

Minutes

Meeting title:	Jersey Care Commission Board	
Meeting date and time:	Wednesday 09 February 2022, 9:15 to 14:00 pm	
Meeting location:	Microsoft Teams	
Meeting chair:	Glenn Houston (GH)	Chair
Those present:	Alison Allam (AA) Lesley Bratch (LB) Jackie Hall (JH) Noreen Kent (NK) Angela Parry (AP) Siân Walker-McAllister (SW)	Commissioner Commissioner Commissioner Commissioner Commissioner Commissioner
Attendees:	Bradley Chambers Becky Sherrington Mandy Thorne (MT) Tom Walker (TW) Ruth Johnson (RJ) Charlotte Littleboy (CL) Francis Walker (FW) Tracy Duncan (TD)	Head of Governance, Policy and Standards (HGPS) Chief Inspector (CI) Meeting Minute Taker Director General, Strategic Policy, Planning and Performance (SPPP) (for item 5) Head of Policy, SPPP (for item 5) Head of Governance, SPPP (for item 5) Policy Principal, SPPP (for item 5) Head of Finance Business Partnering, SPPP (for item 6)
Apologies:	None	

Documents presented:	<ol style="list-style-type: none"> 1. Agenda 2. Draft Minutes of Board meeting (17 November 2021) 3. Draft Minute Summary of Board meeting (17 November 2021) 4. Chair's Report 5. Chief Inspector's update 6. Budget Build 2022 7. Budget Summary Report 2021 8. Projects Update Report 9. Integrated Risk Register 10. Comms Report 11. Annual Report / Discussion Paper 12. Standing Order – Scheme of Delegation
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PART A – PUBLIC SESSION

1.	Welcome, Apologies and Declarations of Interest.	
	The Chair welcomed everyone to the first meeting of 2022 and asked if any of the Commissioners wished to declare any new conflicts of interest. None were declared.	
2.	Minutes of last meeting and Matters Arising	
	<p>The minutes of the meeting of 17 November 2021 (document 2) were agreed as an accurate record, with minor typographical matters resolved.</p> <p>AP proposed, and AA seconded the minutes.</p> <p>Commissioners agreed that the Minute Summary (document 3) was an accurate reflection, but requested an amendment to the wording, regarding making documents accessible to all.</p> <p>Commissioners reviewed the action points arising from the previous Board meeting:</p> <ul style="list-style-type: none"> • Action P1; review of maternity services. CI has spoken to the Director General of Health & Community Services, and a follow up meeting has been arranged with the Chief Nurse and the Medical Director. • Action P2; Care Commission email accounts, CI has been using a carecommission.je email account. She met with Modernisation and Digital (MD) on 08 February, who confirmed that it is possible to enable increased functionality and that the Commission’s files can be moved out of Health and Community Services (HSC), at a cost of £3,800. This will enable Regulation Officers and Administrative Support Staff to transfer to Care Commission email accounts. This was agreed and will take place between 12-13 March. • Action P3; draft standards, is ongoing and will be discussed in item 8. • Action P4; Escalation Enforcement and Review Policy is ongoing. HGPS and CI have met with Sylvia Roberts (SR) from the Law Officers Department (LOD), and further advice is awaited. • Action P5; Representation Panel training; is ongoing, and appropriate training will be arranged for Commissioners. <p><i>Matters Arising</i></p> <p>HGPS was asked about the review of post inspection questionnaires in item 5 of the November minutes. This document will be uploaded to Egress and included in the annual report, which is an agenda item for the March Board.</p> <p>CI was asked about the project management appointment referred to in item 4 of the November minutes and advised that a project scope was with Marbral Advisory, a project management specialist, and is being progressed accordingly.</p>	

3.	Chair's Report	
	<p>The Chair tabled a Report (document 4) and highlighted that:</p> <ul style="list-style-type: none"> • A response to the Public Accounts Committee has been posted on Egress. The Commission remains content with the working relationship with Strategic Policy, Planning and Performance (SPPP), though there are some outstanding recommendations of the Governance Audit undertaken by BDO Limited which are yet to be fully addressed. • CI has identified a webinar on assisted dying, and details have been posted to Egress. • A template for Commissioner's appraisals has issued and individual appraisals will be completed on or before the March Board. 	

