

MC/SC/142

STATES EMPLOYMENT BOARD

(60th Meeting)

21st April 2017

**PART A (Non-exempt)**

All members were present, with the exception of Senator I.J. Gorst, from whom apologies for absence had been received.

Senator A.K.F. Green, M.B.E.  
Senator A.J.H. Maclean (not present for items B6 and B7)  
Connétable J. Gallichan of St. Mary  
Connétable M. Le Troquer of St. Martin

In attendance -

B. Shears, Non-executive Director and Advisor to the States Employment Board

[REDACTED]

M. Clark, Clerk to the States Employment Board

Note: The Minutes of this meeting comprise Part A and Part B.

Agenda.

A1. The Board noted that there were no items for consideration on the Part A (Non-exempt) public agenda.

STATES EMPLOYMENT BOARD

(60th Meeting)

21st April 2017

**PART B (Exempt)**

Note: The Minutes of this meeting comprise Part A and Part B.

**Confidential:**  
**QE Article 35**  
Jersey  
Appointments  
Commission:  
Annual Report  
2016.  
1452(3)

B1. The Board, with reference to its Minute No. A2 of 11th April 2016, considered the Annual Report for 2016 of the Jersey Appointments Commission and in this connection welcomed its author, The Right Honourable Dame J. Pareskeva, D.B.E., Chair of the Jersey Appointments Commission, to the meeting.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

The Board also considered that it would be helpful to receive a half-yearly interim report from the Commission in order to assess progress towards the goals set out in the previous annual report. Dame Janet agreed that this would be provided from 30th June 2017.

The Board acknowledged that, due in part to the size of the Island, there was a finite pool of individuals willing to serve on various boards and panels, and that accordingly the Commission was often asked to approve the extension of a member's term of office beyond the recommended maximum of 9 years. It was agreed that approaches should be made to the Institute of Directors and similar bodies, in order to attract a broader range of appropriately skilled individuals who could be willing to serve on various Independent Bodies.

In conclusion Dame Janet stressed that the role of the Commission would continue to be one of oversight rather than staff selection; the Commission had been tasked with ensuring that all States Departments and Independent Bodies followed proper processes with regard to filling key positions within their respective departments or organisations.

Having received and reviewed the draft report, the Board recalled that the Chief Minister was required by the Employment of States of Jersey Employees (Jersey) Law 2005 to present it to the States within 30 days. It was accordingly agreed that the 2016 Annual Report of the Jersey Appointments Commission, subject to minor amendments, as agreed with Dame Janet during the course of the meeting, should be presented to the States for its information at the earliest opportunity.

It was also agreed that, contemporaneously with presentation of the annual report, the Board would publish a summary detailing the progress made to date in responding to the various issues raised in the Report.

Officers were directed to take the necessary action.

Dame Janet, having been thanked by the Board for her attendance and input, then left the meeting.

**Confidential:**  
**QE Article 35**  
States  
Employment  
Board:  
Annual Report  
2015 and 2016.  
688/99(1)

B2. The Board, with reference to its Minute No. A1 of 14th September 2015, received drafts of the States Employment Board Annual Reports 2015 and 2016.

[REDACTED]

It was noted that the Reports summarised the key issues considered by the Board in the relevant year, including, *inter alia*, the establishment of the Sub-Committee for Organisational Change, Workforce Modernisation, pay negotiations, various pension matters and, in 2016, the introduction of Codes of Practice covering human resources practice across the States of Jersey.

Following a suggestion from Senator A.K.F. Green, M.B.E., the Board agreed that the 2015 and 2016 Reports should be combined into one report, which would provide a comprehensive overview of its activities as well as giving comparative figures for both years. The Board accordingly requested officers to prepare a Consolidated Report for 2015 and 2016, which should be circulated to members for approval, prior to being presented to the States as soon as practicable.

The officers were directed to take the appropriate action.

