



Jersey Care
Commission

INSPECTION REPORT

Unregistered Children's Home 2

Date of Inspection

13 January 2023

THE JERSEY CARE COMMISSION

Under the Regulation of Care (Jersey) Law 2014, all services carrying out any regulated activity as defined in the Regulation of Care (Jersey) Law 2014 and its associated Regulations, must be registered with the Jersey Care Commission ('the Commission').

This inspection was carried out in accordance with Regulation 80 of the Regulation of Care (Standards and Requirements) (Jersey) Regulations 2018 to monitor compliance with the Law and Regulations, to review and evaluate the effectiveness of the regulated activity and to encourage improvement.

ABOUT THE SERVICE

This is a report of an inspection of an unregistered children's care home service.

The location of this service has been withheld to protect the identity of care receivers; it is therefore referred to as Children's Home Number 2. This service is no longer operating.

The home is a three bedroomed detached, single storey building. The building has an open plan lounge, kitchen and dining area, master bedroom with en-suite facilities, a double bedroom, a bunk room and a house bathroom.

The bunk room has a patio door that leads directly to the outdoor garden area, and this area is enclosed although only partially private as there is only low hedging/fencing enabling easy visibility into the garden.

There are several external doors to the building, and the main front door enters the lounge area. Each bedroom has external doors to give access to the outdoor areas.

Provider (Not Registered)	Government of Jersey Children's Social Care Accountable Officer: Robert Sainsbury (Chief Officer Children, Young People, Education and Skills (CYPES))
Registered Manager	No Registered Manager
Regulated Activity	Children's care home
Conditions of Registration	The Commission has not received an application to register the premises
Date of Inspection	13 January 2023
Time of Inspection	11.10am to 12.30pm
Type of Inspection	Announced
Number of areas for improvement	N/A
Number of Regulation Officers	2

The children's care home is operated by the Government of Jersey Children's Social Care Services through the Children, Young People, Education and Skills (CYPES) Department. There is no Registered Provider or Registered Manager in place for the service, and this service is not registered with the Commission.

As part of registration with the Commission, care providers receive mandatory and sometimes discretionary conditions for delivery of care. However, as this care home is not registered, the Commission has not been able to establish these.

The inspection took place following anonymous information provided to the Commission. It was later confirmed that the service had been operating from this location since December 2022.

SUMMARY OF INSPECTION FINDINGS

The following is a summary of what we found during this inspection. Further information about the findings is contained in the main body of this report.

The requirement to be registered to carry on or act as a manager in relation to a regulated activity is set out in Article 3 of the Regulation of Care (Jersey) Law 2014. A person must not carry on a regulated activity unless he or she is registered as the provider of the activity.

There was no Registered Manager identified for the home. The Regulation Officers were met by the Service Lead for Children's Homes and Short Breaks, who facilitated the inspection along with a colleague who held a Registered Manager post in another children's home.

The Commission has not received an application to register this children's home. Following initial discussions with the Service Lead, in the professional opinion of the Regulation Officers the service was operating as a children's care home service and was an 'unregistered regulated activity'. This contravenes the Regulation of Care (Jersey) Law 2014, Article 2.

The service has no Registered Provider or Registered Manager in place. There was no Statement of Purpose or Young Person's guide in place on the date of the inspection, and this is a failure to adhere to Standard 1 of the Care Standards for Children's Homes.

The Regulation Officers requested to see supervision records for the staff members providing care. Supervision records were not provided; therefore, the Regulation Officers were unable to confirm whether adequate reflective supervision has taken place. This indicates that Standard 2.10 of the Care Standards for Children's Homes, was not being met.

During the inspection, the Regulation Officers were made aware that staff looking after care receivers have predominantly been individuals employed in other roles within Government of Jersey's Children's Social Care Services and agency social workers. The staff rotas which were reviewed by the Regulation Officers confirmed this.

The staff rotas indicated that there has been up to 47 individual members of staff looking after care receivers from the placement commencement in December 2022 to the day of the inspection, 13 January 2023. This does not provide consistency of care and, in the considered professional opinion of the Regulation Officers, is highly likely to have adversely impacted on the care workers' opportunities to build positive, sustained and trusting relationships with care receivers. The Regulation Officers noted that a typically sized Children's Home would have around ten staff working across the rota.

