

STATES OF JERSEY



DIFFERENTIAL PAY FOR MINISTERS, SCRUTINY CHAIRS AND COMMITTEE CHAIRS

Lodged au Greffe on 12th May 2025
by Deputy J. Renouf of St. Brelade
Earliest date for debate: 3rd June 2025

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) that the States of Jersey Law 2005 should be amended to allow for differential pay for Members, and to request the Privileges and Procedures Committee to bring forward for approval the necessary legislative amendments prior to the end of the political term; and
- (b) to request the Privileges and Procedures Committee to include differential pay for Members within the terms of reference of the next Remuneration Reviewer, such terms to include the possibility of applying different payments for the following roles –
 - (i) Chief Minister;
 - (ii) Minister;
 - (iii) Assistant Minister;
 - (iv) Chair of a Scrutiny Panel;
 - (v) Chair of the Privileges and Procedures Committee;
 - (vi) Chair of the Public Accounts Committee.

DEPUTY J. RENOUF OF ST. BRELADE

REPORT

Introduction

This is a very simple Proposition which - if passed - would set in motion a process to enable differential pay for members. Having taken advice, I have not sought to amend the relevant Law myself, but instead I am asking the Assembly to take an “in principle” decision and setting out the process to give effect to the “in principle” decision.

In bringing this Proposition, I have regard to the report of the States Members’ Remuneration Reviewer who “strongly recommended” that the States change the law before the next Reviewer was appointed ([R-157-2023.pdf](#), p. 19). Given that the next reviewer will be appointed after the next election, it makes sense to make the change now.

Currently, differential pay for States members - whether that is for the Chief Minister, Ministers, Assistant Ministers, Scrutiny Chairs or any other role - is forbidden by the [States of Jersey Law 2005](#). Article 44 (1) says:

“No scheme, agreement or other arrangement whatsoever for the remuneration of, or the payment of any allowance to, elected members out of the consolidated fund shall provide for different elected members to be entitled to receive different amounts of remuneration or allowance.”

Part a) of this Proposition asks PPC to bring forward proposals to amend the 2005 States of Jersey Law to allow differential pay, with those proposals to be brought before the end of this Assembly’s term of office.

Part b) sets up the mechanism by which differential pay would be considered, namely by the States’ Members Remuneration Review Body (SMRRB). It also specifies those roles that should be considered for differential pay. However, in line with the current law, it leaves the decision on what the pay differential should be for different roles to the SMRRB.

Arguments

It is worth beginning with the words of the Remuneration Reviewer in her recent report [R.157/2023](#):

“I think it is important for the States Assembly to recognise what an outlier Jersey is in not giving any additional remuneration to its Chief Minister or ministers.” (p. 19)

In fact, in her report, she was unable to identify any other jurisdiction that did not award extra remuneration to ministers. Even Guernsey has gone down this road - even though technically it doesn’t have ministers. However, we are not duty bound to do what others do, so let me address what I believe are the arguments in favour of differential pay.

The basic case for paying ministers more than non-ministers is so basic that you can't actually find much discussion of the issue. In simple terms it comes down to one thing more than anything else. Responsibility. There are other reasons, but in my view responsibility is the key one. Ministers take on decision-making responsibility that backbenches do not.

It is not about workload. It is perfectly possible for a backbench member - deputy or Constable - to work as hard as a minister. This isn't about rewarding hard work. It is about recognising responsibility. Every day, ministers take decisions about the safety and welfare of vulnerable people, they respond to emergency situations, they take decisions that affect the economy and therefore the quality of life of everyone on the Island. In every walk of life, it is recognised that greater responsibility should attract greater reward.

But why should it be the case for States members? Whilst we can all agree that ministers carry more responsibility than backbench members, why does that mean they should be paid more? The answer is: seriousness. For this Assembly to be taken seriously, we need to reflect the conventions of society.

There are those who will say that the job of minister is a privilege, and we already attract high calibre candidates to the States and there is no shortage of members who are willing to step forward to take up ministerial roles. This is true, but it isn't the full picture. It misses the counterfactual arguments. What opportunities are being missed? Is it possible that there are members of our community who don't bother standing because they think it is so fundamentally important to reward responsibility that the failure to do so demonstrates that the Assembly is not a serious institution? Might a minister, called upon to take incredibly difficult decisions that affect the lives of vulnerable people out of public view, without credit and potentially with legal liabilities - might they not at some point consider that the stress and pain isn't being adequately reflected in their pay? Might we therefore lose an able minister who decides that lack of appropriate reward tips the balance against continuing in their role? These kinds of micro decisions are not in public view, but my contention is that by failing to reward those who take on additional responsibility, we are likely to deter some people who might otherwise consider standing for election from becoming politically involved and therefore becoming – and staying – a minister.

We must also remember that not all members of this Assembly have independent means. Some members are retired, but in general we ask those who stand for election to commit some years of their professional or working life to the role. It is a vocation, but it is also a job. In their working life, people have a reasonable expectation of progression. They will grow in their job, take on more responsibility, become more skilled and get paid more in recognition of their role. Although the analogy is not perfect, it is reasonable for members to expect to be rewarded in a similar way as their political career progresses.

When the public were last asked about this in 2017, they were broadly in favour of differential pay (they are much more divided on whether we are paid too much or too little, but that is a different question):

*“Asked whether after the next election States members should continue to receive equal pay, **two out of three respondents indicated that pay should vary depending upon the level of responsibility**”* ([States Assembly | R-16-2017](#) - States Members' Remuneration from 2018: Recommendations of the States Members' Remuneration Review Body)

Comments made by the public in the most recent report by the Remuneration Reviewer ([R.157/2023](#)), included the view that it was “ridiculous” and “idiotic” that Ministers did not currently receive some extra pay, with one describing it as “frankly a farce that the back bencher gets paid the same as the Chief Minister”.

