

MC/SC/045

STATES EMPLOYMENT BOARD

(87th Meeting)

11th January 2018PART A (Non-exempt)

All members were present.

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

In attendance -

B. Shears, Independent Advisor to the States Employment Board
 C. Parker, Chief Executive, States of Jersey
 R. Stevens, Director of Human Resources, States of Jersey
 C. Stephenson, Director of Employment Relations



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

Welcome - Mr.
C. Parker

A1. On behalf of the Board the Chairman welcomed Mr. C. Parker, who was attending his first Board meeting as Chief Executive.

Minutes.

A2. The Minutes of the meetings of 20th October 2017 (Part A and Part B, and the subsequent Part A meeting with union representatives), 25th October 2017 (Part A and Part B), 31st October 2017 (Part A and Part B), 1st November 2017 (Part A and Part B), 6th November 2017 (Part A and Part B), 9th November 2017 (Part A and Part B), 24th November 2017 (83rd Meeting, Part A and Part B), 24th November 2017 (84th Meeting, Part A and Part B), 4th December 2017 (Part A and Part B) and 20th December 2017 (Part A and Part B), having previously been circulated, were taken as read and were confirmed.

Delegation of
functions –
Employment
of States of
Jersey
Employees

A3. The Board, with reference to its Minute No. A1 of 20th October 2017, and with the Senior Manager, Employment Relations present, considered a report dated 11th January 2018, in which it was requested to approve the delegation of certain functions to the Chief Executive Officer under the Employment of States of Jersey Employees (Jersey) Law 2005 (the Law).

(Jersey) Law
2005/Health
and Safety at
Work (Jersey)
Law 1989.
688/2(2)

The Board recalled that a requirement existed to ensure delegations were in place following an election or a change in Chief Executive Officer of the States of Jersey.

The Board recognised that under Article 10(1) the Law, the Board could delegate to any of its members, or to the Chief Executive Officer, any of its powers or functions thereunder. Further, under paragraph (3), should a power be delegated to the Chief Executive Officer, he or she was entitled, with the approval of the Board, to delegate this power to another person who was either approved by the Board or a member of a class of persons approved by the Board.

The statutory functions of the Board were set out in Article 8 of the Law. Other than in the case of Article 8(1)(a) concerning policy matters with significant resource implications and Article 8(5), which addressed remuneration and other related matters, the report recommended that the Board should delegate its powers under Article 8 of the Law to the Chief Executive Officer.

Under Article 10A of the Law, the accounting officer in any States funded body was accountable for ensuring that codes of practice (issued by the Board under Article 8 thereof) were complied with, both in the recruitment and the ongoing employment of States' employees within that body. The Board considered that it would be appropriate for the Chief Executive to remind accounting officers periodically of their obligations in this regard.

The Board accordingly decided:

- (1) to delegate its powers under Article 8 of the Law, with the exception of Article 8(1)(a) and Article 8(5), to the Chief Executive;
- (2) to authorise the Chief Executive to further delegate any of the functions mentioned in (1) above in accordance with the Law by reconfirming the delegations made at the meeting of the Board held on 20th October 2017; and
- (3) to request the Greffier of the States to arrange for a copy of the Minute of this decision to be presented to the States Assembly for information.

Officers were directed to take the necessary action.

PM/SC/043

STATES EMPLOYMENT BOARD

(88th Meeting)

7th February 2018

(Business conducted by electronic mail)

PART A (Non-exempt)

All members were present, with the exception of Senator A.J.H. Maclean, from whom apologies were received.

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

In attendance -

C. Stephenson, Director of Employment Relations and Organisational
Development
B. Shears, Independent Advisor 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 substantive items for consideration on the Part A (non-exempt) public agenda.

PM/MH/045

STATES EMPLOYMENT BOARD

(89th Meeting)

14th February 2018**PART A (Non-exempt)**

All members were present.

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

In attendance -

C. Parker, Chief Executive, States of Jersey (present for item B1)
R. Stevens, Director of Human Resources, States of Jersey
C. Stephenson, Director of Employment Relations and Organisational
Development
[REDACTED]
B. Shears, Independent Advisor to the States Employment Board (via
telephone conference link)
J. McGeachie, Member of the Transition Team
[REDACTED]

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

Agenda.

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

MC/SC/072

STATES EMPLOYMENT BOARD

(90th Meeting)


27th February 2018PART A (Non-exempt)

All members were present.

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

In attendance -

Rt. Hon. Dame Janet Paraskeva, D.B.E., Chair, Jersey Appointments
Commission
C. Parker, Chief Executive, States of Jersey
R. Stevens, Director of Human Resources, States of Jersey
C. Stephenson, Director of Employment Relations
J. McGeachie, Member of the Transition Team
A. Templeman, Member of the Transition Team



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

Agenda.

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

PM/MH/093

STATES EMPLOYMENT BOARD

(91st Meeting)

2nd March 2018PART A (Non-exempt)

All members were present.

