

Minutes

Meeting title:	Jersey Care Commission	
Meeting date & time:	Wednesday 08 January 2020 9:20 – 14:35 pm	
Meeting location:	Training Room, 1 st Floor, 23 Hill Street	
Meeting chair:	Glenn Houston (GH)	Chair
Those present:	Alison Allam (AAI) Lisa Jacobs (LJ) Siân Walker (SW) Ann Abraham (AAb)	Commissioner Commissioner Commissioner Commissioner
Attendees:	Audrey Murphy (AM) Bradley Chambers (BC) Jim Hopley (JH) Charlie Parker (CP) Mark Rogers (MR) Mark Owers (MO) Tracy Duncan (TD) Mandy Bates (MB)	Chief Inspector (CI) Head of Governance, Policy and Standards (HGPS) Chair of Jersey Disability Partnership, for item 8. Chief Executive Officer and Head of the Public Service, Government of Jersey (GoJ) for item 9. Director General of Children, Young People and Skills (CYPS), for item 9. Director of Safeguarding and Care, Health and Community Services (H&CS) for item 9. Head of Finance Business Partnering, GoJ, for item 11. Meeting Minute Taker
Apologies:	None	

Documents presented:	<ol style="list-style-type: none"> 1. Agenda 2. Minutes of the meeting held on 13 November 2019 3. Minute Summary 4. Chair's Report 5. Chief Inspector's Report 6. Annual Report Template (Annual Operational and Financial Capability Assessment – Arm's Length Organisations) 7. Strategic Risk Register 8. Scheme of Delegation Policy
-----------------------------	---

PART A – PUBLIC SESSION

1.	Welcome Introduction and Declarations of Interest.
	<p>GH opened the meeting and welcomed everyone.</p> <p>GH asked whether there were any declarations of interest with the agenda – none were raised.</p>
2.	Minutes of last meeting and Matters Arising
	<p>The minutes of the meeting of 13 November 2019 (document 2) were agreed as an accurate record, with the following amendments:</p> <ul style="list-style-type: none"> • Page 4: Insert the words ‘Geoff Gurney’ before GG and ‘Linzi Mudge’ before LM replace the word Audrey with ‘The Chief Inspector’ • Page 5: Insert the words ‘Law Officers Department’ before LoD • Page 8: correct the spelling of Ofsted; remove the word ‘looking’ from the first sentence of item 14; remove the word ‘changes’ from the beginning of the 3rd sentence from the bottom of the page • Page 7: add ‘Whilst no new risks were noted...’ <p>SW proposed acceptance of the amended minutes, which was seconded by LJ. The amended minutes to be circulated.</p> <p>Matters Arising:</p> <ul style="list-style-type: none"> • The CI gave an update on recruitment – both Regulation Officer vacancies had successfully been filled. The new staff members will meet the Board in March: <ul style="list-style-type: none"> ○ Lesley Callander (nurse) due to commence 13 January 2020 ○ Allison Tandy (social worker) due to commence 03 February 2020 • The Chair advised that the inspection report for the follow up inspection of Children’s Services was published in December and had been well received. The CI reflected that having had sufficient time to prepare the report was very useful. Sam Mézec (SM), Minister for Children and Housing, had responded positively to the report. The media were particularly interested in the issue of workforce retention. • The Chair noted concern regarding the difficulties that the Commission had in obtaining financial reports. The Chair had advised Tom Walker (TW), Director of Strategic Policy, Planning and Performance (SPPP), of the difficulties on 7 January and reported that there may be an overspend. Rachel Williams (RW), Director, SPPP, had been asked by TW to investigate if further funding could be drawn down from the Care Inquiry monies. <p>The Summary Minutes (document 3) were agreed by the Board subject to the following amendments:</p>

	<ul style="list-style-type: none"> • Item 2: remove the full stop from the header; insert a comma after incomplete on the second line • Item 3: replace 'Frances Oldham' with 'the Independent Jersey Care Inquiry Panel Review' • Item 4: remove the word 'wide' • Item 7: add 'Whilst no new risks were noted...' • Item 9: replace 'which will be submitted in draft form to the January Board meeting' with the word '2019'. 	

3.	Chair's Report	
	<p>The Chair briefly covered the items detailed in his report (document 4), and also:</p> <ul style="list-style-type: none"> • advised that we should maintain contact with Ofsted, as we may request further support or advice in respect of inspections of children's services. • advised that he had met with Deborah McMillan (DMcM), the Children and Young People's Commissioner (CYPC), on 7 January with the CI, Senator SM and Alistair Gibbons (AG), Children's Service Improvement Board lead. The CYPC is facilitating preparations for Jersey becoming cosignatory to the United Nations Convention on the Rights of the Child, which will involve amendments to legislation, possibly including the Regulation of Care Law 2104 (RoCL). The CYPC discussed the merits of adopting a rights-based approach for inspections of homes for children and young people. AAb suggested that Commissioners could benefit from a workshop on human rights legislation in Jersey. • two documents have been added to Egress: Response to the Care Inquiry Update Report, 08 Nov 2019, Care of Children in Jersey Review Panel Report 11 Nov 2019. • TW and RW are due to meet the CI, AAb and the Chair on 9 January regarding the draft policy relating to complaints received about the Jersey Care Commission. 	

