

MC/SC/194

STATES EMPLOYMENT BOARD

(67th Meeting)

5th July 2017

PART A (Non-exempt)

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

Senator A.K.F. Green, M.B.E., Chairman (not present for part of item B1)
Connétable J. Gallichan of St. Mary
Connétable M. Le Troquer of St. Martin
Deputy A.E. Pryke of Trinity

In attendance -

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

[REDACTED]

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

Agenda.

A1. In the absence of the Chairman and Vice-Chairman, Connétable J. Gallichan of St. Mary took the Chair.

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

STATES EMPLOYMENT BOARD

(67th Meeting)

5th July 2017

PART B (Exempt)

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

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

B1. [Redacted]
[Redacted]

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[REDACTED]

[REDACTED]

[REDACTED]

The Board took the opportunity to commend the entire WFM Project Team, which was considered to have delivered a viable and sustainable project within the mandate given to it by the States Assembly.

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

B2. [REDACTED]

[REDACTED]

[REDACTED]

[Redacted]

[Redacted]

Officers were directed to take the necessary action.

**Confidential:
QE Article 39**

[Redacted]

792(31)

B3. [Redacted]

[Redacted]

[Redacted]

The Board noted the position.

MC/MH/201

STATES EMPLOYMENT BOARD

(68th Meeting)

11th July 2017

PART A

All members were present, with the exception of Senator A.J.H. Maclean, from who 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
Deputy A.E. Pryke of Trinity

In attendance -

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

[REDACTED]

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

Workforce
Modernisation
Programme:
Discussion
with Public
Sector Unions.
688/2(71)

A1. The Board, with reference to its Minute No. A2 of 20th January 2017, welcomed representatives of the following public sector unions for discussions regarding the ongoing Workforce Modernisation (WFM) Programme:

- M. Mauger, Chair, Joint Trade Unions
- N. Corbel, Regional Officer, Unite
- A. Kearney, Prison Officers' Association
- C. Holloway, Trade Unions Secretary
- M. Robbins, Vice-president, Prospect
- B. King, Regional Officer, Prospect
- D. Gray, Unite
- S. Samson, Royal College of Midwives
- N. Sheldon, Unite
- A. Langlois, Ambulance Service Association
- K. Hawksworth, Royal College of Nursing

The Vice-President of Prospect began by reading a letter to the Board, dated 5th July 2017, sent on behalf of union representatives making up the Joint Pilot Council, which reflected the unions' 3 main areas of concern regarding WFM:

[REDACTED]

The union representatives, having been thanked by the Board for their attendance and helpful input, then left the meeting.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Officers were directed to take the necessary action.

Confidential
QE Article 39
Workforce
Modernisation
Programme:

B3. The Board, with reference to its Minute No. A1 of the current meeting, reflected on its discussions with representatives of the public service unions regarding their ongoing reservations around Workforce Modernisation (WFM).

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

■ [REDACTED]

[REDACTED]

In conclusion, the Board agreed the following actions:

- (a) the Chief Executive should update all staff on the current status of WFM negotiations at the earliest opportunity;

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Officers were directed to take the necessary action.

Confidential
QE Article 39
2015/2016
Public Sector
Pay Review:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
688/2(48)

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

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

The position was noted.

MC/MH/208

STATES EMPLOYMENT BOARD

(Business conducted by electronic mail)

(69th Meeting)

17th July 2017

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 -

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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.

MC/SC/222

STATES EMPLOYMENT BOARD

(70th Meeting)

27th July 2017

PART A (Non-exempt)

All members were present, with the exception of Connétable J. Gallichan of St. Mary and 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 M. Le Troquer of St. Martin

In attendance -

[REDACTED]

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

(70th Meeting)

27th July 2017

PART B (Exempt)

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

**Confidential:
QE Article 39**

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

792(31)

B1. [Redacted]
[Redacted]
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[REDACTED]

[REDACTED]

Officers were directed to take the necessary action.

[REDACTED] extended her particular thanks to Ms. B. Shears for the specialist assistance offered to her, and, having been thanked by the Board for bringing these matters to its attention, then left the meeting.

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

B2. [REDACTED]

[REDACTED]

[REDACTED]

[Redacted text block]

The officers were requested to take the necessary action.

Confidential
QE Article 39
Workforce
Modernisation
Programme:

B3. [Redacted text block]

[Redacted text block]
[Redacted text block]
[Redacted text block]
[Redacted text block]
[Redacted text block]
688/2(71)

[Redacted text block]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Officers were directed to take the necessary action.

