

People & Culture Follow-up Review

Corporate Services Scrutiny Panel

1st August 2024

S.R.5/2024



States of Jersey
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Chair's Foreword



As Chair of the Corporate Services Scrutiny Panel ('the Panel'), I am privileged to introduce this significant piece of work undertaken by the 2022-2024 Corporate Services Scrutiny Panel.

Following a Vote of No Confidence in January 2024, a new Government was formed, leading to the reconstitution of the Corporate Services Scrutiny Panel. The Panel carefully considered how to proceed with the ongoing review and concluded that presenting a report based on the existing evidence was the best approach.

The Panel, although not involved in this review, agreed that it was important to present this report, which reflects the substantial body of evidence gathered as a result of that review. This report reflects Scrutiny's commitment to transparency and continuous improvement in Government practices. Additionally, the Panel would like to take the opportunity to share that during the final stage of stakeholder engagement, additional feedback was received indicating that improvements have been witnessed since the evidence was first provided.

After thorough discussion, the Panel has chosen to present the report focusing solely on evidence presented and has refrained from making any findings or recommendations. This decision was made to ensure that observations are not made on a review conducted by a different Panel.

Notwithstanding, the Panel recognises the importance of addressing specific concerns that have emerged, notably in the areas of Whistle Blowing, Occupational Health, and Recruitment and Retention. To this end, the Panel undertakes to focus further scrutiny on these areas in our forthcoming quarterly hearings with the Chief Minister, ensuring that any future action considered by the Panel is well-informed and robust.

Looking forward, we will focus our efforts on refining and enhancing our understanding in these critical areas. The Panel wishes to reassure stakeholders that it has considered the submissions provided and will further consider these to inform its approach in scrutinising the key issues highlighted in the report, which it intends to further explore going forward. We are, as always, open to insights and alternative perspectives from all areas as we strive to resolve these complex issues effectively.

Finally, I would like to place on record my thanks to my predecessor, Deputy Sam Mézec, his Panel, and officers, together with the witnesses who contributed evidence to this review.

Deputy Helen Miles
Chair of the Corporate Services Scrutiny Panel

Executive Summary

The [original People and Culture Review](#) ('the original review') was launched by the Corporate Services Scrutiny Panel that served from 2018-2022 ('the 2018-2022 Panel'). The original review set out to evaluate the people and culture strategies of the Government of Jersey ('the Government'), focusing on an in-depth analysis of public sector policies and procedures. This included examination of how the States Employment Board (SEB) functions as an employer, assessing the handling of bullying and harassment, the effectiveness of disciplinary and exit procedures, and the impact of these practices on workplace culture and employee morale. Conclusion of the original review resulted in a report ([S.R.12/2021](#)) ('the original report') being presented to the States Assembly on 6th September 2021.

At the start of the new States Assembly term in June 2022, a new Corporate Services Scrutiny Panel was formed ('the 2022-2024 Panel') which, over the course of its tenure, became aware of developing concerns relating to matters of people and culture within the workplace, including inappropriate behaviour and grievances, in particular. As concerns continued to grow, it was agreed to launch the [People and Culture Follow-up Review](#) ('the follow-up review') to assess the impact of the original review as well as reassess the current working environment and culture. To assist in conducting the review, the 2022-2024 Panel agreed to co-opt Deputy Lyndsay Feltham, who served as Chair of the Public Accounts Committee between 2022-2024.

In January 2024, a new Government was voted in by the States Assembly which resulted in the folding of the 2022-2024 Panel and the formation of a new Corporate Services Scrutiny Panel ('the current Panel'). Upon its constitution, the current Panel carefully considered how to proceed with the follow-up review. Given the extensive research and evidence gathered by the 2022-2024 Panel, it was decided that the current Panel would produce a report based on the existing evidence.

Policies, Procedures and Governance

This first chapter scrutinises the SEB's adherence to policies, procedures, and governance, highlighting a journey towards enhancing transparency and inclusivity in policy development. Despite considerable efforts from successive Panels, and a commitment from the Government to provide redacted minutes and improve transparency, initial findings underline a significant issue with the non-provision of the SEB minutes to Scrutiny.

Furthermore, the SEB initially resisted external reviews of draft policies during the original review, recent actions by the new SEB indicate a shift towards a more collaborative approach, incorporating some feedback from trade unions in policy development. This move represents a significant stride towards integrating diverse perspectives and expertise in shaping policies that reflect the Organisation's core values and legal standards.

The chapter also addresses the complexity and inconsistency in HR processes and the centralisation of HR functions under the One Gov Target Operating Model. Critiques from various stakeholders, including observations on the complexity of the disciplinary process, and the model's efficiency, underscore the need for a strategic review. The Government's Occupational Health (OH) services are evaluated as well as the effectiveness of the current whistleblowing measures.

Recruitment, Retention and Employee Exit Strategy

This chapter addresses the intertwined challenges of recruitment, retention, and employee exit within the Government. The recruitment segment outlines the hurdles in attracting and onboarding talent, notably the inadequacy of relocation packages and accommodation issues, and the clarity of job descriptions, emphasising the necessity for realistic portrayal of living costs in Jersey and enhanced support for transitioning employees into the local housing market.

The section on retention focuses on the trend of high staff turnover, particularly within Health and Community Services, exacerbated by workload pressures and the disparities in treatment between permanent and locum staff. Evaluation then turns to the exit interview process, highlighting low participation rates and the potential for bias in feedback collection.

Across all sections, the chapter advocates for a comprehensive review of HR practices, urging for policies and procedures that reflect the real challenges faced by employees and address the systemic issues hindering effective recruitment, retention, and a smooth exit process. Additionally, it is suggested to move towards more personal, face-to-face exit interviews and introduce an anonymous feedback mechanism to capture honest insights from departing employees without fear of future repercussions.

Effectiveness of the States Employment Board

Analysis continues by evaluating the effectiveness of the SEB in shaping organisational culture, enhancing employee wellbeing, and fostering robust relationships between trade unions and the Government. The first section examines the SEB's response to various external review recommendations, notably those addressing bullying, harassment, and policy inconsistencies.

The chapter then assesses the impact of the Be Heard surveys conducted in 2020 and 2023. Despite an increased response rate in the latest survey, participation concerns persist, highlighting the need for greater inclusivity and transparency in the survey process. The evolving relationship between the SEB and trade unions and efforts to improve engagement and dialogue is evaluated. While regular and structured meetings have been initiated, challenges in maintaining consistent communication, especially during leadership transitions, have been noted.

Conclusions are drawn that while the SEB has made commendable strides in addressing workplace issues and engaging with trade unions, there remains significant room for improvement. Strengthening policy review processes, ensuring broader participation in employee surveys, and institutionalising robust trade union engagements are pivotal for driving forward a more inclusive, transparent, and supportive work environment within the Government.

Culture and Wellbeing in Government

This chapter offers an in-depth analysis of the workplace culture and employee wellbeing within the Government. Initial exploration looks at what might suggest the pervasive issue of bullying, harassment, and inappropriate behaviour within the workplace, detailing the substantial impact these practices have on mental health and the overall work environment.

Assessment continues by exploring the correlation between workload pressures and employee health and satisfaction, identifying that high vacancy rates and excessive workloads have placed significant stress on employees that has led to a toxic environment characterised by burnout and low morale. Delving into the negative impact of a toxic workplace culture, the final section considers the detrimental effects of inadequate management responses, employee experiences of abuse, and pervasive issues of overworking, bullying, and harassment.

The evidence suggests that whilst there are initiatives underway to address some of these concerns, there remains a critical need for the Government to adopt more robust and comprehensive measures.

Leadership Roles in Government

The final chapter considers the pivotal role that leadership plays within the Government, with a particular focus on the Chief Executive Officer (CEO), political influence, and broader management practices. It critically assesses the impact of leadership roles and their impact, collectively and individually, on organisational culture and employee wellbeing. The section on CEO impact discusses concerns raised by trade unions regarding the stability and direction of leadership and its subsequent influence on the Organisation's culture and effectiveness.

Analysis progresses onto evaluation of the impact of management, expanding the focus to the wider spectrum of management within the Government. It inspects the adequacy of management training, coherence in strategy for change management, and accountability levels across management tiers. The chapter continues to explore the dynamic between politicians and civil servants in Jersey, emphasising the impact of political behaviour on public service culture and accountability.

The final section gauges staff sentiment towards leadership and management, focusing on perceptions of fairness, equity, trust in leadership, and the perceived protection of individuals in higher roles. Disparities in treatment based on hierarchical grade and instances of misinformation are found to contribute to a dilution of trust and a sense of inequity within the Organisation. Addressing the identified gaps in management capabilities, enhancing employee satisfaction, and ensuring the successful implementation of changes and strategies are suggested as essential for improving the organisational environment.

1 Introduction

Context

People and Culture Review 2021

In 2021, the 2018-2022 Panel [launched the original review](#) to understand the impact and influence of the Government that led to reports surfacing concerning negative workplace culture. The [original report](#) considered recommendations from external reports and targeted surveying by the Government as well as arranged public and private hearings with Ministers and Government employees and engaged with the public via social media.

The original report presented 41 key findings and 24 recommendations,¹ covering various areas relevant to the SEB, Ministers, and officers in support of significant change throughout the Government. It was found that the SEB needed to consider the framework it requires to deliver to its legal requirements and lead delivery of the People Strategy and Policy and Procedures which are fundamental to the future of the Public Sector.

Further significant findings made were:

- The SEB was not meeting all its legal requirements.
- Inadequate policies and procedures in place were significantly impacting on employee morale and wellbeing.
- Certain departments must be given careful consideration to secure improvements for employee wellbeing.
- The SEB must provide a strategy that delivers leadership strategy to filter through the Organisation.
- Stakeholder management required further work with trade unions which were notably excluded.

The original review also engaged Richard Plaster of Law at Work Ltd as Advisor to provide expert technical assistance and undertake an in-depth assessment during the review.²

External Reports

Concerns around workplace culture have been well-documented by external bodies both before and after the original review. A '[Review of Bullying Cases](#)' by HR Lounge was completed in Feb 2018 for the SEB, which found that levels of bullying and harassment in the Government were significant and provided a number of recommendations. A second review by the HR Lounge was undertaken to provide a comparison to the 2018 Report, which was [published](#) in 2021 alongside an employee survey entitled the Be Heard Survey (conducted in 2020).

Additionally, the Comptroller & Auditor General published a [report](#) examining the role and operation of the SEB in 2019. This report found significant weaknesses in the framework for the oversight of HR management, the arrangements available to enable the SEB to discharge its functions were poor and the SEB had not focused sufficiently on the monitoring of

¹ [Report - CSSP: People and Culture Review \(S.R.12/2021\) - 6 September 2021 - p.7-16](#)

² Ibid. - p.19

implementation of improvements. This was investigated further by a [follow-up report](#) in September 2022, which notably found that a significant recommendation from the 2019 report had not been implemented in relation to the need to fundamentally review the framework for the oversight of HR of the Government.³

The Response

The SEB published a [response](#) ('the Ministerial Response') to the original review in October 2021, which accepted 28 of the 41 findings while rejecting the other 13. Of the 24 recommendations, 13 were accepted, with 2 others partially accepted and the other 9 rejected.⁴ The SEB offered explanations for the rejections, of which the most notable were those that found certain recommendations to be either factually or evidentially inaccurate. It was considered that the original review did not have the necessary wider context, nor appreciation of prior work, in many of its findings.⁵

In response, a letter was [published](#) expressing concerns that one of the original report's findings had been misinterpreted and additionally questioned the process in which the SEB minutes were provided. The release further informed that the 2018-2022 Panel planned to formally consider the SEB's response,⁶ but no formal document was produced. There were many areas in the which the SEB provided an explanation of work undertaken and work expected to be undertaken, but this had not been monitored publicly. In November 2021, the SEB published the [Our People Strategy](#) which set out the long-term ambition to develop a "world-class public service."⁷

New Term of Government (2022-2024)

Following elections, a new term of Government commenced in June 2022, which resulted in a new Chief Minister and Council of Ministers in the Government. The new Chief Minister was voted by the States Assembly to be Deputy Kristina Moore, who had priorly served as Chair of the 2018-2022 Panel that launched and concluded the original review. Therefore, the findings and recommendations made within the original report were supported by Deputy Moore at the time of its presentation.

One of the top priorities⁸ of the 2022-2024 Government was to create a Cabinet Office⁹ that would coordinate the work of the Government and strengthen decision making. It was decided that the Cabinet Office would be led by the CEO and be directly accountable to the Chief Minister. However, the Chief Minister would delegate responsibilities to Assistant Ministers for different areas of the Cabinet Office. On 22nd March 2023 it was [announced](#) that the CEO had advised the SEB of her intention to resign after one year in the role.¹⁰

³ [Report - Comptroller and Auditor General: States Employment Board - Follow up - 8 September 2022 - p.5](#)

⁴ [Ministerial Response - States Employment Board Response to the Corporate Services Scrutiny Panel: People and Culture Review - 21 October 2022 - p.4](#)

⁵ Ibid. - p.3

⁶ [Public Statement - CSSP: States Employment Board Review response raises concerns for Scrutiny - 1 November 2021](#)

⁷ [Report - States Employment Board: Our People Strategy - 1 November 2021 - p.5](#)

⁸ [Article - 100 Day Plan deliver \(gov.je\) - 19 October 2022](#)

⁹ [Ministerial Decision - Establishment of Jersey's Cabinet Office \(MD-CM-2022-539\) - 31 August 2022](#)

¹⁰ [Public Statement - Head of the Public Service resigns \(gov.je\) - 22 March 2023](#)

This followed the resignation of two senior Health and Community Services managers, the Chief Officer and Chief Nurse, the previous month.¹¹ The publication of a [report](#) in August 2022 by Professor Hugo Mascie-Taylor, following the original review, made 61 recommendations to act upon a series of highlighted failings including allegations of bullying, lack of accountability and leadership concerns. It was raised that the culture was “potentially unsafe” for workers.¹²

Subsequently, the 2022-2024 Panel became aware of further concerns in relation to behaviour and culture within the Government from Ministers and public sector employees. These were also highlighted within the media and included:

- March 2023 - [claims by a whistle-blower](#) described a culture of blame and fear within the Government.
- April 2023 - [accusations from the Minister for Infrastructure](#) in relation to the Chief Minister’s leadership.
- May 2023 - [a formal complaint by Jersey’s Group Medical Director, Patrick Armstrong](#), against Ministers, which was made on 9th February 2023.

Following the CEO’s resignation, debate regarding the structure of the CEO role was reignited and considerations resurfaced regarding changes to the role and its structure.¹³ A timeline of the most influential internal and external reports can be found in Appendix 3.

