

Minutes

Meeting title:	Jersey Care Commission	
Meeting date & time:	Wednesday 13 May 2020 9:30 – 11:15 am	
Meeting location:	Via Video Conferencing	
Meeting chair:	Glenn Houston (GH)	Chair
Those present:	Alison Allam (AAI)	Commissioner
	Lisa Jacobs (LJ)	Commissioner
	Siân Walker (SW)	Commissioner
	Ann Abraham (AAb)	Commissioner
Attendees:	Audrey Murphy (AM)	Chief Inspector (CI)
	Bradley Chambers (BC)	Head of Governance, Policy and Standards (HGPS)
	Mandy Bates (MB)	Meeting Minute Taker
Apologies:	None	

Documents presented:	<ol style="list-style-type: none"> 1. Agenda 2. Minutes of the meeting held on 04 March 2020 3. Minute Summary of the meeting held on 04 March 2020 4. Action Points Update May 2020 5. Chair's Report 6. Chief Inspector's Report 7. Head of Governance, Policy and Standards Update 8. Annual Report and Accounts 9. Draft Framework Agreement 10. Forward Look
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PART A – PUBLIC SESSION

1.	Welcome Introduction and Declarations of Interest.	
	<p>GH opened the meeting, welcomed everyone and noted that this meeting is not being held in public due to the constraints of Covid-19.</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	
	The minutes of the meeting of 04 March 2020 (document 2) were agreed as an accurate record, with the following amendments:	

	<ul style="list-style-type: none"> • p2 add “SW proposed acceptance of the amended minutes, which was seconded by AAI. The amended minutes to be circulated.” in Item 2. • p4, 3rd bullet point from the bottom, last sentence, change ‘any’ to ‘an’. • p4, 2nd bullet point from the bottom, place a full stop after ‘Regulation Officer. • p7, combine the 4th and 5th sub-bullet points in item 7. <p>SW proposed acceptance of the amended minutes, which was seconded by LJ. The amended minutes to be circulated.</p> <p>The Summary Minutes (document 3) were agreed by the Board.</p> <p>The Board agreed to the amended Actions listed in document 4 as below:</p> <ul style="list-style-type: none"> • Actions P12, P13, P15 and P16 are complete and can be removed. • Action P1, the completed policies to be struck through. • Actions P3, P4, P9, P10, P11 and P14 (now P12) have been delayed due to Covid-19. • Action P3 is deferred until September. • Actions P4, and P14 (now P12) are deferred until the July Board. • Action P5 – no response has yet been received by the Internal Auditor. • Action P7 – the provider organisation has completed their registration process and the specific aspect of the service provision the action relates to sits outside the immediate scope of the regulated activity. • Action P8 is complete. • Action P9, Ruth Johnson will be asked to provide an update prior to the July Board meeting. • Action P10 – draft inspection reports will be shared with Board Members. 	
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3.	<p>Chair’s Report</p> <p>The Chair briefly covered the items detailed in his report (document 5), and advised:</p> <ul style="list-style-type: none"> • That various Law amendments to Regulations had been put in place to allow changes necessary to suspend conditions to enable services to continue operating during the Covid-19 situation. The services of independent law firm Bevan Brittan had been engaged to provide the Commission with independent legal advice on the amendments. • That all Commissioners have accepted their offers of extension and /or re-appointments to continue for another term. • In agreement with Peter Charalambous of the Jersey Appointments Commission (JAC) the recruitment of additional Board members is being deferred due to Covid-19. • The Chair, the CI and the HGPS had a quarterly review by video meeting with Tom Walker (TW), Director General of Strategic Policy, Planning and Performance (SPPP), and Rachel Williams (RW), Director, SPPP on 12 May. During that meeting, various issues were discussed relating to how Covid-19 has affected the safe operation of care homes and domiciliary care services 	
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	and the action the Government is taking to provide support and reassurance. The HGPS took meeting notes which he will share on Egress.	
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4.	Chief Inspector (CI) Update	
	<p>The CI presented a written report (document 6) and advised that:</p> <ul style="list-style-type: none"> • She has provided weekly updates to the Commissioners in order that they are kept informed of the current situation. • The legal advice from Bevan Brittan was useful in informing guidance that the Regulation Officers (ROs) have been able to provide to the sector. • Covid-19 has had an impact on the work of the team, resulting in many more applications to register from Health Care Professionals. More nurses were registered in the first four months of 2020 than in the whole of 2019. The HGPS and the admin staff worked hard to facilitate the processes and to ensure that all registrations were cleared. • The office layout has caused challenges with maintaining social distancing, especially as there have been IT challenges to productive working from home. The team has moved to working over seven days with no more than five attending the office on a given day. • One RO has been redeployed to Children’s Services in response to shortages of staff during the pandemic. If necessary she can be recalled. • The Commission has benefitted from support from the Law Officers Department (LOD). • The amended Regulations have effect until 30 September. At the meeting with TW on 12 May, there was discussion regarding the need to continue the interim arrangements beyond this point (and this will be kept under review). • In April, three care homes implemented measures set out in the amended Regulations having declared that, due to Covid-19, they have been unable to carry on their service in accordance with the Statement of Purpose. This has been due to staffing challenges and has resulted in a condition of their registration being suspended until 30 September 2020. These homes remain under close scrutiny and have made significant progress in stabilising their workforce. • The CI has received positive feedback regarding the support that the team has provided to the sector, and positive feedback on the ROs and their efforts to keep in touch with service providers. • There were 4 inspections in March before the scheduled programme of inspections was suspended. A process of structured and supportive interviews with services has commenced. This is reliant upon the integrity and openness of managers and their capacity to engage in the process. The Commission has the capability to undertake an unscheduled site inspection if there were concerns that would warrant it. • Four children’s homes are amongst the services that have not been inspected. A Regulation Officer has had discussions with each of the children’s homes managers, Jersey Cares, the Children’s Commissioner and Children’s Services management regarding the potential risks of postponing annual inspections and how to minimise these risks. It was noted that all of the 	