In other words, in as much as we have information, it suggests that the public understand and accept the arguments in favour of paying members differentially, depending on their level of responsibility.

If this Proposition is passed, then a key role will be played by the Remuneration Reviewer. This is deliberate. The appointment of the Remuneration Reviewer was a watershed moment in determination of members' pay. It has to a large extent defused the political toxicity that has sometimes accompanied debate about pay rises for members. The changes that were made to members' remuneration during this term of office have passed off largely without controversy because they were determined independently of the Assembly and with a clear, cogent rationale. Members were not determining their own pay.

The Remuneration Reviewer is therefore the best person to make the key decisions regarding differential rates of pay. In particular, they will be asked to determine two major issues. Who should receive differential pay, and at what level? Part B of the Proposition asks the Reviewer to include in their consideration of differential pay a number of different roles. It does not say that all of those roles must attract differential pay. The list in the Proposition follows conventions elsewhere and also the comments that have been made by the Reviewer in the past, but it does not mandate that all these roles will attract differential pay. The final decision rests with the Reviewer. Likewise, the rates of pay that each role will attract will be determined by the Reviewer. Looking at the previous comments made by the Reviewer gives a good idea of the kind of differential that has been considered in the past (see History section below). I am reassured that these figures appear in the kind of ballpark that appears reasonable and I am comfortable in leaving the final decision to the Reviewer on this basis.

History

The most recent statement about differential pay came in the report of the independent States Members' Remuneration Reviewer (SMRR) and they were very clear on the matter.

*"82. I therefore maintain my **recommendation that the States Assembly amend the legislation to allow for additional remuneration to be paid at least to Ministers and, potentially, to such other roles such as chairing a Scrutiny Panel, as may be deemed appropriate by the Assembly or by the remuneration reviewer.**" ([R-157-2023.pdf](#) - States Members' Remuneration Reviewer: Determination, paragraph 82)*

"104... Jersey is highly unusual internationally in not paying its Ministers a salary linked to that role in addition to their 'base' States Member salary. The SMRRB considered an impressively broad range of international comparator jurisdictions. All of them but Jersey paid extra remuneration to ministers.

*105. It is not within the remuneration reviewer's power to override the legislation. But it is within the power of the States Assembly itself to change the legislation. **I strongly recommend that the Assembly makes such a change before the appointment of the next remuneration reviewer after the next election.**" [my emphasis] ([SMRR-Consultation-Document-20230911-FINAL.pdf](#), paragraphs 104, 105)*

This Proposition would give effect to the SMRRB’s recommendation in paragraph 82 and paragraph 105 of their 2023 report.

In 2019 the SMRRB recommended the following:

“Introduction of a non-pensionable allowance for Ministers and the President of the Scrutiny Chairs Committee: as per Members plus an allowance of £7,500 and for the Chief Minister: as per Members plus an allowance of £15,000.” (States Assembly | R-121-2020 - Independent Review of Jersey Members’ Remuneration Process, Table 1: SMRRB recommendations 2019, p. 1)

The following table sets out the recommendations at the time.

Summary of Recommendations			
	Current level	Recommendation	Rationale for Recommendation
Base Remuneration	£46,600 <i>(set in 2014)</i>	£50,000 <i>(£48,000 from 1.6.20)</i>	70th to 75th percentile (%tile) of local earnings distribution
Allowance for Ministers and Head of Scrutiny	£0	£7,500	80th to 85th %tile locally and international norms
Allowance for Chief Minister	£0	£15,000	85th to 90th %tile locally and international norms

[\(States Assembly | R-89-2019 - States Members’ Remuneration Review Body: Recommendations for Remuneration Beyond the 2022 General Election, p. 1\)](#)

2009

“The Review Body received conflicting evidence on the issue of differentiation. The relevant summary page from the responses to our discussion document is set out in Appendix 1 as a re-statement of the diversity of views on this topic.

These responses tend to support the view that differentiation is not just a matter of "More pay for Ministers" (but most who respond broadly along those lines where careful to include others such as the Chairmen of Scrutiny panels in their considerations). Differences in pay were also seen as an inevitable consequence of a number of other unrelated considerations.

[...]

While the Review Body accepts that the law precludes any differences in pay between States members at present, its judgement is that there is sufficient public interest in the issue, and there are sufficient public policy imperatives, to warrant the States revisiting the matter and giving a clear direction to the Review Body on this issue.” ([States Assembly | R-62-2009](#) - States Members' Remuneration Review Body: Recommendations For 2009-2011 – Part 2, Pensions, Severance And Differentiation, p. 8)

Conclusion

Differential pay for ministers is standard in almost every comparable jurisdiction. Those arguing that Jersey should be different need to explain what advantage accrues to Jersey from not paying more to those who take on additional responsibility. I submit that the current system has few advantages and a number of disadvantages. Clinging to an outdated reward model for States members does not reflect well on the Assembly or on the Island’s system of government.

Financial and staffing implications

There would be a financial implication if this Proposition is passed, in that it would set in train a sequence of events which would be expected to increase the total bill for payment of States members. It is impossible to quantify this increase given that detailed proposals have yet to be brought forward. But if the CM were to be paid an additional £20K and Ministers and Scrutiny Chairs an extra £10K then the total additional expenditure would be in the order of £200K a year. Consideration should also be given to the potential additional costs in relation to pension contributions.

Children’s Rights Impact Assessment

A Children’s Rights Impact Assessment (CRIA) has been prepared in relation to this proposition and is available to read on the States Assembly website.