Review Methodology

The follow-up review has analysed the outcomes of the original review as well as provided a contemporary analysis. When scoping the follow-up review, the 2022-2024 Panel identified the following key areas to address:

- To review whether the findings and recommendations of the original report have been considered and actioned. Where recommendations were rejected previously by the Government, to determine the new Government’s position with regard to these and the implementation thereof.
- To review the impact of the actions and implementation of the findings and recommendations of external reports to highlight any gaps or where actions remain outstanding.
- To establish the current status and developments regarding culture, behaviour concerns, bullying and harassment within the Organisation since the commencement of the new Government term and any changes or consideration for change to policies and strategies in relation to management of those areas and concerns identified.
- To consider the effectiveness of the grievances and disciplinary processes within the Organisation (including looking at processes for complaints, appeals, mediation and disciplinary procedure).

¹¹ [ITV News - Jersey's health boss and Chief Nurse to step down - 16 March 2023](#)

¹² [Report - Professor Hugo Mascie-Taylor: Review of Health and Community Services \(HCS\) Clinical Governance Arrangements within Secondary Care - 26 August 2022 - p.33](#)

¹³ [Letter - Chief Minister to CSSP: Resignation of the Government’s Chief Executive Officer - 6 April 2023](#)

- To consider the effectiveness of the current Be-Heard survey 2023 and to undertake a comparative analysis with the findings of the Be-Heard survey 2020 to measure its impact for change.
- To consider the impact of the high turnaround of CEOs on the public service and the leadership thereof.
- To consider the impact of the restructure of the CEO role on the Cabinet Office and the wider public service.
- To consider the effectiveness of the SEB in implementing and actioning the recommendations made within the various reviews and reports identified to implement changes to policy for securing improvements to workplace culture and employee wellbeing.

The full Terms of Reference for the follow-up review can be found in Appendix 1 of this report.

As part of its evidence gathering, the 2022-2024 Panel wrote directly to a number of targeted stakeholders, resulting in a variety of detailed submissions, and public hearings were held with the Chief Minister, the SEB and trade unions. Additionally, the Council of Ministers were individually contacted to develop an understanding of the working environment and policy status in each Government department as well as writing to the Chief Minister on several occasions with further inquiries and requests.

Attempts to engage with employees were made, initially through an intranet post encouraging all employees to share their experiences, but this elicited few responses. Additionally, departments were contacted directly to cascade feedback requests via email. Again, the response was poor. The results of the follow-up review's methodology can be found on the States Assembly [website](#).

Report Structure

Chapter 2 provides an overview of the existing policies and procedures within the SEB, setting the stage for detailed analysis. Commentary on the SEB's Ministerial Response to the findings and recommendations of the original review and further identified concerns in relation to policies, procedures and governance. With focus on:

- Evaluation of the procedures in place for addressing complaints of inappropriate behaviour, bullying, and harassment, including their effectiveness and areas for improvement.
- Examination of the grievance and disciplinary procedures, focusing on their effectiveness, impact, and any identified gaps.
- Discussion on how the policies and procedures influence the culture within the Government, including any positive transformations or persisting challenges since the original review.
- Detailed analysis of the findings related to OH, exploring the development of a more robust service.
- Exploration of the Whistleblowing Policy with a focus on assessing transparency and accountability.

Chapter 3 provides an overview of recruitment and retention challenges within the Government. Commentary on the Government's response to the findings and

recommendations of the original review and further identified concerns in relation to recruitment, retention and exit strategy. With focus on:

- Analysis of the reported issues around recruitment, such as delays and ambiguities in job descriptions.
- Exploration of the relationship between retention issues and staff wellbeing.
- Examination of exit interview processes to increase participation.
- Analysis of job descriptions and expectations to enhance recruitment and retention.

Chapter 4 contextualises the role of the SEB in improving employee wellbeing. Commentary on the Government's response to the findings and recommendations of the original review and further identified concerns in relation to the role of the SEB and the undertaking of its duties. With a focus on:

- Analysis of the steps taken following the reports published by external bodies, including the effectiveness and impact of these actions.
- Analysis of the actions taken and their outcomes in response to the 2020 and 2023 survey findings.
- Review of the implementation and impact of recommendations made.
- Identification of areas where recommendations have successfully improved practices and areas needing further attention.
- Discussion on the evolving relationship with trade unions based on recent communications and reports, evaluating the impact on workplace culture and employee relations.

Chapter 5 sets the context for discussing workplace culture and employee wellbeing within the Government. Commentary on the Government's response to the findings and recommendations of the original review and further identified concerns in relation to culture and wellbeing. With focus on:

- Examination of the prevalence and handling of inappropriate behaviour, bullying and harassment issues since the new term of Government.
- Discussion on how recent changes have affected the workplace culture and employee wellbeing.
- Examination of specific policies and procedures and their direct impact on workplace wellbeing.
- Suggestions based on the analysis to enhance the positive impact of policies and procedures on employee wellbeing.

Chapter 6 examines the impact of leadership roles within the Government. Commentary on the Government's response to the findings and recommendations of the original review and further identified concerns in relation to leadership. With focus on:

- Analysis of the impact of the role of the CEO and structural changes on the Organisation.
- Evaluation of how these changes have influenced the workplace culture and wellbeing of employees, including any notable improvements or challenges.
- Examination of the cultural impact of those in leadership roles and the wider effect on employees.

2 Policies, Procedures, and Governance

This chapter presents a detailed examination of the policies and procedures governing the SEB, focusing on their structure, implementation, and effectiveness in ensuring a professional and supportive work environment. The analysis is segmented into distinct sections, each addressing critical aspects of the SEB's policy framework.

As part of its research, the 2022-2024 Panel sent a number of requests to the Chief Minister to inform the follow-up review.¹⁴ While the majority of these requests were satisfied, the 2022-2024 Panel was unable to obtain minutes for the SEB's meetings, a request that was made during the original review and rejected in the Ministerial Response:

“Key Finding 1 (Not agreed): *The States Employment Board have not provided minutes to Scrutiny since November 2019. Despite an indication being provided to the Corporate Services Scrutiny Panel that they would be forthcoming; the Chair of States Employment Board has since confirmed that the minutes will not be provided.*

Recommendation 1 (Rejected): *The States Employment Board minutes from November 2019 to date must be provided immediately to the Corporate Services Scrutiny Panel and then on a regular quarterly basis to the Panel to ensure the actions of Government are subject to scrutiny.*¹⁵

Although initially rejected, the Chair of the 2018-2022 Panel who made this recommendation, Deputy Kristina Moore, was now the Chief Minister. During the follow-up review, these minutes were requested initially on 1st August 2023¹⁶, to which the Chief Minister replied on 24th August 2023 to inform:

“States Employment Board minutes: *These will be provided in redacted form where individual cases are discussed, or legal proceedings (or risk of proceedings) are in train.*¹⁷

The 2022-2024 Panel received a further update in a submission received from the SEB, advising:

“This SEB consider transparency an important aspect of contributing to regaining confidence with the Government. We can provide to minutes on a confidential basis to the [Corporate Services Scrutiny Panel]. Legal, individual, and current cases will be redacted. This SEB have would like to develop a summary communication on a quarterly of our meetings to be issued publicly to demonstrate the work we are undertaking.¹⁸

Further requests were sent on the [31st October 2023](#)¹⁹ and [2nd January 2024](#).²⁰ In response to the latter request, the 2022-2024 Panel was informed that the provision of minutes “will be a

¹⁴ [Research - People and Culture Follow-up Review](#)

¹⁵ [Ministerial Response - States Employment Board Response to the Corporate Services Scrutiny Panel: People and Culture Review - 21 October 2022 - p.5](#)

¹⁶ [Letter - CSSP to Chief Minister - 1 August 2023](#)

¹⁷ [Letter - Chief Minister to CSSP - 24 August 2023](#)

¹⁸ [Submission - States Employment Board - 15 September 2023](#)

¹⁹ [Letter - CSSP to Chief Minister - 31 October 2023](#)

²⁰ [Letter - CSSP to Chief Minister - 2 January 2024](#)

matter for consideration by the next States Employment Board.”²¹ The 2022-2024 Panel was thus unable to obtain minutes from the SEB, a request dating as far back as the research conducted in the original review in 2021.

In another recommendation, the original report discussed how the SEB may have been able to engage with experienced professionals who had not been involved in the process of drafting policies to provide a full technical review:

“Recommendation 13 (Rejected): ...All draft policies should undergo a full technical review, by an experienced professional engaged by the States Employment Board, who has not been involved in the process up to that date, to bring a fresh mind to the policy, who is able to stress check and challenge a policy against the core values of the Organisation, industry practice and appropriate legislation, and ensure it is consistent.”²²

In the Ministerial Response it was informed that: “the [States Employment] Board do not accept that additional overhead and administration is required in policy development.”²³ This approach was later reconsidered by the SEB, whose Vice-Chair informed during a public hearing:

Vice-Chair, States Employment Board

“I think when we started, one of the first things we did was looked at the policies. We were very keen that that went through the traditional consultation route, but also some of the groups that Mark spoke about from the D.E.I. (diversity, equity and inclusion) sector and so we need to embed those policies that we have just reviewed and take a view on feedback, whether we need to change them.

...

“We have asked on occasion for [trade] unions to give us examples of policies they use in other jurisdictions, for example, and that has been fed back to the department and was involved in some of the policy development.”²⁴

This suggests a more collaborative and inclusive approach to policy development that seeks to engage with relevant stakeholders but does not necessarily engage with experienced and independent professionals. It also highlights how different governments adopt significantly different approaches, a theme that will be considered throughout this report.

A key finding from the original report suggested that the current disciplinary policy required “significant review”:

“Key Finding 19 (Agreed): *The current disciplinary policy requires additional significant review. There are currently several separate documents, making the process complex and confusing.*”²⁵

While this finding was accepted, the outcomes will be explored throughout this chapter and touched upon throughout this report.

²¹ [Letter - Chief Minister to CSSP - 24 January 2024](#)

²² [Ministerial Response - States Employment Board Response to the Corporate Services Scrutiny Panel: People and Culture Review - 21 October 2022 - p.23](#)

²³ Ibid.

²⁴ [Public Hearing - States Employment Board - 20 November 23 - p.34](#)

²⁵ [Ministerial Response - States Employment Board Response to the Corporate Services Scrutiny Panel: People and Culture Review - 21 October 2022 - p.27](#)

General Policies and Procedures

This section provides an overview of the general policies and procedures that guide operations and employee conduct within the Government. It evaluates the clarity, coherence, and application of these policies, identifying areas of strength and potential gaps that may affect their effectiveness in managing workplace dynamics and resolving conflicts.

Centralised Human Resources Process

A submission received from Professor Hugo Mascie-Taylor identified a complex disciplinary process, especially for higher-level positions, highlighting inherent challenges posed by the adoption of the UK regulatory framework.²⁶ This complexity is exacerbated by a scarcity of HR professionals with the required experience, mirroring issues prevalent within the National Health Service (NHS).

Professor Hugo Mascie-Taylor

“It would seem sensible to me that the appropriate expertise should be available within [Health and Community Services] so that the weaknesses that I have observed in the NHS stop being repeated in Jersey.”²⁷

Such a scenario underscores the necessity for a review of HR processes to ensure they are both effective and comprehensible, particularly for those tasked with their implementation.

The original report evaluated the centralisation of HR functions and three key findings were made:

“Key Finding 27 (Agreed): *The One Gov Target Operating Model has sought to centralise functions such as Human Resources.*

Key Finding 28 (Agreed): *The implementation and introduction of the Target Operating Model is still underway in some departments and it may be many years before full benefit is realised.*

Key Finding 29 (Not agreed): *Although much of the overall H.R. function has been centralised it appears that responsibility of running day to day elements of H.R. procedures has been significantly placed upon line managers.”²⁸*

In the Ministerial Response it was informed that:

“The centralisation from departmental human resources teams to a group structure under the People and Corporate Services provides the opportunity for:

- *Greater oversight and consistency of workforce management*
- *Improved capacity for key functions, critical to managing the workforce*
- *Greater consistency in the development and application of pay, terms and conditions and policies*
- *Reducing inequality across the Organisation*
- *Professionalising functions such as learning and development, employee engagement, change management, case management etc.*

²⁶ [Submission - Professor Hugo Mascie-Taylor - 22 September 2023](#)

²⁷ Ibid.

²⁸ [Ministerial Response - States Employment Board Response to the Corporate Services Scrutiny Panel: People and Culture Review - 21 October 2022 - p.31](#)

- *Greater coordination and more effective use of resources for development, talent programmes, recruitment campaigns and change management.*²⁹

However, this approach was criticised in a letter received to inform the follow-up review by the previous Minister for Health and Community Services (HCS), who explained:

“The Chief Officer does actively work with the HR Business Partner who has been allocated by the central corporate HR function to support HCS. Notably, two challenges have been highlighted:

- *Using general policies/approaches for specialist professions, such as those related to recruitment, retention, and resolution; and*
- *Having HR functions assigned from a central function to departments rather than having these functions based within departments.*

“While I understand what seems to have been the general reasoning for creating the hub-and-spoke model, i.e., having HR and other functions like finance sitting centrally and then maintaining a dotted line to the relevant Chief Officer/Minister, it may be worth the Panel exploring the efficacy of this model and whether or not it needs revision, such as moving resources back to departments rather than holding resources centrally. This is particularly pertinent for a large and complex department like HCS.

“Finally, I have raised previously with the Chair and the Vice-Chair of the SEB that I am of the view that the SEB would benefit from seeking specialist advice on matters related to the medical profession. This would better place them to scrutinise/challenge the resource implications and the need.”³⁰

The perspectives of Professor Mascie-Taylor and the previous Minister for Health and Community Services both suggest that the One Gov Target Operating Model, where HR and other functions are held centrally, requires need for revision. Further, the need for specialist advice, particularly for professions within the Health and Community Services, has been emphasised. This underscores the importance of continuous review and adaptation of HR processes to ensure they are effective, comprehensible, and tailored to the specific needs of different departments and roles.

Application of Policies and Processes

The National Education Union³¹ (NEU) and Unite the Union³² (Unite) both voiced concerns over delays in handling complaints and grievances, alongside the uneven application of grievance and disciplinary procedures. These observations suggest that current practices may inadvertently shield management, thereby perpetuating cultural issues, as noted within HCS. Although there have been noted improvements, as a result of trade union initiatives and the publication of critical reports aiming to foster a better workplace culture, observations of inconsistent policy application across departments remain.