Senator A.K.F. Green, M.B.E., Chairman
Senator A.J.H. Maclean (present for items A1, B1 and B2)
Connétable J. Gallichan of St. Mary
Connétable M. Le Troquer of St. Martin
Deputy A.E. Pryke of Trinity (present for items A1 and B1-B4)

In attendance -

C. Parker, Chief Executive, States of Jersey (for items A1 and B1)
R. Stevens, Director of Human Resources, States of Jersey
C. Stephenson, Director of Employment Relations and Organisational
Development

[REDACTED]
J. McGeachie, Member of the Transition Team (present for items A1 and
B1-B7)
[REDACTED]
[REDACTED]

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

Minutes.

A1. The Minutes of the meetings held on 11th January and 7th February 2018 (both Part A and Part B), having been previously circulated, were taken as read and were confirmed.

PM/MH/093

STATES EMPLOYMENT BOARD

(92nd Meeting)


7th March 2018PART A (Non-exempt)

All members were present.

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

In attendance -

C. Parker, Chief Executive, States of Jersey
R. Stevens, Director of Human Resources, States of Jersey
C. Stephenson, Director of Employment Relations
J. McGeachie, Member of the Transition Team



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

Agenda.

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

PM/MH/093

STATES EMPLOYMENT BOARD

(93rd Meeting)

22nd March 2018PART 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 for absence were 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 -

R. Stevens, Director of Human Resources, States of Jersey
C. Stephenson, Director of Employment Relations

[REDACTED]
J. McGeachie, Member of Transition Team
R. Bell, Treasurer of the States

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

Agenda.

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

PM/SC/113

STATES EMPLOYMENT BOARD

(94th Meeting)

6th April 2018PART A (Non-exempt)

All members were present.

Senator A.K.F. Green, M.B.E., Chairman
 Senator A.J.H. Maclean
 Connétable J. Gallichan of St. Mary
 Connétable M. Le Troquer of St. Martin (present for items A1 and B1-B3)
 Deputy A.E. Pryke of Trinity

In attendance -

Deputy T.A. Vallois of St. John (for item B1)
 C. Parker, Chief Executive, States of Jersey (not present for A2 and B9)
 C. Stephenson, Director of Employment Relations
 [REDACTED]
 B. Shears, Independent Advisor to the States Employment Board (not present for item A2 and B9)
 [REDACTED]

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

Minutes.

A1. The Minutes of the meetings held on 14th and 27th February, and 2nd, 7th and 22nd March 2018 (all Part A and Part B), having been previously circulated, were taken as read and confirmed.

States
 Employment
 Board Annual
 Report 2017 –
 presentation to
 the States.
 688/2(23)

A2. The Board, with reference to its Minute No. B3 of 22nd March 2018, considered a revised draft of its Annual Report for 2017.

The Board noted that information had been added to the report to indicate that the Connétable of St. Mary, on the Board's behalf, had monitored suspensions of States employees. It was also noted that the details of headcount shown now provided a comparison between 2016 and 2017.

The Board accordingly approved its Annual Report for 2017 and directed that it be presented to the States for their information.

The officers were directed to take the necessary action.

PM/KS/MH/157

STATES EMPLOYMENT BOARD

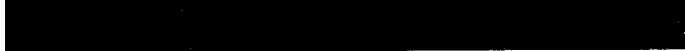
(95th Meeting)

11th May 2018PART A (Non-exempt)

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

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

In attendance -

C. Parker, Chief Executive, States of Jersey
C. Stephenson, Director of Employment Relations


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

Agenda.

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

PM/MH/246

STATES EMPLOYMENT BOARD

(1st Meeting)

9th July 2018

(Business conducted by electronic mail)

PART A (Non-Exempt)

All members were present, with the exception of Deputy S.J. Pinel of St. Clement, from whom apologies for absence were received.

Senator T.A. Vallois, Chairman
 Deputy G.J. Truscott of St. Brelade
 Connétable D.W. Mezbourian of St. Lawrence
 Connetable R.A. Buchanan of St. Ouen

In attendance -

C. Parker, Chief Executive, States of Jersey
 C. Stephenson, Director of Employment Relations
 J. McGeachie, Member of Transition Team
 B. Shears, Independent Advisor to the States Employment Board

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

Director of
 Civil Aviation:
 appointment of
 Mr. D.
 Lazarus.
 666/99(1)

A1. The Board considered an undated report concerning the proposed appointment of the Director of Civil Aviation in accordance with Article 3 of the Civil Aviation (Jersey) Law 2008, which required the Minister for External Relations to seek and receive the advice of the States Employment Board prior to appointing a person to hold the office of Director of Civil Aviation.

The Board noted that Jersey and Guernsey had both recently completed a recruitment process for a new Director of Civil Aviation on the basis that the post holder held the position for Jersey and Guernsey concurrently, appointed as an employee of the States of Guernsey under Guernsey Civil Service terms and conditions. It was recognised that costs for the Office of the Director of Civil Aviation, including salaries, were shared equally between Jersey and Guernsey – governed by a Contract for Services – and represented significant cost savings, whilst securing a scarce and high-value appointment and ensuring consistent aviation safety and security standards across the Channel Islands.