KS/SC/250

STATES EMPLOYMENT BOARD

(71st Meeting)

21st August 2017

PART A (Non-exempt)

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

Senator A.K.F. Green, M.B.E., Chairman (via telephone link) (in attendance for item B6 only)
Connétable J. Gallichan of St. Mary (Acting Chairman)
Connétable M. Le Troquer of St. Martin
Deputy A.E. Pryke of Trinity

In attendance -

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

[Redacted names]

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

Chairman. A1. In the absence of the Chairman and the Vice-Chairman, Connétable J. Gallichan of St. Mary took the Chair.

Minutes. A2. The Minutes of the meetings dated 15th June 2017 (Part A and Part B), 26th June 2017 (Part A and Part B), 5th July 2017 (Part A and Part B), and 11th July 2017 (Part A and Part B), having been previously circulated, were taken as read and were confirmed.

STATES EMPLOYMENT BOARD

(71st Meeting)

21st August 2017

PART B (Exempt)

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

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

B1. [Redacted]
[Redacted]
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Confidential
QE Article 35
Proposed
change to the
quorum for the
States
Employment
Board.
688/99(1)

B2. Due to the absence of both the Chairman and the Vice-Chairman from the current meeting, Connétable J. Gallichan of St. Mary had assumed the role of Acting Chairman, in accordance with the provisions of Article 6(1)(c) of the Employment of States of Jersey Employees (Jersey) Law 2005 ('the 2005 Law').

That Article provided that *'the Chairman, or, in the absence of the Chairman, the Vice-Chairman, or in the absence of both the Chairman and the Vice-Chairman, another member of the States Employment Board who is present at the meeting and is elected by the members of the State Employment Board who are present, shall preside.'*

In the light of the significant matters that were to be discussed at the meeting, Connétable Gallichan suggested that an amendment should be made to the 2005 Law to the effect that the Board would not be quorate if neither the Chairman, nor the Vice-Chairman were in attendance, as it made it significantly more challenging for the other members of the Board to work without a full complement of members.

Confidential:
QE Article 39
[REDACTED]
[REDACTED]
792(31)

B3. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] The Board noted the position accordingly.

Confidential:
QE Article 39
Control and
monitoring of
senior salaries
(P.59/2011):
Acting Chief
Officer and
Deputy Chief
Officer, States
of Jersey
Police.
688/2(42)

B4. The Board, having recognised the requirement for it to approve all posts remunerated at the equivalent of Civil Service Grade 15 and those at a rate of £100,000 *per annum* and above (P.59/2011 referred), discussed with the Director of Employment Relations temporary appointments, for a period of 6 months, to the posts of Acting Chief Officer, States of Jersey Police and Deputy Chief Officer, States of Jersey Police.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The Board authorised the Acting Chairman to sign the ‘Approval of Senior Appointments’ forms, confirming the Board’s approval and requested officers 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)

B5. The Board, with reference to its Minute No. B7 of 26th June 2017, recalled that it had previously approved the following 3 posts within the Health and Social Services Department (HSSD):

- (1) Head of Service – Children’s Social Work (interim) [REDACTED]
- (2) Director, Specialist Services – extension to interim contract – [REDACTED]
- (3) Specialist Consultant – extension to contract for service

The Board was notified that extensions were required to the 3 posts and approved the same. It authorised the Acting Chairman to sign the ‘Approval of Senior Appointments’ form and requested officers to take the necessary action.

Confidential:
AE Article 25
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
688/2(43)

B6. [REDACTED]

Confidential:
QE Article 32
Health and
Social Services
Department -

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

1064/1(44)

B7. [REDACTED]
[REDACTED]
[REDACTED]

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

71st Meeting
21.08.17

[REDACTED]
[REDACTED] It was felt that this recognised the good track record that HSSD had had to date and noted the position accordingly.

PM/MH/279

STATES EMPLOYMENT BOARD

(72nd Meeting)

8th September 2017

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 -

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

[REDACTED]

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

Minutes. A1. The Minutes of the meeting held on 21st August 2017 (Part A and Part B), having been previously circulated, were taken as read and were confirmed.

Agenda. A2. The Board noted that there were no substantive items for consideration on the Part A (non-exempt) public agenda.

PM/MH/279
(Re-issued 12.12.17)

CONFIDENTIAL

STATES EMPLOYMENT BOARD

(72nd Meeting)

8th September 2017

PART B (Exempt)

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

**Confidential:
AE Article 25**

[Redacted text]

688/2(43)

B1. [Redacted text]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

The officers were directed to take the necessary action.

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

B2. [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

**Confidential:
QE Article 39**

[Redacted]
[Redacted]
[Redacted]
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[Redacted]
688/2(90)

B3. [Redacted]
[Redacted]
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The officers were directed to take the necessary action.