²⁹ [Ministerial Response - States Employment Board Response to the Corporate Services Scrutiny Panel: People and Culture Review - 21 October 2022 - p.31](#)

³⁰ [Letter - Minister for Health and Community Services to CSSP - 23 August 2023](#)

³¹ [Submission - National Education Union - 21 September 2023](#)

³² [Submission - Unite the Union - 15 September 2023](#)

National Education Union

“The SEB policies should apply universally, yet for education staff this is not the case. Overtime Policy, Voluntary work policy, Part time or Job-share policy, Flexitime Public sector policy do not apply in the same way to those who work in schools compared to other public sector employees. Policy on capping a pay scale (based on experience) for supply teachers is different to hourly rates for other employees pay grades. The effect of differences in the application of these policies across public sector pay groups means that this negatively effects workplace culture in education due to a lack of parity across these different public sector groups.”³³

Furthermore, the NEU’s concern over the non-uniform application of SEB policies highlights a significant disparity in benefits, particularly affecting the education sector, believing such inconsistencies can engender feelings of inequality and dissatisfaction, undermining the morale and cohesion among public service employees.³⁴ Similarly, Unite's acknowledgement of efforts to address HR-related concerns through changes in senior positions does not negate the ongoing issue of inconsistency in policy application, which continues to result in disparate treatment among employees.³⁵

These reports of inconsistent policy application support the suggestion by the previous Minister for Health and Community Services to examine the current model of centralising HR functions, with a view towards decentralisation. This approach could potentially offer a solution by tailoring HR practices more closely to the specific needs and cultures of individual departments.

The general advisement from Government departments³⁶ that policies and procedures are being followed contrasts sharply with the reported observations of inconsistency and bias by trade unions. This discrepancy indicates a gap between the perceived adherence to protocols and the experience of employees across the public sector.

Collectively, this evidence paints a picture of an HR system in need of thorough review and reform. There is a clear imperative to address the noted inconsistencies, complexity, and biases to create a more equitable, transparent, and effective HR framework that genuinely serves the needs of all employees within the Government.

Whistleblowing

The whistleblowing policy is assessed for its role in promoting transparency and accountability within the Organisation. This analysis considers the policy's effectiveness in facilitating the reporting of misconduct and the protections it offers to whistleblowers, aiming to understand its impact on organisational integrity and the willingness of employees to come forward with concerns.

³³ [Submission - National Education Union - 21 September 2023](#)

³⁴ Ibid.

³⁵ [Submission - Unite the Union - 15 September 2023](#)

³⁶ [Research - People and Culture Follow-up Review](#)

The original review explored the [whistleblowing policy](#) and produced two key findings and a recommendation, which resulted in a mixed reception in the Ministerial Response:

“Key Finding 16 (Agreed): *The Relaunch Whistle Blowing Policy contains typographical errors and has only been partially updated with variations in terminology being a prevailing issue throughout the document. The Flowchart does not highlight the ability of employees to refer to the confidential helpline and no confirmation on rates of use have been provided in a report format to the Panel to show the impact of the external line.*

Key Finding 17 (Not agreed): *The Whistleblowing policy relies heavily online managers to complete functions which in other organisations would be completed by either independent managers or trained specialists and does not take into account those scenarios where the management lines are the issue. Evidence provided to the Panel has confirmed this is a significant issue which needs to be addressed.*

Recommendation 15 (Accepted): *Before the end of the year, the States Employment Board should consider further the pathway for the reporting of whistleblowing allegations to include the ability to report directly to HR professionals rather than just line managers or an external helpline. The States Employment Board should also clarify the point at which allegations are reporting to it, in what format and its promotion strategy of the policy to the workforce to build trust and confidence.”³⁷*

Further, the Ministerial Response shared that “a refresh of the Whistleblowing policy, alongside an identifiable communications campaign will be undertaken by the end of 2021.”³⁸

As part of the research for the follow-up review, the 2022-2024 Panel contacted the Chief Minister inquiring what protective measures were in place for individuals who choose to whistle blow. In a letter dated 24th January 2024, it was explained that:

“Every effort is made to maintain confidentiality where an individual discloses their name and information is only shared with relevant and appropriate individuals under the Policy to manage the reported concern.

...

“Those involved in the Whistleblowing process are required to ensure confidentiality and discretion and safeguard the identity of the individual should they wish to remain anonymous.”³⁹

This sentiment was echoed in a public hearing with the SEB when a member stated that “[whistleblowing] is actively encouraged, whether it is via our speak up guardian or individually.”⁴⁰ However, there is a discrepancy between the SEB’s claim that whistleblowing is “actively encouraged” and the starkly contrasting perceptions among trade union members,

³⁷ [Ministerial Response - States Employment Board Response to the Corporate Services Scrutiny Panel: People and Culture Review - 21 October 2022 - p.25](#)

³⁸ Ibid.

³⁹ [Letter - Chief Minister to CSSP - 24 January 2024](#)

⁴⁰ [Public Hearing - States Employment Board - 20 November 23 - p.6](#)

which highlights a significant gap in the implementation and perceived efficacy of the whistleblowing policy within the Organisation.

Regional Officer, Unite the Union

“The whistle-blowing policy is not really worth the paper it is written on, to be perfectly frank. There is no whistle-blowing legislation in Jersey in terms of protections anyway so personally I would always recommend that my members use the grievance process rather than any whistle-blowing process.”⁴¹

Similarly, Jersey Civil Service Association Prospect's (Prospect) experiences with whistleblowing cases that "basically went nowhere"⁴² is compounded by the preference for the grievance process over whistleblowing, indicating a lack of faith in the system's ability to address concerns impartially and effectively.

These testimonies from trade union representatives criticise the existing policy as ineffective, highlighting a lack of genuine encouragement for whistleblowing and pointing to the absence of legal protections in Jersey that would otherwise bolster such a process. The sentiment that the policy is "not really worth the paper it is written on"⁴³ underscores the perceived inadequacy of the system to protect and empower employees in raising legitimate concerns.

The recent [case of Lucy Letby](#), who was able to commit heinous crimes while working at the Countess of Chester NHS Trust, is a tragic example of the urgent need for more robust whistleblowing measures within the healthcare sector. The NHS Whistleblowers group, representing hundreds of clinicians, shared its experience of a culture detrimental to patient safety, where those who bravely speak up about patient-safety concerns or unethical practices are often victimised and persecuted.⁴⁴

The phenomenon of staff failing to speak up due to fear of consequence was observed locally by Professor Hugo Mascie-Taylor in a 2022 report titled '[Review of Health and Community Services \(HCS\) Clinical Governance Arrangements within Secondary Care](#)':

“It was widely observed that incidents are not reported by staff because they are reluctant to be seen to do so. The reasons for this apparent reluctance are hard to determine but two concerning possibilities were raised by interviewees - first a belief that no useful learning would occur, only a protracted process and, secondly and alarmingly, a fear of some form of reprisal.”⁴⁵

Further, this issue was raised by the previous Minister for Health and Community Services, who explained the recent efforts in the department to “raise awareness of speaking up, and to encourage and normalise a culture where staff feel safe to raise concerns.”⁴⁶ One aspect of this approach was the creation of the Freedom to Speak Up Guardian, “a role established to ensure that staff within Health and Community Services can speak up about any issues which stop them from being able to deliver the best possible patient care.”⁴⁷ The 2022-2024 Panel,

⁴¹ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.23](#)

⁴² Ibid.

⁴³ Ibid.

⁴⁴ [BBC News - Letby inquiry: NHS staff want their voices heard - 22 March 2024](#)

⁴⁵ [Report - Professor Hugo Mascie-Taylor: Review of Health and Community Services \(HCS\) Clinical Governance Arrangements within Secondary Care - 26 August 2022 - p.11](#)

⁴⁶ [Letter - Minister for Health and Community Services to CSSP - 23 August 2023](#)

⁴⁷ [News Release - First Freedom to Speak Up Guardian appointed \(gov.je\) - 19 January 2023](#)

upon enquiry, learnt that the Guardian had been contacted by 63 individuals across the department between February 2023 and November 2023.⁴⁸

The Freedom to Speak Up Guardian initiative was advocated by both Unite and Prospect in a public hearing,⁴⁹ signalling a collective recognition of the need for a more robust and supportive whistleblowing infrastructure. The positive experience in the health sector with this initiative serves as a testament to its potential utility across other departments, suggesting that a similar approach could foster a more open and trusting environment for raising concerns.

5-Day Fact-Finding

Focusing on the procedural approach to addressing complaints and grievances, this section reviews the 5-day fact-finding process. The efficiency, adherence to the prescribed timeframe, and the outcomes of this expedited process are examined to evaluate its contribution to resolving workplace issues promptly and fairly. This was an issue highlighted during the original review and resulted in a recommendation that was accepted in the Ministerial Response:

“Recommendation 14 (Accepted, and completed): The States Employment Board must immediately review investigation timescales to identify ways to significantly reduce the time taken to complete an investigation. This should include researching how the administration can be streamlined, or support given to managers to undertake and the time periods allowed for investigation. The States Employment Board must consider dedicated investigators for the investigation process, and / or outsourcing some of the investigations, to enable timely resolution of issues.”⁵⁰

In the Ministerial Response, it was informed that plans were underway to introduce the pilot of “a 5-day fact find, before entering into any formal process, reducing the need for full investigations, and reducing the period of anxiety for employees under investigation.”⁵¹

The intention behind the implementation of 5-day fact-finding processes was to streamline HR procedures, ensuring swift resolution of issues without prolonged periods of uncertainty for involved parties. This approach was conceived as a means to alleviate the stress and anxiety associated with disciplinary investigations, aiming to bring about prompt determinations on actions required, be it disciplinary measures or training.

Chief People and Transformation Officer

*“We have introduced the 5-day fact find, which I know some of the trade unions welcomed and others have said that they have some concerns about it. In the main, what that has done is allow us to look at whether or not it is appropriate to use resources for a formal investigation or whether there are other ways of dealing with that. I think that has been beneficial.”*⁵²

⁴⁸ [Letter - Chief Minister to CSSP - 24 January 2024](#)

⁴⁹ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.22](#)

⁵⁰ [Ministerial Response - States Employment Board Response to the Corporate Services Scrutiny Panel: People and Culture Review - 21 October 2022 - p.23](#)

⁵¹ Ibid. - p.24

⁵² [Public Hearing - States Employment Board - 20 November 23 - p.10](#)

However, a testimony from the President of JCSA Prospect during a public hearing revealed a significant deviation from this intended quick turnaround. The reality, as described, sees these 5-day inquiries frequently extending into weeks, undermining the process's effectiveness and the wellbeing of those involved.

President, JCSA Prospect

“What the problem is, and I still see it, is that because of the staff that are trained to do those 5-day fact-finders, is the majority of them are 5 weeks or 10 days... 5 days’ fact-find is truly a great idea. However, unfortunately, the majority of those 5-day fact-finders are well into weeks.”⁵³

Further complicating this issue, Unite's contribution at the same public hearing highlights a concerning trend of manipulation within the 5-day fact-finding framework. Unite’s criticism observed that certain individuals were exploiting the process, not with the aim of swiftly resolving matters or upholding justice but rather for pursuing ulterior motives. This misuse involves extending investigations beyond the allocated 5 days under the guise of thoroughness, which, in effect, deviates from the process's intended purpose of determining the merit of a case expediently.

Regional Officer, Unite the Union

“...again it is people taking control of the situation, abusing the position of the 5-day fact-find and looking for something. Taking time to look for something is totally different than taking the 5 days to establish whether or not the case has merit or not.”⁵⁴

Such testimonies underscore a systemic problem within the HR processes, where the mechanisms designed to ensure fairness and efficiency are not being utilised as originally planned. Instead of serving as tools for quick resolution and clarity, these processes have reportedly been subjected to misuse, leading to unnecessary delays and potentially exacerbating the very issues they were designed to mitigate. These findings suggest a need for reforms to prevent abuse and ensure that the processes function as intended, promoting fairness, efficiency, and transparency.

Occupational Health

This section explores the provision of OH services in the Government, particularly the range and accessibility of these services to employees. Further, it investigates how effectively the services address physical and mental health needs, including workplace stress, and identifies opportunities for enhancing the support framework to better serve employee wellbeing.

The evidence collected highlights a critical concern regarding the impersonal nature and perceived inadequacy of the OH services currently provided to the Government employees through a third-party service, currently supplied by AXA Health Services Ltd. While the Chief Minister's response on 24th January 2024 outlines the availability of a range of OH services, including 24/7 helplines and mental wellbeing apps,⁵⁵ the feedback from Unite during a public

⁵³ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.17-18](#)

⁵⁴ Ibid. - p.18

⁵⁵ [Letter - Chief Minister to CSSP - 24 January 2024](#)

hearing indicates significant shortcomings in how these services are communicated, accessed, and perceived by the workforce.

Regional Officer, Unite the Union

"I know that they use AXA support for mental health issues and things like that, but genuinely I do not think the staff are signposted in the right manner. Or it is not promoted well enough, in my opinion. Mental health is on the rise across the board anyway and staff wellbeing, et cetera, is crucial. I think the use of occupational health is almost ... not frowned upon, but people are apprehensive to make the approach still. Especially in the demographic ... I think male colleagues tend to use mental health support less statistically than what female colleagues do, for example.

...

"We are hearing that the timescale for AXA to deal and support employees has got too much."⁵⁶

Unite's testimony reveals a fundamental issue with the promotion and signposting of OH services, suggesting that employees are not adequately informed about or encouraged to use the available resources. This is particularly concerning in the context of rising mental health challenges, where the stigma or apprehension surrounding the use of OH services may be even more pronounced among certain demographics, such as male employees.⁵⁷ Unite's observation that the timescale for AXA's response and support is considered excessive by employees further underscores the need for a more effective and responsive OH service.

Moreover, the impending expiration of the AXA contract on 31st October 2024⁵⁸ presents an opportunity for the Government to reassess its approach. Plans to develop the Government's OH approach were outlined by the Chief Minister in a letter on 24th January 2024, who shared intentions to:

"5. Complete a research project to establish what 'good' Occupational Health services look like and would be relevant for Jersey. The intention being that this will inform the approach for what needs to be contracted / commissioned for a future Occupational Health service when the current contract expires.

"6. Scope out the requirements and specification for future Occupational Health service requirements and complete the commercial tender requirements and exercise to secure the right service provision for Q4 2024 and beyond."⁵⁹

It was, however, stated that "this will be a matter for the new Chief Minister and the States Employment Board to consider."⁶⁰

Regional Officer, Unite the Union

"One thing I would say, and for an Organisation of this magnitude, you have the ability to bring such support for wellbeing in-house. Directly employ. It would probably be cheaper for you to do so than what it would to use the likes of a huge

⁵⁶ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.32-33](#)

⁵⁷ Ibid. - p.32

⁵⁸ [Freedom of Information office - AXA Occupational Health contract 2016 to 2022 \(gov.je\) - 25 July 2023](#)

⁵⁹ [Letter - Chief Minister to CSSP - 24 January 2024](#)

⁶⁰ Ibid.

Organisation such as AXA, or whoever they move to. So bringing even just the support for wellbeing, stress and anxiety, some support inhouse, funding that, and having that direct support at local locations, in the offices or in their places of work, that may be an option. I see that in other large employers of this magnitude.”⁶¹

Unite's suggestion to explore alternative providers or models, including the potential for bringing wellbeing support in-house, merits serious consideration. An in-house model could offer a more personalised and immediate support system, potentially enhancing the accessibility and utilisation of OH services among employees. Such a shift could also address the current perception of OH services as impersonal and the reported hesitancy among employees to engage with these services.