Having further noted that the current Director of Civil Aviation for Jersey would shortly be leaving Guernsey (where the office was based) to take up an appointment in the United Kingdom, and that an appointments board had been unanimous in its selection of the preferred candidate for a term of 5 years from 9th July 2018, the Board accordingly decided to advise the Minister for External Relations that it supported the appointment of Mr. Dominic Lazarus as Director of Civil Aviation for Jersey.

The officers were directed to take the necessary action.

MC/MH/306

STATES EMPLOYMENT BOARD

(2nd Meeting)

23rd July 2018

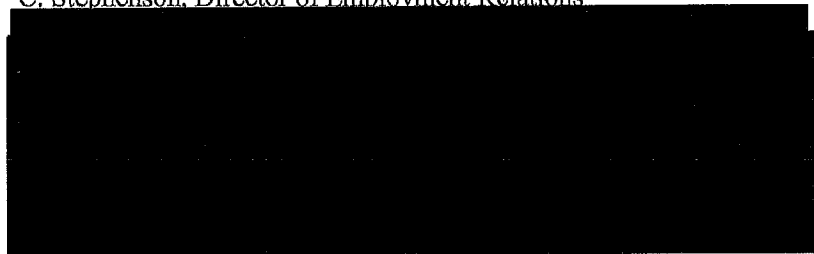
PART A (Non-Exempt)

All members were present, with the exception of Connétable D.W. Mezbourian of St. Lawrence, from whom apologies ad been received.

Senator T.A. Vallois, Chairman
Deputy S.J. Pinel of St. Clement
Deputy G.J. Truscott of St. Brelade
Connétable R.A. Buchanan of St. Ouen

In attendance -

B. Shears, Independent Advisor to the States Employment Board
C. Parker, Chief Executive, States of Jersey
J. McGeachie, Member of Transition Team
C. Stephenson, Director of Employment Relations



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

Agenda

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

MC/MH/292

STATES EMPLOYMENT BOARD

(3rd Meeting)

4th September 2018PART A (Non-Exempt)

All members were present, with the exception of Senator T.A. Vallois, from whom apologies had been received.

Connétable D.W. Mezbourian of St. Lawrence
 Connétable R.A. Buchanan of St. Ouen
 Deputy S.J. Pinel of St. Clement
 Deputy G.J. Truscott of St. Brelade

In attendance -

B. Shears, Independent Advisor to the States Employment Board (by telephone)
 C. Parker, Chief Executive, States of Jersey
 J. McGeachie, Member of Transition Team
 [REDACTED]

C. Stephenson, Director of Employment Relations
 [REDACTED]

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

Chairman.

A1. In the absence of the Chairman, the Board appointed Connétable D.W. Mezbourian of St. Lawrence to chair the meeting.

Minutes.

A2. The Notes of the meeting of the Board as previously constituted, held on 23rd May 2018 (Part B only), having been confirmed and signed by the then Chairman, were duly ratified.

The Minutes of the meeting held on 9th July 2018 (Part A only), having been previously circulated, were taken as read and were confirmed.

PM/MH/277

STATES EMPLOYMENT BOARD

(4th Meeting)

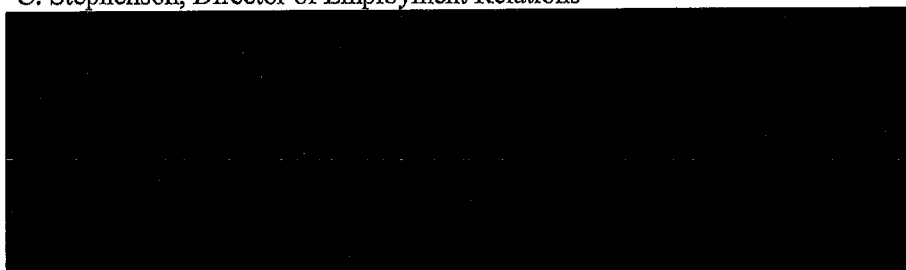
17th September 2018**PART A (Non-Exempt)**

All members were present, with the exception of Connétable D.W. Mezbourian of St. Lawrence, from whom apologies for absence were received.

Senator T.A. Vallois, Chairman
 Connetable R.A. Buchanan of St. Ouen
 Deputy S.J. Pinel of St. Clement
 Deputy G.J. Truscott of St. Brelade

In attendance -

B. Shears, Independent Advisor to the States Employment Board
 C. Parker, Chief Executive, States of Jersey (for item B1)
 J. McGeachie, Head of People Services
 C. Stephenson, Director of Employment Relations



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

Vice-
 Chairman:
 appointment of
 Connétable
 R.A. Buchanon
 of St. Ouen.
 688/2(1)

A1. The Board, with reference to its Minute No. B1 of 23rd July 2018, and in accordance with Article 6(1)(a) of the Employment of States of Jersey Employees (Jersey) Law 2005, appointed Connétable R.A. Buchanon of St. Ouen as Vice-Chairman.