**Confidential:**  
**QE Article 39**  
States of  
Jersey Police –  
Non-  
Contributory  
Pension  
Scheme  
(Widow’s  
Pensions).  
1075/4/5(1)

B3. The Board, [REDACTED]  
[REDACTED]  
[REDACTED] considered a paper prepared by the Treasury and Resources Department regarding the payment of widows’ pensions from the Police Non-Contributory Pension Scheme.

Connétable M.P.S. Le Troquer of St. Martin declared an interest as a former serving officer in the States of Jersey Police.

The Board recalled that the Police Non-Contributory Pension Scheme had closed in 1968 when the States of Jersey Public Employees Contributory Retirement Scheme (PECRS) had been introduced, but that 11 officers had elected to remain in the non-contributory scheme. Whilst PECRS permitted a pension to be awarded to the surviving spouse of a deceased member, the non-contributory scheme had contained no such provision. The former Defence Committee had, however, reserved the right to award widows’ pensions and in practice had done so, as a matter of moral rather than legal obligation, in the majority of cases. This role had later been assumed by the former Establishment Committee.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED].

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
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[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted] the Board accepted the recommendation of the Sub-Committee and directed officers to take the necessary action.

**Confidential:**  
**QE Article 35**  
Sub-  
Committee for  
Organisational  
Change.  
688/2(1)

B5. [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted] the Board accepted the recommendation of the Sub-Committee and directed officers to take the

necessary action.

[Redacted]

**Confidential:**  
**QE Article 39**  
Workforce  
Modernisation  
Programme:  
[Redacted]  
[Redacted]  
688/2(71)

B6. [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

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[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]

Officers were requested to take the necessary action.

**Confidential:**  
**QE Article 35**  
2017 Pay  
Award.  
688/2(48)

B7. [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

In conclusion, the Board agreed that the 2017 Public Sector Pay Review presented some significant challenges and requested that it be kept regularly updated as negotiations progressed.

Officers were directed to take the necessary action.

**Confidential:**  
**QE Article 39**  
Control and  
monitoring of  
senior salaries  
(P.59/2011):  
Community  
and Social  
Services  
Department.  
688/2(42)

B8. The Board reviewed an application which sought approval for the following appointments within the Community and Social Services (C and SS) Department of Health and Social Services (HSSD):

(1) Director, Specialist Services (interim), [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

(2) Head of Service, Children's Social Work, [REDACTED]  
[REDACTED]

(3) Specialist Consultant, 5 days per week under a Contract for Service for a period of 3 months.

[Redacted]

[Redacted]

[Redacted]

The Board, having considered the application, accordingly authorised the Chairman to sign the ‘Approval of Senior Appointments’ form confirming the Board’s approval.

The officers were directed to take the necessary action.

**Confidential:  
QE Article 39**

[Redacted]

688/2(43)

B9. [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Officers were directed to take the necessary action.

MC/SC/157

STATES EMPLOYMENT BOARD

(61st Meeting)

17th May 2017

**PART A (Non-exempt)**

All members were present, with the exception of Senator I.J. Gorst and Senator A.J.H. Maclean, from whom apologies for absence had been received.

Senator A.K.F. Green, M.B.E.  
Connétable J. Gallichan of St. Mary  
Connétable M. Le Troquer of St. Martin

In attendance -

B. Shears, Non-executive Director and Advisor to the States Employment Board

[REDACTED]

M. Clark, Clerk to the States Employment Board

Note: The Minutes of this meeting comprise Part A and Part B.

Jersey  
Appointments  
Commission:  
Annual Report  
2016 –  
presentation to  
the States.  
1452(3)

A1. The Board, with reference to its Minute No. A1 of 21st April 2017, reviewed the final version of the Jersey Appointments Commission Annual Report 2016.

[REDACTED]

[REDACTED] The Board agreed, [REDACTED] and accordingly directed that it should be presented to the States, for information, at the earliest opportunity.

