

Minutes

Meeting title:	Jersey Care Commission Board	
Meeting date and time:	Wednesday 17 November 2021 9:15 to 13:45 pm	
Meeting location:	Le Capelain Gallery, The Town Hall, St Helier, and Microsoft Teams	
Meeting chair:	Glenn Houston (GH)	Chair
Those present:	Alison Allam (AA) Angela Parry (AP) Jackie Hall (JH) Noreen Kent (NK) Siân Walker-McAllister (SW) Lesley Bratch (LB)	Commissioner (via Microsoft Teams) Commissioner Commissioner (via Microsoft Teams) Commissioner Commissioner Commissioner
Attendees:	Bradley Chambers Becky Sherrington (BS) Mandy Bates (MB)	Head of Governance, Policy and Standards (HGPS) Chief Inspector designate (CId) Meeting Minute Taker
Apologies:	None	

Documents presented:	<ol style="list-style-type: none"> 1. Agenda 2. Draft Minutes of Board meeting 15 September 2021 3. Draft Minute Summary of Board meeting 15 September 2021 4. Chair's Update 5. Chief Inspector designate 6. The Chief Inspector designate First 100 days 7. Head of Governance, Policy and Standard's Update 8. Integrated Risk Register - November 2021 9. Budget Summary Report 10. Projects Update 11. Regulation of Children's Services 12. Review of Website 13. Draft Budget Build 2022 14. House Style Guide 15. Escalation, Enforcement and Policy and Representation Procedures - review
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PART A – PUBLIC SESSION

1.	Welcome Introduction and Declarations of Interest.	
	The Chair welcomed everyone to the meeting, in particular LB to her first meeting as a Commissioner. LB provided an update relating to her declaration of interests, advising of her membership of the committee of Enable Jersey. Whilst no conflicts of interest are anticipated, LB will declare any if they arise.	

	<p>The Chair thanked HGPS for his work regarding the office move and advised that he had attended a meeting at the new premises and noted that although there are some issues to be resolved with the Landlord, the new office premises are satisfactory.</p>	
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2.	Minutes of last meeting and Matters Arising	
	<p>The minutes of the meeting of 15 September (document 2) were agreed as an accurate record, with minor typographical matters resolved.</p> <p>SW proposed, and NK seconded the minutes.</p> <p>Commissioners reviewed the action points arising from the previous Board meeting:</p> <ul style="list-style-type: none"> • Action P1 is ongoing and will be followed up with the Chief Nurse. • Action P2 is ongoing as the Commission has been advised that changing email addresses is more complicated than was first envisaged • Actions P3, P4, P7 and P8 to be closed and the Forward Look to be updated where relevant. • Action P5 to be closed as a representation has been made and a panel formed since the last meeting. • Action P6 (new action P3) is ongoing, the draft Standards to be shared with LB, and uploaded to Egress. Commissioners are asked to review and send any suggested changes to HGPS. <p>Commissioners agreed that the Minute Summary (document 3) was an accurate reflection, with no amendments:</p> <p>SW proposed, and AP seconded the minute summary.</p>	

3.	Chair's Report	
	<p>The Chair presented an Update (document 4) and highlighted that:</p> <ul style="list-style-type: none"> • The recruitment of the Chief Inspector (CI) is concluded, and BS has been appointed. • Recruitment of a Commissioner is concluded, and LB was appointed to the Board by Deputy John Young on 1 October. • GH had attended weekly Team Meetings in the absence of a CI, and this has provided a useful opportunity to gain a fuller understanding of a range of operational matters. BS will attend these meetings from December onwards. Commissioners have assisted in quality-assuring draft inspection reports, and it has been agreed this will continue until January. • GH thanked HGPS for supporting the team in the absence of a CI. • The lease has been signed for the new office premises and the Team have moved in. There are some snagging issues to be resolved, but the suite of offices is now suitable for meetings with external agencies/professionals and 	