Meeting dates
 2018.

A2. The Board noted the following dates for its remaining scheduled monthly meetings in 2018 –

Monday, 8th October
 Monday, 5th November
 Thursday, 29th November
 Thursday, 20th December.

Having noted the times proposed for each meeting, the Board further noted that the venue for each would be advised in due course.

STATES EMPLOYMENT BOARD

(5th Meeting)

8th October 2018PART A (Non-Exempt)

All members were present.

Senator T.A. Vallois, Chairman
 Deputy G.J. Truscott of St. Brelade
 Connétable D.W. Mezbourian of St. Lawrence
 Connetable R.A. Buchanan of St. Ouen

In attendance -

C. Parker, Chief Executive, States of Jersey
 C. Stephenson, Director of Employment Relations and Organisational
 Management
 J. McGeachie, Head of People Services
 [REDACTED]
 J. Mcinerney, Interim Acting Group Medical Director, Health and Social
 Care
 [REDACTED]

Senator T.A. Vallois, Chairman
 Deputy S.J. Pinel of St. Clement
 Deputy G.J. Truscott of St. Brelade
 Connétable D.W. Mezbourian of St. Lawrence
 Connetable R.A. Buchanan of St. Ouen

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

Minutes.

A1. The Minutes of the meeting held on 17th September 2018 (Part A and Part B), having been previously circulated, were taken as read and were confirmed.

Meeting dates
 2018.

A2. The Board noted the following dates for its remaining scheduled monthly meetings in 2018 -

Monday 5th November -	2.00pm - 5.00pm
Thursday 29th November -	1.30pm - 4.30pm
Thursday 20th December -	2.00pm - 4.30pm.

Additionally, the Board noted that a Workshop, to discuss the Target Operating Model and States Employment Board Governance, would be held on Monday, 22nd October, from 2.30pm to 5.00pm.

Having noted the times proposed for each meeting, the Board further noted that the venue for each would be advised in due course.

PM/MH/338

STATES EMPLOYMENT BOARD

(6th Meeting)

22nd October 2018PART A (Non-Exempt)

All members were present.

Senator T.A. Vallois, Chairman
Deputy S.J. Pinel of St. Clement
Deputy G.J. Truscott of St. Brelade
Connétable D.W. Mezbourian of St. Lawrence
Connétable R.A. Buchanan of St. Ouen

In attendance -

C. Stephenson, Director of Employment Relations
B. Shears, Independent Advisor to the States Employment Board
J. McGeachie, Head of People Services
R. Bell, Treasurer of the States (for item B1)
J. Quinn, Chief Operating Officer



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

Agenda.

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

MC/MH/306

STATES EMPLOYMENT BOARD

(7th Meeting)

25th October 2018**PART A (Non-Exempt)**

All members were present.

Senator T.A. Vallois, Chairman
 Connétable R.A. Buchanan of St. Ouen, Vice Chairman
 Connétable D.W. Mezbourian of St. Lawrence
 Deputy S.J. Pinel of St. Clement
 Deputy G.J. Truscott of St. Brelade

In attendance -

C. Stephenson, Director of Employment Relations
 J. McGeachie, Head of People Services
 [REDACTED]
 A. Woolley, National Education Union (item A1 only)
 B. Carolan, National Education Union (item A1 only)
 M. Mauger, NASUWT (item A1 only)
 W. Bates, NASUWT (item A1 only)
 S. de Feu, Unite (item A1 only)
 C. Langford, Unite (item A1 only)
 T, Le Cocq, Prospect / Fire and Rescue Services Association (item A1 only)
 S. Cooper, Jersey Association of Head Teachers (item A1 only)
 T. Keefe, Unite (item A1 only)
 K. Falle, Unite (item A1 only)
 N. Sheldon, Unite (item A1 only)
 N. Corbel, Unite (item A1 only)
 M. Robbins, JCSA Prospect (item A1 only)
 T. Renouf, JCSA Prospect (item A1 only)
 C. Holloway, Unite and Trades Union Liaison Officer (item A1 only)
 T. Balston, National Education Union (item A1 only)
 [REDACTED]

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

Public Sector
 Pay Review
 2018/2019.
 Discussion
 with Public
 Sector Union
 representatives
 688/2(48)

A1. The Board, with reference to its Minute No. B2 of 22nd October 2018, welcomed representatives of the National Education Union, NASUWT, Unite, Prospect, the Fire and Rescue Services Association and the Jersey Association of Head Teachers to the meeting.

The Chairman began by explaining that the Board recognised the current difficulties surrounding the 2018/2019 Pay Review and welcomed the opportunity to meet with union representatives in order to listen to their views.

Mr. M. Robbins of Prospect began by offering an overview of the current position, which he stressed was the position of all union representatives present. Mr. Robbins

referred to the Joint Council Framework Agreement, which set out how pay negotiations were to be conducted, and reminded the meeting that all parties had agreed that, should the Retail Price Index (RPI) be a factor, the figure from the September quarter of the year prior to that being negotiated would be used. It was accordingly noted that the September 2017 RPI figure was 3.1 per cent.

