not trying to be obstructive but clearly we have a States Employment Board which is responsible for employees and I am not held responsible for any of my employees, although I am responsible for the department.

Deputy T.M. Pitman:

Are you saying you are not accountable for ...

The Deputy of St. Ouen:

Just to underline the fact that we have a human resources department that manages all staff issues. Although certain HR individuals take up office space within our department, they are responsible centrally.

Deputy T.M. Pitman:

I feel as a sign of fairness that any member of the public or the media here your response, and I do not say it with any disrespect, will amaze quite a few people to hear you say that you are not responsible.

Mr. M. Lundy:

Can I just clarify this? The States Employment Board, which is represented by 3 Members of the States, is responsible for the employment of all States employees. In terms of the procedures and the policies that you have been talking about, implementation through the department is the director of the department in conjunction with the Chief Minister's H.R. department. I would responsible for making decisions in relation to the discipline of any member of staff. If it was me then it would be the Chief Minister's office that would make that decision. So that is essentially the process because the States Employment Board is the employer and therefore the States Employment Board is also the determiner of the policies in relation to H.R. Quite clearly the Minister's responsibility within the department is not for the day-to-day management of staff. That falls to his chief officer. The Minister's responsibility is

for the day-to-day development and implementation of policy.

Deputy M. Tadier:

If I just take it on a slightly different tack, if we talk about the appeals process briefly, for any parent or individual who makes a complaint about another individual or process within the system, ultimately what is the final recourse if somebody does not agree with the decision? Who is the final arbiter?

Mr. M. Lundy:

Within the department, if a decision is made in relation to, for example, an admission to a school where a parent is unhappy with that or a complaint that has been made about something that has happened within a school, initially that would be looked into by the department. If the parent was not at that point in time happy about that then there could be an appeals panel, there could be a direct appeal to the Minister. The direct appeal to the Minister is rarely used in things like school admissions, et cetera, because you do tend to get quite a few appeals so the Minister then delegates that responsibility and there would be an independent on that panel. But in respect of any decision that is made within the department that has gone to ministerial level, should the complainant at that point in time be unhappy with the result or the process particularly they have recourse to the administrative board of appeal, to the States Appeal Board.

Deputy R.G. Le Hérissier:

This is clearly a very contentious area but I have to say to the Minister, without in any way wishing to fall out with him, this is an area which the panel does reserve, as Deputy Pitman said, to itself because it strikes us that the manner in which it is dealt with, particularly in the light of what is going to happen, there is inevitably going to be fallout which is going to require us to look at our institutions and our processes with a very, very searching eye. Given what the Director has said that some of these processes are indeed managed at their early stages, indeed to quite an advanced stage, by the department, it is inevitable that people will ask how are these things managed, what are the checks and balances and so forth and so on. It strikes me - and I am getting more into an argument than a scrutiny, I

am sorry about that - a lot of the management does reside within the department. So it is a highly legitimate area for us to take an interest in.

Mr. M. Lundy:

Obviously the nature of the complaint is important but it is also legitimate, whether it be a States organisation or a private organisation, in the early stages to look into any complaints that have been made. One would not automatically escalate every single complaint to an independent body. I think one needs to appreciate that within a schools system, which has something like 13,000 pupils in it, it is quite likely, and it is in fact the case, that from time to time you will get complaints from parents about sometimes relatively minor issues. It is appropriate that those minor issues could be dealt with if possible at classroom level, the teacher, or at head of department level or at deputy head level or at head teacher level. If that does not work the complainant would have recourse to the governing body, if the school has a governing body, and if that is not acceptable then the complainant would have recourse to the department and the Minister for Education. If the issue is a serious issue and, as I have said at the outset, if any issue, for example, is a child protection issue the first thing that happens is it goes out of the department. So it goes straight to a strategy meeting which involves the Family Protection Team.

Deputy R.G. Le Hérissier:

I welcome that explanation, Mr. Director, but as I said this is undoubtedly an issue of great importance and it is an issue which is going to take quite a high profile, I think. Because of events, institutions are under immense scrutiny at the moment, as indeed they should be. That is the name of the game.

The Deputy of St. Ouen:

May I just suggest that maybe the panel might choose to speak to the Chief Minister and his department, because clearly if you are looking to better understand the disciplinary procedures for staff they are the department, as I said before, that are ultimately responsible and ensure that the disciplinary procedures across the States are equitable.

