

Minutes

Meeting title:	Jersey Care Commission Board	
Meeting date and time:	Wednesday 20 July 2022, 9:30 am to 12:40 pm	
Meeting location:	The meeting took place virtually via MS Teams	
Meeting chair:	Glenn Houston (GH)	Chair
Those present:	Jackie Hall (JH) Noreen Kent (NK) Angela Parry (AP) Siân Walker-McAllister (SW)	Commissioner Commissioner Commissioner Commissioner
Attendees:	Becky Sherrington Bradley Chambers Lisa Phillips (LP) Sandra Damiao (SD)	Chief Inspector (CI) Deputy Chief Inspector (DCI) Meeting Minute Taker Administrator
Apologies:	Alison Allam (AA) Lesley Bratch (LB)	Commissioner Commissioner

Documents presented:	<ol style="list-style-type: none"> 1. Agenda 2. Draft Minutes of Board meeting (18 May 2022) 3. Chair's Report 4. Chief Inspector's Report 5. Budget Summary (June 2022) 6. Project Update 7. Integrated Risk Register 8. Policies and Procedures (Closure Policy/Guidance) 9. Governance: Framework Agreement (revised draft) & Constitution (revised draft) 10. Forward Look 2022
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PART A – PUBLIC SESSION

1.	Welcome, Apologies and Declarations of Interest.	
	<p>GH welcomed everyone to the meeting and welcomed a new member of the administration team, Sandra Damiao.</p> <p>GH asked if any of the Commissioners wished to declare any new conflicts of interest. None were declared by Commissioners.</p> <p>GH declared a potential conflict of interest as may be required to make a statement and/or give oral evidence regarding a Public Inquiry in Northern Ireland concerning the care and treatment of patients at Muckamore Abbey Hospital in County Antrim (a large regional hospital for adults with learning disabilities). Terms of reference for</p>	

	<p>this enquiry go back to 1999. The Regulation and Quality Improvement Authority (RQIA) is a core participant in the Inquiry and GH was formerly the Chief Executive of RQIA between 2009 and 2016.</p>	
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<p>2.</p>	<p>Minutes of last meeting and Matters Arising</p>	
	<p>The minutes of the meeting of 18 May 2022 were agreed with one correction noted (document 2) where a sentence is duplicated. In respect of the Integrated Risk Register (Item 8), it was noted that one sentence was duplicated.</p> <p>NK proposed, and SW seconded acceptance of the minutes.</p> <p>The Board reviewed the action points arising from the previous Board meeting:</p> <ul style="list-style-type: none"> • Action P1: Query Board paper solutions with Modernisation and Digital (M&D). • Action P2: Investigate the need for the development of a Protected Disclosure ‘Whistleblowing’ policy. • Action P3: A plan made to make the Commission’s minutes more accessible. • Action P4: Request Veronica Dempsey (VD) Law Officers Department, to undertake a review of the Representation Panel aspect of the Escalation, Enforcement and Review Policy for the September Board. • Action P5: When the Medical Practitioner register cleanse is complete, the Commission to advise TW that the register is once again live. • Action P6: The remainder of the work required to complete the Standards required for the new Regulations to be identified, to enable alternative resources to be applied to complete this work. • Action P7: Standards close to completion to be added to Teams to be reviewed by Commissioners. • Action P8: Briefing note to be prepared to enable the Commissioners to review the schedule of inspections. • Action P9: Amend the Framework Agreement with Track Changes and send to GH. • Action P10: Amend the Constitution with Track Changes and send to GH. <p>It was agreed that actions P3, P5, P7, P8, P9 and P10 are closed. More details are as follows:</p> <p>Action P1: It was advised that there was not a software solution readily available. CI confirmed that the Commission would be required to purchase its own licences for this, and that the software would not be compatible with MS Teams. Therefore, this option is not being actively pursued. GH recommended this was kept as an open action to investigate whether alternative software exists that may be compatible with Teams.</p> <p>The Action P2: The Whistleblowing policy has been added to Forward Look in November.</p>	

