

Newsletter for Providers and Managers of Regulated Activities

This newsletter has been produced to provide you with some important updates on the Commission's role and work as we all continue to adapt to life during the pandemic.

We would like to acknowledge all of the hard work, commitment and dedication you have shown in your response to some very challenging and uncertain circumstances. Through our contact with the sector over the past three months, we have been very impressed with your efforts to safeguard care receivers from the obvious infection risks associated with Covid-19. It also been evident that the overall wellbeing of care receivers has been a priority for you and we have noted some excellent innovative practices that have significantly reduced the impact of the restrictions on the rights of care receivers. This work is commendable.

Variation procedure and application process

We have developed a guidance document and application form for you to use if you need to make an application to the Commission to vary or remove a condition on your registration. You can view the application [here](#) and the guidance [here](#).

Information about our inspection programme

The Commission is required to undertake an annual inspection of all regulated activities. Prior to the pandemic, a programme of inspections was to be undertaken throughout 2020.

We have resumed some of our inspection activity and have scheduled some inspections to take place in the coming weeks. You can view our updated inspection policy [here](#).

Our inspections will be announced (unless this isn't practical or appropriate) until further notice and Regulation Officers will plan the inspection with you in a manner that is consistent with your infection prevention and control procedures.

Whilst it may be difficult to undertake a full inspection of your service at this time, it is possible to consider shortened inspection visits; use of technology in order to facilitate virtual interviews with staff and care receivers and to only enter certain parts of your service where physical distancing is easier to achieve. We are also keen to seek the view

of the relatives or other representatives of care receivers as part of the inspection process and we'll talk to you about this.

Regulation Officers are in the process of contacting managers to discuss arrangements for inspections in 2020.

Information about our response to the Regulations (Capacity and Self-Determination)

The Government of Jersey proposed a range of amendments to existing legislation to ensure that the island had enough flexibility in its capacity to cope with the potential challenges arising during the pandemic. It was for this reason that the Covid-19 (Capacity and Self-Determination) (Jersey) Regulations 2020 were passed by the States Assembly.

The Commission was not consulted about these amendments prior to their approval by the States Assembly and has a number of concerns about them. Following their approval, the Commission has prepared and forwarded a Consultation Response to the Minister which you can access [here](#).

Our focus on the promotion of the rights of care receivers as the restrictions are eased

You are probably aware that many care receivers in care homes have experienced significant restrictions on visitors and restricted access to communal areas of the home with many spending most of their time 'shielding' in their bedrooms. Care receivers across all settings have experienced disrupted routines, limited access to activities, no social or other outings and limited social contact. While these restrictions were essential during the earliest stages of the pandemic, it may no longer be proportionate or necessary to impose them. The impact of these restrictions on the wellbeing of some care receivers is immeasurable.

In light of the low levels of infection in Jersey and the steps being taken to further ease aspects of the restrictions currently in place, it is our expectation that care receivers' individual circumstances are carefully considered and that any 'blanket' restrictions on their liberty, access to the community or contact with relatives are urgently reviewed.

The Commission has been working with Government of Jersey staff to develop some visiting for care homes. When completed, this guidance will be circulated and will be available on the Commission's website.