Union representatives had submitted pay claims (some of which were higher than the September 2017 RPI) to the Employer on behalf of their members, following which a final offer for 2018 and 2019 had been made by the Employer during August 2018. The unions also noted that a communication to all staff from the Chief Executive in early October had indicated that the Employer was considering implementing this offer without further negotiation.

The Board was informed that no union had a mandate from its members to accept a below-RPI pay award in the current negotiations. The union representatives reminded the meeting that the current Medium Term Financial Plan (MTFP2) had allocated an amount of £12.3 million for the 2018 pay award, which was believed to be sufficient to fund an increase of 3.1 per cent for all public sector employees. The whereabouts of an amount of £47 million, which representatives understood had been 'set aside' to pay for Workforce Modernisation (WFM), was questioned, given that WFM had been rejected by a ballot of union membership and had consequently been withdrawn by the Employer.

The unions confirmed that they supported the Employer's aspiration to introduce equal pay for work of equal value. Union representatives were concerned that the Employer proposed to alter their members' terms and conditions by rolling out the new Target Operating Model (TOM) as part of the 2018 Employer's final offer, given that WFM had been withdrawn. Mr. Robbins reminded the Board that, in accordance with the Joint Framework Agreement, negotiation with the unions was required before changes were made to employees' terms and conditions.

The unions also contended that the TOM was originally envisaged as an administrative exercise (which involved staff moving to new premises and the creation of a revised organisational structure with new reporting lines) but was now being used to facilitate widespread change to employees' terms and conditions, without an appropriate level of consultation taking place.

Mr. Robbins concluded by reminding the Board that the current dispute concerned the provision of adequate pay increases, based on RPI, and advised that the unions would like to see the issues of pay, the TOM and equal pay for work of equal value dealt with in isolation. Most unions were currently in dispute with the Employer and either had, or were about to ballot members on industrial action, up to and including strike action; the Board was cautioned that imposing a below-RPI increase would only serve to precipitate such action.

Mr. Robbins was thanked by the Board for setting out the union position.

The Board invited other representatives to put forward any views not covered in the presentation, and was advised as follows:

- there was disquiet amongst members regarding the perceived cost of the TOM, appointment of consultants, and the new cohort of senior management, including interims;
- unions had not requested that pay negotiations should cover a 2 year period, which had been introduced unilaterally by the Employer;

- there had been significant time lags between the Employer receiving and responding to pay claims submitted by some unions;
- unions felt they had been denied the opportunity to discuss the current situation with the Board until now;
- unions did not believe they had been given adequate information regarding how job evaluations had been conducted; and
- a below-RPI pay award would be considered unacceptable to the public sector unions, as would unconsolidated pay awards.

The Chairman advised that the Board believed in openness and transparency and confirmed that information regarding the job evaluation process would be provided by officers in response to any specific request received from union representatives. The Head of Pay and Reward also undertook to share with Civil Service Staff Side the work undertaken by the Employer regarding job evaluation in respect of the Finance restructure.

Union representatives also highlighted concerns raised by their membership following the Chief Minister's recent comments regarding the possibility of job losses occurring in 2019. Given that there were 600 vacancies in the public service it was suggested to the Board that significant savings should have already been made as a result of a lower wage-bill.

The Connétable of St. Ouen sought to clarify whether the unions' request for a pay increase equivalent to RPI took account of pension contributions; given that the Employer contributed 16 per cent of each employee's salary to their pension this represented a significant extra cost.

The Minister for Treasury and Resources reminded the meeting that comparisons with the U.K. should be made carefully due to differing tax systems, although it was acknowledged that the majority of public sector salaries in the U.K. would fall into the lower tax bracket. Unions reported that, anecdotally, job applicants from the U.K. had reported that they would be unable to afford to live in Jersey on the salaries offered and the requirement to rent for 10 years before being able to purchase property was a barrier.

Representatives of the teaching unions felt that the changing landscape in education over the last 10 years had been disregarded by the Employer and teaching had become the lowest paid graduate profession in Jersey. Additionally, teaching assistants (who were amongst the lowest-paid frontline education employees and yet provided a vital service) were being offered the smallest increase by virtue of being categorised as Civil Servants. Representatives of teaching unions advised that goodwill amongst their members had been eroded following an extended period of consistently below-RPI pay awards.

Although representatives of nursing and midwifery unions were not present, it was acknowledged that their dispute with the Employer included other issues specifically related to their working patterns, pay comparisons with Allied Health Professionals and unsocial hours payments. The Chairman advised that her open letter to nurses and midwives, issued on 24th October 2018, had been intended to provide some factual context in connection with their pay claim.

Representatives of the uniformed services spoke of low morale and uncertainty, which had been exacerbated by the impending uniformed services review, particularly as this related to possible changes to terms and conditions.

The Board was informed that a letter, sent by the Chief Executive to all staff on 11th October 2018, had caused concern as staff perceived that it sought to hold the public sector unions responsible for failing to reach agreement with the Employer over pay. Noting that the Chief Executive was out of the Island and therefore unable to respond directly, the Chairman apologised on behalf of the Board for any offence caused.

