

Chief Minister



19-21 Broad Street | St Helier
Jersey | JE2 3RR

30 November 2022

Dear Sophie and co-signatories,

I remain acutely sensitive to the difficult economic conditions that businesses are facing given the global supply chain challenges and inflationary pressures resulting from the conflict in Ukraine and the on-going impact of Covid-19.

I have established a Ministerial Group with representatives from the Cabinet Office, Department for the Economy, and Treasury and Exchequer to oversee the appeals process for the Co-Funded Payroll Scheme (CFPS). They have reviewed the circumstances that have given rise to repayment requirements, and I have been assured that the issues relate to matters of interpretation rather than errors on the part of Government or changes to the Scheme or its website.

To ensure a consistent level of support was provided to workers, whether they were employed or self-employed, the Scheme provided support based on people's personal income. The definition of the supportable income for business owners was provided and was clear. Though, as you know, I am on record that it should have been easier to find and follow the rules of the Scheme. That is why I was adamant that the appeals process should provide redress for people who interpreted the income requirement differently.

Given the situation we inherited as a government, the appeal process could not achieve everything that people wanted. It had to strike an appropriate balance between competing interests. When determining the outcomes that the appeal process would provide, the Ministers responsible thought it would not be fair for the rules to be changed retrospectively as that would mean all the people who had followed the rules and applied as intended effectively got a lower level of support than people who misunderstood what was required and inadvertently claimed more than they were entitled to. Therefore, people in the situation you describe in your letter will be able to access redress through extended time to repay.

To ensure that the process was as transparent as possible, we have published the remedies that the Scheme will provide in the scenarios that have most commonly given rise to repayment requirements. However, I want to assure you that the appeals process is not automatic, it fully considers all the factors raised in an appeal to ensure all routes to potential redress have been appropriately explored. There are circumstances where people have been able to clarify their pre-pandemic income and that has resulted in repayments being reduced or eliminated.

To date, 22% of people who appealed have had their repayment revised or cancelled. Where there was no basis to change the repayment requirement, 2 in 3 people have been granted additional time to repay. Those who have not received an extension have either already repaid or have a small repayment requirement relative to their income. Every business has at least 2 years to repay and the maximum amount of time available to repay has been extended to 10 years. To date, the average time to repay that has been granted by the appeals process exceeds 7 years. I think this shows that the appeals process has been very thorough and is delivering positive outcomes for business owners.

Following our exchange, I am conscious that some businesses may have thought they were not able to appeal. I would urge every business owner who thinks they have grounds for an appeal to register an appeal, which they can do on gov.je. For further information they can contact CFPSappeals@gov.je. To ensure they have the time they need to make an appeal I have extended the deadline until 31 December 2022.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Kristina', is positioned above the typed name.

Deputy Kristina Moore
Chief Minister