

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY G.P. SOUTHERN OF ST. HELIER
ANSWER TO BE TABLED ON MONDAY 2nd DECEMBER 2013**

Question

Will the Minister explain to members what controls, if any, are in place under the Control of Housing and Work (CHW) Regulations to prevent any employer who is refused permission to employ a registered person under his/her Regulation of Undertakings licence from sourcing a person with the required skills through an agency, whilst leaving the employee on the books of that agency?

Will he further explain how CHW Regulations controlling entitled/licenced/registered persons operate in terms of agency workers?

Will he also publish the overall numbers of licences for registered workers allocated to employment agencies along with a breakdown of the numbers attached to each agency?

Answer

Employment agencies are undertakings under the Control of Housing and Work (Jersey) Law, 2012, and require a licence to engage “registered” or “licenced” staff.

This control was introduced alongside the new Law. It means individual agencies are limited in the total number of migrant workers they can place, but not in where they can place them.

This achieves effective policing mechanisms focused on a limited number of employment agencies who are capped in the number of new migrants they can place, without government approving individual assignments.

This also recognises that employment agencies have an important place in our economy, as they provide flexibility to both employees and employers.

These agencies also place large numbers of “entitled” and “entitled to work” people into work, and can do so without any permission being required under the new Law.

Short term licences have been issued to employment agencies to permit them to engage migrants until the end of March 2014, as follows:

Number of Agencies	Total registered staff permitted	Total licenced staff permitted
15	241	0

The intention on introducing the new law was to leave the agencies in the same position as they were under the previous arrangements, as this was agreed as part of the transitional provisions. This position will be subject to ongoing review and monitoring.

A breakdown of staffing by individual employment agency is not provided as that would disclose their individual licences.