Given that all staff had been invited to a public meeting, to be held on the evening of 25th October 2018, the Board asked the union representatives to convey to their membership the message that the Board had listened to their concerns and would continue to do so. The Chairman commented that it was the responsibility of the Board to ensure that it was in possession of all the facts, and accordingly officers had been asked to provide additional information in advance of the Board's next meeting on 5th November 2018. The Chairman also stressed that the pay offer was constrained by the funding envelope established by the MTFP2, but undertook that the Board would investigate whether any flexibility existed to restructure the offer, including consideration of the implications of the TOM rollout.

The Vice Chairman commented that the discussion had been extremely valuable to the Board and thanked union representatives for the candid expression of their views.

The union representatives, having been thanked by the Board for their participation, then withdrew from the meeting.

PM/MH/338

STATES EMPLOYMENT BOARD

(8th Meeting)

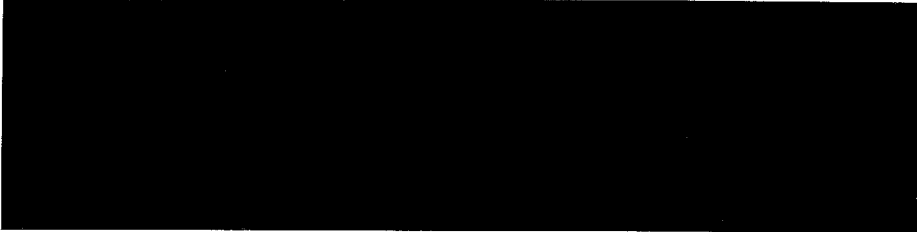
5th November 2018**PART A (Non-Exempt)**

All members were present.

Senator T.A. Vallois, Chairman
 Deputy S.J. Pinel of St. Clement
 Deputy G.J. Truscott of St. Brelade
 Connétable D.W. Mezbourian of St. Lawrence
 Connétable R.A. Buchanan of St. Ouen

In attendance -

C. Parker, Chief Executive, States of Jersey
 C. Stephenson, Director of Employment Relations
 J. McGeachie, Head of People Services
 J. Quinn, Chief Operating Officer

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

Minutes.

A1. The Minutes of the meetings held on 23rd July, 4th September and 25th October 2018 (all Part A and Part B), having been previously circulated, were taken as read and were confirmed.

Meeting dates
 2018 and
 January 2019.

A2. The Board noted the following dates for its remaining scheduled monthly meetings in 2018 –

Monday, 19th November -	2.00pm – 5.00pm (Workshop on Governance)
Thursday, 29th November -	1.30pm – 4.30pm
Thursday, 20th December -	2.00pm – 4.30pm.

The Board also noted that its first meeting in 2019 would be held on Tuesday, 22nd January, from 1.30pm to 4.30pm.

Having noted the times proposed for each meeting, the Board further noted that the venue for each would be advised in due course.

Public
 Employees
 Pension Fund
 (PEPF): Draft

A3. The Board, with reference to its Minute No. B5 of 23rd July 2018, considered an undated report concerning proposed amendments to Public Employees Pension Fund (PEPF) Regulations.

Public Employees
(Pension Scheme)
(Miscellaneous Amendments)
(Jersey)
Regulations 201-
1479/99(3)
1479/99(5)
1479/99(6)
1479/99(8)

Having recalled the background to the proposal, the Board noted that a number of minor technical amendments were necessary to the Final Salary Scheme and to the Career Average Scheme in order to improve clarity. The Principal Legislative Drafter had now finalised 3 of the necessary changes, which related to the definition of pensionable earnings, the calculation of final salary for transition members and the transfer out provisions for transition members.

The proposed Draft Public Employees (Pension Scheme) (Miscellaneous Amendments) (Jersey) Regulations 201- provided for the following changes to –

Regulation 22 of the Public Employees (Pension Scheme) (Administration) (Jersey) Regulations 2015: to ensure that a member transferring out of the Final Salary Scheme whilst remaining a member of the Career Average Scheme would no longer have any rights to any further benefits under the Final Salary Scheme following the completion of the transfer out;

Regulation 4 of the Public Employees (Pension Scheme) (Membership and Benefits) (Jersey) Regulations 2015: to clarify that payments of a temporary nature would not be classed as pensionable earnings, ensuring that the Career Average Scheme matched the Final Salary Scheme and removed any potential misinterpretation between the 2 schemes; and

Regulations 9 and 15 of the Public Employees (Pension Scheme) (Transitional Provisions, Savings and Consequential Amendments) (Jersey) Regulations 2015: the purpose of the amendment to Regulation 9 was to ensure that a transition member had the calculation of their final salary based over a total of 10 years, whereas at present it was limited to only going back to 1st January 2016 meaning that a member might get the calculation based on less than 10 years. The amendment to Regulation 15 would allow a transition member to transfer-out their Final Salary Scheme benefits upon reaching their Final Salary Scheme normal retiring age whilst remaining a member of the Career Average Scheme.