4.	Chief Inspector (CI) Update	
	<p>The CI tabled an Update (document 5) and advised that:</p> <ul style="list-style-type: none"> • Two staff members have taken sickness leave, due to Covid. • The care sector has been affected by Covid in terms of infections of care receivers, and staff, causing temporary shortages. Three care homes were primarily affected and HGPS worked with LOD to reinstate the legislation which subsequently allowed for the suspension of conditions on registration in respect of these three providers. Regulation Officers (ROs) worked closely with the providers during that period. In no cases were care receivers deemed to be at risk, and each of the care homes have, since, returned to normal working practices. The temporary suspensions of conditions will end on 12 February. Home care agencies have also been affected by staff shortages. There has been media interest in this area: CI has been interviewed by the BBC and Jersey Evening Post (JEP). • LB asked why the CI had stated that the Commission will not review the situation regarding a care home's non-compliance with conditions of registration until August. CI advised that in this instance the care home provides accommodation for one resident and that suitable alternative accommodation is intended to become available in the autumn. The care home is scheduled for a further inspection in Quarter 1, 2022. • LB asked CI about the current situation pertaining to the secure children's unit. CI provided an update. • LB asked about the quality of the relationship between the Commission and My Voice Advocacy. CI advised that she intends to develop this relationship as part of the on-going outreach process (Action P6). <p>CI gave a presentation on her first 30 days in post, and a SWOT analysis of the Commission's position:</p>	

	<p><i>Strengths</i></p> <ul style="list-style-type: none"> • The Commission has a positive reputation. • The staff team has a high level of expertise and motivation, are thorough in their approach and are experts in their field. They understand their individual roles and recognise that some change to the Commission’s form and function is necessary. <p><i>Weaknesses</i></p> <ul style="list-style-type: none"> • There is no project management support in place. • There is no communications plan in place. • There is a lack of clarity regarding the long-term budget. • There are no Memoranda of Understanding with each of the professional bodies with which the Commission works. • There are insufficient resources for the increasing programme of work. <p><i>Opportunities</i></p> <ul style="list-style-type: none"> • The Commission can develop its role as a voice for the care sector. • It could better utilise data to have a positive influence and to drive up the quality of care provision across the sector. • To be able to restructure the team to meet the requirements associated with the developing schedule of work. <p><i>Threats</i></p> <ul style="list-style-type: none"> • Funding uncertainty; both in the short and longer term. • Political uncertainty, due to this being an election year. • Managing competing priorities, without losing focus. • Rapid change and growth putting strain on the team. • Digital infrastructure issues. <p>CI also explained the work she has done to meet her stated objectives in her first 30 days. Commissioners thanked BS for her work to date and noted that the challenges ahead mean that the Commission must remain realistic about what is achievable.</p>	
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5.	<p>Horizon Scanning – Government Priorities and Regulation in 2022 and beyond</p> <p>GH welcomed TW and his colleagues to the meeting.</p> <p>TW outlined a number of significant matters affecting the Government which might impact on the work of the Commission.</p> <p>He advised:</p> <ul style="list-style-type: none"> • 2022 is an election year and there will be an intensification of political activity until the election. • There will be a new Minister for the Environment. Neither of the Ministers for Health and for Education have yet confirmed their intentions to standing again. • Covid continues to have an impact on Government finances. 	
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	<ul style="list-style-type: none"> • A Review of the Government’s response to Covid is planned in 2022 and the Commission will have an opportunity to contribute to this. <p>RJ spoke about a petition calling for independent inspection of all health services in Jersey, including the General Hospital, and advised that a related question had been asked of the Minister for Health in the States Assembly.</p> <p>RJ and FW are working on a proposal to revise the running order of the introduction of new regulations so that inspection of the acute hospital and aspects of mental health provision will be introduced, prior to the regulation of other services for adults. The proposal will be presented to the Council of Ministers and will incorporate a requirement for an uplift in funding of the Commission, to enable it to prepare for the Regulations, and for HCS, which will require expertise to support them through the registration process. This proposal will also highlight the risks associated with changing the order in which the Regulations are introduced.</p> <p>NK asked for clarity in respect of the areas or themes that the Commission would be required to give attention to in respect of the regulation of the Hospital. RJ confirmed that it was not anticipated that all aspects of hospital services would become regulated simultaneously, and that the areas which need to be prioritised had not yet been identified.</p> <p>LB suggested that the existing financial and political uncertainty would impact on the Commission’s ability to plan this work, and TW advised that he felt that the Commission was insulated to some extent from political change, as its reputation remains strong.</p> <p>GH thanked TW and RJ for their comments, and CL and FW for attending. It was agreed that there would be further discussions with SPPP as these proposals develop.</p>	
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6.	Treasury Update	
	<p>TD briefly ran through the close of the 2021 budget, and the planned and agreed additional expenditure on rental, recruitment and legal costs.</p> <p>TD advised that:</p> <ul style="list-style-type: none"> • the fees for 2022 had been uplifted by 2.5%. The outcome of the recent fees review had not yet been submitted. Once received, it is anticipated this will impact on fees from 2023 onwards. • It had been agreed with the Children and Young People, Education and Skills Department (CYPES), that the budget pertaining to fees for services new to regulation would be ceded to SPPP and subsequently allocated to the Commission. Consequently, CYPES will not be charged registration fees going forward. Work to facilitate this transfer of resources is in process. • TW has worked with TD in respect of the Commission’s Budget Build and confirmed that he was supportive of it in principle. In consequence, the Commission may proceed with the work which is proposed. If an additional 	