Confidential:
QE Article 39
Control and
monitoring of
senior salaries
(P.59/2011):
Health and
Social Services
Department –
Managing
Director,
General
Hospital and
Ambulance
Service.
688/2(61)

B4. The Board, having recognised the requirement for it to approve all posts remunerated at the equivalent Civil Service Grade 15 and those at a rate of £100,000 per annum and above ('salaries over £100,000: process for review and scrutiny' (P.59/2011) as agreed by the States Assembly on 8th June 2011), discussed with the Director of Employment Relations the proposal to appoint to the post of Managing Director – General Hospital and Ambulance Service, Health and Social Services Department.

[REDACTED]

[REDACTED]

The Board authorised the Chairman to sign the 'Approval of Senior appointments' forms, confirming the Board's approval and requested officers to take the necessary action.

Confidential:
QE Article 39
Control and
monitoring of
senior salaries
(P.59/2011):
Interim Head
of
transformation
– Hospital,
Health and
Social Services
Department.
688/2(61)

B5. The Board, having recognised the requirement for it to approve all posts remunerated at the equivalent Civil Service Grade 15 and those at a rate of £100,000 per annum and above ('salaries over £100,000: process for review and scrutiny' (P.59/2011) as agreed by the States Assembly on 8th June 2011), discussed with the Director of Employment Relations the proposal to appoint to the post of Interim Head of Transformation - Hospital, Health and Social Services Department for a period of 6 months.

[REDACTED]

[REDACTED]

The Board authorised the Chairman to sign the 'Approval of Senior appointments' forms, confirming the Board's approval and requested officers to take the necessary action.

72nd Meeting
08.09.17 (Re-issued 12.12.17)

Confidential:
QE Article 39
Control and
monitoring of
senior salaries
(P.59/2011):
Director of
Quality,
Improvement,
Policy and
Performance,
Health and
Social Services
Department.
688/2(61)

B6. The Board, having recognised the requirement for it to approve all posts remunerated at the equivalent Civil Service Grade 15 and those at a rate of £100,000 per annum and above ('salaries over £100,000: process for review and scrutiny' (P.59/2011) as agreed by the States Assembly on 8th June 2011), discussed with the Director of Employment Relations the proposal to appoint to the post of Director of Quality, Improvement, Policy and Improvement, Health and Social Services Department for an interim period of 6 months.

[Redacted]

[Redacted]

The Board authorised the Chairman to sign the 'Approval of Senior appointments' forms, confirming the Board's approval and requested officers to take the necessary action.

Confidential:
QE Article 39
Jersey
Appointments
Commission:
reappointment
of
Commissioner.
1452(2)

B7. The Board, with reference to its Minute No. A1 of 13th October 2016, discussed with the Director of Human Resources, States of Jersey a report concerning a proposal of the Chairman of the Jersey Appointments Commission (JAC) to reappoint Professor Ed Sallis, O.B.E. until 15th January 2021, which would take his total length of service to 8 years (the expiry of his current term of office being October 2017).

[Redacted]

[Redacted]

MC/KML/293

STATES EMPLOYMENT BOARD

(73rd Meeting)

29th September 2017

PART A (Non-exempt)

All members were present.

Senator A.K.F. Green, M.B.E., Chairman
Senator A.J.H. Maclean (item No. B2 only)
Connétable J. Gallichan of St. Mary
Connétable M. Le Troquer of St. Martin
Deputy A.E. Pryke of Trinity

In attendance -

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

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

- Minutes. A1. The minutes of the meetings dated 17th July 2017 (Part A And Part B) and 27th July 2017 (Part A and Part B), having been previously circulated, were taken as read and were confirmed.
- Agenda. B2. The Board noted that there were no substantive items for consideration on the Part A (non-exempt) public agenda.

STATES EMPLOYMENT BOARD

(73rd Meeting)

29th September 2017**PART B**

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

Confidential:
QE Article 35
 Public
 Employees
 Contributory
 Retirement
 Scheme
 (PECRS) and
 Public
 Employees'
 Pension
 Scheme
 (PEPS):
 Amendments
 to legislation.
 93/99(6)
 1479/99(3)

B1. The Board, with reference to its Minute No. B2 of 5th December 2016, [REDACTED] considered the draft Public Employees (Pensions) (Deferred Pensions, Transfer Payments and Refund of Contributions) (Miscellaneous Amendments) (Jersey) Regulations 201-.