Officers were requested to take the necessary action.

States  
Employment  
Board:

A2. The Board, with reference to its Minute No. A2 of 21st April 2017, reviewed the combined Report of the States Employment Board for the period 1st January 2015 to 31st December 2016.

Annual Report  
2015 and 2016  
– presentation  
to the States.  
688/2(23)

The Board recalled that officers had been requested to amalgamate the 2015 and 2016 reports into one document, in order to enable comparisons between years to be made.

The Board approved the Report, subject to minor amendments, and directed that it be presented to the States Assembly, for information, at the earliest opportunity.

Officers were requested to take the necessary action.

Policy on  
suspensions.  
688/2(24)

A3. The Board considered a draft policy document on suspensions, which had been prepared by the Employment Relations (ER) Department. The Board recalled that, in 2016, following amendments to the Employment of States of Jersey Employees (Jersey) Law 2005, various Codes of Practice had been developed and implemented, and that suspensions had formed part of the Conduct Code of Practice.

The Senior Manager, Employment Relations, explained that the recommendation of the ER Department was now that the existing Code should be updated and changed into a policy format.

The draft policy provided that additional reasons for suspension, other than gross misconduct, should be introduced; these were:

- (1) failure to comply with the requirements for disclosure and barring service (DBS) checks;
- (2) being remanded in custody pending a court hearing;
- (3) medical reasons; and
- (4) lapsed registration under the Health Care (Registration) (Jersey) Law 1995.

The Board agreed that these additional reasons for suspension reflected the importance placed on safeguarding through compliance with DBS checks, the status of an employee when remanded in custody, and the significance of both health and safety and current legislation regarding medical registration. It was noted that, in the case of scenarios numbered (2) and (4) above, the Employer reserved the right to suspend an employee without pay until their employment position had been resolved.

The Board was concerned that all Employees should be treated fairly and sensitively during a period of suspension, particularly those suffering from mental health issues. The Senior Manager, Employment Relations advised that suspension cases were rare, however that Suspension Review Panels were in place to ensure that the correct procedures had been followed and that the process was concluded as swiftly as possible. The panels met monthly and every suspension was reviewed after 28 days, and monthly thereafter, until concluded.

The Senior Manager, Employment Relations, advised that the draft policy had been reviewed by the Law Officers' Department, who had confirmed that it was sufficiently robust in terms of current employment law, and also complied with relevant human rights legislation. Additionally, the draft policy had been shared with representatives of the relevant public sector unions, who had been supportive.

The Board accordingly approved the draft Policy on Suspensions as drafted and recommended that its provisions be implemented as soon as practicable.

Officers were directed to take the necessary action.



A5. The Board received a presentation from the Senior Manager, Employment Relations, on the States of Jersey Wellbeing Strategy, recalling that this was one of the States' key strategic objectives alongside Disability and Mental Health strategies.

[REDACTED]

The Wellbeing Strategy sought to illustrate the following components of Wellbeing and how each of the following fitted into an employment, legislative and best practice framework:

- (1) Workplace Wellbeing;
- (2) Health and Safety;
- (3) Occupational Health;
- (4) Mental Health at Work; and
- (5) Fitness.

The Board noted that Workplace Wellbeing had been taken as a starting point, with the strategy aiming to improve employees' work-life balance by setting wellbeing objectives, encouraging flexible working patterns and establishing Wellbeing Teams in all Departments. It was recognised that there was a 'cost' to doing nothing, as all available statistics pointed to more working hours being lost, year on year, as a result of employee ill-health.

The Board recognised that, as the Employer of all States of Jersey Employees, it was a key stakeholder in the Health and Safety sphere of activity. A Health and Safety Review process had been established to share best practice between departments and make recommendations to the Board and Corporate Management Board. The Board commended the coordinated approach to Health and Safety which sought to change the organisational culture from one which viewed Health and Safety as a barrier, to one which adopted a more enabling attitude.