Further, Unite's recommendation to directly employ wellbeing support staff and locate services within local work environments highlights a broader trend among large employers towards integrating wellbeing initiatives more closely within the organisational structure.⁶² This approach not only facilitates easier access to support for employees but also signals a stronger commitment by the employer to the wellbeing of its workforce.

In a submission received by Dr Chris Edmond, it is noted that the Government is lacking in its approach to OH in comparison to other jurisdictions, citing that the Government “does not currently employ directly any OH expertise and does not have a unifying OH & Wellbeing Strategy.” Dr Edmond continues to advocate for a “strategic focus on a joint-up, well-resourced, specialist OH service provision on-island for the benefit of all staff” which has significant potential to support employee wellbeing and in-turn productivity.⁶³

By considering such recommendations, the Government could significantly improve the effectiveness of its OH services, fostering a workplace culture that more actively supports and promotes employee wellbeing. In addressing the identified issues of impersonality, lack of adequate promotion, and the need for a more accessible and responsive OH service model, the Government can ensure that the wellbeing of all employees is supported and prioritised more effectively in future.

⁶¹ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.34](#)

⁶² Ibid.

⁶³ [Submission - Dr Chris Edmond - 4 November 2023](#)

3 Recruitment, Retention and Employee Exit Strategy

This chapter assesses the recruitment and retention challenges facing the Government, highlighting the crucial factors that influence the efficiency of recruitment processes and the effectiveness of strategies aimed at retaining skilled employees. The examination is structured into three main sections, each focusing on a significant aspect of the employment lifecycle: recruitment, retention, and the employee exit strategy.

Recruitment

The analysis begins with a critical examination of the recruitment process, pinpointing reported issues such as delays in filling vacancies and the lack of clarity in job descriptions. This section aims to uncover the underlying causes of these challenges and their implications for attracting suitable candidates. By scrutinising the recruitment procedures, the goal is to identify actionable insights that can streamline processes and ensure job descriptions are both accurate and appealing to potential applicants.

Recruitment and Employment Packages

In October 2023, it was reported in the [media](#) that forty-five HCS workers were being moved out of their Government-subsidised accommodation.⁶⁴ A resounding message of creating a “fairer system”⁶⁵ was expressed by both the previous Minister for Health and Community Services, as well as the previous Vice-Chair of the SEB in a public hearing:

Vice-Chair, States Employment Board

“A lot of work has been undertaken there to try and make that a fairer system. If people are coming into that type of accommodation, it needs to be very clear from the outset the length of time that they are there for that period and how much people pay for that as well.”⁶⁶

In a public hearing with trade unions, the 2022-2024 Panel discussed the Government’s recruitment strategy with Unite and Prospect:

Regional Officer, Unite the Union Jersey

“Although they are quite desperate to bring people from other jurisdictions, they are putting people potentially in a position of debt because of the relocation packages, which we do not think are significant enough because they are automatically absorbed as soon as they come to the Island....”

Deputy S. Y. Mézec

“So on those packages for recruitment and relocation, are you getting much feedback of people looking at that package before they take up a role and then

⁶⁴ [Bailiwick Express - Health staff to be relocated to make space for other key workers - 20 October 2023](#)

⁶⁵ Ibid.

⁶⁶ [Public Hearing - States Employment Board - 20 November 23 - p.4](#)

saying: “No, thank you” and changing their minds on it, or are you getting much feedback from people who do take up those packages and then suddenly the maths hits them and they realise that it is more difficult than they thought?

Regional Officer, Unite the Union Jersey

“...what we do see is the amount or the package not being enough.

...

“...there is a housing stock that the Government hold and for key positions and essential positions they have released up to 100, I think it is, or 110 of the housing stock. Now, that has a counterproductive effect because what happens then is you have over 100 people potentially and their families being given eviction notices last October to evict, to step away from the properties that the Government has provided, in February of this year. That is to release the housing to provide it to the new essential skills coming to the Island, but it is putting these people in a predicament where they have suddenly effectively had a £1,000 pay cut because they now have to go into the private sector after being supported. Yes, the guidance on the system, and it was mismanaged I think by Government as well, where these individuals with key skills and essential skills were offered 12 months’ accommodation as part of their relocation, some of them have been in there 12 years. So it has just caused a problem and these people ... you may be bringing 100 new people and their families to the Island, but you could be creating a point where 100 people could leave.”⁶⁷

The criticisms voiced by Unite regarding the inadequacy of relocation packages offer a glimpse into the broader challenges faced by new recruits, especially those relocating from other jurisdictions. Unite’s concern that these packages do not sufficiently cover the high cost of living on the Island, including basic necessities such as housing, utilities, and transportation, reflects a significant oversight in the recruitment strategy. This oversight risks attracting candidates under potentially misleading pretences on the affordability of life in Jersey, setting them up for financial strain upon arrival.⁶⁸

Accommodation was also recognised as a significant issue, especially for non-locals who may have difficulty in anticipating how they will adapt after moving. Although the Government has allocated a portion of its housing stock for key and essential positions, this initiative has been mismanaged, resulting in evictions that increase financial burdens for families and open up the potential for instability via mass exoduses of staff as well as reputational damage.⁶⁹

Regional Officer, Unite the Union

“What I asked for in the last feedback session that we received about this package and about how it is shaped for individuals and the offer that is being made to individuals from other jurisdictions, I asked for the costs of local services, goods in the supermarkets, utility costs, to also be presented within this relocation package to people so they understand the true costs; parking, for example, housing, rent. You could go on and on and on. You can only present so much but it has to be a

⁶⁷ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.4-5](#)

⁶⁸ Ibid.

⁶⁹ Ibid. - p.6

*realistic position. Otherwise you are duping people into coming to the Island that cannot afford to live here, quite frankly.*⁷⁰

While there are positives recognised in the recruitment process, there is a need to reassess and enhance recruitment packages to accurately reflect the cost of living in Jersey, thereby ensuring that new recruits are fully informed and financially prepared for the move. Addressing these issues, alongside streamlining the recruitment process and ensuring its fairness and transparency, is essential for attracting and retaining high-calibre talent, crucial for the effective functioning of the public sector.

Delayed Recruitment Process

In a submission received from the previous Minister for Health and Community Services, it was identified that “staff have claimed that applicants have withdrawn their applications due to lengthy HR procedures.”⁷¹ This is a sentiment shared in Professor Hugo Mascie-Taylor’s observations about the protracted nature of the recruitment process and a possible bias towards candidates with local connections, which raises additional concerns about fairness and inclusivity.⁷² Such practices not only risk overlooking the most suitable candidates but also perpetuate a culture that may be viewed as insular or discriminatory.

Professor Hugo Mascie-Taylor

“A further issue which I have encountered on several occasions is recruitment and the extraordinary length of time it takes to recruit senior managers. The process often takes so long that excellent candidates who would contribute very significantly are lost to Jersey.

...

“A second issue in recruitment is a commonly stated view that it is important that candidates have Jersey links, and it is implied that these candidates should be favoured. I have seen this approach before, particularly in the Middle East. I can understand the feeling, but I think Government should lead and make explicit whether their desire is to appoint the best candidate, irrespective of their background. or whether they regard links with Jersey as more important.”⁷³

The evidence highlights significant concerns around the Government’s recruitment process. They both identify lengthy HR procedures as a deterrent for potential applicants and a protracted process that not only risks losing excellent candidates, but also raises concerns about fairness and inclusivity. Therefore, it is crucial to address these issues to ensure a fair, inclusive, and efficient recruitment process. However, some improvements in the recruitment process have also been noted by Prospect:

President, JCSA Prospect

“Whereas now I am led to believe there is a recruitment team and that they work with people who apply for jobs from day one and stick with them until they get here. Since that started I have not been getting feedback that they have been misled or ... I will not go ... it is not deceived but have been given the shiny sun and sand, as

⁷⁰ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.7](#)

⁷¹ [Letter - Minister for Health and Community Services to CSSP - 23 August 2023](#)

⁷² [Submission - Professor Hugo Mascie-Taylor - 22 September 2023](#)

⁷³ Ibid.

James has said. They are giving them the facts and I think that is how the S.E.B. told us they had improved employment in schools was by these recruitment teams working directly to get them into what is happening as opposed to the promises.”⁷⁴

While the introduction of recruitment teams may have improved transparency and support for candidates, the persistence of significant delays in the recruitment process were also reported by both trade unions,⁷⁵ suggesting ongoing inefficiencies remain that could deter potential candidates and exacerbate staffing shortages.

Job Descriptions

A letter from the Chief Minister on 17th November 2023 provided the 2022-2024 Panel with a sample of job descriptions, in which one role in particular requested a "high degree of empathy"⁷⁶ as a required attribute without specificity regarding how such an attribute would be assessed or valued. This ambiguity not only complicates the recruitment process but also sets unclear expectations for potential candidates regarding the competencies and values deemed essential for the position.

Additionally, all of the sample job descriptions provided state that “appointees to this role will be required to adhere to and perform their duties in line with the standards identified in the Government Tier 6 core accountabilities attributes and behaviour indicators,”⁷⁷ but these standards are not provided in the job description, nor available upon further research. This omission could lead to confusion among potential candidates about the expectations and requirements of the role. It also hinders transparency in the recruitment process, as candidates are unable to fully understand the criteria against which they will be assessed. Further, it was shared by Unite that they were not involved in the process of job roles being created and advertised, citing another instance where local expertise is not utilised.⁷⁸

There is growing research and understood importance in the role emotions play in leadership and decision-making,⁷⁹ indicating a critical need for the Government to undertake a thorough review of its job descriptions to ensure they are both clear and reflective of the demands and values of the roles whilst ensuring emotionally intelligent individuals are identified and recruited for management roles.

Retention

Retention of employees is a common area of concern in the submissions provided, particularly in how the challenges in retention are interconnected with staff wellbeing. This analysis considers the factors that contribute to employee satisfaction and engagement, assessing how current practices support or hinder the retention of talent.

The original review found a concerning level of staff turnover within the Government. Additionally, it was highlighted that a significant number of employees indicated in the 2021 Be Heard survey that they might wish to leave the Government, a sentiment again expressed

⁷⁴ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.6](#)

⁷⁵ Ibid. - p.7-9

⁷⁶ [Letter - Chief Minister to CSSP - 17 November 2023](#)

⁷⁷ Ibid.

⁷⁸ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.5](#)

⁷⁹ [Rice Business School - Mood Swing: The Hidden Role of Emotion in Decision Making - 29 January 2018](#)

in the 2023 Be Heard survey,⁸⁰ displaying a continuing trend that could potentially impact succession planning and create a skill deficit.

Further, the original review made a recommendation, which was accepted, suggesting that the SEB should ascertain and publish staff turnover by department as soon as possible. This recommendation also suggested the use of enhanced exit interviews to identify any issues causing departures and remedying these issues promptly, which will be explored in the next chapter.

“Key Finding 39 (Not agreed): *There is a concerning level of staff turnover within the Government. The severity of this is unclear, however a large proportion of employees have indicated in the Be Heard survey that they may be wishing to leave the Government and this may impact succession planning or create a skill deficit.*

Recommendation 23 (Accepted): *The States Employment Board should ascertain and publish staff turnover by department as soon as possible, using tools such as enhanced exit interviews to identify any issues causing departures and remedying these issues as able.”⁸¹*

The Ministerial Response addressed these two areas of concern by claiming that there was “no evidence that staff turnover is a concern” and believing that the Be Heard survey results did not require concern as “the Be Heard question, referred to in Finding 39, references if people had another job to go to, not an intention to leave.”⁸² However, despite this confusion in the interpretation of the survey results, a similarly phrased question featured in the 2023 survey.

Contrary to the Ministerial Response, Unite expressed in a public hearing that the Government’s headcount and turnover rates were considered “higher than any expected employer of this size in other jurisdictions.”⁸³ This discrepancy between the Ministerial Response and the observations of Unite suggests a need for further investigation and transparency in reporting and understanding staff turnover. A recent written question brought to light the turnover figures for recent years, which displays a trend showing an increasing number of people leaving employment in the Government.⁸⁴

The evidence gathered from various sources within the Government paints a vivid picture of the challenges faced by staff due to workload saturation and the disparities in treatment and compensation between permanent and locum staff:

Regional Officer, Unite the Union

“Because clearly providing the services, especially within Health, we see difficulties and our representatives who are the boots on the ground are feeding back to us that, one, the staff are oversaturated with workload and covering vacancies and

⁸⁰ [Freedom of Information Office - Be Heard survey \(gov.je\) - 29 December 2023](#)

⁸¹ [Ministerial Response - States Employment Board Response to the Corporate Services Scrutiny Panel: People and Culture Review - 21 October 2022 - p.38](#)

⁸² Ibid.

⁸³ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.39](#)

⁸⁴ [Written Question \(WQ.456/2024\) - Deputy Alves to the SEB - 13 November 2024](#)

*vacant positions but the services are not really ... well, they were especially at breaking point.*⁸⁵

Unite's public hearing testimony highlights the critical issue of staff being overwhelmed with workloads, covering for vacancies, and reaching a breaking point, especially within HCS. This situation not only strains the existing workforce but also significantly impacts staff retention, as the continuous demand exceeds the supply of available and willing permanent staff.

President, JCSA Prospect

*"[re locum staff and unfair treatment] If you all have to work Christmas and everyone else is going off for Christmas and they are being paid more and they 10 are getting more leave in certain cases, it destroys them."*⁸⁶

Prospect's feedback further illuminates the issue, noting the unfair treatment and morale impact when locum staff receive greater pay and additional benefits, such as more leave during in-demand periods such as Christmas. This disparity is reported to create a divisive environment, undermining the cohesion and morale among the permanent workforce who feel undervalued and overworked in comparison to their locum counterparts.

The reliance on interim staff, as identified by Prospect in its submission, stems from uncompetitive employment packages that fail to attract permanent recruits, necessitating a stop-gap approach that ultimately costs more and offers less stability to the service.⁸⁷ This approach not only affects the morale of permanent staff but also signals a deeper issue within the recruitment and retention strategy, highlighting the need for a reassessment to make employment packages more competitive and appealing.

Furthermore, the general perception across departments, as noted by Prospect, is that a significant portion of the workforce is engaged on non-permanent contracts, exacerbating the sense of job insecurity and contributing to a transient workforce culture. With 650 individuals on fixed-term contracts as of April 2023,⁸⁸ plus more on temporary contracts, there is a clear call for action to address these systemic issues by enhancing remuneration packages and fostering a more stable employment environment.

A letter from the previous Minister for Health and Community Services' underscores the importance of work/life balance and flexibility as critical factors influencing staff decisions to join or leave the service.⁸⁹ The acknowledgment that these expectations are not being met for staff points to a need for a fundamental shift in how workloads and employment conditions are managed and structured, aiming to meet the needs and expectations of the workforce more effectively.

The evidence suggests a pressing need for the Government to address a number of factors to increase retention, notably workload saturation and the disparities in treatment between permanent and locum staff. By reassessing employment packages, focusing on local skill development, and offering competitive and fair compensation and benefits, the Government can work towards improving staff morale, retention, and ultimately the quality of public services provided.