The risk assessment available to the Regulation Officers on the day of the inspection reported that incidents of concern were heightened due to the continuing change of staff in the placement. There were daily incidents of concern which put care receivers and staff members at risk. This indicates that Standard 5 of the Care Standards for Children's Homes was not being met.

Standard 3.7 of the Care Standards for Children's Homes states that the Registered Manager should consider the additional employment of care and support staff and ensure that staff do not work more than 48 hours per week. The Regulation Officers have evidence that some of the staff team members are working over the recommended 48 hours per week including their employment in the home. The Regulation Officers also noted that some staff members had been allocated excessive shifts on the rota, and these shifts were additional to their substantive roles within the wider service.

The Regulation Officers requested staff training logs to ensure the minimum training standards were met. This information has not been shared with the Commission by the service to date. The Regulation Officers are therefore unable to confirm if any of the staff team have completed a Level 3 Diploma in Children's Residential Care (or

equivalent) and other mandatory training essential to the role as stated in the Standards, such as First Aid, Medication Management and Food Hygiene. Absence of essential mandatory training increases the risk to care receivers and the staff members as there may not be an understanding of correct process and procedures leading to poor practice. This indicates that Standards 5.11 and 3.10 of the Care Standards for Children's Homes, were not being met.

Standard 6.4 of the Care Standards for Children's Homes recommends that children in care have access to independent advocacy services. The Regulation Officers inquired if care receivers had been referred to the local children's advocacy service. Advocacy would offer advice, support, and empower care receivers to express their wishes and feelings. This was not clarified on the day of inspection and the Regulation Officers have not received clarification at the point of writing the report.

Care receivers' views of the care they receive is not evident in the documentation provided by the service. Information for care receivers about how to raise concerns has also not been evidenced by the service. Standard 1.2 of the Care Standards for Children's Homes recommends that the service provides care receivers with a 'children and young peoples' guide'. This was not available on the day of inspection. Such a guide would provide care receivers with essential information about what to expect from the service, the role of the staff members, expectations of behaviours from care receivers and staff members, how to raise a concern or complaint and the support available to do so. The guide should be presented to care receivers in a format that they are able to understand.

The Regulation Officers were provided with an impact risk assessment for care receivers on the day of the inspection. The quality of the risk assessment was thorough and there was evidence that the assessment had been reviewed and updated. 'Caring for Me' plans were also available to review, which were comprehensive and provided a concise overview of care receivers.

A further risk assessment was provided by the service following the inspection. However, essential details were missing including safety considerations when using transport to take care receivers to school and activities. This indicates that Standards 10.8 and 10.10 of the Care Standards for Children's Homes, were not being met.

The Regulation Officers requested to see written care plans incorporating holistic needs. Comprehensive care plans were not available at the time of the inspection. These were requested as additional documentation post inspection on 18 January 2023. Care plans were received from the service on 26 January 2023. A large part of the plans presented as the minutes from a meeting that took place on 18 January 2023. Care plans were not robust and failed to identify the holistic needs of care receivers. This indicates that Standard 4 of the Care Standards for Children's Homes, was not being met.

Information regarding care receivers' health needs was not clear from the documentation provided by the service. No recent health care plans were provided, and the last assessment was completed over six months previously. It was also noted that in one case an essential health appointment had been missed. Care Standard 11 stipulates that statutory health assessments take place and are reviewed at appropriate times.

The Regulation Officers requested information regarding medication procedures for the placement. The Service Lead reported that care receivers do not take daily prescribed medication; however, there is medication prescribed to use when needed. The information provided to the Commission, evidenced that the service's medication policy was not followed from the start of the service in early December until 23 December 2022, following a discussion that the Service Lead had with managers who were overseeing the home. Standard 11.8 of the Care Standards for Children's Homes states that medicines are managed in compliance with best practice guidance: this Standard was not met prior to the 23 December 2022 when medication procedures were put in place in the home.

A copy of the service liability insurance was provided. The service had provided clarification from the legal department that Government of Jersey liability covered the home, even though the care activity is not being carried out in Government of Jersey premises and is an unregistered regulated service. Insurance certificates were not displayed at the home. This indicates that Standard 2.19 of the Care Standards for Children's Homes was not being met.