Occupational Health was regarded as a relatively small part of overall Wellbeing, however, presently accounted for almost all of the corporate Wellbeing budget. It was noted that the current Occupational Health contract was due to expire and that the service would be re-tendered during 2017. The Board recognised the need to ensure that all employees were aware of the Occupation Health services available to them and to increase uptake of these services, particularly at an early stage.

The Board also learned that the referral process for employees with Mental Health issues had been improved, to enable early intervention and the provision of ongoing support, during the recovery stage, for affected employees. New initiatives planned for 2017 included the provision of awareness training for Managers, and the introduction of Mental Health first-aiders into the workplace.

Fitness was also considered important for Wellbeing, particularly for uniformed services and those with physically demanding roles, but also generally as a means to maintain the good health of an ageing workforce. The Board agreed that encouraging fitness was vital to support the overall health and wellbeing of employees, and staff initiatives in this area should be encouraged.

61st Meeting  
17.05.17

The Board also reviewed statistics on musculoskeletal disorders [REDACTED]  
[REDACTED]  
[REDACTED]

The Board expressed its thanks to the Senior Manager, Employment Relations, for a comprehensive and informative presentation.

MC/MH/150

STATES EMPLOYMENT BOARD

(63rd Meeting)

23rd May 2017

**PART A (Non-Exempt)**

All members were present, with the exception of Senator I.J. Gorst and Senator A.J.H. Maclean, from whom apologies had been received.

Senator A.K.F. Green, M.B.E.  
Connétable J. Gallichan of St. Mary  
Connétable M.P.S. Le Troquer of St. Martin

In attendance -

  
M. Clark, Clerk to the States Employment Board

Note: The Minutes of this meeting comprise Part A only.

States of  
Jersey Police –  
Non-  
Contributory  
Pension  
Scheme  
(Widow's  
Pensions).  
1075/4/5/1(16)

A1. The Board, with reference to its Minute No. B3 of 21st April 2017, considered a draft proposition and report relating to the payment of widow pensions from the States of Jersey Police Non-Contributory Pension Scheme.

The Board recalled that it had agreed that the powers, previously exercised by the Defence Committee, relating to the determination of widow pensions payable from the Police Non-Contributory Pension Scheme, should be awarded to the Chief Minister. The Board further recalled that it had adopted a policy for dealing with future claims.

The Board accordingly approved the proposition and accompanying report and directed that they be lodged "au Greffe", for consideration by the States Assembly on 18th July 2017.



MC/SC/173

STATES EMPLOYMENT BOARD

(64th Meeting)

9th June 2017

**PART A (Non-exempt)**

All members were present, with the exception of Senator I.J. Gorst, from whom apologies had been received.

Senator A.K.F. Green, M.B.E.  
Senator A.J.H. Maclean  
Connétable M. Le Troquer of St. Martin  
Connétable J. Gallichan of St. Mary

In attendance -

[Redacted names of attendees]

M. Clark, Clerk to the States Employment Board

Note: The Minutes of this meeting comprise Part A and Part B.

Minutes.

A1. The minutes of the meetings held on 20th January 2017 (Part A and B), 26th January 2017 (Part A and B), 31st January 2017 (Part A), 7th February 2017 (Part A and B), 14th February 2017 (Part A), 1st March 2017 (Part A and B), 9th March 2017 (Part A and B) and 21st April 2017, (Part A and B), having previously been circulated, were taken as read and were confirmed.

STATES EMPLOYMENT BOARD

(64th Meeting)

9th June 2017

**PART B (Exempt)**

Note: The Minutes of this meeting comprise Part A and Part B.

Matters  
Arising.

B1. The Board:

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Officers were requested to take the necessary action.

