

Council of Ministers

(15th Meeting)

8th November 2022Part A (Non-Exempt)

All members were present, with the exception of Deputy P.F.C. Ozouf of St. Saviour, Minister for External Relations and Financial Services and Deputy K.M. Wilson of St. Clement, Minister for Health and Social Services, from whom apologies had been received.

Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter, Chief Minister (not present for item B4)

Deputy C.F. Labey of Grouville and St. Martin, Minister for International Development

Deputy K.F. Morel of St. John, St. Lawrence and Trinity, Minister for Economic Development, Tourism, Sport and Culture (for part of item B2 and items B3-B4 only) (Acting Chair for item B4)

Deputy I. Gardiner of St. Helier North, Minister for Children and Education

Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter, Minister for Treasury and Resources

Deputy D.J. Warr of St. Helier South, Minister for Housing and Communities

Deputy H.M. Miles of St. Brelade, Minister for Home Affairs

Deputy J. Renouf of St. Brelade, Minister for the Environment

Deputy R.E. Binet of Grouville and St. Martin, Assistant Minister for Health and Social Services (in lieu of the Minister for Health and Social Services)

Deputy M.E. Millar of St. John, St. Lawrence and Trinity, Minister for Social Security

Deputy T.J.A. Binet of St. Saviour, Minister for Infrastructure

In attendance -

Deputy A.F. Curtis of St. Clement, Assistant Chief Minister (not present for item B4)

Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter, Assistant Minister for Economic Development, Tourism, Sport and Culture

M. Jowitt, K.C., H.M. Solicitor General

L.-M. Hart, Greffier of the States

S. Wylie, OBE, Chief Executive and Head of the Public Service, Government of Jersey (not present for item B4)

R. Bell, Treasurer of the States

T. Walker, Director General, Strategic Policy, Planning and Performance Department

D. Danino-Forsyth, Director of Communications, Office of the Chief Executive

R. Summersgill, Comptroller, Treasury and Exchequer (for item B3 only)

I. Cope, Director of Statistics and Analytics, Strategic Policy, Planning and Performance Department (for item B2 only)

T. Holvey, Chief Economic Advisor, Department for the Economy (for item B2 only)

S. Duhamel, Associate Director, Strategic Policy, Planning and Performance Department (for items A1-A3 and B1-B3)

D. Edmunds, Principal Statistician, Strategic Policy, Planning and Performance Department (for item B2 only)  
 A. de Bourcier, Head of Environmental and Consumer Protection, Infrastructure, Housing and Environment Department (for item B4 only)  
 P. Bradbury, Head of Ministerial Office  
 K.L. Slack, Clerk to the Council of Ministers

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

Minutes.

A1. The Minutes of the meetings of the Council of Ministers of 23rd August (Parts A and B), 7th September (Part B only) and 22nd September 2022 (Part B only), having previously been circulated, were taken as read and were confirmed. It was noted that the Part A Minutes would be uploaded to the gov.je website shortly after they had been approved by the Council.

Ministers were advised that whilst the Part A Minutes had previously contained little detail other than those present at the meeting, more information was now being included with a view to rendering them more transparent and the Chief Minister, Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter, indicated that she was pleased with the new format.

Declarations of interest.

A2. The following members of the Council of Ministers declared an interest in their capacity as landlords with regard to item No. B4 -

Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter, Chief Minister  
 Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter, Minister for Treasury and Resources  
 Deputy I. Gardiner of St. Helier North, Minister for Children and Education  
 Deputy T.J.A. Binet of St. Saviour, Minister for Infrastructure  
 Deputy D.J. Warr of St. Helier South, Minister for Housing and Communities  
 Deputy A.F. Curtis of St. Clement, Assistant Chief Minister

It was noted that Deputy K.F. Morel of St. John, St. Lawrence and Trinity had also previously declared an interest as a landlord.

Deputy C.F. Labey of Grouville and St. Martin, Minister for International Development declared an interest to the extent that she was the reversionary owner of a property and fields.