⁸⁵ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.3](#)

⁸⁶ Ibid. - p.9

⁸⁷ [Submission - JCSA Prospect - 15 September 2023](#)

⁸⁸ Ibid.

⁸⁹ [Letter - Minister for Health and Community Services to CSSP - 23 August 2023](#)

Employee Exit Strategy

The Government acknowledges the importance of understanding employee departures as a critical element of HR management. The exit interview process stands as a key feedback mechanism designed to capture the reasons behind employees choosing to leave their positions. This chapter aims to critically evaluate the current exit interview strategy employed by the Government, identifying strengths, pinpointing areas requiring reform, and proposing improvements to enhance its effectiveness.

According to a letter from the Chief Minister dated 24 August 2023, all departing employees are offered the opportunity to partake in an online exit interview and participants in this process can opt for further discussion about their responses, with the aim of gathering comprehensive insights.⁹⁰ Despite this structured approach, the effectiveness and participation rates of the exit interviews have been subjects of scrutiny and concern.

A finding from the original report highlighted a significant lack of policy determination by the SEB regarding the exit interview process. This absence of clarity was identified as a hindrance to the SEB's ability to compile and analyse exit data effectively, a crucial step for understanding and addressing employee turnover.⁹¹

Additionally, a recommendation in the original report proposed that by the end of Quarter 4 2021, the SEB should have produced a policy paper outlining its objectives for the exit interview process.⁹² In the Ministerial Response, the SEB did not accept or agree with the finding or recommendation:

“Key Finding 18 (Not agreed): *Policy has not been determined by the States Employment Board for the exit interview process. This lack of clarity is not enabling the States Employment Board to build suitable data and analyse the results.*

Recommendation 16 (Rejected): *Before the end of Quarter 4 2021, the States Employment Board should produce a short policy paper confirming its objectives for the exit interview process to fulfil its requirements to a suitable standard under the Employment of States of Jersey Employees (Jersey) Law 2005.”⁹³*

While this recommendation was rejected, the Ministerial Response explained the involvement of the Business Improvement Team, which aimed to refine the leaver process.⁹⁴ Despite these efforts, exit interview participation has seen a decline since 2021 (refer to the infographic at the chapter's conclusion).⁹⁵ In a public hearing with the SEB, the Vice-Chair acknowledged the necessity of more face-to-face exit interviews, stressing that relying solely on opt-in online forms may not suffice for capturing genuine employee feedback:

Vice-Chair, States Employment Board

“Well, on my to-do list I have exit interviews at the top of it. We need to do more face-to-face exit interviews, in my opinion. In fact, the Chief Minister and I sanctioned some work several months ago to be done in Health on exit interviews,

⁹⁰ [Letter - Chief Minister to CSSP - 24 August 2023](#)

⁹¹ [Report - People and Culture Follow-up Review - 6 September 2021 - p.50](#)

⁹² Ibid.

⁹³ [Ministerial Response - States Employment Board Response to the Corporate Services Scrutiny Panel: People and Culture Review - 21 October 2022 - p.26](#)

⁹⁴ Ibid.

⁹⁵ [Written Question \(WQ.456/2024\) - Deputy Alves to the SEB - 13 November 2024](#)

which we were disappointed to find out had not been carried out. It is one thing to have a system where the employee who is leaving the Organisation can opt in to complete that form, but my personal belief is we need more face-to-face interviews and that is not necessarily undertaken by the manager, who may be the reason why the individual is leaving the Organisation, but unless we know why people are leaving, we will not be able to change that.”⁹⁶

The reluctance among employees to engage in exit interviews was believed to be rooted in concerns over future employment within the Organisation, as suggested by evidence from Prospect, who reported a prevailing fear that honest feedback could compromise future employment opportunities within Jersey, indicating a trust deficit in the confidentiality of the process.⁹⁷

President, Jersey Civil Service Association Prospect

“To be fair, I still feel as I do, but they are ... you have got the head of 2 main reasons as why they would not engage. They either want out and gone for ever or they want to get out and: “I might have to come back.” Jersey is not that big.

Deputy L.J. Farnham

“Do you believe introducing a mechanism where feedback from exit interviews could be reported to an independent body, perhaps, to help improve trust?

Regional Officer, Unite the Union Jersey

“Independent body not so much because unless you fully expand the reasons for leaving and it is not a selection tick-box exercise, you allow them to, let us say, take part in it openly with maybe anonymity so their name is not put to it. Then you are going to get the real honest position. Because I think a lot of it will be cultural and bullying, harassment, and people will just tick “Leaving the Island”, or they will tick “Going to another employer.” They will not open up and tell the absolute truth because, as Chris said, they might not want to burn their bridges. If they are given full anonymity ... if independent people ran the exit interviews and provided you with the data, fully protective of any ... they give them full anonymity, that might help.”⁹⁸

Both trade unions suggest that anonymity and the involvement of independent parties in conducting exit interviews could encourage more honest and open participation and foster a more trusting environment for departing employees to share genuine insights into their reasons for leaving.

Moreover, the general advice from Government departments⁹⁹ that the majority of reasons for leaving do not indicate widespread bullying and harassment may overlook underlying issues not captured due to the current exit interview process' limitations. This discrepancy between reported reasons for departure and the anecdotal evidence from trade unions suggests that the process may not effectively elicit honest responses, thereby missing opportunities for candid feedback which suggests the process requires significant reform to become an effective tool for organisational learning.

⁹⁶ [Public Hearing - States Employment Board - 20 November 23 - p.35](#)

⁹⁷ [Submission - JCSA Prospect - 15 September 2023](#)

⁹⁸ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.40](#)

⁹⁹ [Research - People and Culture Follow-up Review](#)

**Number of people leaving Government employment over the last three years,
by department, and how many of them completed an exit interview.**

EMPLOYEE DEPARTURES

Department	2020	2021	2022	2023*
Chief Operating Office	12	29	40	37
Children, Young people, Education & Skills	149	215	199	197
Customer and Local Services	25	34	37	32
Department for the Economy	2	5	8	6
Department of External Relations	1	1	3	2
Health and Community Services	256	228	205	178
Infrastructure and Environment	28	48	70	63
Justice and Home Affairs	48	56	78	48
Non-executives and legislature	16	27	60	23
Office of the Chief Executive	5	8	10	7
Strategic Policy, Planning and Performance	9	60	50	36
Treasury and Exchequer	18	33	37	34
TOTAL	569	744	797	663

*as of November 2023

% EXIT INTERVIEW COMPLETED

Department	2020	2021	2022	2023 (YTD)
Chief Operating Office	13.60%	16.30%	22.60%	13.20%
Children, Young people, Education & Skills	10.30%	16.10%	18.80%	14.20%
Customer and Local Services	44.00%	42.90%	31.90%	44.40%
Department for the Economy	0.00%	14.30%	22.20%	0.00%
Department of External Relations	0.00%	0.00%	0.00%	100%
Health and Community Services	12.90%	17.40%	14.90%	10.10%
Infrastructure and Environment	25.50%	28%	37.20%	29.80%
Justice and Home Affairs	12.10%	80.60%	29.20%	45.90%
Non-executives and legislature	31.80%	14.70%	7.80%	25.00%
Office of the Chief Executive	33.30%	33.30%	28.60%	16.70%
Strategic Policy, Planning and Performance	7.10%	3.40%	9.10%	7.20%
Treasury and Exchequer	29.60%	36.80%	22.40%	64.30%
TOTAL	14.90%	21.70%	19.90%	18.70%

4 Effectiveness of the States Employment Board

The SEB plays a pivotal role in shaping the Organisational culture and employee wellbeing within the Government. This chapter critically evaluates the SEB's actions in response to external reviews, survey findings, and its engagement with trade unions, aiming to assess the impact of these initiatives on workplace dynamics.

SEB Response and Engagement with External Bodies

In the original review a number of findings and recommendations were made in relation to inconsistent policy implementation that impacted the stated values of the Organisation, which were responded to in the Ministerial Response as:

“Key Finding 12 (Agreed): *The Unions have raised concerns regarding inconsistent policy implementation which could compromise the organisation’s stated values and needs to be resolved.*

Recommendation 11 (Rejected): *Ah-hoc reviews of policy implementation should be immediately completed by the States Employment Board on a quarterly basis to reduce inconsistencies.*

Recommendation 12 (Accepted): *The States Employment Board must ensure a code of conduct is adopted by the senior leadership team prior to the end of 2021.*¹⁰⁰

In the Ministerial Response, it was informed:

*“We do not agree that ad-hoc policy implementation reviews are a good use of resources. The issues that are already known need capacity and time to address. We are then putting in place continuous review and learning from cases. This systemic approach is preferable to ad hoc reviews that may result in the risk that ad hoc changes to one policy creates dis-alignment with other policies leaving us back in the same position of incompatibility and inconsistency between policies.”*¹⁰¹

In the Whistleblowing section of this report, it was identified that the whistleblowing policy was not fit-for-purpose for the Government, suggesting that the adopted approach outlined previously has not had the desired outcome. It should be reconsidered by the Government as to whether ad-hoc reviews of policy implementation may be of benefit to reduce inconsistencies and improve the quality of policies.

Significant cultural improvements within the Government have been observed in submissions received for the follow-up review. Unite's submission, in particular, notes that engagement between senior employee relations and the SEB has been instrumental in facilitating these cultural shifts. Notably, the recommendations from the Comptroller and Auditor General reports in 2019 and 2022 were identified as crucial to the positive change in senior management's approach to cultural issues, indicating a commitment to addressing and

¹⁰⁰ [Ministerial Response - States Employment Board Response to the Corporate Services Scrutiny Panel: People and Culture Review - 21 October 2022 - p.20](#)

¹⁰¹ Ibid.

amending long-standing challenges.¹⁰² Further, the report and recommendations by Professor Hugo Mascie-Taylor in August 2022 were identified by Unite to have catalysed a significant overhaul within HCS,¹⁰³ targeting departments plagued by cultural challenges.

While notable progress has been made in improving the workplace culture and employee wellbeing, ongoing efforts are essential to sustain and build upon these achievements. The SEB, in collaboration with trade unions and departmental leadership, must continue to address the evolving challenges within the organisational environment, ensuring that the Government remains a supportive and inclusive place to work.

Be Heard and Other Surveys

The SEB places significant emphasis on the value of employee feedback as a cornerstone for fostering a positive work environment within the Government. This chapter examines the impact and effectiveness of actions taken in response to the 2020 and 2023 Be Heard surveys, exploring the effectiveness and implementation of survey recommendations, their success in addressing employee concerns, and the resultant changes in workplace culture and employee satisfaction.

Despite the increase in the response rate by 800 employees in the 2023 survey, concerns have arisen regarding the overall participation rate, which was reported to be 40% of employees.¹⁰⁴ This participation rate, despite the broadened invitation pool, raised questions about the relevance of the survey's results captured, with the Government acknowledging that improvements were needed.¹⁰⁵

Recommendation 22 from the original report, which was accepted and completed,¹⁰⁶ urged the public release of the full data and results of the Be Heard survey. This initiative aimed to foster transparency and open dialogue with all stakeholders, including staff and trade unions, to better understand low scores in specific areas. However, feedback from trade union representatives in a public hearing indicates that challenges remain in ensuring inclusive participation across all departments, with reports of some members not being allowed or invited to take part, particularly in departments facing significant issues.¹⁰⁷

Further, Unite advocated for making survey participation mandatory, proposing that employees should be allotted time during work hours to complete the survey. This approach is intended to enhance the survey's credibility by ensuring a more comprehensive and accurate reflection of the workforce's views. Additionally, there was a call for the promotion of the survey as beneficial to the employees, encouraging more active engagement:

Regional Officer, Unite the Union Jersey

“Sure. It was more to do with, if it was not clear in my submission ... I think what we are referring to here, I mentioned some departmental issues; pharmacy, for example. There is also another department which has just sprung to mind because

¹⁰² [Submission - Unite the Union - 15 September 2023](#)

¹⁰³ Ibid.

¹⁰⁴ [Channel 103 - Only 40% Of States Staff Respond To £43K Survey - 20 July 2023](#)

¹⁰⁵ [Bailiwick Express - Improvements needed to 'Be Heard' survey, Gov admits - 21 November 2023](#)

¹⁰⁶ [Ministerial Response - States Employment Board Response to the Corporate Services Scrutiny Panel: People and Culture Review - 21 October 2022 - p.36](#)

¹⁰⁷ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.47](#)

it came from this department, this particular issue, C.S.S.D., the Clinical Surgical Sterilisation Department. I was getting reports that the members were not being either allowed or invited to take part in the survey, and that is one of the departments that we have major issues; such as pharmacy, such as other departments. I have seen it in other organisations. I see it in manufacturing and engineering in the U.K., where there is an issue of a survey which is open and honest, and it is a judgment of the managerial skills and departmental management of those areas. Why would the managers want their staff to, let us say, throw them under the bus in terms of filling in a questionnaire or survey openly and frankly and basically identifying where there are issues? I think whether it be a purposeful act or whether it be a mistake or an error, but because it was from departments ... some of the manual workers, for example, they struggle with using computerised systems so they would ask for physical hard copies of the survey. I do not think it was as forthcoming as what it was for other departments or the ease of access. Some people have dyslexia and things. I do not know how well that was supported, for example. But specific departments reported to me from our members that they were being discouraged by lack of access to take part in the survey.

...

Deputy M.B. Andrews

“Has there been any direct contact with the human resources officials within the Government to maybe just reinforce that there is a need that every single unionised worker, and all workers in fact, should be given the opportunity to undertake it?”

Regional Officer, Unite the Union Jersey

“Absolutely. I think it should be mandatory. I think everyone should take part. They should be given the time, whether they arrive at work/at the end of their work given some time to complete it in their work time. Not outside in their own time. They should be actively encouraged to take part because it is like us, if we do a ballot for anything, if we get a low turnout we are not getting the wider view of the workforce. Obviously, it is proportionate, it is pro rata, et cetera., but it is still not the best view. You want everyone to take part.

...

“They just report any figure being good. So if it is 22 per cent: “We have had really good return out of 22 per cent”, whereas other departments have had 67, 78, whatever it may be. They are not going to be self-critical. They naturally believe ... engagement in these types of things is quite low. I think if you do get a turnout of around 60 per cent, 70 per cent in an internal survey you are doing quite well, to be perfectly honest. But everyone would like to see more.”¹⁰⁸

Prospect also raised concerns during a public hearing about the potential for biased interpretation of survey data, suggesting that results can be skewed to present a more favourable view than warranted. This adds another layer of complexity to the issue, highlighting the need for an objective analysis of the survey results to genuinely reflect the workforce's sentiments.