	<p>Action P3: Following consideration, it is proposed that the minutes remain unchanged but that other Commission documents be reviewed. The information leaflet has been amended and is with publishers. The Commission is considering how its Standards might be produced in a format accessible to children and young people. AP noted that the inspection reports should be produced in an easy read format. CI confirmed that a summary report is now issued alongside the full report. GH suggested this be revisited in the September workshop and that Sara Felton (SF), the communications consultant, be invited to attend. It was agreed that the action is now closed.</p> <p>Action P4: It was confirmed by DCI that this is complete. VD has reviewed the Escalation Enforcement and Review Policy. It is proposed that the Representation Procedures be embedded into this policy. The two Complaints Policies have been reviewed. The final draft can be brought to the Board in September. GH asked that VD be invited to the September Board.</p> <p>Action P5: The cleanse of the Medical Practitioners Register is complete. GH has notified TW that the updated register is available online. This is to be considered further under agenda item 6.1.</p> <p>Actions P6: The action for the Standards is to be considered further under agenda item 6.2.</p> <p>Action P7: The action for the draft Standards to be added to Teams for review is complete. CI suggested that once the final draft is uploaded, that Commissioners review at that point. It was agreed that the action can be closed.</p> <p>Action P8: DCI prepared a briefing note for CI relating to the schedule of inspections and this has been added to the Risk Register (agenda item 8). This action can be closed.</p> <p>Action P9: The Action to amend the Framework Agreement and send to GH is to be considered further under agenda item 10. This action can be closed</p> <p>Action 10: The action to amend the Constitution and send to GH is to be considered further under agenda item 10. This action can be closed</p> <p>SW) proposed and JH seconded acceptance of the minutes.</p>	
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3.	Chair's Report	
	<p>GH Tabled a report (document 3).</p> <p>It was acknowledged that a new Chief Minister and Council of Ministers have been elected.</p> <p>CI has written to the new Chief Minister requesting a meeting. A meeting is already scheduled with the new Minister for the Environment (Deputy Jonathan Renouf). CI</p>	

	<p>will brief him on the role of the Commission and the key challenges that the Commission is facing. She will also discuss a planned date for laying of the Annual Report.</p> <p>GH and Commissioners congratulated BC on his new post, Deputy Chief Inspector.</p> <p>The post for Head of Business and Performance closes for advert on 29 July 2022.</p> <p>Provisional Board meeting dates for 2023 have been provided to Commissioners. It is intended that the meetings in March, May, September, and November will take place in Jersey and that the February and July meetings will take place remotely. Workshops are proposed for May and September 2022.</p> <p>The Government is preparing for a public consultation in relation to assisted dying. It is intended that this will take place later in 2022. GH alerted Commissioners to the content of the draft consultation document. If Commissioners wish to provide feedback, this should be sent to both CI and GH. SW expressed concerns about the potential cost and the lack of mention of safeguarding. SW agreed to email GH accordingly.</p>	
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4.	Chief Inspector (CI) Update	
	<p>CI tabled an Update (document 4) and highlighted:</p> <ul style="list-style-type: none"> • Children’s Services and Children’s Secure Unit – there is evidence that significant progress has been made since the previous Board meeting. Consequently, it is no longer intended that the matter be escalated to the Attorney General’s office. An unannounced inspection to be scheduled by September 2022. • The Commission had given notice of its intention to cancel the registration of a home care provider. The Provider has voluntarily cancelled their registration. • A discretionary condition has been reapplied in respect of two care homes operated by the same provider. These homes are located in buildings unable to meet the regulatory requirements associated with physical layout including building dimensions and other related matters. The Provider is working with the Planning and Environment Office to consider how the premises might be redeveloped. Plans have been submitted and the Commission will extend the discretionary condition to enable time for the remedial work to be carried out. • Two complaints against the Commission have been received. One related to the use of the gym at the Secure Children’s Home. The gym should be for the use of care receivers but was regularly closed to children in the home, as it was leased to a local gymnastic club for people with disabilities. The Commission determined that this was unacceptable as it breached the Standards. Consequently, the Government provided three months’ notice to the club. The club has yet to source an alternative venue. This led to criticism on social media and a complaint to which CI has responded. A second complaint was received from a care service provider in respect of an inspection report. 	