4.	Chief Inspector (CI) Update	
	<p>The CI presented a written report (document 5) and advised that:</p> <ul style="list-style-type: none"> • After meetings with herself, and Geoff Gurney (GG), Regulation/Inspection Officer, Children's Services had supplied all the information for their services which were registered in December 2019, and a media briefing was held on 16 December. • Key meetings have been held with the Ambulance Service, regarding data sharing, and Sarah Elliott (SE), Independent Chair, Safeguarding Partnership Board, regarding the draft Memorandum of Understanding (MOU) with that body. The team have made visits to Health and Community Services (H&CS) which have applied to be registered to identify and communicate where Standards are not being met. 	

	<ul style="list-style-type: none"> • Three complaints are in process, one regarding a care home, one regarding a home care service, and one regarding the Commission's processes for registration of dental care professionals. We have taken advice from Matthew Berry (MBe) of the Law Officers Department (LOD) regarding the complaint about the Commission. • Although there was a short delay in the renewal process, the majority of renewals of professional registration were completed by the 31 December deadline. • Asked that the Board approve a project to review the regulation and inspection of piercing and tattooing establishments. The Board approved the project commencing. • The Commission held 2 information sessions on 22 November for representatives of regulated services which were well attended, with positive feedback from participants. The Commission received offers of support to engage in consultations on a range of draft policies. • The Commission is working with a small number of providers who do not currently comply with the standards. A range of mandatory and discretionary conditions have been placed on registrations with timescales attached. • The CI has attended a meeting with Francis Walker (FW), Policy Principle, Chief Ministers Department, and James Lynch (JL), Policy principle, SPPP, regarding United Nations Optional Protocol to the Convention Against Torture (OPCAT). The Board agreed that the implications for the Commission taking on the role of national preventative mechanism (NPM) are significant, and a briefing paper is required. • The HGPS and the CI have met with Phil De Gruchy from BlueLlama and some changes have been made to the website. • HGPS to prepare a draft Annual Report for 2019, for consideration at the March Board. 	
--	--	--

5.	Head of Governance, Policy and Standards (HGPS) update	
	<p>The HGPS reported:</p> <ul style="list-style-type: none"> • An update on the registrations under the RoCL. The figures will be included in the Annual Report. The Board requested that a summary report be prepared for each meeting with the registration figures included. • An Inspection Policy and an Escalation, Enforcement and Review Policy are ready for consultation, the Commission will aim to complete that in time for the documents to be presented to the May Board and will update the Board in March. • The Communication Strategy has been created and the CI and HGPS need to format it. • A policy regarding complaints about services we regulate has been prepared in outline and was briefly described. Following discussion of the document and contributions from the Board members, the HGPS agreed to undertake further work to revise the draft policy. • A template for an Annual Report document was distributed for consideration. There was general discussion around what details should be included. It was 	

	<p>agreed to have a draft report ready by the end of February to share with Commissioners and TW, with a view to a sign off by the Board in March.</p> <ul style="list-style-type: none"> • Discussions of the following items were held over until a future meeting: <ul style="list-style-type: none"> ○ Operational Risk register ○ Communication Strategy ○ Data sharing agreement with H&CS ○ MOUs with professional regulatory bodies • HGPS to review information posted to Egress is signposted to Commissioners and to revise and update the list of folders to reflect current needs and requirements. 	
--	---	--

6.	Review of Strategic Risk Register	
	<p>The risk register (document 7) was considered by the Board and the following amendments were made:</p> <ul style="list-style-type: none"> • 1.1: Remove the first control and add that we have two new appointees replacing leaving staff. • 1.2: add the control that we need clarity on our budget, and that further resources will be required in 2020/2021 • 1.3: Remove the last sentence of the control. Add that the Commission must aim to complete any overdue inspections by the end of March. • 1.4: replace 2019 with 2020. • 1.5: Add to the control that it has been a challenge getting reliable, regular and accurate budget forecasts, increase the likelihood to 2. • 1.7: remove 'unforeseen' from description • 3.1: remove Q3 2019, replace with Q1 2020. • 2:3 remove risk entirely. 	

