

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

25th June, 2019

Proposition No. P.2019/40

POLICY & RESOURCES COMMITTEE

POLICY & RESOURCE PLAN
2018 REVIEW AND 2019 UPDATE

AMENDMENT

Proposed by: Deputy R G Prow
Seconded by: Deputy J S Merrett

To insert the following Proposition immediately after Proposition 1:

"1A.

- a) to agree that, subject to negotiating suitable terms and conditions with Her Majesty's Government, residents of Guernsey should enjoy rights to medical treatment whilst in the United Kingdom on a reciprocal basis similar to those available to residents of the Isle of Man and Jersey under the respective Reciprocal Health Agreements entered into by the governments of those Islands with Her Majesty's Government,
- b) to direct the Policy & Resources Committee –
 - (i) working in partnership with the Committee *for* Employment and Social Security and in consultation with the Committee for Health and Social Care, to investigate opportunities to enter into and, if possible, to negotiate a Reciprocal Health Agreement with Her Majesty's Government, similar to those in place with the Isle of Man and Jersey and to submit an update to the States in the Policy & Resources (Future Guernsey) policy letter in May 2020, and
 - (ii) to redraft the Policy & Resource Plan to reflect this direction of the States, and
- c) to rescind the Resolution of the States dated 30th October 2015 under item VIII 32. of Billet d'État No. XVIII, dated 18th September, 2015."

EXPLANATORY NOTE

It is noted that the high level vision of the Policy & Resource Plan (Future Guernsey Plan) states *“we will be among the happiest and healthiest places in the world where, everyone has equal opportunity to achieve their potential”*.

This has identified four themes:- *“our quality of life, “our community”, “our place in the world” and “our economy”*. These are underpinned in each case by specific references to a *“healthy Community”*, becoming *“inclusive and equal”* having a *“mature international identity”* and a *“strong, sustainable and growing economy”* (which makes special reference to *“hospitality and tourism”*).

This amendment asks the States to agree that, subject to negotiating suitable terms and conditions with Her Majesty's Government (HMG), Guernsey residents should enjoy rights to medical treatment whilst in the UK on a reciprocal basis under a Reciprocal Health Agreement (RHA). It also seeks a direction, to be given to the Policy & Resources Committee (P&R), that it shall, in partnership with the Committee for Employment & Social Security (ESS), investigate opportunities to enter into and, if possible, negotiate a renewed RHA with HMG, similar to that in place with the Isle of Man and Jersey. P&R are also directed to redraft the Plan to reflect that direction of the States.

Over eight years ago in April of 2011 the other Crown Dependencies signed Reciprocal Health Agreements with HMG which provided an entitlement to specified free health services to visitors to all the parties to the individual agreements. However Guernsey did not sign such an agreement. This has been of concern to many islanders, particularly the lower paid, those who are retired and the elderly, those with pre-existing medical conditions and the local hospitality and tourism sector who point out that visitors from the UK are disadvantaged, in comparison to those staying in the other Crown Dependencies.

During 2018 as part of the BREXIT negotiations between the Guernsey and UK governments, both P&R External Relations and ESS have publically stated that *“meetings have taken place with the UK on the possibility of establishing a new reciprocal health agreement for Guernsey”*.

Such an agreement falls within all the top level priorities of the P&R plan (as described above) and would provide a level of public protection to a community who very frequently need to travel, that is expected of a mature jurisdiction and would *“encourage and foster enterprise”* in the visitor and business economies.

The amendment makes a requirement to submit an update in the next P&R Plan (May 2020) but the proposers of the amendment wish to highlight an expectation that if ESS or P&R fail to agree or fail to progress negotiations, that they return to the States via a policy letter outlining any barriers and a proposal of intent as a matter of priority and before that date.

At appendix 3(d) of the P&R Plan under the heading *“Progress updates on extant resolutions”* – *“1. Off island health insurance (Billet XVII of 2015)”*, it indicates that ESS

has been “*working for some time*” on a replacement for the former RHA which ended in 2009. For reasons not explained it states that ESS concluded that this “*was not a viable option*”. This position now appears to be in contradiction to the statement in the same paragraph “*The Committee met with representatives of the UK’s Department of Health about this, and discussions were positive*”.

Despite this outstanding 2015 resolution (as fully out-lined below) and a clear commitment from ESS to rectify the RHA position, neither the P&R Plan nor the States have committed to resolving this important issue in a satisfactory manner. The extant resolution states that “*the Committee for Employment & Social Security shall report to the States thereon by no later than October, 2017*” to “*investigate the merits of including within the ambit of the Guernsey Health Service Fund the costs of healthcare and medical treatment incurred by Guernsey residents while travelling to the United Kingdom which would previously have been within the ambit of the States’ reciprocal health agreement with Her Majesty’s Government,*”. This has not happened and twenty months later the P&R Plan only suggests that ESS are “*finalising a policy letter*” to introduce an “*opt-in scheme, limited only to those who struggle to obtain medical travel insurance*”. This does not therefore meet the requirement “*which would have been within the ambit of the former RHA*” as laid out in this resolution.

Item VIII No. 32. on Policy Letter of 10th August 2015 - Billet XVII dated 18th September 2015 :-

32. *To agree that the Committee for Employment & Social Security shall investigate the merits of including within the ambit of the Guernsey Health Service Fund the costs of healthcare and medical treatment incurred by Guernsey residents while travelling to the United Kingdom which would previously have been within the ambit of the States’ reciprocal health agreement with Her Majesty’s Government, or alternatively of the States entering into partnership with one or more private insurance providers to ensure that such insurance cover can be made available to Guernsey residents at reasonable cost; provided that such investigation shall be undertaken on the presumption that any such insurance scheme would most probably require any claim to be subject to both maximum and minimum conditions in relation to cost coverage; and further to agree that the Committee for Employment & Social Security shall report to the States thereon by no later than October, 2017; and further to note that, for the purposes of Rule 15(2)(a) of the Rules of Procedure of the States of Deliberation, carrying into effect the proposals in this amendment, i.e. the carrying out of such an investigation, will not increase the expenditure of the States.*