**Confidential:**  
**QE Article 32**  
**QE Article 39**  
Workforce  
Modernisation  
Programme:

B2. [Redacted]

[Redacted]

688/2(71)

[Redacted]

[Redacted]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Officers were directed to take the necessary action.

**Confidential:**  
**QE Article 39**  
Workforce  
Modernisation  
Programme:

[REDACTED]

688/2(71)

B3. [REDACTED]

[REDACTED]

The Board agreed that these matters should be considered in detail at its next meeting.

**Confidential:**  
**QE Article 39**

[REDACTED]

1444/3(33)

B4. [REDACTED]

[REDACTED]

The Officers were directed to take the necessary action.









[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Officers were requested to take the necessary action.

[REDACTED]

**Confidential:**  
**QE Article 32**  
Health and  
Social Services  
Department -

B2. [REDACTED]

[REDACTED]

1064/1(44)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

Officers were requested to take the necessary action.

[Redacted text block]

**Confidential:**  
**QE Article 35**  
Social Security  
maternity  
benefit – offset  
against  
maternity pay.  
File

B3. The Board received an oral briefing from the Senior Manager, Employment Relations Department, regarding the current practice of offsetting the maternity allowance, due to States of Jersey employees from the Social Security Department, against their statutory maternity pay.

The Board recalled that the rationale for this practice was enshrined within the guidance notes to the Employment Law 2003 and had been confirmed in the latest version of the Maternity Leave Policy of the States of Jersey dated 1st February 2016.

[Redacted text block]

The Senior Manager confirmed that Employment Relations had obtained advice from the Law Officers’ Department prior to making this recommendation.

The Board concluded that the offset should be removed from maternity benefit due to States of Jersey Employees with effect from 1st July 2017.

Officers were directed to take the necessary action.

B4. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
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[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Officers were directed to take the necessary action.

**Confidential:  
QE Article 39**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

B5. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

File

Officers were directed to take the necessary action.

MC/SC/192

STATES EMPLOYMENT BOARD

(66th Meeting)

26th June 2017

**PART A (Non-exempt)**

All members were present, with the exception of Senator A.J.H. Maclean and Deputy A.E. Pryke of Trinity, from whom apologies had been received.

Senator A.K.F. Green, M.B.E., Chairman  
Connétable J. Gallichan of St. Mary  
Connétable M. Le Troquer of St. Martin

In attendance -

B. Shears, Non-executive Director and Advisor to the States  
Employment Board

[REDACTED]

M. Clark, Clerk to the States Employment Board

Note: The Minutes of this meeting comprise Part A and Part B.

Minutes.

A1. The Minutes of the meeting of 9th June 2017 (Part A and Part B), having previously been circulated, were taken as read and were confirmed.



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Officers were directed to take the necessary action.

**Confidential**  
**QE Article 39**  
Workforce  
Modernisation  
Programme:

[REDACTED]  
[REDACTED]  
688/2(71)

B3. [REDACTED]

[REDACTED]

[REDACTED]



**Confidential:**  
**QE Article 39**  
Independent  
Jersey Care  
Inquiry  
1032(6)

B5. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

The position was noted.

**Confidential:**  
**QE Article 39**  
2017 Pay  
Award.  
688/2(48)

B6. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

The position was noted.

**Confidential:**  
**QE Article 39**  
Control and  
monitoring of  
senior salaries  
(P.59/2011):  
Community  
and Social  
Services  
Department.  
688/2(42)

B7. The Board, with reference to its Minute No. B8 of 21st April 2017, considered an application which sought approval for 3 posts within the Community and Social Services (C and SS) Department of Health and Social Services (HSSD):

(1) Head of Service, Children's Social Work (interim), [REDACTED] [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

(2) Director, Specialist Services (interim), [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



(3) Specialist Consultant, 5 days per week under a Contract for Service. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

The Board, having considered the applications, accordingly authorised the Chairman to sign the 'Approval of Senior Appointments' confirming the Board's approval.

Officers were directed to take the necessary action.