The Board recalled that it had previously requested that amendments be made to existing legislation in order to deal with inconsistencies that had arisen as a result of changes to the law relating to Income Tax. The proposed changes would afford members of the Public Employees Contributory Retirement Scheme (PECRS) and the Public Employees' Pension Scheme (PEPS) additional freedoms in respect of their pension benefits, specifically relating to deferment of benefits and transfers out.

The Board noted that the draft Regulations provided as follows:

- (1) Regulation 1 amended Regulation 8 of the Public Employees (Contributory Retirement Scheme) (Existing Members) (Jersey) Regulations 1989 and would permit a member of PECRS on leaving employment to:
 - (a) defer his or her pension until it became payable on the member attaining the age of 60;
 - (b) apply for a transfer payment out of the fund into another pension scheme (regardless of whether or not a member was eligible to draw his or her PECRS pension at that time); or
 - (c) receive a refund of all of his or her pension contributions, but only if the member had completed less than 5 years' service qualifying him or her to receive a pension under the PECRS;
- (2) Regulation 2 amended Regulation 8 of the Public Employees (Contributory Retirement Scheme) (Former Hospital Scheme) (Jersey) Regulations 1992, and would remove the now spent qualifying service and age restrictions in respect of deferred pensions and pension transfers out;
- (3) Regulation 3 amended Regulation 11 of the Public Employees (Contributory Retirement Scheme) (Jersey) Regulations 1967 for the same reasons given for Regulation 2;
- (4) Regulation 4 amended Regulation 8 of the Public Employees (Contributory Retirement Scheme) (New Members) (Jersey) Regulations 1989 for the same reasons given for Regulation 1; and

(5) Regulation 5 amended Regulation 19 of the Public Employees (Pension Scheme) (Membership and Benefits) (Jersey) Regulations 2015 to clarify that a member on leaving employment, could defer his or her pension, seek a transfer out or a refund of contributions (subject to completion of less than 5 years' pensionable service) regardless of whether or not the member would otherwise be entitled to draw his or her retirement benefits at that time.

The Board accordingly approved the draft Public Employees (Pensions) (Deferred Pensions, Transfer Payments and Refund of Contributions) (Miscellaneous Amendments) (Jersey) Regulations 201- and requested that they be lodged 'au Greffe' in the name of the Chief Minister for debate by the States Assembly at the earliest opportunity. [REDACTED]

[REDACTED]

[REDACTED]

Confidential:
QE Articles
35 and 39
Doctors' Pay
688/2(80)

B2. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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The Director of Employment Relations and Organisational Development was requested to take the necessary action.

Confidential:
QE Article 35
Living Wage
688/2(91)

B3. The Board considered a proposition entitled 'States Employment Board: living wage 2017' (P.72/2017) which had been lodged 'au Greffe' by Deputy G.P. Southern of St. Helier, which asked the States to -

- (1) request the Chairman of the States' Employment Board to –
 - (i) seek accreditation of the Board as a Living Wage employer;
 - (ii) ensure that all directly-employed States of Jersey staff were paid at least the Jersey Living Wage by 1st June 2018;
 - (iii) seek accreditation for all newly-contracted States of Jersey staff and staff whose contracts were renewed; and
 - (iv) ensure that all contracted employees on States of Jersey premises were paid at least the Jersey Living Wage;
- (2) request the Minister for Treasury and Resources, as shareholder representative, to urge those incorporated bodies of which the States of Jersey was sole shareholder to seek accreditation as Living Wage employers, and
- (3) request the Minister for Treasury and Resources to take steps to ensure that the

wage rates offered by contractors to the States of Jersey were taken into consideration in the evaluation of tenders for goods and services issued by States of Jersey departments and other States bodies for which procurement activity was overseen by his Department.

The Board recalled that the concept of a Living Wage had been in force in the U.K. since 2011, and had been advocated in the Island by Caritas Jersey since June 2016.

Caritas Jersey had undertaken an extensive campaign encouraging local employers to commit to paying all employees at least the Living Wage, currently £9.75 per hour, as part of a wider drive to eradicate poverty in the Island.

The Board was content to note that the States of Jersey did not currently employ any staff below the Living Wage threshold, although it was acknowledged that public sector pay-scales included a Civil Service entry level grade of £9.45 per hour and that apprentices and trainees were subject to separate rates of pay, dependent on age and experience.

[REDACTED]

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73rd Meeting
29.09.17

[Redacted]

Confidential
QE Article 39

B4. [Redacted]

[Redacted]

1386/2/1/22(2)

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Confidential:
QE Article 39

B5. [Redacted]

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Confidential:
QE Article 39

B6. [Redacted]

[Redacted]

1386/2/2/22(3)

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