The Regulation Officers requested the fire regulation certificate for the building to be assured that this was in place. This was not available at the time of the inspection and the requested document remains outstanding. This raises a safety concern and indicates that Standard 9 of the Care Standards for Children's Homes was not being met.

A small number of daily logs of activity were available to view at the time of the inspection. Further logs were sent on 30 January 2023 having been requested by the Regulation Officers. These were found to be detailed and included the daily movements of care receivers. However, they did not contain analysis of certain situations that had arisen, such as when a care receiver runs out of the home and away from the carers thus creating risk. The logs were often handwritten, and some were illegible and included unsigned crossing out. Standard 4 of the Care Standards for Children's Homes states that recordings are child centred, appropriate, and comprehensive.

INSPECTION PROCESS

This inspection was announced and was completed on 13 January 2023. Notice of the inspection was provided to the service on 12 January 2023, the day before the inspection. This was to ensure that staff would be available to facilitate the inspection.

The Children's Care Home Standards were referenced throughout the inspection.¹

This inspection focused on the following lines of enquiry:

- **Enquiry into unregistered regulated activity**
- **Management of the service**
- **Care and support**
- **Choice and safety**

As the service is unregistered, there was very little information available to the Commission pre inspection. Therefore, usual pre-inspection procedures were not able to be undertaken.

During the inspection, records including policies, care records and medication records were examined. This inspection included a tour of the premises.

At the conclusion of the inspection, the Regulation Officers provided feedback to the Service Lead for Children's Homes and Short Breaks, who had facilitated the inspection.

This report sets out findings identified during the inspection. No improvement plan has been established, as this regulated service is not registered. Where it is identified that the service does not meet the Care Standard's for Children's Homes, this is identified in the body of the report.

¹ The Children's Home and all other Care Standards can be accessed on the Commission's website at <https://carecommission.ie/child-standards/>

INSPECTION FINDINGS

As this service is unregistered, this is the first inspection completed. It is unlikely that any additional inspections of this service will be undertaken. The service has informed the Commission that the unregistered regulated Children's Home service is due to come to an end. Subsequently the provider confirmed that the service had ended.

The inspection has confirmed that this service has been operating as an unregistered Children's Home which is a regulated activity. The Care Standards for Children's Homes specify the operating procedures for a children's home which are designed to keep care receivers and care staff safe and to provide assurances about the quality, safety, and effectiveness of the care to children and young people.

Having concluded the inspection of this unregistered Children's Home, the Regulation Officers are of the considered professional opinion that there has been unsafe practice and a series of omissions which have placed both care receivers and care staff at risk.

Enquiry into unregistered regulated activity

The Standards outline what policies and procedures should be in place for 'regulated activity' and that a service conducting 'regulated activity' must be registered with the Commission and have a Registered Provider and Manager in place.

It was established by correspondence with CYPES that 'unregistered regulated activity' was taking place at this location. The inspection carried out on 13 January 2023 confirmed this. No application has been made to register this regulated activity. This contravenes the Regulation of Care (Jersey) Law 2014, Article 2. As an extension to this point, it is essential to note that no Registered Provider or Registered Manager is in place.

Management of the service

The Standards outline the Provider's responsibility to ensure that where children and young people reside is right for them and is safe. There will be a management structure in place, with an integrated organisational and governance framework, which is appropriate to the needs, size and complexity of the service.

Before undertaking the inspection, the Commission was aware that the service had not made an application to register the regulated Children's Home but had operated the home despite this. This contravenes the Regulation of Care (Jersey) Law 2014, Article 2.

As the service is unregistered, there is no Registered Manager or Registered Provider identified for the home.

During the inspection, it was not made clear to the Regulation Officers as to who had management oversight of the service. There were several children's service managers named by the Service Lead, who had been involved in the operational management of the service, including oversight of the staff rotas.

Management oversight has not been adequate and has left the home without clear leadership. It was evident from the discussion with the Service Lead that there has been no manager on the premises since the commencement of the care activity. This indicates that Standard 2 of the Care Standards for Children's Homes was not being met.

There was no Statement of Purpose for the care home available on the day of inspection. The Statement of Purpose sets out what the service will provide for children and young people, what the operational model of the service is and provides governance and quality assurance arrangements. A Children's Home service without a Statement of Purpose is not providing care receivers and their families with the clear aims and objectives of the service. This indicates that Standard 1.1 of the Care Standards for Children's Homes was not being met.