The following members declared an interest in their capacity as owners of food registered businesses in respect of item No. A3 (P.105/2022) -

Deputy D.J. Warr of St. Helier South, Minister for Housing and Communities  
 Deputy A.F. Curtis of St. Clement, Assistant Chief Minister.

Forthcoming business.

A3. The Council of Ministers discussed the following items of public business, which were scheduled to be debated by the States Assembly at the meeting that was due to commence on 22nd November 2022 –

**The States of Jersey Development Company Limited – re-appointment of non-Executive Directors (P.101/2022)**

It was noted that this Proposition, which had been lodged by Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter, Minister for Treasury and Resources, proposed the re-appointment of 2 male, non-Executive Directors to the Board of the States of Jersey Development Company. In response to a question from Deputy C.F. Labey

of St. Martin and Grouville, Minister for International Development, with respect to the gender make up of the Board, the Council was informed that there were 2 female non-Executive Directors;

**Draft Children and Young People (Amendment) (Jersey) Law 202-** (P.96/2022)

The Council recalled that when the Children and Young People (Jersey) Law 2022 had been adopted by the States Assembly on 8th February 2022, it had been on the understanding that the Minister for Children and Education would ensure that the wording of paragraph (4) of Article 5 (arrangements to safeguard the welfare of children and young people) was corrected prior to the Law coming into force, on the basis that the lodged Law contained a drafting error in Article 5(4).

This Amendment, which had been lodged by Deputy I. Gardiner of St. Helier North, Minister for Children and Education, rectified the error and made the correct provision for the intended policy on information sharing. It was noted that supportive Comments had been presented by the Children, Education and Home Affairs Scrutiny Panel, signifying its support for the Amendment;

**Draft Employment (Minimum Wage) (Amendment No. 17) (Jersey) Regulations 202-** (P.99/2022)

The Minister for Social Security, Deputy M.E. Millar of St. John, St. Lawrence and Trinity, informed the Council that this Proposition, which she had lodged, would increase the current offset rates (the amounts that might be taken into account for the provision of living accommodation or living accommodation and food provided by an employer when assessing whether the minimum wage was being paid) from January 2023 by 26.2 per cent when compared with the figures from 1st April 2020, noting that the amount had not increased during the COVID-19 pandemic.

It was recalled that, on 28th September 2022, the Minister had presented a Report entitled 'Minimum wage increase in November 2022 and offset rates in January 2023' (R.132/2022 referred) in which she had referenced that the Jersey Employment Forum had recommended a 20 per cent increase in the level of offsets available to employers from 1st January 2023. In light of the current economic situation, action was required to provide a significant increase in the level of the minimum wage, so the Minister decided to increase the minimum wage and to increase the offset rate by 26.2 per cent to reflect the higher minimum wage;

**States Employment Board – Annual Reporting** (P.107/2022)

The Council of Ministers noted that this Proposition, which had been lodged by Deputy M.B. Andrews of St. Helier North, proposed that, with effect from January 2023, the States Employment Board should publish, on an annual basis –

- a breakdown of civil servant and public sector worker remuneration across salary bands, to be presented as percentages of government department payroll expenditure and overall government department expenditure across all government departments;
- civil servant remuneration over £100,000, to be presented as a percentage of government department payroll expenditure and overall government department expenditure across all government departments; and
- combined consultants' aggregate remuneration, to be presented as a percentage of government department expenditure across all government departments.

With respect to the latter, it was recalled that, during the term of the previous States Assembly, Deputy K.F. Morel of St. John, St. Lawrence and Trinity had brought a successful Proposition, entitled 'Consultants: reporting on their use by the Government of Jersey' (P.59/2019 referred), which required the Chief Minister to

present to the States Assembly on a 6-monthly basis details of consultants engaged by Government, including the costs associated therewith and that this information was already being provided. Accordingly, the Council was of the view that the information requested in this Proposition would be achievable and that it could be supportive thereof; and

**Draft Food (Jersey) Law 202- (P.105/2022)**

The Council of Ministers, with reference to Minute No. A3 of its meeting of 18th October 2022, recalled that it had received a briefing from officers on this draft legislation. It was noted that the fees and charges relating thereto would be contained within subordinate legislation.