

Government of Jersey
Union Street | St Helier | Jersey | JE2 3DN

Deputy Louise Doublet
Chair, Health and Social Security Scrutiny Panel

Sent by email

28th March 2025

Dear Chair

Re: Health and Social Security Panel: Draft Employment and Discrimination (Jersey) Amendment Law 202-

Thank you for your letter dated the 21st March 2025, regarding the Draft Employment and Discrimination (Jersey) Amendment Law 202-. I note that the Panel issued comments on the draft Law earlier this year expressing their support for my proposals. Following the lodging of the Amendments to P.78/2025, I agreed to defer the debate on this proposition to the 22nd April 2025, to enable your Panel to review the lodged Amendments.

I will respond separately to the various points in the email which revisit the original proposition rather than the two Amendments. Where appropriate, I have provided comments below in respect of the Amendments.

Your first point relates to the proposed £50K cap. I was pleased to receive the Panel's Comments on this issue and note that the Panel's Comments were supportive of my proposed approach and suggested that a higher cap should be investigated in the future.

In response to your query in respect of stakeholder feedback, following the lodging of the Amendments, I took the opportunity to meet with a number of key stakeholder organisations and representatives. I was pleased to note that overall, there was general support for my proposals.

The Panel requests information on the advice available to employers. I note the Panel's previous comment in respect of the support provided to employees and employers through organisations such as JACS. I am fully committed to ensuring that employers and employees have access to good quality information and training on employment and discrimination matters. These are principally provided through JACS and my team will continue to work with and support JACS in this area. In addition, valuable support is available through Liberate and many employer and employee organisations also provide helpful guidance to their members. I will continue to encourage all organisations with their efforts in these areas.

In respect of your query relating to the consultation process, I was pleased to note that the Panel expressed its support for the fact that I accepted all of the Employment Forum's recommendations in its published comment. As the Panel is aware, the Forum is an independent body comprised of members representing employers, employees and independents. I have full confidence in the

Forum and the robust nature of their processes, which are demonstrated through their well-considered and balanced recommendations on this topic.

Your final query relates to the updating of Tribunal processes. I can confirm that work on a review of Tribunal powers and processes is proceeding as planned. I will ensure that the Panel is kept informed as this work progresses. The work regarding extending the power of the Tribunal to award costs in vexatious cases is due to be completed imminently.

As stated previously, the purpose of deferring the date for the debate on P.78/2025 was to enable the Panel to review the Amendments that had been lodged on this proposition, and I look forward to receiving the Panel's Comments on those Amendments in due course.

Kind regards,

A handwritten signature in black ink, appearing to be 'L. Feltham', written in a cursive style.

Deputy Lyndsay Feltham
Minister for Social Security