¹⁰⁸ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.47-50](#)

President, JCSA Prospect:

“I am not sure there is more data that can be recorded. It is very difficult to explain it, but it is the interpretation of that data. If you go into a mindset that you are very positive and you want the data to be painting a lovely picture, you can probably make it do so.”¹⁰⁹

This feedback displays a prevalent scepticism surrounding the survey results, primarily due to the poor response rate and potential barriers to participation. These challenges underscore the need for a more transparent and inclusive survey process, ensuring that every employee has the opportunity and encouragement to participate. The trade unions’ testimonies reveal a critical perspective on the methodology, participation, and interpretation of the survey results, indicating a significant gap between the survey findings and the feedback from trade union members.

Trade Union Relationships

This chapter examines the evolving dynamics between the SEB and trade unions, focusing on the impact of these relationships on workplace culture and employee relations. It explores the mechanisms of interaction, the effectiveness of these engagements in addressing workplace grievances, and the broader implications for transparency and cooperation in the organisational environment.

The SEB has made considerable efforts to engage with trade unions, as evidenced by the structured and regular meetings that have been reported by both the Government and trade unions. In a letter received on 24th August 2023, the Chief Minister reported her commitment to quarterly meetings with trade union groups, a practice initiated at the start of the term.¹¹⁰ This initiative, supported by the SEB,¹¹¹ aimed to facilitate an open dialogue, ensuring that trade union perspectives were heard and considered in decision-making processes.

However, challenges persist, notably in the consistency of engagement, particularly during transitions in leadership roles, as highlighted by the temporary cancellation of scheduled meetings following the appointment of an interim CEO. This incident, although not perceived as deliberate, underscores the necessity for maintaining continuous communication channels regardless of changes in leadership:

President, Jersey Civil Service Association Prospect

“When he first took post, again there was a bit of a confusion in that we had, as I had already said, a series of meetings booked with Suzanne. That is all [trade] unions, not just Prospect. We have made the point that it was all [trade] unions. I think the understanding at the time, but you would have to check with them, was that the interim C.E.O. would attend those meetings. But on the change of the C.E.O.s, they were all cancelled, so they did not actually happen. I do not think anyone deliberately did that. I think it happened because of the change of the C.E.O. Those have not yet been put back in the planner. Obviously, I am very hopeful they will. James and I have both spoken about this in the past, that we

¹⁰⁹ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.50](#)

¹¹⁰ [Letter - Chief Minister to CSSP - 24 August 2023](#)

¹¹¹ [Public Hearing - States Employment Board - 20 November 23 - p.8](#)

*valued that communication line, and we are hoping that it is going to be reinstated. But I do not think it was a deliberate act. I think it was a breakdown in communication on the change.*¹¹²

The Ministerial Response to *Recommendation 5* of the original review emphasised the SEB's reliance on a delegation scheme and a framework agreement to manage trade union relations, covering dispute mechanisms and local trade union meetings.¹¹³ While this structure denotes an institutional approach to trade union engagement, feedback suggests that the execution of these frameworks can be enhanced. The experiences of Unite¹¹⁴ and Prospect¹¹⁵ indicate a positive direction in engagement levels, but they also point to a need for more substantive and meaningful collaboration beyond procedural interactions.

Despite the acknowledged improvements, reports identify that work remains before achieving a fully structured and efficient consultation framework, as further identified by the National Education Union.¹¹⁶ The delay in finalising such a framework limits the potential for deeper collaborative efforts that could further improve workplace conditions and employee satisfaction.

The evidence suggests that while significant progress has been made in fostering a productive relationship between the SEB and trade unions, further efforts are required to strengthen these bonds and ensure that trade union engagements lead to tangible improvements in the workplace. Additionally, the Government should aim to ensure continuity and consistency in such engagements, thereby building a more transparent, trustful, and productive relationship with trade unions.

Enhancing the structure and efficiency of interactions between trade unions and the Government, ensuring the continuity of dialogue despite leadership changes, and fully implementing a comprehensive consultation framework are critical steps toward achieving a more inclusive and cooperative organisational culture. By institutionalising these practices, the Government can demonstrate a genuine commitment to collaboration, leading to a more positive and harmonious workplace culture.

¹¹² [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.26](#)

¹¹³ [Ministerial Response - States Employment Board Response to the Corporate Services Scrutiny Panel: People and Culture Review - 21 October 2022 - p.12](#)

¹¹⁴ [Submission - Unite the Union - 15 September 2023](#)

¹¹⁵ [Submission - JCSA Prospect - 15 September 2023](#)

¹¹⁶ [Submission - Natural Education Union - 21 September 2023](#)

5 Culture and Wellbeing Within Government

This chapter critically examines the current state of workplace culture and employee wellbeing within the Government, emphasising the significance of these aspects in creating a conducive and supportive work environment, while focusing on key areas that influence the overall health of the organisational culture and the wellbeing of its employees.

Bullying and Harassment

This initial segment delves into the prevalence of inappropriate behaviour, bullying, and harassment within the workplace, scrutinising the measures implemented by the Government to address and mitigate these issues since the commencement of the new term. This examination seeks to evaluate the effectiveness of current strategies in handling such behaviour and the impact these strategies have on fostering a respectful and safe work environment.

Evidence received during a public hearing with trade unions points to persistent issues of bullying and harassment within the Government, suggesting a workplace environment that can be hostile and detrimental to mental health. Prospect's comments below highlight severe cases where individuals have suffered adverse mental health effects due to victimisation, bullying, and harassment, with the perpetrators often remaining unaccountable. Additionally, Unite's observations reinforce this concern, noting that the prevalence of such behaviour in Jersey appears disproportionate compared to other jurisdictions, underscoring a significant challenge for trade unions in protecting its members.

President, JCSA Prospect:

"Some cases are blatantly obvious that they are being victimised and bullied and harassed to a level which has caused them adverse mental health issues. The individuals who are the cause of that treatment are almost untouchable."¹¹⁷

...

Regional Officer, Unite the Union:

"I think bullying and harassment has been a red flag for me since I arrived in the Island. It seems to be disproportionate here in Jersey compared to other jurisdictions where I have worked in the U.K., for example, and Wales. I made it a task of mine to try and eradicate that from ... you know, protecting our members."¹¹⁸

Furthermore, Professor Hugo Mascie-Taylor's findings that senior managers have felt "bullied, harassed, intimidated, and belittled"¹¹⁹ by their experiences with the SEB indicate that this issue permeates various levels of the Organisation, undermining trust and confidence not only among the broader workforce but within senior management as well. This hostile environment risks impairing performance and wellbeing, highlighting a critical area for intervention.

¹¹⁷ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.12](#)

¹¹⁸ Ibid. - p.14

¹¹⁹ [Submission - Professor Hugo Mascie-Taylor - 22 September 2023](#)

Additionally, a *Bailiwick Express* article reports on racism within HCS, stating that racist incidents among staff are "not unusual,"¹²⁰ further compounding the challenges of creating a respectful and inclusive workplace culture.

The evidence underscores an urgent need for the Government to reassess and strengthen its approach to bullying, harassment, and discrimination. Implementing a more robust framework that includes transparent reporting mechanisms, support for victims, accountability for perpetrators, and a clear commitment from leadership to change the culture is critical. This requires not only policy reforms but also a sustained effort to shift the organisational culture towards one of respect, inclusivity, and psychological safety for all employees.

Staff Wellbeing and Workload Pressures

This section delves into the critical relationship between staff wellbeing and workload pressures within the Government, specifically examining how work distribution and management practices influence employee health and satisfaction. It aims to uncover the mechanisms through which workload management directly and indirectly affects employee wellbeing and evaluates the Government's actions to mitigate excessive pressures and stress.

Key Finding 38 of the original review, which was agreed in the Ministerial Response, noted that "staff morale and wellbeing varies significantly across different areas of the Organisation and is worrying low in some parts particularly in Health."¹²¹ Despite this, there appears to be an ongoing issue and trend with HCS once again highlighted as an area of concern.

The evidence provided by Unite, Prospect, the Royal College of Midwives, and the National Education Union collectively illustrates the profound impact that vacancies and workload pressures have on staff wellbeing across various sectors within the Government. Unite's observations reveal that high vacancy levels contribute to an over-saturation of work for those covering these positions, exacerbating cultural issues within departments, notably within HCS, where a "toxic environment"¹²² has been identified. This situation is further complicated by managers' lack of awareness regarding available wellbeing services, such as paid counselling sessions, indicating a significant gap in support and signposting for staff in need:

Regional Officer, Unite the Union:

"Obviously, if there are vacancies and there is high levels of vacancies, that will have a knock-on effect to the saturation of workload for individuals covering those vacancies. In terms of the culture, whether or not the employer is moving swift enough or quickly enough, I think the Hugo Mascie-Taylor report obviously within Health exposed a lot of cultural problems across that sector, which are being dealt with. We still see on a daily basis issues coming from certain departments. I think, frankly, there is quite a toxic environment in Health."¹²³

President, JCSA Prospect:

¹²⁰ [Bailiwick Express - How much racism do health workers face? - 5 October 2023](#)

¹²¹ [Ministerial Response - States Employment Board Response to the Corporate Services Scrutiny Panel: People and Culture Review - 21 October 2022 - p.38](#)

¹²² [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.25](#)

¹²³ *Ibid.* – p.9

"I know that a lot of managers are not aware that they have a facility to refer their staff to 6 meetings with a counsellor, which is all paid for. It is nothing to do with your management, it is nothing to do with the department, and it is available. But I do not believe all the managers know that.

"[I] think that there needs to be a better knowledge of what is available and possibly better training for middle or lower management to be able to identify the signs of people struggling. The other thing that I think would help to identify this is that if the sickness levels were monitored closely."¹²⁴

Prospect's suggestions for improved knowledge and training for management to recognise and address signs of employee distress underscore the necessity for a systemic approach to managing workloads and supporting staff wellbeing. Further, the recommendation to closely monitor sickness levels as a metric for identifying stress and overwork highlights a practical measure for early intervention.

Additionally, the Royal College of Midwives¹²⁵ and the National Education Union¹²⁶ provide specific examples of how unequal workload allocation and uncompensated overtime contribute to stress, burnout, and dissatisfaction among staff. The unfair distribution of high-risk cases and the effective extension of the working year without additional compensation demonstrate systemic issues that undermine morale and job satisfaction.

This body of evidence points to a critical need for the Government to address the underlying issues of vacancy management, workload distribution, and wellbeing support comprehensively. Failing to do so not only affects individual employee health but also has broader implications for morale, retention, and the overall effectiveness of public services.

Toxic Culture

This chapter explores the impact of a toxic workplace culture, focusing on the detrimental effects of inadequate responses from management, employee experiences of abuse, and the pervasive issues of overworking, bullying, and harassment.

The collection of evidence from the Royal College of Midwives, National Education Union, Prospect, and Unite paints a concerning picture of the workplace environment within the Government, marked by poor management responses, overworking, and prevalent bullying and harassment.

The Royal College of Midwives highlights instances of management advising staff to "be more resilient" in the face of concerns and refusing time owed, showcasing a lack of empathy and support for employee wellbeing.¹²⁷ Similarly, over 50% of teachers reported verbal or physical abuse since the COVID pandemic began, with a notable lack of support to address these challenges.¹²⁸

¹²⁴ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.34-35](#)

¹²⁵ [Submission - Royal College of Midwives - 28 September 2023](#)

¹²⁶ [Submission - National Education Union - 21 September 2023](#)

¹²⁷ [Submission - Royal College of Midwives - 28 September 2023](#)

¹²⁸ [Submission - National Education Union - 21 September 2023](#)

Prospect's submission outlines a culture within HCS that is characterised by stress, overwork, and bullying, contributing to a toxic workplace atmosphere.¹²⁹ This is further corroborated by Unite's observations of harsh dismissals creating a culture of fear, although it is shared that efforts by trade unions and the introduction of roles like the Speak Up Guardian are seen as steps towards cultural change. However, continuous monitoring was emphasised as essential to ensure these changes are not only maintained but also built upon.¹³⁰

Additionally, it shared that the prevailing perception among maternity staff was that they felt undervalued and their wellbeing was disregarded by management, which led to a deterioration of morale and trust.¹³¹ The reliance on self-reporting mechanisms for wellbeing initiatives, coupled with employee reluctance to engage with these tools, suggests a significant barrier to providing effective support.

Overall, the evidence indicates a critical need for improved management practices, better support mechanisms, and a more empathetic approach to addressing employee concerns. By prioritising the wellbeing of its workforce, fostering open communication, and ensuring accountability, the Government can pave the way for a healthier, more positive workplace environment.

¹²⁹ [Submission - JCSA Prospect - 15 September 2023](#)

¹³⁰ [Submission - Unite the Union - 15 September 2023](#)

¹³¹ [Submission - Royal College of Midwives - 28 September 2023](#)

6 Leadership Roles in Government

This chapter delves into the significant role that leadership, particularly the Council of Ministers, the CEO and senior officers, plays within the Government. It focuses on impact of changes in leadership positions, the complex relationship dynamics between all stakeholders, and the broader implications of these changes on workplace culture and employee wellbeing.

CEO Impact

This first section addresses the impact of the CEO throughout the Government and assesses the extent to which leadership changes have influenced employee morale and operational dynamics. In a public hearing, trade unions shared the perception of their members in relation to CEO changes within the Government, which highlighted a significant concern about the stability and direction of leadership and its impact on the Organisation's culture and operational effectiveness.

Unite's remarks during a public hearing highlight a sense of urgency and frustration over the lack of communication and engagement between trade unions and the Interim CEO, as well as the broader changes in other key leadership positions. This situation suggests a need for more transparent and proactive dialogue between the new leadership and trade unions to address concerns and expectations:

Regional Officer, Unite the Union:

"The C.E.O. position... we have been asking for a meeting for some time, which I think we should have had by now if there is an interim or whether the person coming into post wants to meet us as trade unions. I have got to give credence to the change in the other positions around the C.E.O.; the head of employee relations, for example, I think the head of corporate services and all that type of thing. I see a bigger change there than what I do with the C.E.O., quite frankly."¹³²

...

"...in my experience as being a trade union official, I am very wary of a C.E.O. change because that tends to have a huge, huge impact change on every single sector, every single part of the Organisation."¹³³

Unite members' wariness around CEO changes reflects a broader apprehension within the Organisation, pointing to the profound influence such transitions have. Unite's emphasis on the ripple effects of CEO changes on the Organisation's culture and service delivery highlights the critical nature of leadership stability for organisational performance and employee morale.

Prospect's written submission further elaborates on the disruptive impact of frequent CEO turnovers, noting the varied legacy of past CEOs in terms of structural changes and skills retention within the Organisation. Prospect calls for the appointment of a CEO committed to a longer tenure and to building strong, supportive relationships with staff and their

¹³² [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.27](#)

¹³³ Ibid. - p.47

representatives, underscoring the importance of leadership continuity and a focus on people management.¹³⁴

Further, Unite's submission stresses the need for clarity regarding the structural and functional changes associated with the CEO role and the broader Cabinet Office in order to reflect the demand for transparency.¹³⁵ This highlights a desire to understand how these leadership changes will influence service delivery, job roles, and the overall organisational culture, particularly in light of reports linking recent CEO departures to top-level cultural issues.