	<p>children’s homes are open and are accommodating children, including Greenfields.</p> <ul style="list-style-type: none"> • There have been delays in the registration of some Health and Community Services (H&CS) activities that had not previously been proposed for registration under the Regulation of Care Law (RoCL). This matter may require escalation. It was noted that one service is unlikely to meet the standards for registration. <p>Commissioners discussed the impact of difficulties in obtaining Personal Protective Equipment (PPE) in care homes. SW suggested that the Commission engage with the Safeguarding Partnership Board regarding any reviews of the circumstances of care home residents in Jersey who have died because of contracting Covid-19. The Chair commended the CI on her work creating the Covid-19 page and in collating the relevant information on the website. He asked that viewing figures be obtained and shared with Commissioners.</p> <p>Commissioners discussed that the Commission has until 30 September to notify the Chief Minister if it is unable to complete all the required inspections. The risk that the Commission will not meet its targets has been communicated to SPPP in the meeting of 12 May.</p> <p>LJ asked that more information regarding children’s homes is included in our communications in order that the public could be made aware that the Commission continues to work proactively in that area.</p>	
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5.	Head of Governance, Policy and Standards (HGPS) update	
	<p>The HGPS presented his update (document 7) and advised:</p> <ul style="list-style-type: none"> • The Strategic and the Operational risk registers have been amalgamated to remove duplication. The risks have all been linked to the 2020-2021 business objectives. • Covid-19 has had a direct impact on the Commission’s ability to meet some of these objectives, in part, or completely. • The HGPS has met with the Head of Finance Business Partnering in the Government of Jersey. She has provided a table of the budget position at 30 April. A budget build meeting had been held in March during which it was agreed that the 2020 budget would include provision for a range of activities including: <ul style="list-style-type: none"> ○ training and development ○ legal support ○ office space <p>Commissioners felt that the red rating on some of the risks did not consider the work that the team has undertaken to mitigate those risks. AAb advised that she felt that there were two main risks that the Commission needed to address:</p>	

	<ul style="list-style-type: none"> • The absence of inspections – mitigated by the connectedness to the sector, information gathering and the structured interviews • Planning for recovery and catch-up, ensuring that the team is resourced going forward to allow that work, using a mixture of approaches depending on capacity. <p>It was agreed that a road map should be created to return to 'business as usual' for the next Board meeting (Action P14).</p> <p>During the meeting with SPPP on 12 May the efforts to secure alternative accommodation for the Commission were discussed.</p>	
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6.	Draft Annual Report and Accounts for 2019	
	<p>The HGPS presented the Annual Report and Accounts (document 8). They were agreed subject to the words 'Budget Position' on page 10 being replaced with 'Budget Outturn'.</p> <p>The amended document will be printed and sent to TW with a request to forward it to the Chief Minister for laying before the States Assembly.</p>	

7.	Framework Agreement	
	<p>The Chair and AAb presented the Framework Agreement (document 9) and outlined the lengthy process taken in working with SPPP to get an agreed version in place.</p> <p>The Board approved the document, with some minor formatting amendments, and agreed that the Chair should progress it to a satisfactory conclusion.</p>	

8.	AOB, Date of next meeting and forward look	
	<p>Dates of Board meetings in 2020:</p> <ul style="list-style-type: none"> • 08 July • 08 September Board and 09 September Workshop (subject to travel) • 11 November <p>It was agreed that the July meeting would also be held virtually. It is apparent that social distancing will be in place for some time. Therefore, even if travel is possible, the Board Room at Hill Street will not be a suitable venue for Board meetings.</p> <p>The Forward Look was reviewed and amended to reflect the decisions made in the meeting.</p>	

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 policy • escalation, enforcement and review (in process) 	Ongoing
P2	The Piercing and Tattooing Code of Practice to be reviewed and consulted on.	September 2020
P3	The Head of Governance Policy and Standards to develop a document management system relating to Commission documents and minutes.	Ongoing and by September board
P4	The HGPS is requested to present a short paper to the July board on general governance principles and work plan against General Data Protection Regulations (GDPR).	Ongoing and by July board
P5	CI contact the Internal Auditor to discuss what similar sized Arms-Length Organisations (ALO's) are required to do and to request an advisory assessment of our financial controls	Ongoing and by July board
P6	The CI will report on the progress of the preparation for the new professional registration Law.	September
P7	The CI to provide at the May Board Meeting a further update on what steps she has taken in regard to the concerns that have been expressed in relation to the custodial aspect of a care service.	Out of scope
P8	The Commission will write formally to Mark Rogers to request the action plan for how Children's Services will respond to the recommendations in the follow up Inspection Report, 'Making a Difference; Driving Improvement'.	Completed
P9	Invite Ruth Johnson to update the Board before their July meeting on policy matters relating to the Regulation of Care (Jersey) Law 2014, particularly Children's Services.	Ongoing
P10	Inspection reports to be reviewed by Commissioners.	Ongoing and by July board
P11	<p>The HGPS to</p> <ul style="list-style-type: none"> • provide an update to the Board on the completion of consultation on the Inspection Policy • to review with the Board the Escalation, Enforcement and Review policy that is ready for consultation 	Ongoing

	and, following the consultation, to provide an update to the Board on the completion of the consultation on the Escalation, Enforcement and Review Policy	
P12	The HGPS to research the production of complaints leaflets.	Ongoing and by July board
P13	Create a road map to <i>business as usual</i> .	By July board