	<ul style="list-style-type: none"> • CI had contacted the Care Quality Commission (CQC) with the intention of formalising a partnership for inspections. After an initial positive reception, the CQC had to reconsider its position and unfortunately declined the proposed partnership. CI will approach other UK regulatory bodies, in either Scotland or Wales, to consider whether they would be open to an invitation to engage in a formal partnership with JCC. • The Comptroller and Auditor General has requested that the Commission participates in a consultation on governance arrangements for arms-length bodies. CI has completed a survey associated with this request and is anticipating a meeting with the team. • CI has submitted a revised budget plan to Treasury for consideration via SPPP. • An update was provided in respect of the Commission’s workforce. There will be two new Regulation Officers in post by September: Andy Kean (AK) has a social work background and commenced his role on 7 July. An additional Regulation Officer with a background in children’s services will commence in September. It has been agreed that the recruitment of a temporary (Bank) Regulation Officer will not take place as the Team remain confident that all scheduled inspections will be completed by the end of 2022. • CI is working with the Picker Institute regarding compiling a survey of patient opinion regarding care provided at the General Hospital. A survey will be sent out to Islanders that have received care in the hospital in the last 3-12 months. The survey will be jointly headed by both the Picker Institute and the Care Commission and signed off by CI. • CI discussed her recent visit to a secure children’s home in Hampshire. This has helped to establish a relationship with a local authority in the UK. CI noted several similarities with the secure unit in Jersey and in how it is managed. She has also noted that similar challenges are experienced in the UK in relation to supporting children and young people who require secure accommodation. • CI and the Commission thanked Lisa Phillips (LP) for her work in formulating Standard Operating Procedures relating to administrative processes and in supporting the new members of the administrative team. 	
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5.	Budget Summary (June 2022)	
	<p>CI advised that the Budget Summary (document 5) does not include the agreed transfer of funds from Children, Young People, Education and Skills (CYPES), and that the delay was because of the recent election. However, it is now possible for this to be pursued. It was noted that concerns had been raised at the previous Board meeting in relation to the Commission operating at risk, with approval from SPPP, but that this had not been recorded formally. CI advised that the most recent meeting with SPPP had been recorded and that the minutes are available for review by Commissioners.</p> <p>There are additional staff costs relating to the preparation of the draft Standards which are not included in the Budget Summary. CI advised that the Commission’s business partner in Treasury is aware of the additional costs and anticipates that this will not result in an overspend at year end.</p>	

	<p>It was agreed that a breakdown should be added to the Budget Summary (document 7) to provide a fuller explanation as to what 'Supplies and Services' includes. CI to consult with Treasury regarding this and to advise the Board accordingly.</p> <p>It was confirmed that the salary incremental increases are not accounted for in the budget. Consequently, the budget plan includes salaries set at the midpoint increment for all staff.</p> <p>There is no update in respect of the fees review undertaken by Contact Consulting. DPI has contacted the Head of Policy (GoJ), for an update and the matter will continue to be kept on the agenda for subsequent meetings with SPPP.</p>	
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6.	Project Update	
	<p>DCI presented a Projects Update (document 6) and advised that there are three ongoing projects:</p> <p><u>Medical Practitioners Register Cleanse (document 6.1)</u></p> <p>There has been considerable progress in this area and the register is back online. TW has been advised. The project is now completed (Action P5).</p> <p>It was noted that there is no renewal process for medical practitioners which gives rise to a risk that the register will become outdated again. GH wrote to TW on 9 June regarding this issue, as there is no obligation for the registrants to renew registrations annually or pay a fee. This is to be included in the new professional registrations law but there is no timeline for this to happen. An interim solution may be required and further discussion with GoJ would be of benefit.</p> <p>It was agreed that the project should close and return to business as usual.</p> <p><u>Standards for services new to registration (document 6.2)</u></p> <p>There has been considerable progress relating to the development of draft Standards associated with the regulation of statutory children's services. CI has secured external consultancy input and the final draft of the Children's Social Work Standards is pending. It is anticipated that the same consultants will produce the draft Standards associated with the Independent Reviewing Officer (IRO) service.</p> <p>External input has also been sourced in respect of quality assuring the draft Standards relating to each of the Children's Homes, Family Residential Centres and Fostering and Adoption Standards. DCI is liaising with the Child Contact Centre in Jersey.</p> <p>In respect of consultation with local stakeholders, a timeline has been agreed for the uploading of draft Standards to the Commission's website. The Commission will begin the consultation process in September, adopting a phased approach. This will result in two sets of Standards being uploaded at a time, until all ten are uploaded.</p>	