Collectively, the evidence highlights a shared concern among trade unions on the impact of frequent CEO changes in the Government. There is a clear call for stability, clarity, and engagement from the top leadership to mitigate apprehension and ensure a positive trajectory for the Organisation's culture and effectiveness.

Impact of Management

Moving beyond the top executive role, this chapter considers the broader spectrum of management's impact within the Government. It scrutinises the adequacy of training for managerial roles, the presence or absence of coherent strategies for change management, and the level of accountability enforced at various management levels. This section evaluates how management practices contribute to fostering a supportive or detrimental workplace culture, influencing employee satisfaction and engagement.

The submissions gathered from Unite, Prospect, Royal College of Midwives, and insights from Professor Hugo Mascie-Taylor's report, paints a picture of a management structure within the Government that struggles due to insufficient training, a lack of coherent strategy, and a deficit in knowledge regarding effective change management.

Professor Hugo Mascie-Taylor:

*"As Bob Garratt points out in the title of his seminal book, "The Fish Rots from the Head." If the leadership architecture is not in place from government (and the HCS Board) then there is a much greater chance of Organisational failure. Leadership architecture throughout the Organisation, as well as management, is essential."*¹³⁶

Unite's comments during a public hearing highlight that the deficiencies observed in middle management stem not from individual incapacity but from a lack of training and support provided by the employer. This is corroborated by Prospect's observation that middle management often fails to resolve even minor issues effectively, leading to these issues either being escalated or ignored:

President, JCSA Prospect:

"It appears that middle management do not seem to be able to solve reasonably small issues. It ends up either as a major issue or it is ignored."

Regional Officer, Unite the Union:

¹³⁴ [Submission - JCSA Prospect - 15 September 2023](#)

¹³⁵ [Submission - Unite the Union - 15 September 2023](#)

¹³⁶ [Report - Professor Hugo Mascie-Taylor: Review of Health and Community Services \(HCS\) Clinical Governance Arrangements within Secondary Care - 26 August 2022 - p.10](#)

“When Chris mentioned and I previously said about middle management, that is not the individuals. That is because they do not have training. That is because they are not supported by the employer.”¹³⁷

...

“There are individuals who come up with these great ideas that work on paper. They try to apply them to the workforce with little, I suppose, strategic knowledge or training into change management, people skills, having the ability to approach and have resilient conversations with individuals and groups, engaging with the trade unions.”¹³⁸

Unite further elaborates on the challenges posed by individuals within the Organisation who, despite potentially innovative ideas, lack the strategic knowledge or training in change management necessary to implement these ideas successfully. This suggests a broader issue of a gap in the necessary skills and training among management to lead effectively, particularly in periods of change, and to engage constructively with staff and trade unions.

Royal College of Midwives identified a specific example of this broader issue, pointing to the absence of a coherent maternity strategy and leadership team.¹³⁹ This lack of strategic planning and support significantly impacts staff dealing with maternity issues, underscoring the critical need for well-defined strategies and leadership in all areas of the Organisation.

Furthermore, Professor Hugo Mascie-Taylor's concerns about a lack of accountability within leadership, combined with resistance to challenges and criticism, highlights a culture where accountability is not sufficiently enforced.¹⁴⁰ This environment not only hinders effective management and leadership but also impacts the overall performance and morale of the Organisation.

Professor Hugo Mascie-Taylor

“The lack of robust governance at the highest-level, driven by Government not having the required architecture, capability, or processes to properly hold HCS to account, inevitably results in the most used phrase by interviewees during interviews being “there are no consequences.” They were referring to the staff and not to the patients.”¹⁴¹

Collectively, this evidence indicates a pressing need for the Government to invest in management training, particularly in change management and strategic planning, and to foster a culture of accountability. Addressing these gaps is essential for improving the Organisation's management capabilities, enhancing employee satisfaction, and ensuring the successful implementation of changes and strategies.

¹³⁷ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.16](#)

¹³⁸ Ibid. - p.31

¹³⁹ [Submission - Royal College of Midwives - 28 September 2023](#)

¹⁴⁰ [Submission - Professor Hugo Mascie-Taylor - 22 September 2023](#)

¹⁴¹ [Report - Professor Hugo Mascie-Taylor: Review of Health and Community Services \(HCS\) Clinical Governance Arrangements within Secondary Care - 26 August 2022 - p.10](#)

Political Influence

The relationship between politicians and civil servants is pivotal to the effective governance and operation of any government. This section delves into the nuanced dynamics of this relationship within the Government, highlighting how the behaviour and decisions of politicians can significantly impact public service morale, accountability, and the overall culture.

The drive to increase accountability within the public service often encounters resistance, a phenomenon that this section explores both in Jersey and the UK. As stated in a submission by Professor Mascie-Taylor, attempts to enhance accountability in HCS sometimes faced criticism from politicians, underscoring the delicate balance required to navigate these waters due to the depth of political influence. Professor Mascie-Taylor emphasises the need for vigorous public support from politicians if senior management is to effectuate cultural change, which further displays the significant influence of politicians locally.

Professor Hugo Mascie-Taylor

“In my current role I and others have attempted to increase the accountability of staff. Inevitably, this has met with resistance and, rather disappointingly, sometimes criticism from politicians. If senior management is to change the culture appropriately, it requires vigorous public support from politicians.”¹⁴²

National Context - Raab and Patel Investigations

The influence and impact of Ministers was explored extensively in the investigation into Dominic Raab,¹⁴³ who was Deputy Prime Minister of the United Kingdom at the time of the investigation. The findings from the investigation reveal that there was a significant misalignment between Raab's intentions and the perceptions of those around him. His focus on achieving policy outcomes, perceived as a source of urgency and frustration, occasionally led to behaviour that, unbeknownst to him, was experienced as intimidating or excessively demanding by civil servants.

One of the key revelations from the investigation is that Raab was not made aware that his behaviour could be interpreted as bullying. This lack of communication indicates a broader issue: a systemic failure to provide politicians with adequate training and information on the expected standards of conduct and the impact of their behaviour on staff. It's evident that while civil servants are expected to adapt to Ministers' working preferences, there is a parallel need for Ministers to be informed and cognisant of how their work style and demands affect their teams.

The case strongly argues for the necessity of comprehensive training for politicians on leadership and interpersonal relations within the civil service context. Such training should encompass not only the ethical and professional standards expected but also effective communication and empathy to understand the implications of their demands and behaviour on the psychological health of their staff.

The Priti Patel case further illustrates the complexities surrounding the conduct of political figures and their interactions with civil servants, echoing themes observed in the investigation

¹⁴² [Submission - Professor Hugo Mascie-Taylor - 22 September 2023](#)

¹⁴³ [Investigation Report - Formal Complaints About the Conduct of the Right Honourable Dominic Raab MP, Deputy Prime Minister, Lord Chancellor and Secretary of State for Justice - 20 April 2023](#)

into Dominic Raab's behaviour. Sir Alex Allan's investigation¹⁴⁴ into Patel's conduct found that, while her behaviour on occasions amounted to what could be described as bullying, there was no indication that she was aware of the impact of her actions on her team. Both investigations cited a marked improvement in behaviour following the raising of these issues.

Furthermore, such investigations highlight the importance of establishing trusted avenues for whistleblowing and feedback within Government departments. The fact that no concerns were communicated to Raab or Patel until the investigations were initiated demonstrates a lack of mechanisms for civil servants to voice their experiences without fear of reprisal or career repercussions.

Local Context

In recent years, the Government has experienced several criticisms around workplace culture and treatment of employees. In a public hearing with trade unions, it was identified that employees were unlikely to speak to the SEB in the manner that union representatives did:

Regional Officer, Unite the Union

“To be quite frank, I do not think the S.E.B. are told as frankly and directly as the way I speak or the way Chris speaks sometimes from their employees, so they welcome the honest truth, no matter how frank and how direct it is sometimes. How that is dealt with when we leave the room is a different matter.

President, JCSA Prospect

“Going back, because again we did mention this earlier, yes, we do speak directly to the politicians. If they do not know what we are talking about or they do not have knowledge, they will refer it to the liaison officers and they will get fed back. We do not always hear what that is and, as James says, when we leave the room we do not know what is said. But there clearly is a want to learn and to work with us, but obviously that is not always possible.”¹⁴⁵

Encouragingly, it was shared by trade unions that the SEB welcomed “the honest truth” and displayed a clear “want to learn” that shows a desire to understand the critical issues and strive for improvement. This dynamic resonates with the broader theme identified in the cases of Raab and Patel, where the lack of direct feedback and communication about the impact of behaviours and decisions marked a significant challenge.

Trade unions' experiences suggest there is a willingness from the SEB to engage but a gap in feedback and follow-through, mirroring the need for more structured and transparent feedback mechanisms. As highlighted earlier in this report, a robust whistleblowing system, coupled with a culture that encourages open dialogue about workplace conduct, is vital. This would ensure that issues can be addressed promptly and constructively, preventing the escalation of tensions and misunderstandings.

These experiences portray a public service where employees are afraid to challenge Ministers, which may have a profound impact on wellbeing and culture. A recent [report](#) by the Public Accounts Committee found that there is a view from the Government that projects and programmes placed within Ministerial Delivery plans are designed to be achievable within the

¹⁴⁴ [Findings of the Independent Adviser - Sir Alex Allan - 19 November 2020](#)

¹⁴⁵ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.13-14](#)

existing resources available. However, it was noted that the effectiveness of measuring the success of plans had not been demonstrated.¹⁴⁶

Although this process appears prudent with considerations to workload pressures, it may further embed a culture where declaration of positive results is prioritised over fair and accurate analysis, as described by Unite in relation to the Be Heard survey results,¹⁴⁷ creating unconscious bias in officers who are accountable for reporting deliverables in an environment that involves significant political pressure.

This was an area discussed in Professor Mascie-Taylor's report, who wrote that "one of the striking features of the Organisation is a lack of openness and transparency, internally and externally."¹⁴⁸ Further, while the report noted positive moves by the Organisation to have greater public and patient involvement, it was also advised that these developments should be enhanced for exposing organisational and individual performance to scrutiny, an area in which Jersey "lags far behind the best."¹⁴⁹

One of the key reasons for enabling such change was to gain the support and understanding of the public and set realistic expectations for both the public and politicians. As a jurisdiction that has historically struggled to instil confidence in voters,¹⁵⁰¹⁵¹ incorporating public engagement in developing realistic political priorities could lead to cultural improvements in both the public service and wider communities.

In May 2023, it was reported in the [media](#) that a senior official in the Government had complained after allegedly being put under pressure to resign from his position, with sources claiming he felt "bullied and intimidated" during interactions with Ministers. It was reported that, despite three months passing since the complaint was made, the relevant Ministers had not been made aware of the complaint.¹⁵² Such experiences further display a broken reporting mechanism that not only discourages victims from speaking up, but also impedes the ability of Ministers to rectify any wrongdoings.

In conclusion, the intricate relationship between politicians and civil servants demands a concerted effort to enhance understanding, communication, and mutual respect. Through dedicated training, transparent feedback channels, and a commitment to open dialogue, the Government can navigate the delicate balance of political influence and public service, ensuring a positive, productive, and respectful working environment for all.

Staff Sentiment

This final section gauges the overall sentiment of staff towards leadership and management within the Organisation. This encompasses examining perceptions of fairness and equity

¹⁴⁶ [Public Accounts Committee - Performance Management Follow up - 28 March 2024 - p.38](#)

¹⁴⁷ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.50](#)

¹⁴⁸ [Report - Professor Hugo Mascie-Taylor: Review of Health and Community Services \(HCS\) Clinical Governance Arrangements within Secondary Care - 26 August 2022 - p.16](#)

¹⁴⁹ Ibid.

¹⁵⁰ [Bailiwick Express - "It's not that they can't vote, they don't trust the political system" - 11 April 2023](#)

¹⁵¹ [States of Jersey - Voter Engagement Research for States of Jersey - 20 November 2018 - p.6](#)

¹⁵² [ITV News - Health boss lodges complaint against ministers despite public assurances of 'no grievances' - 3 May 2023](#)

between different employee grades, trust in leadership, and the perceived protection of individuals in higher roles.

The analysis begins by addressing the stark disparities observed in the treatment of employees based on their hierarchical grade, as discussed below, through testimonies and observations from trade unions. Further, reports highlight how the dissemination of unverified and inaccurate information emerged as a significant contributor to the erosion of trust between the Government and employees.

Instances of misinformation, particularly those propagated through social media, have led to confusion and unrest among employees, undermining the foundation of trust and confidence essential for a healthy organisational culture:

Regional Officer, Unite the Union Jersey:

“Let us call it what is; misinformation. Absolutely, fundamentally, and I follow other disputes with other trade unions, and we stand in solidarity with our brothers and sisters from those unions. But when it comes to misinformation, if ever I am involved in a dispute and that occurs I will not be as quiet as some of the individuals from the other trade unions. I will make that clear.”

Deputy L.J. Farnham:

“How does that impact on the overall trust? I mean, it is probably an easy question to answer between members and departments. We are trying to build trust, I suppose.”

President, Jersey Civil Service Association Prospect:

“Very recently, there was a situation where it was in the press that a certain group of people got a certain pay rise. I was inundated with emails: “Is this true? Are they getting this? Are they getting that? Can we have this? Can we have that?” It was all literally total misinformation.”

Regional Officer, Unite the Union Jersey:

“The way we see it as a trade union, as a trade union official, my members thrive off information. They want that information to make an informed decision when the time comes. That is how we work. Openness, transparency is what we are built upon. Why would we ever want to either guide our members down the wrong avenue, wrongly advise, wrongly promote facts? We deal with the absolute truth at all times for our membership in terms of how things have led to where we are, where we want to be. It is their democratic process. They have a vote on that. Slightly different in your world in terms of the information that is sometimes either sensitive or it needs to be amended slightly. But that is public trust. Trust and confidence from any perspective in any Organisation or any employer is fundamentally key to your success.”

Deputy L.J. Farnham:

“Generally speaking, the more useful information that is shared, the more positive the outcome.”

President, Jersey Civil Service Association Prospect:

“And accurate. Accurate information, that is the important thing. James is absolutely right. We have some very, very intelligent members who want all the information and they want it to the dot. Now, we appreciate there are times where you cannot release that amount. But if it is accurate, that is the most important. Where it, in my opinion, goes a bit wrong is when people start releasing things on social media because then anyone can change it, amend it, comment on it. The next thing is members think: “Oh, look, look what I am getting because it says so on Facebook.”¹⁵³

Prospect's comments reflect a widespread belief among employees that senior personnel are effectively immune to termination, enjoying benefits such as early retirement with substantial pensions or redeployment with financial incentives, a privilege not extended to lower-grade employees.¹⁵⁴ This perception underscores a significant issue of perceived inequity and lack of accountability at higher levels of the Organisation.