The Board, having approved the Draft Public Employees (Pension Scheme) (Miscellaneous Amendments) (Jersey) Regulations 201-, accordingly agreed that they should be lodged 'au Greffe' for consideration by the States Assembly as soon as possible, subject to the preparation of an explanatory report to accompany the projet, responsibility for the finalisation of which was delegated to the Vice-Chairman.

PM/MH/341

STATES EMPLOYMENT BOARD

(9th Meeting)

19th November 2018PART A (Non-Exempt)

All members were present.

Senator T.A. Vallois, Chairman
 Deputy G.J. Truscott of St. Brelade
 Connétable D.W. Mezbourian of St. Lawrence
 Connétable R.A. Buchanan of St. Ouen

In attendance -

C. Parker, Chief Executive, States of Jersey
 C. Stephenson, Director of Employment Relations

R. Bell, Treasurer of the States (for items B1 and B2)
 T. Walker, Director General – Strategic Policy, Performance and
 Population (for items B1 and B2)

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

States
 Employment
 Board
 Business
 Framework/
 Governance.
 688/2(1)

A1. The Board, with reference to its Minute No. B1 of 17th September 2018, received a presentation from the Senior Human Resources Manager regarding States Employment Board Governance.

The Board recalled that it had strategic oversight and assurance of the management of the people it employed and that it was responsible for employing all employees of the States of Jersey. The Board had been established by the Employment of States of Jersey Employees (Jersey) Law 2005 ('the Law'), which set out how meetings of the Board should operate, how it could appoint advisers and the terms of liability which applied to the Board and its members. It was noted that the Law also determined the functions and powers of the Board - the Board having the powers necessary to enable it to perform its functions – and that it made provision for the delegation of functions to its members and to the Chief Executive, States of Jersey.

The Board noted that its functions were set out in Article 8 of the Law and that these were to –

- (a) employ persons on behalf of the States and administrations of the States;
- (b) ensure that the public service conducted itself with economy, efficiency, probity and effectiveness;
- (c) ensure the health, safety and well-being of States' employees;

- (d) determine any other matter that might reasonably be considered necessary for the proper administration and management of States' employees; and
- (e) discharge any other function conferred on it by or under any enactment.

For these purposes, the Board was also required to –

1. give directions regarding consultation or negotiation with States' employees, or with representatives of States' employees, concerning the terms and condition of employment of States' employees; and
2. issue codes of practice.

The Board particularly noted that it was required to issue codes of practice concerning the following –

- (i) the procedures for training and the development needs of States' employees;
- (ii) the procedures for recruitment of States' employees;
- (iii) the procedures for appraisal of the performance of States' employees;
- (iv) the procedures for disciplining; suspending and terminating the employment of States' employees; and
- (v) interventions by the Jersey Appointments Commission under Article 26A – 'intervention in respect of recruitment.'

The Board recognised that the 10 codes of practice previously issued by its predecessor Boards were in the process of being reorganised and replaced by 8 new codes – mission statements for that which the Board considered its policies should contain. It was noted that the former 'Information Management' and 'Expenses and Travel' codes of practice had been subsumed into Financial Directions issued under the Public Finances (Jersey) Law 2005. The new codes would cover the following –

- (A) Diversity and Inclusion;
- (B) People Management;
- (C) Employee Development;
- (D) Recruitment and Selection;
- (E) Employment Relations;
- (F) Reward, Benefits and Contractual Terms;
- (G) Health and Safety; and
- (H) Well-being.

The Board recalled that the States' current pay policy had been based on its predecessor's proposals for Workforce Modernisation, which had driven the negotiations leading to the present situation. It was noted that, for the future, the Head of Pay and Reward and Employment Relations was in the process of developing a 'pay and reward' policy for public sector employees, which would be presented to the Board for its approval in due course. The Board endorsed the proposed course of action.

The Board recognised that the Comptroller and Auditor General (C&AG) was presently engaged in a review of the Board, its activities and process, and that a report was expected by January 2019. It was understood that the C&AG sought less

prescription and a greater level of 'principle' direction by the Board in future; and the Board recalled that the Employment Tribunal had previously indicated that it expected that the States – as the employer of the largest workforce in the Island – should operate to 'gold standards' of employment practice at all times. The Senior Human Resources Manager confirmed that the States HR Team sought to meet the Employment Tribunal's aspirations and intended to champion the development of a better 'message path' for conveying information to all States' employees. The Board agreed that, in the event that the C&AG wished to interview Board members, or to attend upon the Board prior to producing her report, it would welcome such discussion. The Board also noted that Team Jersey had indicated a desire to address the Board in January 2019; and that the Social Security ministerial team was scheduled to meet the Board on 22nd January 2019.