	<p>members of the public. SW expressed thanks to everyone who assisted with the move.</p> <ul style="list-style-type: none"> • The Citizens' Jury has issued a report in favour of medically assisted dying, and the States Assembly will debate whether in principle the States of Jersey should introduce legislation to amend the law to make medically assisted dying available. If the proposition is agreed, the Commission is likely to have a role in the regulation of assisted dying and would need to be consulted on any associated amendment to the Regulation of Care Jersey Law. • GH advised that he had met with representatives of SPPP on 16 Nov and that a minute of that meeting will issue, once agreed. • GH referred to an exchange of correspondence with the Children's Commissioner regarding residential services in Jersey for children and young people who are Looked After. • An independent review of fees levied by both the Commission, and by other arms-length organisations, has been completed by Contact Consulting (Oxford) Ltd. and the Commission awaits a final report. It is likely that although the report will recommend changes, the proximity to year end makes it unlikely that any amendments will be introduced prior to 2023. Consequently, it is likely that an inflationary increase of 2.5% will be applied to fees for 2022. • The dates for the Board meetings in 2022 have been circulated. All Commissioners agreed the dates. 	
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4.	Chief Inspector designate (CId) Introduction	
	<p>The Chair advised that information about the appointment of CId had now been added to the Commission's website and the Board welcomed BS to her new role.</p> <p>CId shared a plan for her first 100 days (Document 6). BS advised her immediate focus will be in spending time with the Team, gaining a fuller understanding of the sector, and ensuring that relationships are forged with key stakeholders. BS will identify immediate priorities and specific risks. The knowledge gained in the first 30 days will inform the remaining 70, as she will formulate the Business Plan for 2022, and, utilising Gantt charts, will establish the appropriate pace for the Commission's strategic direction.</p> <p>CId advised that project management will form a key component of her delivery and a project manager will work with the Commission for two days a week, to determine requirements associated with specific areas of activity.</p>	

5.	Head of Governance, Policy and Standards (HGPS) update	
5.1	<p>HGPS presented an Update (Document 7) and highlighted that:</p> <ul style="list-style-type: none"> • He has attended several meetings with representatives from other arms-length bodies, including the bi-monthly Regulators' Forum. The Chair advised that if a UK forum for health and social care regulatory bodies exists it would be appropriate to seek membership. 	

- The schedule of regulatory activity is progressing, and all inspections are due to be completed by year end. SW asked if quality assuring of inspection reports by Commissioners has resulted in any concerns relating to consistency. HGPS advised that this is not the case. ROs have welcomed the input. HGPS is receiving completed questionnaires relating to the experience of service providers and managers relating to inspections. It was agreed that an overview of these responses be provided to the Board in February.
- An Improvement Notice has been served, and this has been recorded on the Commission's website.
- A total 999 health care professionals and 13 dental care professionals have, so far, been renewed for 2022.

5.2 ***Integrated Risk Register***

HGPS presented the Risk Register (Document 8), and it was agreed that risk number seven, the move to new office accommodation, can be closed.

It was agreed that if a risk does not change profile after control measures are implemented, then this would indicate that alternative controls are needed. There is a need to identify and track progress in the management of all extant risks. HGPS will review the residual ratings to ensure they properly reflect the controls which have been implemented.

5.3 ***Budget Summary***

HGPS introduced the Budget Summary up to and including October (Document 9), produced by Michael Le Guillou, Treasury, and advised that since the production of the report, some figures need to be updated. The costs associated with the use of a recruitment agency to co-ordinate the CI recruitment campaign, the employment of a temporary administrator and the first month's rental of the new offices in Capital House means that an in-year deficit is predicted of between £56k and £65k. The Department for Strategic Policy, and Treasury have been notified of these additional lines of expenditure and have confirmed that underspends across other services will be available to partly offset the deficit.

It was noted that reverse bracketing appears in the budget report and required amendment.

HGPS will request, from Treasury, that the Commission receives final figures relating to 2021, by the middle of January 2022 and will address with MLeG the anomaly in the use of brackets.

The budget for 2022 cannot yet be determined with accuracy, as the amount of income the Commission will receive from the Government of Jersey is not known. There will be additional costs associated with the introduction of new areas of regulatory activity in 2022 and the full year recurring effect of the rental charges. The Commission is also aware that they may receive a request to investigate

domiciliary care provision, following a debate in the States Assembly, which will impact the budget.