Deputy M. Tadier:

Can we just say that we are very glad that you did not walk out and we managed to come to some kind of compromise.

Deputy R.G. Le Hérissier:

Thank you. We will move to another major area. It appears 2 of us are asking oral questions about this tomorrow, which I do not think necessarily makes us conflicted but we will not ask the question, so to speak, now. On Jersey Heritage, Deputy Pitman will lead.

Deputy T.M. Pitman:

What is your long-term solution to remedy the financial situation of the Jersey Heritage Trust?

The Deputy of St. Ouen:

I wish I had one at present is the short answer. I would like to just elaborate on that somewhat. Certainly when I first came to the position of Minister for Education I was made aware that there were some issues, and funding issues in particular, to do with many of the areas within the cultural umbrella, including Jersey Heritage. From that time both the department and myself have been actively in discussions with the Jersey Heritage Trust and other organisations, firstly, to better understand the pressure that they are facing and, secondly, to work with them to identify solutions. One thing that we must be extremely clear about is the relationship between the department and the responsibilities of the department and that of the Heritage Trust or any other organisation. Clearly it was decided that we would set up a number of these organisations and trusts to manage the day-to-day affairs and delivery of particular services. If we look at Jersey Heritage Trust, they were tasked with certain responsibilities. The department's primary responsibility is to provide an allocated budget which then can be used by the Jersey Heritage Trust or any other organisation to deliver those services and, secondly, to ensure that the financial management of those funds is appropriate. We are supported by that at various times with the internal auditor and on occasions, subsequent to the appointment of a Comptroller and Auditor General, his actions. That is basically, if you like, where we are. So, to find a long-term solution, first of all we

need to identify the main concerns and issues that are faced by the organisations and then, secondly, through discussion and at times involvement by third parties, to help develop and gain some perhaps independent reassurance on what those issues are. Once that has been done then clearly I have a political responsibility to promote that particular need.

Deputy T.M. Pitman:

To take that on, in the Strategic Plan we have just made a commitment to value culture. I appreciate this is not just down to you but what kind of message does that send out to people that the Council of Ministers genuinely values the Island's culture and are you indeed prepared to see museums close?

The Deputy of St. Ouen:

Two things. First of all, you speak of value. Value is not just financial. It is more to do with how we perceive and appreciate all the sort of cultural activities that we are able to enjoy. That is the first thing. Secondly, leading on from that we need to be mindful of the financial cost and that needs to be worked through in an appropriate manner with the partner.

Deputy M. Tadier:

Can I just come in? Minister, you said that in order to move forward you needed to identify what the main concerns of Jersey Heritage were. Presumably the main concern at the moment is that they have not got enough money, that they may be forced to close Hamptonne and the Maritime Museum. So we know what the main concerns are, certainly in the short term, but going back to the question what is your solution for that? Presumably you have a commitment to ...

The Deputy of St. Ouen:

The first one is obviously one of my difficulties. I have a partner that is suggesting that they need certain levels of funding and I am wanting to get a greater understanding of the level of funding, whether the funding that they are suggesting is appropriate or whether there are ways of delivering the services that they are providing in a different manner. That does not mean closing. That is a

responsibility clearly for the partner. What I need to be assured of is that the funding and the commitments that the States make to Jersey Heritage are correct. We have recently arranged, in agreement with the Jersey Heritage Trust, to carry out 2 separate reviews, one to look at the commercial, day-to-day activities of running Jersey Heritage and how they deliver the services and the other is very much looking at the financial management.

Deputy M. Tadier:

That is long term.

The Deputy of St. Ouen:

But you have got to start somewhere and the point that I am trying to make is that if we are really going to provide meaningful support which we all want to find a long-term solution to meet the needs and provide the services that the public require, we need to have the facts, we need to have the knowledge, we need to have the understanding. Sadly, I cannot with my hand on my heart say, although I have spent many hours with the Jersey Heritage Trust, I fully appreciate all of those issues and until I do I find it difficult to be able to come forward and promote a particular action.

Deputy M. Tadier:

We are talking about facts here. The fact is that if in the short term Hamptonne and the Maritime Museum do not receive adequate funding they will be closing. That is the short term problem. It is fair enough to talk about looking at these things in the long term here and where the problems lie financially but that is the fact that if funding is not given, if they are not bailed out, then they will shut. Is that satisfactory?

The Deputy of St. Ouen:

That is one of the solutions.

