

INTERNATIONAL LABOUR ORGANISATION
ARTICLE 22 OF THE CONSTITUTION OF THE ILO

REPORT

For the period 1 July 2001 to 1 September 2008, made by the States of Guernsey in accordance with Article 22 of the Constitution of the International Labour Organisation on the measures taken to give effect to the provisions of the:

MINIMUM AGE (AGRICULTURE) CONVENTION, 1921 (NO. 10)

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

Copies of this report have been circulated to the Confederation of British Industry and the Trade Union Congress.

States of Guernsey
Raymond Falla House
La Longue Rue
St. Martin
Guernsey

August 2008

INTERNATIONAL LABOUR ORGANISATION
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For the period 1 September 2005 to 1 September 2008, made by the States of Guernsey in accordance with Article 22 of the Constitution of the International Labour Organisation on the measures taken to give effect to the provisions of the:

FORCED LABOUR CONVENTION, 1930 (NO. 29)

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

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**PROTECTION AGAINST ACCIDENTS (DOCKERS) CONVENTION, 1932
(NO. 32)**

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

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For the period 1 September 2005 to 1 September 2008, made by the States of Guernsey in accordance with Article 22 of the Constitution of the International Labour Organisation on the measures taken to give effect to the provisions of the:

LABOUR INSPECTION CONVENTION, 1947 (NO. 81)

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

Updated statistical information is attached.

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Total Number of Inspections made, by Topic, by the Health and Safety Executive, 2005 and 2006.

	2005	2006
Initial integrity – full inspection of premises	54	25
Licence (petroleum)	116	134
Licence (explosives)	61	53
Licence (pesticides)	5	6
Licence (scaffold)	117	119
Major hazard	4	5
Conveyance (import explosives)	2	1
Conveyance (import LPG)	22	14
Conveyance (import petrol)	30	32
Conveyance (import pesticide)	5	8
Conveyance (import other chemicals)	10	13
Asbestos	31	29
Disposal (collection)	17	19
Disposal (landfill)	7	13
Disposal (export)	3	1
Policy investigations	116	120
Accident	52	38
Dangerous occurrence	17	10
Complaint	168	147

Total Number of Visits made by the Health and Safety Executive, 2005 and 2006.

	2005	2006
Preventative inspection (existing premises – whole inspection)	53	24
Preventative inspection (new premises)	13	5
Preventative inspection (transient)	46	63
Preventative inspection (spot checks)	159	227
Special projects	24	14
Follow-up check (remedy of breach of legislation)	80	75
Follow-up check (other)	126	116
Advisory	159	122
Investigation	200	176
Education and promotion	21	22
Other	89	58

Number of Permits and Licences issued by the Health and Safety Executive **2005.**

	Explosive Imports	Petroleum Imports	Pesticide Licences	Scaffold Permits	Banner/ Hoarding Permits
January	1	0	3	15	0
February	1	0	3	6	1
March	1	0	3	13	0
April	1	0	9	12	2
May	1	0	1	7	1
June	4	0	3	11	3
July	3	0	2	10	1
August	2	0	1	8	0
September	3	0	2	15	1
October	5	0	2	10	1
November	2	50	0	11	1
December	2	0	0	4	0
Total	26	50	29	122	11

Number of Permits and Licences issued by the Health and Safety Executive **2006.**

	Explosive Imports	Petroleum Imports	Pesticide Licences	Scaffold Permits	Banner/ Hoarding Permits
January	0	0	0	7	0
February	2	0	3	7	2
March	2	0	3	12	2
April	0	0	9	14	5
May	2	0	2	11	1
June	2	0	3	7	0
July	1	0	1	15	3
August	2	0	5	13	1
September	5	0	0	16	1
October	5	0	5	13	1
November	3	50	3	14	0
December	3	0	2	11	1
Total	27	50	36	140	17

Total Number of Inspections, by Category, made by the Health and Safety Executive, 2005 and 2006.

	2005	2006
Agriculture, horticulture, fishing and arboriculture	66	52
Energy and water supply	83	125
Extraction of minerals/manufacture of metals	38	56
Engineering	10	15
Other manufacturing	8	10
Construction	277	370
Distribution, hotels, garages	61	85
Transport	28	17
Banking and insurance	3	4
Other services	248	187

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**FREEDOM OF ASSOCIATION AND PROTECTION OF THE RIGHT TO
ORGANISE CONVENTION, 1948 (NO. 87)**

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

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**RIGHT TO ORGANISE AND COLLECTIVE BARGAINING CONVENTION,
1949 (NO. 98)**

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

Observation CEACR 2006/77th Session

The Employment Protection (Guernsey) (Amendment) Law, 2005 came into force on 1st March 2005 (a copy of the Law was supplied with our report in 2006). For the avoidance of doubt, the sanction for a trade union related dismissal is now 6 month's pay.

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ABOLITION OF FORCED LABOUR CONVENTION, 1957 (NO. 105)

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EMPLOYMENT POLICY CONVENTION, 1964 (NO. 122)

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

Updated information on trends in employment and unemployment is as follows;

Employed				Unemployed	
	Male	Female	Total	Highest Month	Lowest Month
1994	16912	12616	29528	654	295
1995	17062	12836	29898	471	217
1996	17136	13100	30236	381	153
1997	17422	13386	30808	249	117
1998	17461	13561	31022	195	67
1999	17405	13748	31153	144	64
2000	17516	13831	31347	139	66
2001	16897	13471	30368	93	65
2002	16958	13730	30688	94	75
2003	17520	13855	31375	110	80
2004	17390	14046	31436	133	105
2005	17188	14166	31354	209	179
2006	17063	14093	31156	219	182

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**HUMAN RESOURCES DEVELOPMENT
CONVENTION, 1975 (No 142)**
(ratified on 20 February 1979)

Part 1

1. The Education (Guernsey) Law, 1970, p.14 states:

A statutory system of public education shall be organised in three progressive stages to be known as primary education, secondary education and further education; and it shall be the duty of the Education Department, so far as its powers extend, to contribute towards the spiritual, moral, mental and physical development of the community by securing that efficient education throughout those stages shall be available to meet the needs of the population.