Unite echoes this sentiment, suggesting that those in senior roles operate within protected environments, seemingly unaccountable for their actions.¹⁵⁵ This perceived protection exacerbates the lack of trust in leadership and contributes to a culture where transparency and accountability are questioned.

Additionally, Unite's written submission on the mixed effects of organisational changes, particularly restructuring, highlights the stress and uncertainty such processes introduce, further complicating the trust dynamics within the Organisation.¹⁵⁶ The need for clear support mechanisms during these periods is emphasised to mitigate the negative impacts on employee wellbeing.

Prospect's observation that the restructuring of the CEO role has not led to noticeable workplace improvements, with significant changes limited to department expansions designed to support Ministers, suggests a stagnation in organisational dynamics.¹⁵⁷ This stagnation indicates that restructuring efforts have not effectively addressed the underlying issues affecting trust and equity within the Organisation. Further, concerns about the dissemination of unverified and inaccurate data were shared by Unite¹⁵⁸ and called out publicly in the public hearing as well as being picked up in the media.¹⁵⁹

Collectively, this evidence points to a critical need for the Government to address the disparity in treatment between different grades, enhance transparency and accountability at all levels, and implement robust support mechanisms to navigate organisational changes and ensure that employee wellbeing and strong stakeholder relationships are considered in decision making.

¹⁵³ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.41-42](#)

¹⁵⁴ Ibid.

¹⁵⁵ Ibid.

¹⁵⁶ [Submission - Unite the Union - 15 September 2023](#)

¹⁵⁷ [Submission - JCSA Prospect - 15 September 2023](#)

¹⁵⁸ [Public Hearing - JCSA Prospect and Unite the Union - 12 January 2024 - p.41](#)

¹⁵⁹ [Bailiwick Express - Teacher pay war inflamed by "outrageous" and "unprofessional" Gov comms - 6 September 2023](#)

7 Conclusion

Since the publication of the original report, noteworthy improvements have been observed throughout the Organisation, both by the successive Panels and stakeholders, particularly in enhancing trade union collaboration and integrating external evaluations. These developments are encouraging as they demonstrate a culture of progress; however, this approach needs to be both broadened and strengthened.

The follow-up review suggests that there remains a culture of fear and a concerning lack of accountability among some politicians and senior officers. Addressing these issues is urgent. Regular meetings with trade unions and engaging them in processes designed to enhance employee experiences are essential steps toward fostering a more positive culture.

Furthermore, the current employee support mechanisms have been shown to be unfit for purpose. The Government must acknowledge its limitations in drawing comprehensive conclusions from the feedback and data collected thus far from low-response surveys like the Be Heard survey, which hampers its ability to pinpoint where changes are most needed and how best to implement these improvements.

Politicians and senior officials are urged to take immediate responsibility for facilitating these changes. Moreover, there is a personal responsibility for all employees within the public service to actively contribute to a positive shift in culture. Promoting anonymous reporting channels is crucial to create an environment that not only welcomes feedback but also supports actionable change.

There is substantial evidence that a happier workforce is a more productive workforce,¹⁶⁰¹⁶¹¹⁶² a development identified as vital for bolstering Jersey's future economy.¹⁶³ By acknowledging the issues identified in this report, the Government can initiate critical steps towards ensuring a safe and inclusive working environment, thereby having a profoundly positive impact on all facets of the public service.

Moving forward, the Panel has resolved to intensify scrutiny in the specific areas highlighted. It will focus on refining the Whistleblowing policy, evaluating any future structure and function of the Cabinet Office, and enhancing Occupational Health services. These focal points were chosen based on their critical importance to the overall health and efficiency of our public service systems.

¹⁶⁰ [University of Oxford - Happy workers are 13% more productive - 24 October 2019](#)

¹⁶¹ [University of Warwick - New study shows we work harder when we are happy - 16 November 2022](#)

¹⁶² [Forbes - Finally, Proof That Happiness Does Make Us Work Better - 28 November 2023](#)

¹⁶³ [Bailiwick Express - "We need each worker to produce at least 7.5% more value" - 16 June 2023](#)

Appendix 1

Panel Membership (2022-2024)



Deputy Sam Mézec
(Chair)



Deputy Max Andrews
(Vice-Chair)



Deputy Lyndon
Farnham



Deputy Lyndsay
Feltham (co-opted)

Panel Membership (2024-present)



Deputy Helen Miles
(Chair)



Deputy Lucy Stephenson
(Vice-Chair)



Deputy Max Andrews



Deputy Alex Curtis



Connétable David
Johnson



Deputy Jonathan
Renouf

Terms of Reference

1. To evaluate the policies and procedures in place for the States Employment Board and the implementation and impact thereof since the previous People and Culture Review in 2021. This will include, but is not limited to, consideration of:
 - The procedures for handling complaints of inappropriate behaviour, bullying and harassment.
 - The grievance and disciplinary procedure, its effectiveness and impact.
 - The impact of policies and procedures on workplace culture.
2. To consider the effectiveness of the States Employment Board in implementing actions to secure improvements for employee wellbeing since the People and Culture Review in 2021. This will include, but is not limited to, consideration of:
 - The action taken, and the impact thereof, following the HR Lounge reviews and reports into 'bullying and harassment', including analysis of the initial report (February 2018) and follow-up progress report (February 2021).
 - The action taken, and the impact thereof, following the recommendations published in the reports by the Comptroller and Auditor General, 'Role and Operation of the States Employment Board' (March 2019) and in the follow-up report 'States Employment Board - Follow up' (September 2022).
 - The action taken, and the impact thereof, following the Best Companies Be Heard Surveys' findings for 2020 and 2023.
 - The report and recommendations by Professor Hugo Mascie-Taylor (August 2022).
3. To consider the culture within the Government as a workplace since the commencement of the new term of Government. This will include, but is not limited to, consideration of:
 - The current status regarding inappropriate behaviour, bullying and harassment.
 - The impact of Government restructure, policy and procedures on employee wellbeing.
4. To consider the restructure of the Chief Executive Officer role, its impact on the Cabinet Office and workplace culture. This will include, but is not limited to, consideration of:
 - The recruitment process for the interim and permanent Chief Executive Officer.
 - The changes to the structure and functions of the Chief Executive Officer role.
 - The resultant changes to the structure of the Cabinet Office and its functions.
 - The impact of the restructuring on employee wellbeing.

Evidence Considered

Public Hearings

- Public Hearing with the Chief Minister
- Public Hearing with the Minister for Treasury and Resources
- Public Hearing with Unite the Union and JCSA Prospect

The public hearing transcripts can be viewed on the States Assembly website [here](#).

The webcast of the hearings can also be viewed [here](#) up until six months after the hearing was held.

Meetings and Visits

- Private meeting with the Professor Hugo Mascie-Taylor
- Private meeting with the Chief People and Transformation Officer
- Private meeting with two private individuals

Written Submissions

A total of 15 written submissions were received by the Panel, of which 11 were given consent to be published and can be viewed [here](#).

Written Questions

The Panel wrote to the following Ministers and received responses to written questions from:

- Chief Minister
- Minister for Children and Education
- Minister for the Environment
- Minister for Economic Development, Tourism, Sport and Culture
- Minister for External Relations
- Minister for Home Affairs
- Minister for Housing and Communities
- Minister for Health and Community Services
- Minister for Infrastructure
- Minister for Social Security
- Minister for Treasury and Resources

The correspondence between the Panel and the Ministers can be found [here](#).

Other Evidence Considered

- [People and Culture Review](#) (2021)
- [States Employment Board: 'Ministerial Response'](#) (2022)
- [States Employment Board: Our People Strategy](#) (2021)
- [Review of Health and Community Services \(HCS\) Clinical Governance Arrangements within Secondary Care](#) (2022)
- Written Question ([WQ.456/2023](#)) by Deputy Carina Alves

- [Investigation Report: Formal Complaints About the Conduct of \[Dominic Raab\]](#) (2023)
- [Public Accounts Committee: Performance Management Follow up](#) (2024)
- [Voter Engagement Research for States of Jersey](#) (2018)
- [Findings of the Independent Adviser](#) (Priti Patel investigation) (2020)
- Freedom of Information office requests:
 - [AXA Occupational health contract 2016 to 2022](#) (2023)
 - [Be Heard survey](#) (2023)
- News stories, articles and studies from:
 - ITV News
 - Bailiwick Express
 - BBC News
 - Channel 103
 - Government of Jersey
 - University of Oxford
 - University of Warwick
 - Forbes

Review Costs

The costs of this review totalled £1,049.60 for advertising, engagement, and public hearing transcription costs.

What is Scrutiny?

Scrutiny panels and the Public Accounts Committee (PAC) work on behalf of the States Assembly (Jersey's parliament). Parliamentary Scrutiny examines and investigates the work of the Government, holding ministers to account for their decisions and actions. They do this by reviewing and publishing reports on a number of areas:

- Government policy;
- new laws and changes to existing laws;
- work and expenditure of the Government;
- issues of public importance.

This helps improve government policies, legislation and public services. If changes are suggested, Scrutiny helps to make sure that the changes are fit for purpose and justified.

The Corporate Services Scrutiny Panel, scrutinise Government on matters within the remits of the Chief Minister (excluding Financial Services) and the Minister for Treasury and Resources. More information about the Panel's work can be found [here](#).

Appendix 2

Recommendations: People and Culture Review [S.R.12/2021]

These are the recommendations made in the People and Culture Review that was published in 2021 and do not reflect the views of the current Corporate Services Scrutiny Panel.



Recommendation 1

The States Employment Board minutes from November 2019 to date must be provided immediately to the Corporate Services Scrutiny Panel and then on a regular quarterly basis to the Panel to ensure actions are scrutinised.



Recommendation 2

The States Employment Board must release its Annual Report for 2020 immediately and confirm to the Assembly why it was unable to fulfil its statutory obligation. The Annual Report must provide clarification on the matters which it has considered throughout the year and disclose the key terms and conditions for key employees.



Recommendation 3

A communication strategy and timeline for formal release of the People Strategy must be developed by the States Employment Board within the next three months. This must align to the Chartered Institute of Personal and Development principles to ensure an effective communication strategy is developed.



Recommendation 4

The States Employment Board must actively engage with Unions in a structured and clear format. The Board must give direction regarding consultation with representatives of States' employees to ensure it fulfils its duties under the Employment of States of Jersey Employees (Jersey) Law 2005.



Recommendation 5

The People Dashboard, to monitor human resource management, must include historical data and provide a brief commentary to ensure the States Employment Board has a high-level overview on changing issues and trends to inform strategy by the end of 2021.



Recommendation 6

The States Employment Board must immediately focus on enhancing its skills and resources and ensure insight, knowledge and expertise goes beyond a political cycle. The Board should engage a second independent advisor and consider how other stakeholders, who are not States Members, could bring their specialist skills to strengthen the outcomes of the Board.



Recommendation 7

The States Employment Board must publish, before the end of 2021, a structured timetable for the review and implementation of the revised Codes of Practice, policies and procedures.



Recommendation 8

The States Employment Board must publish a policy agenda which focuses on good performance and ensure managers and employees understand the behaviours expected before the end of 2021.



Recommendation 9

Training on bullying, harassment and disciplinary policy should be mandatory immediately to build and create a culture where wrong behaviour is quickly called out by colleagues and enable opportunities for changes in behaviour.



Recommendation 10

Ah-hoc reviews of policy implementation should be immediately completed by the States Employment Board on a quarterly basis to reduce inconsistencies.



Recommendation 11

The States Employment Board must ensure a code of conduct is adopted by the senior leadership team prior to the end of 2021.



Recommendation 12

The States Employment Board must immediately review investigation timescales to identify ways to significantly reduce the time taken to complete an investigation. This should include researching how the administration can be streamlined, or support given to managers to undertake and the time periods allowed for investigation.

The States Employment Board must consider dedicated investigators for the investigation process, and / or outsourcing some of the investigations, to enable timely resolution of issues.



Recommendation 13

The States Employment Board should immediately ensure that the following steps in relation to policy and procedure implementation takes place in order that it fulfils its duties to a suitable standard as defined in the Employment of the States of Jersey Employees (Jersey) Law 2005:

- All draft policies should undergo a full technical review, by an experienced professional engaged by the States Employment Board, who has not been involved in the process up to that date, to bring a fresh mind to the policy, who is able to stress check and challenge a policy against the core values

of the organisation, industry practice and appropriate legislation, and ensure it is consistent.

- A second element of the Technical Review should, be completed in conjunction with the other policies associated with policy being reviewed, and as part of the quality assurance process, seek to ensure that policies are consistent with each other and where an issue has to move between policies, for example from Bullying and Harassment to Disciplinary, that it is clear where the links are, that they will work and there is no duplication of process.
- A timeline must be agreed by the States Employment Board to confirm delivery expectations for all aspects of the policy framework.
- The States Employment Board should consider changes to policy and procedures to reduce the likelihood that procedures requiring use.



Recommendation 14

Before the end of the year, the States Employment Board should consider further the pathway for the reporting of whistleblowing allegations to include the ability to report directly to HR professionals rather than just line managers or an external helpline. The Board should also clarify the point at which allegations are reporting to it, in what format and its promotion strategy of the policy to the workforce to build trust and confidence.



Recommendation 15

Before the end of the Quarter four 2021, the States Employment Board should produce a short policy paper confirming its objectives for the exit interview process to fulfil its requirements to a suitable standard under the Employment of States of Jersey Employees (Jersey) Law 2005.



Recommendation 16

Examples of good development of job descriptions within the Government of Jersey should be made available by the States Employment Board as soon as possible, in order to allow for best practice to be learnt throughout the organisation.



Recommendation 17

Further support and training must be given immediate priority by the States Employment Board to enable line managers to fulfil their Human Resource responsibilities, furthermore People and Corporate Services must be clear which elements of Human Resource function it oversees or actively participates in.



Recommendation 18

Benefit of the One Gov initiatives must be quantified in time for the next Chief Minister to decide which direction the programme should continue to take, and enable the incoming Chief Executive Officer to successfully deliver upon that political decision.



Recommendation 19

The appointment of the new Chief Executive should be delayed until after the States Employment Board report recognising lessons learned has been prepared, the law changes are defined in the Employment of States of Jersey Employees (Jersey) Law and the 2022 elections have taken place to ensure transparency on Ministerial aims and objectives.



Recommendation 20

As a matter of urgency the full data and results of the Be Heard survey should be publicly released and workshops should continue with all relevant stakeholders, including staff and unions, to help communicate these as well as ascertain reasoning for low scores in some areas.



Recommendation 21

The States Employment Board should ascertain and publish staff turnover by department as soon as possible, using tools such as enhanced exit interviews to identify any issues causing departures and remedying these issues as able.



Recommendation 22

Moving forward, Team Jersey's training should have a primary purpose to build skills and ethos to combat the specified low morale within the Government of Jersey, as oppose to principally being used to highlight the "One Gov" benefits.

Appendix 3

States Employment Board

External report and reviews
from 2018 to September 2023