	<p>This methodology is intended to ensure that the consultation process remains manageable.</p> <p>Commissioners welcomed the update and noted the significant progress since the May Board. It was agreed that this project remains ongoing and will be further reported on at the September Board.</p> <p><u>Professional Registration (document 6.3)</u></p> <p>CI updated the board and advised that Alistair Jerrom Smith (AJS), an external project manager, has supported the Commission in mapping the changes needed to the Commission’s digital capacity, with associated costs. As there is no budget available for this project, a business case is being formulated by the Head of Policy (GoJ). Once approved, AJS will manage the project.</p> <p>It was agreed that this project remains open and will be further reported on at the September Board.</p>	
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7.	Integrated Risk Register	
	<p>DCI presented the Integrated Risk Register (document 8):</p> <p>Six corporate risks are identified. Four are unchanged since the previous Board meeting.</p> <p>Risk 1 (Digital). It was noted that the Commission’s IT resources remain inadequate to meet its future needs. This is addressed in a separate budget build document to be included within a wider resource bid to GoJ.</p> <p>Risk 2 (Finance). A three-year budget build has been submitted. This was approved by the Board and has been shared with SPPP who have indicated their agreement.</p> <p>The fees for service registration and renewal remain unchanged. These were reviewed by Contact Consulting, but the final outcome has not been received. The budget transfer from the Department for Children, Young People, Education and Skills (CYPES) has not yet occurred.</p> <p>Risk 3 (Workforce). There have been a series of changes to the Commission’s workforce. Recruitment has taken place and is still ongoing. An induction plan is to be developed.</p> <p>Mandatory training for team members is being reviewed. It is anticipated that the migration of data from the Commission’s L Drive into MS Teams will enhance data protection. It was confirmed that the Commission has a robust policy in place relating to GDPR breaches.</p> <p>Risks 4 and 5 related to data governance and the development of draft Standards, respectively. These matters were discussed in Item 6 on the Board agenda.</p>	

	<p>Risk 6 (Inspection Schedule). The inspection schedule is being monitored on a regular basis. There are new members of staff joining the Team. Regulation Officers remain confident that all inspections will be completed by year end, but it is a risk that there are few available contingencies if any of the Regulation Officers were not in work for an extended period.</p> <p>It was discussed that a new risk should be noted regarding the lack of a strategic partnership with other UK regulators. This will be included in the Risk Register and reported on at the next Board meeting.</p> <p>Risk relating to the Commission’s communications plan is to be reviewed at the next Board meeting.</p> <p>It was agreed that any risks that are removed should remain visible for a 12-month period.</p>	
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8.	Policies and Procedures (Closure Guidance)	
	<p>DCI presented the draft Closure Guidance (document 9).</p> <p>Regulation Officers Lesley Callander (LC) and Fiona McLaughlin (FM) developed the document with input from DCI. It should be considered as ‘guidance’ as opposed to a policy, on the basis that the Commission cannot compel external agencies to adhere to it. However, it provides a best practice framework of how a service should close safely. The document includes guidance pertaining to, notification of closure; multi-agency coordination; timescales; formal assessment of need; phased relocation, and communication. It includes a task and action checklist. Commissioners acknowledged LC and FM’s work in developing this and asked that thanks be conveyed.</p> <p>It was agreed that the Closure Guidance be endorsed by the Commission and be uploaded to the website. It will be reviewed on an annual basis.</p>	

9.	Review of Framework Agreement and Constitution	
	<p>DCI presented an amended version of both the Framework Agreement and the Constitution (Action P9 and P10). A series of amendments have been made to both documents and these were agreed by the Board.</p> <p>It was agreed that both documents could be endorsed as revised.</p> <p>The changes to the Framework Agreement have been approved by SPPP. GH will add his signature and send to TW.</p>	

10.	Forward Look	
	<p>GH presented the Forward Look (document 11) and noted that the Framework Agreement and Constitution was discussed under agenda item 10.</p> <p>GH will advise Commissioner of the proposed content of the workshop on 13 September 2022.</p> <p>GH asked that Veronica Dempsey (VD) from the Law Officers Department (LOD) and Suzanne Wylie (SW), the Chief Executive (GoJ) be invited to the September Board.</p> <p>Proposed dates of Board meetings in 2023 have been shared with Commissioners. A Commissioner asked that one date (March 2023), be reconsidered.</p>	

11.	Any Other Business	
	<p>No other business was raised. The meeting was concluded.</p> <p>Dates of forthcoming Board Meetings in 2022:</p> <ul style="list-style-type: none"> • 14 September • 16 November 	

JERSEY CARE COMMISSION
Action Points

	Action Point	Owner	Status
P1	Query Board paper solutions with M&D.	CI	ongoing
P2	Investigate the need for the development of a Protected Disclosure 'Whistleblowing' policy.	DCI	ongoing
P3	Request Veronica Dempsey (VD) to undertake a review of the Representation Panel aspect of the Escalation, Enforcement and Review Policy for the September Board. Invite VD to the September Board.	CI	ongoing
P4	CI to present an updated budget summary to include a breakdown of supplies and services.	CI	
P5	Upload the Closure Guidance to the website.	DCI	
P6	Amendments to be made to the Constitution, and upload to the website.	DCI/LP	

P7	Amendments to be made to the Framework Agreement and send to TW for signature.	DCI	
P8	Review the Inspection Schedule and provide an update to the Board.	DCI	
P9	Add the lack of partnership with other UK regulatory bodies to the Integrated Risk Register.	CI	