GH asked that MLeG be invited to the February meeting of the Board.

5.4 *Projects Update*

HGPS presented his projects update (Document 10).

Medical Practitioners Cleanse

HGPS advised that the medical practitioner cleanse is proceeding, despite several initial setbacks. The project is on course to be completed by the end of Q1 2022. The Commission has corresponded with each registrant to advise of the need to provide accurate and current information. To date, 61 people have been removed from the register at their own request. There were also requests to remain on the register, and these registrants have each received a renewal form which are being processed as they are received.

Most registrants have not yet submitted a response and will need to be sent reminders to inform them of the need to submit updated information. Ultimately, if no new information is submitted, the registrants will be removed from the register.

Members proposed that the Chief Medical Officer and the Director General with responsibility for the acute hospital and for community health services be notified of the Commission's intentions and be asked to encourage doctors in the medical workforce to engage in the renewal process.

Office Accommodation

HGPS advised that the move to a new office is complete, and the project is concluded. Commissioners agreed this project can be stood down and thanked HGPS for his significant efforts in finding suitable premises and in securing a favourable lease.

New Regulations

HGPS advised that ten new areas of regulatory activity will be introduced in 2022 and that draft Standards need to be devised relating to each. So far, five sets of Standards are completed in draft form and there are plans in place relating to a further two.

It was agreed that a plan is needed in respect of the Standards for residential family centres; care services in special schools; and independent monitoring and review of children's safeguarding arrangements.

GH advised that he BS and BC had met with Mark Owers (MO), Director of Safeguarding and Care, Department for Children, Young People, Education and

	<p>Skills (CYPES), and Susan Devlin (SD), Group Director - Children's Services, CYPES. The current Director General of CYPES, Mark Rogers, is due to leave Jersey and will be replaced by Rob Sainsbury (RS), on an interim basis until a permanent replacement is found. An update was provided in respect of both the development of Standards and the plans for the regulation of the new areas of regulatory activity.</p> <p>Commissioners noted the benefit of the previous joint working with Ofsted in 2018 and 2019 in respect of inspections of children's social work services and the Board discussed whether Ofsted or any other external agencies or independent experts may be able to assist in the development of the Standards and with plans for inspections of services new to regulation.</p> <p>It was agreed that the matter needs to be added to the Risk Register.</p> <p>The Chair proposed that separate steering groups be convened, with Commissioner participation, to oversee each live project and that meetings take place via MS Teams on a monthly basis.</p>	
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6.	Children's Services new to regulation and draft Standards	
	<p>HGPS presented a summary of developments pertaining to the introduction of new Regulations (Document 11).</p> <p>The Chair outlined four phases of regulating the new activities:</p> <ul style="list-style-type: none"> • Phase One: Introduction of the new Regulations. The consultation process is complete, and a report will be issued by the policy lead. The Commission's response was well-received. The new Regulations are likely to be enacted at the end of Q1 2022. • Phase Two: Development of the Standards. This work has commenced and will continue into Q1 2022. • Phase Three: Registration of the activities which are new to regulation. It was agreed that a workshop be arranged with the Registered Person and the designated Registered Managers of these services. • Phase Four: Undertaking inspections of the newly regulated services. This is anticipated to commence in Q4 2022. Initially, it is probable that the initial focus will be on both social work services for children and young people, and child and adolescent mental health services (CAMHS). <p>It was agreed that the seven steps and related timescales as listed in the paper be accepted:</p> <p>1.0 Completion of drafting of the five remaining sets of Standards (January - February 2022, for sign off at March Board).</p> <p>2.0 Preparation for a focused consultation on the 10 sets of draft Standards (phased between November 2021 and March 2022).</p>	

