

THE JERSEY CARE COMMISSION

IMPROVEMENT NOTICE

<p>Name of regulated activity: Secure Children's Home</p>	<p>Name of Registered Persons: Robert Sainsbury</p>
<p>Address of regulated activity: La Grande Route De St Martin St Saviour Jersey JE2 7GS</p>	
<p>Issue Date: 28 September 2022</p>	
<p>This Notice sets out the Regulations that have been contravened. The Regulation of Care (Standards and Requirements) (Jersey) Regulations 2018</p>	
<p>1. Regulation 28 (1) (2) (a) Education, employment and leisure activity</p> <p>(1) Where the regulated activity consists of a children's home, or a child is provided with home care and is not living with his or her parent, the registered person must ensure that proper provision is made for the education and leisure of any child who is a care receiver.</p> <p>(2) In particular, the registered person must promote the child's educational attainment by –</p> <p style="padding-left: 40px;">a) ensuring access to, and making use of, appropriate educational facilities.</p> <p>The education provision for one care receiver was not in place at the start of the new term in September 2022 and what was offered to the care receiver was woefully inadequate to meet their needs.</p> <p>Action: The Registered Provider to take immediate steps to ensure that all care receivers accommodated in this home have access to an appropriate and sufficiently resourced education provision, as is their right under Articles 28 and 29 of the United Nations Convention on the Rights of the Child.</p>	

2. Regulation 16 (1) and (2) Control and Restraint

- (1) A registered person may control or restrain a care receiver only when it is lawful, not excessive and in the best interests of the care receiver to do so.
- (3) A registered person must prepare and implement a policy ensuring that there are proper arrangements in place so that any use of control and restraint complies with paragraph (1).

Regulation 17(4) (a, b & c) Workers

The Registered Person must-

- a) ensure that at all times suitably qualified, skilled, competent and experienced people are working in the regulated activity in such numbers as are appropriate and sufficient to meet the needs and ensure the health, welfare and safety of care receivers.
- b) ensure that the employment of any person on a temporary basis will not prevent care receivers from receiving such continuity of care as is reasonable to meet their needs.
- c) ensure that workers receive appropriate training, professional development, supervision and appraisal to enable them to provide care and treatment to care receivers to a safe and appropriate standard.

The Registered Provider has failed to undertake the necessary review of the de-escalation and physical intervention model (MAYBO). Staff in this home continue to report they do not feel confident in the use of MAYBO in terms of physical intervention techniques. This places staff at risk of harm, where staff may be reluctant to intervene in a situation with care receivers and also place care receivers at risk of harm by their own actions.

Action: The Registered Provider to ensure that the review of this intervention model is carried out and any recommendations made are followed through, which must include the recommendation for a new intervention model.

3. Regulation (8) Care and Welfare (1) (c) (i) & (iii)

(1) The registered person must ensure that care receivers are protected against the risk of receiving inappropriate or unsafe care by -

(c) planning and delivering care or support and, where appropriate, treatment in such a way as to –

- (i) meet the particular needs of the care receiver, including where relevant, any educational needs.
- (iii) take account of any changes in the care receivers needs.

Regulation 9 (2) (b)

(2) The registered person must –

- b) review and where appropriate revise the plan if requested to do so by the care receiver or his or her representative and whenever there is a significant change in the care receiver's health, safety, welfare or support needs.

The Registered Provider failed to ensure that the transition plan for a care receiver included regular visits to re-establish and strengthen relationships with carers from their substantive home in the community. Thus, compromising the care receiver's potential to be rehabilitated to his home successfully.

Action: The Registered Provider must ensure that the transition plans for care receivers are co-produced with their substantive care givers in the community to ensure that relationships are re-established and strengthened to improve outcomes for care receivers.

This notice is served in accordance with Regulation 34 of the Regulation of Care (Standards and Requirements) (Jersey) Regulations 2018.

It should be noted that if you fail to comply with an improvement notice within the time period stated, the Commission will consider referring you to the Attorney General with a view to potential prosecution. A person who commits an offence under this Regulation is liable to a fine of £50,000.