The Education Department may make such arrangements as it considers necessary or desirable with a view to securing the provision of adequate facilities for further education, that is to say:

- a) full-time and part-time education for persons over compulsory school age, including vocational and industrial training; and
- b) leisure-time occupation, in such organised cultural training and re-creative activities as are suited to their requirements, for any persons over compulsory school age who are able and willing to profit by the facilities provided for that purpose.

It shall be the duty of the Department to secure that the facilities for primary, secondary and further education provided by the Department include adequate facilities for re-creation and social and physical training; and in making arrangements for the provision of such facilities the Department shall, in particular, have regard to the expediency of co-operating with any voluntary societies or bodies whose objects include the provision of such facilities.

2. The general duties of the Department with respect to further education are outlined:

The Department may make such arrangements as it considers necessary or desirable with a view to securing the provision of adequate facilities for further education, that is to say:

- a) full-time and part-time education for persons over compulsory school age, including vocational and industrial training; and
- b) leisure-time occupation, in such organised cultural training and re-creative activities as are suited to their requirements, for any persons over compulsory school age who are able and willing to profit by the facilities provided for that purpose.

3. The legal duties of the Education Department to provide information, advice and guidance is outlined as follows:

It shall be the duty of the Department to provide such facilities and services as it considers expedient for the purpose of assisting persons under the age of eighteen years and persons over that age who are for the time being attending school to select, fit themselves for, obtain and retain employment suitable to their age and capacity, of assisting employers to obtain suitable employees from among such persons, and generally for the purpose of promoting employment for such persons in accordance with the requirements of the community.

Part II

Article 1 paragraphs 1-4

Comprehensive and Co-ordinated Policies

The States Education Department is at the hub of provision of Guernsey's vocational training and education. It has, therefore, established a number of committees who have responsibility for developing policies and programmes. These are outlined below:

Co-ordinating bodies

The Guernsey College of Further Education (GCFE)

The vision of the GCFE is:

The Guernsey College of Further Education will offer a broad range of learning opportunities for the benefit of the entire community. It will be an excellent provider of further education.

It will provide a supportive learning community, with students' needs central to all its activities.

The curriculum will reflect the needs of the broader community, offering opportunities to develop academic, vocational and leisure interests.

The College will be characterised by mutual respect amongst its members, high levels of commitment to its students, clear leadership and inclusive decision making.

The College will be recognised as having a pivotal role in the development of the community.

The College Development Committee

The purpose of the College Development Committee is to advise the Education Department and the College of Further Education on all matters relating to further education.

It includes representation from the Education Department and representatives from local industry and commerce.

Employer liaison groups in 6 areas have been established to advise and developments in those occupational sectors. The groups are:

Building	Hairdressing	Hotel and Tourism
Engineering	Horticulture	Health and Social Care

Lifelong Learning Advisory Committee

The Education Board has revised its organisation to establish a Lifelong Learning Advisory Committee and Skills Sub-Committee. The functions and constitution are attached as Appendix 1. The focus of the Sub-Committee will be to consider local provision of learning opportunities including vocational education and guidance.

Policies and programmes currently being implemented

The definition of the term vocational – is defined as:

human capabilities for a productive and satisfying working life and, in conjunction with the different forms of education, to improve the ability of the individual to understand and, individually or collectively to influence working conditions and the social environment.

Key Stages 1-4

The Education Department recognises that students are best made of these capabilities through the whole curriculum.

At Key Stages 4, schools will also make particular arrangements to provide vocational opportunities for pupils. These include:

Bespoke vocational ‘taster’ courses organised through the College of Further Education.

A range of in-school courses including vocational GCSE’s, a two-year programme of vocational study, general national vocational qualifications.

Work experience programmes in years 10 and 11 which organises placements for 1000+ students.

Post-16

The island’s Post-16 full-time students will study a range of vocational and academic options. Their experiences will vary depending upon the programmes of study that they select.

Higher Education

Over 800 Guernsey students attend 170+ Higher Education establishments in the United Kingdom.

Adult Training

The College of Further Education offers a programme of vocational courses for the whole community.

The States Registered Apprenticeship Scheme

The Scheme administers apprenticeships for more than 400 apprentices in 12 craft areas.

There are also community providers for all aspects of vocational training. These include:

The Training Agency

Private providers

Public sector bodies – such as the Board of Industry, Civil Service Board, States Prison and the Institute of Health Studies

Open University

Workers Education Association

4. The island States of Deliberation approved the Government Business Plan in 2007.

This outlined statements of policy and key themes that set the framework for the island’s Government.

Priority workstreams pertinent to Human Resources Development were:

Plan for sustainable economic growth

To develop, adopt and promote policies which maintain a vibrant and sustainable economy which generates corporate profits, offers well-paid job opportunities and makes a positive contribution to the continued prosperity of the island.

Redistribute wealth wisely within the community

To consolidate and develop policies to help and empower those on low incomes and vulnerable members of the community to share in the advantages of a largely prosperous economy.

Control and monitor population growth

To adopt policies consistent with maintaining Guernsey's population at approximately its current level.

Maximise the return on investment in education provision

To consolidate and develop best value policies for education and lifelong learning which promote equality of educational opportunity and which are directed to ensure the best quality of education is obtained for the individual and for the community as a whole.