	<p>financial need is identified beyond the amounts which are set out in the Budget Build, a separate Business Case should be submitted.</p> <ul style="list-style-type: none"> • TW will work with CI to produce a long-term financial plan. • The costs of the IT-build relating to professional registrations should be removed from the Budget Build, as this represents capital expenditure, which is considered differently. <p>CI confirmed that she had been allocated £16k to undertake the initial scoping work relating to the IT project and that, once completed, a full Business Case will be formulated to source the additional funding.</p> <p>The Board thanked TD for her input and asked that she convey the Commission's thanks to Michael Le Guillou for his assistance in producing the monthly budgetary reports.</p>	
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7.	<p>Draft Budget Build</p> <p>The draft Budget Build (document 6) was tabled. CI confirmed that TW had advised that the Commission could operate at risk in aligning spending with the Budget Build, although the document had not been fully signed off.</p> <p>The Chair proposed that by the end of 2022 the Commission should build a profile of the Commission's financial needs and requirements between 2023 to 2026.</p> <p>NK requested that the Budget Build be amended to clarify that the Communications post is a staffing cost.</p>	
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8.	<p>Head of Governance, Policy and Standards (HGPS) update</p> <p>8.1 HGPS advised that he had no verbal update.</p> <p>8.2 <i>Budget Summary</i></p> <p>HGPS introduced the Budget Summary (document 7) and explained the variations in the final year outturn figures in relation to the initial allocated budget.</p> <p>8.3 <i>Projects Update</i></p> <p>HGPS presented a Projects Update (document 8).</p> <p><u>Medical Practitioners Cleanse</u></p> <p>HGPS advised that the cleanse is progressing, but not at pace. The temporary administrative staff member working on the updating of the register has resigned. A new temporary staff member will join the Commission imminently. There have been delays in receiving advice from the LOD regarding the wording of letters to remove medical practitioners from the database. HGPS confirmed it is intended that the cleanse be completed within two months.</p>	
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	<p>There was discussion of the nature and seriousness of the risk relating to the cleanse. CI advised of political attention on this matter, and a risk of reputational damage whilst the register remains offline. CI confirmed that HGPS had reviewed the process being used to update the register, to ensure it was efficient.</p> <p>Board members noted this project is rated ‘amber’ but anticipate that it will be rated green by March 2022.</p> <p>HGPS confirmed that 469 medical practitioners had not yet been contacted and estimated that, of these, 250 would have been contacted by the date of the next Board. GH asked at what point the register could be reinstated online, even though the work to cleanse it is incomplete.</p> <p>There was some discussion regarding the support from the LOD. CI advised that the Commission has been provided with the name of an external advocate, should LOD not be able to manage the Commission’s requests. However, CI had reminded LOD that the Framework Agreement with SPPP states that the Commission will have legal support from LOD.</p> <p>Board members noted this project is rated ‘amber’ but anticipate that it will be rated green by March 2022.</p> <p><u>Standards for services new to registration</u></p> <p>HGPS advised that the drafting of the new Standards is incomplete. Five sets are completed as initial drafts, but a further five remain unfinished. There is a plan in place to generate two of these, but three sets remain outstanding:</p> <ul style="list-style-type: none"> • Care provided by special schools • Families in residential centres • Safeguarding for children and young people <p>Some progress was possible with the support of a project officer from Marbral who has mapped the project and clarified processes. SW has also recommended a UK consultant, Jane Humphries (JH), who is providing professional advice. A schedule of work for JH is being prepared.</p> <p>The Chair advised that Standards for residential family centres are available from the Regulation and Quality Improvement Authority (RQIA) website and could be used as a benchmark.</p> <p>Board members noted that this project is rated ‘red’ but anticipate it will be rated ‘amber’ by March 2022.</p>	
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9.	Integrated Risk Register	
	HGPS presented the Integrated Risk Register (document 9).	