Deputy M. Tadier:

Is that a satisfactory solution? It is a simple question, Minister.

The Deputy of St. Ouen:

No, it is not, because first of all the solution and the proposal to close the Maritime Museum and Hamptonne is one solution that the Jersey Heritage Trust are proposing to deal with funding pressures. That is one solution. It could be the only solution. Presently I cannot tell you that. That is the first point. Secondly, at the beginning of this year, at the very start of taking on my responsibilities as Minister, I went to the Council of Ministers and asked if I could use part of the education underspend to support Jersey Heritage Trust for this year while we looked at how to deal with the longer term solution. It was agreed with Jersey Heritage Trust and the Council of Ministers and the Treasury Minister that an additional £200,000 would be provided to Jersey Heritage Trust for this year which gave us a full 12 months, in my view, to look at and identify the correct solution. I can say at the moment that we are on the path to identifying the long-term solution which I definitely want to find and I am committed to finding.

Deputy M. Tadier:

Are you prepared to see places closed in the short term? Surely you can indicate that to us.

Mr. M. Lundy:

From a practical perspective the money does not exist in Education, Sport and Culture to provide the support that Heritage Trust are asking for.

Deputy R.G. Le Hérissier:

When you gave the £200,000, Mr. Minister, did you do it on the assumption that for this summer everything would stay as is and then you would get to work very quickly on the big questions?

The Deputy of St. Ouen:

I was at the time led to believe that the £200,000 would ensure that the services would continue for this

year.

Deputy R.G. Le Hérissier:

So you must have been very shocked then when you saw ...

The Deputy of St. Ouen:

I was extremely shocked and in fact I think there have been, for various reasons, different comments made which have led to a greater difficulty in understanding the actual position. Some suggestion was made that the 2 facilities that you have spoken about were due to close in July. That is not true and as recently as 2 or 3 days ago I had a meeting with Jersey Heritage Trust who assured me that that was not going to be the case and if they were to look at closing those facilities it would be in October/November. There is a difficulty because, as I say, ultimately I provide, as my Director has rightly said, a sum of money for Jersey Heritage to deliver its services. If they feel as their responsibility that they need to adjust their service to fit the funding provided then quite clearly that in part is their responsibility. Whether I would personally wish to see certain things close, no, I would not and I hope that there are alternative solutions, hence the reason for the 2 reviews.

Deputy T.M. Pitman:

To end on a positive note ... and someone far more eloquent than me said if a country, an island, loses its culture it loses its soul. So the trust have indicated to us that really they need £2 million more on a grant to deliver what they feel they should. How hopeful are you that that is achievable?

The Deputy of St. Ouen:

We have seen a number of business plans and proposals presented to us at the department by Jersey Heritage Trust, ranging from relatively small sums of money to £2 million and a range of services that they feel that would be able to provide over and above what is currently provided. Clearly they provide a great service.

Deputy T.M. Pitman:

They are saying £1 million to keep going, that is what they have effectively said, just to deliver what is there now, £2 million to do what they feel they should.

The Deputy of St. Ouen:

At the present moment I have not got confidence that necessarily they need £1 million to deliver the existing services, especially as, as recently as the beginning of this year, we came to an agreement that the financial support that they required was an additional £200,000.

Deputy M. Tadier:

Let us just get back to the basic question: do you want to see Hamptonne Museum and the Maritime Museum close?

The Deputy of St. Ouen:

Not personally, no.

Deputy R.G. Le Hérissier:

This is going to be the subject of questions next week, so thank you very much. I will now move to Deputy Tadier for the last question on literacy.

Deputy M. Tadier:

The 2009 Annual Business Plan outlines that a revised literacy strategy will be developed and implemented in early years, primary school and secondary school. Please could you provide the panel with the progress of this initiative.

Mr. M. Lundy:

The strategy is more than a strategy document. It is practical steps that have been taken over the last year and will continue to be taken to ensure that literacy standards are continually driven forward, so it

is a focus on continuous improvement. The first strand of this was to raise awareness. I think at a previous scrutiny panel meeting I indicated that we had some concerns about young teachers who were coming out of teacher training in the U.K. where the teaching of reading had not been addressed to the extent that we would expect it to have been addressed. So, obviously training is an issue for us and that is something that we have invested in. Raising awareness through performance review and appraisal: so last year, for example, head teachers were asked to ensure that every teacher in the Island had some objective, regardless of the subject they taught, which is around the development of literacy in the classroom. We introduced screening across all year 4 pupils on the Island and have introduced tracking measures in all the schools in order to monitor progress. If we see where there are children who are failing to make the progress that we would expect them to make - and bearing in mind that some children have very good reasons for not making the progress which could be do with special needs - the school can be challenged on that and teachers can be challenged on that to see how we can support and help them to make the progress that they need to make and to put the resources in the right place. There are a number of initiatives. One is reading recovery which has been ongoing in our schools for some time and that is about children who have perhaps fallen behind, so through the screening process they would be identified and then their needs addressed. There is a phonic approach to teaching reading which has been implemented across all schools, early reading research, and perhaps by far one of the most potent ways to address the accountability and the challenge aspect of it has been the introduction of professional partnering for all schools. So each cluster of schools now has a professional partner based at the department who will go and discuss the data with the school. So it is about where are your standards, what is the evidence to support those standards, what advice can we provide, what support can we get, and if necessary sometimes they get an external pair of eyes to look over what is going on, so external inspection. So that essentially is the literacy strategy. Those are the components.

Deputy M. Tadier:

How acute is the problem of illiteracy in Jersey at the moment?

Mr. M. Lundy:

It is not acute in the sense that if you look at the stats - and I would have to say that the G.C.S.E. English stats are probably not the best measure of this but it is the best that we have got - about 70 per cent of our young people are getting an A-star to C at English. If the assumption is that anything less than a C suggests there is a literacy problem then you could assume that there is a literacy problem but, of course, that is not the case.

Deputy M. Tadier:

Of course, using those stats there does not take into account the people who do not do the G.C.S.E. in the first place.

Mr. M. Lundy:

There are very, very few people in Jersey who do not do the G.C.S.E. The majority of our students, well into the top 90 per cent, take the G.C.S.E.

Deputy M. Tadier:

Do we know how many students leave school without any kind of qualification?

Mr. M. Lundy:

Very, very small and we can give you that data.

Deputy R.G. Le Hérissier:

You get regular reports on the progress of the initiative?

Mr. M. Lundy:

Absolutely, and at cluster level because the professional partner is obviously going to the schools and discusses the issues with the schools.

The Deputy of St. Ouen:

Linked to the literacy strategy is clearly that there is a demand because of our multicultural society to provide additional support to those children whose first language is not English, and that is something that again the department has been developing and working on over a period of time. Until these youngsters are able to understand English then they are not able to progress throughout the education programme.

Mr. D. Greenwood:

Could I just add to that? While we have been talking about schools it does not stop there. There is a strategy for post-16 literacy and numeracy so that any student going to Highlands College at 16 years old is screened for literacy and numeracy and again, if they do not have the functional skills to allow them to continue in their vocational course, there is appropriate support there as well.

Deputy R.G. Le Hérissier:

Thank you. We have run a bit over but I do not know if the other panel members have any short final comments or questions they wish to ask.

Deputy T.M. Pitman:

Just briefly, have you got any statistics currently for the transfer from primary to secondary for literacy to show how big a problem that is?

Mr. M. Lundy:

Yes, we do have the statistics.

Deputy T.M. Pitman:

What sort of percentage are we talking about?

Mr. M. Lundy:

In what sense? It is not easy to give you a percentage because there is not an exam as such. It is done

on the individual's reading level. That would be the first thing, so that is data is passed through on an individual basis and we would have to look at that data. It is dealt with on a cluster level so the secondary school would be working with the primary school and would have that data. One of the things that has happened is that with the introduction of screening in year 4 what we do know is that most primary schools are voluntarily continuing it through each of the consecutive years to ensure that when children do go through to secondary school their reading age is at least commensurate with their chronological age.

Deputy R.G. Le Hérissier:

Any final comments from you gentlemen?

The Deputy of St. Ouen:

Just one other area that we have not really touched on with regard to the cultural issues is the one of the maintenance of the cultural estate. Clearly that will be an ongoing concern and it is something that must not be forgotten about. Jersey Property Holdings are responsible for all States property and it is an area that will be required to be addressed.

Deputy M. Tadier:

Concern or battle for you?

The Deputy of St. Ouen:

It is a priority that needs to be dealt with and as such I will be quite strong in my defence and support of that particular issue.

Deputy R.G. Le Hérissier:

Okay. There are a lot of other issues in a sense to discuss but we have reached the end of time so I will thank you very much all for attending, thank our panel members, and that will be the end of the recording.