7.	Papers for Noting from Egress	
	<p>Commissioners noted the significant volume of information posted to Egress since the November Board. Some documents have greater relevance to the business of the Commission than others and Commissioners asked that any documents requiring priority consideration should be highlighted. It was proposed that the current folders do not adequately meet the needs of Commissioners and further work should be undertaken to remove historical material and create working folders for each Board meeting.</p>	

8.	Consulting with Care Sector	
	<p>JH attended the meeting and explained the challenges that members of the Jersey Disability forum had experienced with the new requirements under the RoCL, and the difficulties that services face in the current climate, particularly in respect of recruitment. He expressed that the feedback he is now receiving from across the sector is that the Commission is supportive, helpful and approachable.</p>	

	The Commission thanked JH for his contribution.	
--	---	--

9.	Children’s Service Inspection	
-----------	--------------------------------------	--

The Chair welcomed the Chief Executive of the Government of Jersey (GoJ) and the senior representatives of Children’s Services. CP advised that there will be significant improvements in the next 12-18 months, with legislative changes, and investment coming through, and further efforts to deliver a cultural and behavioural shift.

MR highlighted four areas:

- Services for children are in a better place with the current settled quality leadership team in place, giving stability
- there is a focus creating a team culture in the workforce, and an emphasis on practice as well as compliance for the workforce
- there is a focus on working in partnership
- there is a focus on the areas that need to improve quickly.

MO commented on the challenges and benefits that come with working in an island, and advised he has seven aims:

- enable confident practice by the workforce, using family friendly environments
- providing a skilled workforce, dealing with the challenges of housing, the cost of living, and island living
- strengthen existing services and implementing new services, to bring in family rights initiatives
- effective oversight, reducing the number of improvement and oversight Boards
- working together with third sector, private suppliers, residents and communities to protect children
- ensuring continuous improvement, using reflective practice
- foster increased confidence from the public.

CP spoke about the investment in people and workforce flexibility required across the GoJ.

There was discussion of how the inspection regime would go forward, and CP commented on the productive relationship that exists with the Commission, which makes improvement and development more achievable. CP suggested that rather than another wholesale review of the services for children it would be supportive if there were regular themed inspections looking at parts of services for children, as was felt appropriate. MO suggested four themed inspections that could be useful are:

- social work practice model with children and young people
- early help
- education
- care leavers

CP also advised that he has concerns about adult care too, in the area of mental health, and long-term care facilities.

	GH thanked the delegates for their contribution to the discussion. He acknowledged their commitment to further improvements in services for children. GH indicated the Commission will be giving further and more detailed consideration to its approach to inspection of services for children in 2020.	
--	--	--

10. Review MOU with SPPP	
	Members noted receipt of a draft framework agreement for 2020 and agreed the need for a more detailed analysis of the content of this document.

11. Budget	
	<p>The Chair welcomed TD.</p> <p>TD presented figures for the budget position to 31 December 2019. The figures showed a forecast underspend of £64,407 at year end.</p> <p>The HGPS advised TD that he had received forecasts of our budget position during his tenure varying from an underspend of £40,000 to an overspend of £20,000, and as such had not been able to provide the Board with an accurate financial report.</p> <p>The CI noted that had we known about the underspend sooner, we could have used some of the funds to increase capacity.</p> <p>AAb was concerned that the figures provided were not a detailed set of accounts and did not include a breakdown of income from fees and other sources.</p> <p>The Chair advised TD of the Commission's requirements in respect of financial information. TD advised that she and her team, will support the Commission to produce a set of accounts, and that we should contact her directly if we are not getting the support.</p> <p>The Chair proposed to speak to TW at the meeting on 9 January regarding the difficulties which the Commission has experienced in 2019 with receiving financial information.</p> <p>GH to raise with TW the need to receive timely and accurate financial reports at future Board meetings.</p>

12. Business Plan (End of Year Review)	
	It was felt that this matter had been fully covered by the discussions in item 5.

13. AOB	
	There was no other business.

14. Date of next meeting and forward look	
<p>Dates of Board meetings in 2020:</p> <ul style="list-style-type: none"> • 04 March Board and 03 March Workshop • 13 May Board and 14 May Workshop • 08 July • 08 September Board and 09 September Workshop • 11 November 	

JERSEY CARE COMMISSION

Action Points

	Action Point	Status
P1	<p>Develop a suite of policies and procedures for the Care Commission to include the following:-</p> <ul style="list-style-type: none"> • inspection of registered premises and services • escalation, enforcement and representation (in process) • investigation of complaints or alleged breaches of regulations under the Regulation of Care (Jersey) Law 2014 	ongoing
P2	The Piercing and Tattooing Code of Practice to be reviewed and consulted on.	Sep 2020
P3	The Head of Governance Policy and Standards to develop a document management system relating to Commission documents and minutes.	ongoing
P4	The Head of Governance Policy and Standards to develop a Communication Strategy	ongoing
P5	The Head of Governance Policy and Standards to prepare a draft Annual Report for 2019, for consideration at the March Board.	
P6	The Head of Governance Policy and Standards to review information posted to Egress is signposted to Commissioners and to revise and update the list of folders to reflect current needs and requirements.	
P7	GH to raise with TW the need to receive timely and accurate financial reports at future Board meetings.	