

Migration Policy Development Board



Migration Policy Development Board (the 'Board' or the 'MPDB') Meeting 10
Friday 6th September 2019, 14.00 – 17:00

Board:

Chief Minister, Senator John Le Fondré (JLF) (from 16:35)
Assistant Chief Minister, Connétable Christopher Taylor (CT) (Chair)
Minister for the Environment, Deputy John Young (JY)
Deputy Rowland Huelin (RH)
Senator Sarah Ferguson (SF)
Dr Michael Oliver (MO)
Murray Norton – Jersey Chamber of Commerce (MN)
John Shenton – Institute of Directors (JS)

Executive Support:

Sue Duhamel – Policy Director (SD)
Neil Stocks – Policy Principal, Immigration & Migration Policy (NS)
Matthew Viney – Policy Principal (MV)

Apologies:

Minister for Social Security, Deputy Judy Martin (JM)

1. Welcome, apologies and minutes of last meeting

1.1 CT welcomed everyone to the meeting. Apologies were noted from JM.

1.2 The minutes of Meeting 9 – Thursday 11th July 2019 were agreed by the Board.

2. Skills – Discussion Paper for approval

2.1 NS provided an overview of the paper.

2.2 The paper was discussed at length, with several alterations being proposed.

2.3 Following the discussion, SD summarised the points arising:

- The Skills paper is intended as a background document setting out the types of policy options available to governments in areas of skills policy., The paper is based on the presentation given to the Board by the Director for Young People and Skills at a previous meeting.
- Productivity: The role of board is to propose a migration policy and this will not directly address the issue of improving productivity. It could however comment and make recommendations on how productivity impacts on the migration policy.
- Clarification was provided around published unemployment statistics. SD noted that the statistics don't include people who are (for example) too ill to work.

SD confirmed that the Skills paper would not be approved at this meeting. NS will review the content and recirculate prior to the next meeting.

Action 1 – Revised Skills paper to be circulated to the Board.

2.4 Members of the Board raised several further matters, the key points were as follows:

- In relation to the ageing population and pensions – CT noted that work had been done on the States pension fund in relation to various levels of migration. SD advised that these statistics were available.

Action 2 – Pension Fund vs Migration Statistics to be supplied

18/09/19 Further to the above request:

See R.31/2019 Government actuary's report on the financial condition of the Social Security fund as at 31 December 2017: <https://statesassembly.gov.je/assemblyreports/2019/r.31-2019.pdf>

- The issue of employers paying a Living wage or minimum wage was raised. It was noted that the introduction of living wage (Island wide) would likely result in some businesses closing, which would, de facto, reduce demand for certain jobs.

JY reiterated the need for a migration policy to be in place by early 2020, to support the development of the Island Plan.

- CT requested clarity on whether there was a mechanism for withdrawing business licences granted by HAWAG.

Action 3 – Officers to clarify situation in relation to HAWAG licences.

17/09/19 Further to the above request:

Article 30 of the Control of Housing and Work (Jersey) Law 2012 allows a licence to be withdrawn under certain circumstances:

30 Revocation of a licence

- (1) A licence granted under Article 26 (whether or not varied under Article 29) may be revoked by the Minister by giving notice in writing to the licence holder –
 - (a) if the Minister is satisfied that –
 - (i) any information provided in connection with the application for the licence, or an application to vary the licence, was false or misleading in a material particular,
 - (ii) there has been failure to comply with any condition of the licence,
 - (iii) in the case of a business licence only, the undertaking has ceased to exist or appears to have ceased to exist (whether or not the licence holder or the undertaking has been wound up or dissolved),
 - (iv) the licence is significantly detrimental to the interests of Jersey having regard to the factors specified in Article 26(9), or
 - (v) the undertaking has failed to pay an annual charge under Article 31 or has failed to submit statements as required under Article 32; or
 - (b) if the licence holder requests or agrees to the revocation of the licence.
- (2) The Minister shall not revoke a licence under paragraph (1)(a) unless he or she has given to the licence holder not less than one month's notice in writing together with a statement of the Minister's reasons and a notification of the licence holder's right of appeal under Article 41.
- (3) A revocation under paragraph (1)(a) shall not take effect before the expiration of –
 - (a) a period of one month from the date on which notice in writing was given to the licence holder; or
 - (b) the date on which any appeal under Article 41 against the revocation is determined by the Court or withdrawn,whichever is later, unless the licence holder request that it should take effect at an earlier date.
- (4) A revocation under paragraph (1)(b) shall take effect on such date as the licence holder requests or agrees with the Minister.

- RH suggested that it would be important for the Board to consider how strong they want future migration controls to be.
- RH also suggested undertaking research with landlords to identify the possible appetite for providing hostel type accommodation for short term workers.