	<p>3.0 Preparations for registration of the Registered Person(s) and Registered Managers for each of these new regulated activities, noting the current Director General will be leaving Jersey in December (January – March 2022).</p> <p>4.0 Pre-registration engagement with the Registered Person(s) and Responsible Individual(s) regarding Statements of Purpose and other necessary preparations for registration (February 2022 – June 2022).</p> <p>5.0 Securing specialist off island expertise from other regulators and / or from suitably qualified and experienced individuals to support a planned programme of inspections in 2022 and beyond. (January – June 2022).</p> <p>6.0 Preparation of a realistic inspection programme and methodology for quarters 3 and 4 of 2022 and the whole of 2023 (January – March 2022).</p> <p>7.0 Delivery of the first set of inspections of services new to regulation (July – December 2022).</p> <p>The Chair requested that Francis Walker, (FW), Policy Principal, be invited to the next Board meeting. The Forward Look to be amended.</p>	
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7.	Review of Website	
	<p>HGPS presented a review of the website (Document 12). LB advised the Board of ways in which the website could be made more accessible for people with learning disabilities, including using Makaton symbols. A review of the project with costings will be required, and the Commission should obtain the views of service users and consider setting up a focus group. The Commission will consider translating some information into other languages, particularly the information relating to making a complaint.</p> <p>Members noted some improvements can be completed internally, but others will need the expertise of the developer. A suggestion was made that a banner be placed on the home page to advise that the Commission is revising the website and would welcome any comments or suggestions.</p> <p>It was agreed that this project should go on the Forward Look to enable it to be further reviewed, with associated plans and timescales.</p>	

8.	Draft Budget Build	
	<p>HGPS presented the Draft Budget Build (Document 13). He noted that the existing Framework Agreement requires the Commission to submit this to the Department for Strategic Policy, Planning and Performance (SPPP), annually.</p> <p>The document includes that the role of HGPS be reviewed as the remit has expanded over time, and that one Regulation Officer post be enhanced and upgraded, with a new title of Senior Regulation Officer. Additionally, three new roles</p>	

	<p>are required: A Regulation Officer with responsibility for the regulation of adult services, a Project Manager, and an additional Administration Assistant.</p> <p>It was agreed that Cld will focus on determining the implication of each of the additional costs, will work with HGPS to do this and will report back to the Board in February.</p>	
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9.	House Style Guide Review	
	<p>HGPS presented the House Style Guide (Document 14) for review, and Commissioners noted their appreciation of the work in devising the original document. It was agreed, going forward, that some inspection reports should be in an 'Easy Read' format and could include Makaton symbols for accessibility. The Guide will be updated accordingly.</p>	

10.	Escalation, Enforcement and Review Policy and Representation Procedures Review	
	<p>HGPS presented a review of both the policy and the procedures (Document 15). He identified a need to synchronise the definitions used in the Escalation, Enforcement and Review Policy with the Representation Procedures. The time associated with forming a Representation Panel has been increased due to the challenges associated with the previous two-day deadline. The length of time provided to make representations, ref. page 17 of the Policy, was queried and members agreed that the '14 days' would be better expressed as either 10 working days, or two weeks. This will be revised accordingly.</p> <p>Commissioners asked that further advice be sought from the Law Officers Department (LOD), to ensure that the policy and procedures comply with the Law, the associated Regulations, and principles of natural justice (Action P4).</p> <p>Commissioners asked that a workshop be convened on the role and purpose of a Representations Panel and that some legal input be provided to the event.</p>	

11.	Forward Look and calendar of Board Meetings and Workshop 2022	
	<p>No other business was raised. The public session was concluded.</p> <p>Dates of forthcoming Board Meetings in 2022:</p> <ul style="list-style-type: none"> • 9 February • 29 March • 18 May • 20 July • 14 September • 16 November 	

Action Points

	Action Point	Status
P1	Follow up on Recommendation 9 of the Review of Maternity Services.	ongoing
P2	Arrange for the transition from gov.je to carecommission.je email addresses.	ongoing
P3	Draft Standards to be uploaded on Egress for Commissioners to review.	ongoing
P4	LOD to be requested to review the Escalation, Enforcement and Review Policy and the Representation Procedures against the Regulations associated with the Regulation of Care Law (Jersey) Law 2014 (RoCL), the associated Regulation of Care Standards and Requirements Regulations and the principles of natural justice.	
P5	Preliminary arrangements to be made to convene a workshop on the role and purpose of a Representations Panel with input from LOD.	