	<p>CI advised that the register had been significantly amended into a working document that tracks risks over time. This will enable the Board to have oversight of risks that arose and were mitigated between Board meetings, as these will be recorded as risks removed from the register.</p> <p>It was agreed that that the terminology regarding the Commission's tolerance of risk would be clarified; that the colours of the risks would be consistent with the scores; that a risk relating to the development of new Standards would be added; that no details in the document could reveal the identity of a service user; and that risks that are identified during project work will be recorded on a separate project report.</p> <p>GH asked for the risk register to be updated and posted to Egress following the Board meeting.</p>	
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10.	Communications Overview	
	<p>CI gave a presentation (document 10), explaining that the Director of Communications (GoJ) had completed an external review. The Board agreed that the review highlighted areas where communications could be improved and validated the requirement for a part-time Communications Lead, as described in the Budget Build.</p> <p>There was general discussion which included: that the website is an important interface with the public but needed updating; the Care Quality Commission (CQC) website was very easy to use and is a possible benchmark for JCC; that good communications can reduce the isolation felt by people dealing with care needs; that the Commission's Twitter account has not been used since July 2021; that staff would need to support the Communications Lead in the event that there was an escalating situation, where accuracy of communications is required.</p> <p>CI advised that work was in progress to publish summaries of inspection reports on the website, in addition to full reports.</p> <p>The CI agreed to provide a further update on the Communications Plan at the March Board.</p>	

11.	Annual Report Discussion Paper	
	<p>HGPS presented the annual report discussion paper (document 11):</p> <p>Following guidance from the Comptroller and Auditor General (C&AG) on what makes a good Annual Report, HGPS will include further sections in the report, which will include:</p> <ul style="list-style-type: none"> • An Accountability overview • A Financial summary • A Sustainability overview • A Performance summary • Identification and discussion of specific risks 	

	<p>The financial section will enable the Commission to demonstrate that it provides value for money.</p> <p>The Board expressed concern that this is an ambitious task for a small team but noted that both the 2019 and 2020 annual reports had been completed and submitted within the required timeframe.</p> <p>CI advised that a group photograph would be taken in March for the annual report.</p>	
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12.	Review of Standing Order – Scheme of Delegation	
	<p>HGPS presented the Scheme of Delegation (document 12) and explained that this had previously been amended when the previous Chief Inspector had resigned. At this point, the Board had adopted some of the CI’s responsibilities. This temporary revision can now be reversed, following the commencement of a new Chief Inspector.</p> <p>The document was agreed.</p>	

13.	Forward Look	
	<p>The Chair detailed the itinerary for future Board meetings.</p> <p>March:</p> <ul style="list-style-type: none"> • Consider Draft Annual Report and Accounts for 2021 • Annual Report to SPPP • Review complaints policies and leaflet • Business Plan / KPIs • Update on Communications Plan • Inspection feedback paper <p>May:</p> <ul style="list-style-type: none"> • Approve Annual Report and Accounts for 2021 • Review of Constitution (Sept 2020) & Framework Agreement (May 2020). • Consultation on draft Standards for services new to regulation • Workshop (17 May). Either: <ul style="list-style-type: none"> ○ training on the role and purpose of a Representations Panel with input from LOD, or, ○ Commissioner visits to facilities and reflection. <p>These meetings are intended to take place in Jersey.</p>	

14.	Any Other Business	
	No other business was raised. The public session was concluded.	

	<p>Dates of forthcoming Board Meetings in 2022:</p> <ul style="list-style-type: none"> • 29 March • 18 May • 20 July • 14 September • 16 November 	
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JERSEY CARE COMMISSION

Action Points

	Action Point	Status
P1	Arrange for the transition from gov.je to carecommission.je email addresses.	ongoing
P2	Draft Standards to be uploaded on Egress for Commissioners to review, as they become available.	ongoing
P3	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.	ongoing
P4	Preliminary arrangements to be made to convene a workshop on the role and purpose of a Representations Panel with input from LOD.	ongoing
P5	Develop a relationship between the Commission and My Voice Jersey.	