The Board recalled that Deputy G.P. Southern of St. Helier, currently an Assistant Minister for Social Security, had previously raised concerns regarding the use of 'zero-hour' contracts within the States administration. The Senior Manager, Employment Relations confirmed that 'zero-hours' contracts could be beneficial to both employee and employer in circumstances where they were appropriate to use. The Board asked that the Jersey Advisory and Conciliation Services' (JACS) guidelines on zero-hours contracts be adopted as best practice within the public service and that a review of the use of zero-hours contracts throughout the States administration should be undertaken.

The Board recognised that the Law provided for the appointment of up to 2 independent advisers, and that, at present, this function was fulfilled by Ms. B. Shears.

Having noted that the Director of Employment Relations and Organisational Management was scheduled to meet the C&AG on 4th December 2018, the Board agreed that, in the light of the ongoing review being undertaken by the C&AG, a copy of the slide presentation on 'States Employment Board Governance' should be provided to her. The Board confirmed its wish to receive regular assurance that specific matters under its remit were being dealt with expeditiously (e.g. issues relating to Health and Safety), with the inclusion of such relevant and appropriate 'standing' items on the agenda for its monthly meetings.

The Chairman outlined the desirability for relevant input by the Board into matters under consideration by the Council of Ministers, such as the capital programme, where there might be a need to ensure that adequate provision was being made for the Board's priorities, reflecting the States' statutory employer requirements.

The Board requested that consideration be given to current provisions to allow paid time-off to States' employees who were also volunteers in the Territorial Army, together with the means by which such provisions could, if possible, be extended to States' employees who were members of the Island's honorary police on the basis that Honorary Police officers should be given the same level of special leave as members of the Territorial Army unit.

The officers were directed to take the necessary action.

PM/MH/345

STATES EMPLOYMENT BOARD

(10th Meeting)

29th November 2018PART A (Non-Exempt)

All members were present, with the exception of Deputy S.J. Pinel of St. Clement, from whom apologies for absence had been received.

Senator T.A. Vallois, Chairman (not present for items B5 to B8)

Deputy G.J. Truscott of St. Brelade

Connétable D.W. Mezbourian of St. Lawrence

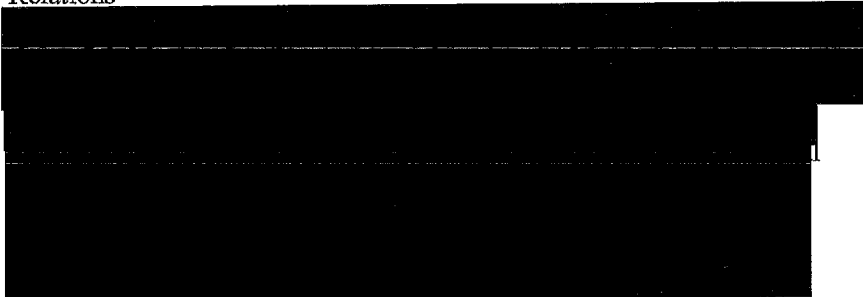
Comnetable R.A. Buchanan of St. Ouen

In attendance -

B: Shears, Independent Advisor to the States Employment Board

C. Parker, Chief Executive, States of Jersey

C. Stephenson, Director of Employment Relations and Industrial Relations



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

Agenda.

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

PM/MH/008

STATES EMPLOYMENT BOARD

(11th Meeting)

20th December 2018PART A (Non-Exempt)

All members were present.

Senator J.A. Le Fondré, Chairman (present for items A3, B1 and B2)
 Connetable R.A. Buchanan of St. Ouen
 Deputy S.J. Pinel of St. Clement (present for items A3 and B1-B5)
 Deputy G.J. Truscott of St. Brelade
 Connétable D.W. Mezbourian of St. Lawrence

In attendance -

C. Parker, Chief Executive, States of Jersey (present for items B1 and B2)
 C. Stephenson, Director of Employment Relations and Industrial Relations
 B. Shears, Independent Advisor to the States Employment Board
 J. McGeachie, Head of People Services

J. Blazebly, Director General, Justice and Home Affairs Department (for item B3)

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

Minutes.

A1. The Minutes of the meetings held on 8th and 22nd October, and 5th, 19th and 29th November 2018 (all Part A and Part B), having been previously circulated, were taken as read and were confirmed.

Resignation of Chairman.

A2. The Board noted with regret that Senator T.A. Vallois had resigned as Chairman of the States Employment Board on 13th December 2018.

Appreciation to Board members and officers.

A3. The Chief Minister expressed his thanks to Board members and officers for their work in relation to the activities of the States Employment Board, and wished them all seasonal greetings.

The Vice-Chairman also expressed his appreciation to his fellow Board members and to the officers of the Human Resources Department, as well as to the Committee Clerk.

Meeting dates
January to
March 2019.

A4. The Board noted the following dates for its scheduled monthly meetings in the period January to March 2019 –

Tuesday, 8th January	- 4.00pm-5.00pm
Tuesday, 22nd January	- 1.30pm-4.30pm
Tuesday, 19th February	- 1.30pm-4.30pm
Tuesday, 19th March	- 1.30pm-4.30pm.

Having noted the times proposed for each meeting, the Board further noted that the venue for each would be advised in due course.