3. Informal Consultation – Discussion and agreement.

3.1 NS summarised the draft paper. The Board intends that the consultation will take place during October and November. The consultation document will be published on the website and anyone

who wishes to make a submission will be able to. NS then invited the Board to discuss the content and questions.

3.2 SD advised the Board that at this meeting and the next, the aim would be for the Board to agree on a set of questions for the consultation. SD noted that officers would start work on the final draft policy document whilst the consultation is ongoing to allow the Board to be able to discuss and approve this by year end. The draft document would be iterated during the autumn as feedback is received from consultees.

JLF joined the meeting

3.3 SD highlighted the need for Government to have more responsive, flexible controls over high and low skill, and temporary workers. Following discussion, the Board suggested the following areas should be considered as options within the draft policy:

- High & low skill-based permissions
- Variable length permissions
- Permission dependant on job
- Person specific licence (named licence)
- Permissions should match to a set of entitlements e.g. access to health services.
- Criminal Record checks
- A formal application process for permission after 5 & 10 years – with extensive checks being carried out.
- Review of all existing permissions
- Possible restrictions in relation to workers bringing family and children to the Island.
- Review of licence/permission fees
- Who is best placed to identify skills gaps or quota for certain job types or employment within a certain sector.
- The creation of a monitoring system to track migration.

3.4 The Board discussed the draft consultation paper. Each question was reviewed and agreed/amended as required. The following general points were decided:

- The Board agreed that a “strawman” approach should be used to give the questions context.
- Meetings would take the form of a face to face meeting and discussion of the various questions that were key to that invitee.
- Officers would consolidate the questions.

4. Potential invitees

4.1 The Board was asked to forward suggestions on invitees to NS for agreement at the next meeting.

4.2 The Board were asked to contact NS with additional thoughts on further invitees.

5. AoB and date of next meeting

5.1 There was no further business arising.

5.2 The date of the next meeting would be Thursday 19th September, 14:00 – 17:00

5.3 The meeting was closed at 17:15

6. Action Points

	Action required	Allocated to	Required by	Date completed
1	Revised Skills paper to be circulated to the Board.	NS	19/09/19	17/09/19
2	Pension Fund vs Migration Statistics to be supplied	NS/SD	19/09/19	18/09/19
3	Officers to clarify situation in relation to HAWAG licences.	NS	19/09/19	17/09/19

Minutes agreed

Chairman:



Date:

19/09/19

Agreement for publication

Chairman:



Date:

19/09/19

Register of Actions from previous meetings

	No.	Action required	Allocated to	Required by	Date completed
Meeting 1 07/03/19	1	Invite 3 x lay members	NS	15/03/19	08/03/19
Meeting 1	2	Invite 1 x backbencher	NS	15/03/19	11/03/19
Meeting 2 21/03/19	3	Arrange for Andrew bannister to return for next meeting	NS	04/04/19	26/03/19
Meeting 2	4	Circulate FPP Report to the Board	NS	04/04/19	02/04/19
Meeting 3 04/04/19	5	Revise previous minutes	NS	18/04/19	12/04/19
Meeting 3	6	Circulate papers to the Board	MV	18/04/19	04/04/19
Meeting 4 18/04/19	7	Advice on the feasibility of statistical modelling of the net cost (per individual) of migration	Statistics Jersey/Economics Unit	13/05/19	11/07/19
Meeting 4	8	Circulate dependency ratio report	NS/MV	25/04/19	04/04/19
Meeting 4	9	Circulation of Birth and School attendance statistics	Statistics Jersey/NS/MV	13/05/19	21/05/19
Meeting 4	10	Circulation of average earnings report	NS/MV	25/04/19	07/05/19
Meeting 4	11	Resend EGRESS email to RH	NS	25/04/19	23/04/19
Meeting 4	12	Circulation of paper on migration / population in other jurisdictions	NS	13/05/19	07/05/19
Meeting 5	13	Circulate Guernsey Work Permit Category Paper.	NS	30/05/19	22/05/19
Meeting 6	14	Produce discussion paper from points raised in this meeting.	NS	13/06/19	10/06/19

Meeting 7	15	Officers to analyse the underlying data and provide feedback in the meeting's discussion paper.	NS	27/06/19	20/08/19
Meeting 7	16	Presentation to be circulated. Invite to consultation event to be sent to members.	NS/MV	27/06/19	26/06/19
Meeting 7	17	Discussion paper to be prepared.	NS	27/06/19	20/08/19
Meeting 7	18	Officers to provide stats relating to net nil migration.	NS	27/06/19	27/06/19
Meeting 8	19	NS to arrange circulation and publishing of the presentations on the Policy Board website.	NS	11/07/19	28/06/19
Meeting 9	20	Policy discussion paper to be prepared.	NS	19/09/19	