

Government of Jersey

Essential Workers Scheme:

Financial Services

Note: This scheme applies to all entities registered under the Financial Services (Jersey) Law, 1998, any bank licensed under the Banking Business (Jersey) law, 1991 or Category B permit holders under the Insurance Business (Jersey) Law, 1996.

Accountancy firms registered under the Proceeds of Crime (Jersey) Law, 2008 must apply a separate approach, namely respond to the JFSC but to essentialworkersaccountants@jerseyfsc.org, rather than the email set out below, identifying a key point of contact who will identify a maximum of five essential workers permitted to go to the office..

Law firms should apply under a separate scheme to the Law Society.

Other 'Schedule 2' entities should operate in accordance with the framework applying to the generality of businesses.

Introduction

This 'Essential Worker: Financial Services' Scheme for financial services is a scheme to ensure that employees of financial services firms on the Island of Jersey are able to go freely to and from work to maintain essential services, including compliance with law and regulations and the maintenance of key services to clients.

Until further notice, financial firms must, in line with Government advice, operate on the basis that the bulk of employees should now work from home. This would mean that only a skeleton team would go to the office. The 'office' means all work locations other than an employee's home.

It is the responsibility of firms to nominate such individuals and their responsibility to keep the number of such nominated persons to an absolute minimum, to maintain essential services to clients in an orderly way from a predominantly home-working staff pool, to support the financial stability and the international reputation of Jersey. To this end, firms should identify for themselves the activities, services or operations which, if interrupted, are likely to lead to the disruption of essential services. Firms should then identify a skeleton staff of individuals who will enable these functions to be conducted primarily on the basis of home working, if that skeleton staff has access to office or remote site working.

Where a firm is in doubt as to the definition of a particular term or process in this scheme, it should proceed on the basis of its own best-efforts interpretation, having regard to the dual purpose of the scheme as being to limit social interaction, while supporting continuity of essential services. It should do this rather than submit queries either to the Government or the JFSC on the meaning of terms and processes.

Where the firm outsources activities in the Island of Jersey, the firm may include members of staff of the outsource company among the essential workers to whom it gives certification.

Process

The JFSC invites entities to nominate by email to the following email address: essentialworkers@jerseyfsc.org, its 'Essential Workers Scheme Key Point of Contact' who will be the responsible person for arranging administration of the scheme, including issuing relevant notifications to staff, holding accurate records of the administration of the scheme and act as the key point of contact for the JFSC for further contact. This is likely to be the CEO of the firm.

- Each 'Key Point of Contact' nomination must be received **by 6pm on Monday, 30 March 2020**.
- The Key Point of Contact will then organise and oversee an internal process within the firm to identify the minimum number of staff to work in the office and arrange for these individuals to be notified and provided with appropriate letters of certification (in accordance with a pro forma letter to be issued by the Government). Letters of certification should be issued ideally before the beginning of work on Tuesday, 31 March, and in any event not later than before the beginning of work on Wednesday, 1 April. Firms must maintain centralised records of all certifications (those active and those deactivated).
- Each 'essential worker' must be advised to have certification and a form of identification available for inspection when travelling to and from work.
- Firms must have an alternate Key Point of Contact and must subsequently change the 'Key Point of Contact' if the initial Key Point of Contact is unable to act for a period of time. This must be advised immediately to the JFSC at the above email.
- This scheme may be changed at any time in the interests of public health, which will be directed by the Government.

Overarching approach

The overarching approach to essential work must be the need to protect public health. Employees should only be designated an essential worker if it is absolutely necessary that they must visit the business premises to ensure the ongoing functionality of the firm. Any employee who enters the business premises must adhere to strict social distancing and hygiene guidance.

Criteria

The following criteria should be applied by firms in determining their list of essential workers:

1. Workers in banks and community savings who are essential to the provision of essential services in the following areas:
 - a. Branch-based services to enable cash and other financial transactions
 - b. Maintenance of ATMs
 - c. Maintenance of call referral systems for call centres
 - d. Maintenance of systems for remote assessment of credit applications and payment approvals.
2. Workers in financial services firms who must go to work if core client services are to be maintained by the home working employees, to standards required by law and regulation.
3. Individuals essential to the overall management, eg Chief Executive and an alternate.
4. The other skeleton support workers who provide essential support to allow the functioning of the above roles, such as facilities, financial control and IT staff (eg ICT Incident Response Team).