During the inspection, the Regulation Officers requested clarification regarding the staff team. It was confirmed that a large number of the staff providing care were working in other roles within the wider service of CYPES. It was reasonable to presume or suspect that the allocated hours on the rotas were in addition to substantive job role hours. This was a cause for concern as the Commission strongly recommends that staff should not work more than 48 hours per week as this would contravene Standard 3.7 of the Care Standards for Children's Homes. The Regulation Officers made a request on the 20 January 2023, to clarify the staffing arrangements, including any other job roles the staff may hold. At the time of writing the report, this had not been received by the Commission.

Care and support

The Standards outline that children and young people in receipt of care and support, should experience compassion, dignity and respect. Care receivers, where appropriate should be involved in all decisions relating to their care and support in a way that respects their rights, individuality and beliefs.

The Regulation Officers have been provided with a selection of staff duty rotas which confirm that the staff team has been made up of social workers, family support workers, registered foster carers and residential care officers. A large majority of the team members are not trained Residential Child Care Officers.

An analysis of the staff rotas over the 36-day period immediately prior to the inspection revealed at least 47 care staff had been on shift supporting care receivers. The Regulation Officers concluded that such a high number of people working in an environment such as a children's home, over a short period would be likely to have an adverse impact on the emotional wellbeing of any care receiver. For this to take place in circumstances where the emotional needs of care receivers are acute, is of grave concern. It is highly unlikely that care receivers would have had the opportunity to build and maintain positive relationships with staff members or to have any realistic chance of achieving a satisfactory sense of living in a homely,

stable, or consistent environment. This indicates that Standards 2, 3 and 5 of the Care Standards for Children's Homes, were not being met.

The Regulation Officers reviewed care plans provided by the service. Care plans were unclear. Important dates such as Care Orders were incorrect. Plans included information which was predominantly historical and lacked a contemporary overview of the needs and circumstances of care receivers. Care plans did not provide a holistic view of care receivers' needs, did not include the views and wishes of care receivers, and were not sufficiently child centred. This indicates that Standard 4 of the Care Standards for Children's Homes was not being met.

There were no recent health care plans provided, and care plans indicated that the last assessment was completed over six months previously. It is not clear from the risk assessments, or care plans, if there are ongoing health needs and what these are. Care plans recorded that in one case an essential health appointment had been missed but did not provide the reason for this. This indicates that Standard 11 of the Care Standards for Children's Homes was not being met.

Choice and safety

The Standards outline the Provider's responsibility to ensure that children and young people will feel safe and are kept safe. Children and young people will be supported, enabled and empowered to be as independent and autonomous as practicable. Children and young people's rights will be supported and protected.

There was no children and young people's guide available on the day of the inspection. This document is intended to provide children and young people with the details of the service which they receive, a general overview of what to expect, an explanation of their rights and how to exercise these, including how to make a complaint or raise a concern. The Commission's Care Standards for Children's Homes recommend that children and young people are regularly asked for their views about how the service operates, and that these are responded to by the service. This could be in a 'you said, we did' format. The Regulation Officers were unable to identify any written information regarding the views and wishes of care receivers. This indicates that Standards 1.2, 1.7, 4.6 and 5.4 of the Care Standards for Children's Homes were not being met.

A risk assessment incorporating premises was provided after the inspection, on 27 January 2023. The document was dated 16 January 2023 and did not include a risk assessment relating to transporting care receivers in a vehicle. The Regulation Officers were informed during the inspection, that transportation for care receivers had been a mixture of 'fleet car', staff members' personal cars and a hire car. The Regulation Officers had requested evidence of individual car insurance for the staff members that had used their own vehicles in the transportation of care receivers. The service informed the Regulation Officers that it would be difficult to provide this information as they were unsure of which staff members had used their own vehicles.

There were no procedures for the transportation of care receivers available to review at the inspection. This indicates that Standard 10.8 of the Care Standards for Children's Homes was not being met.

During the inspection the Service Lead informed the Regulation Officers that following completion of a risk assessment, there had been discussions about fitting alarms to the doors where thumb key locks are installed. This would alert staff if a care receiver opened an external door. The risk assessment completed on 16 January 2023 stated that the alarms were now in use, giving additional security.

Daily logs and risk assessments highlighted that incidents of concern that put care receivers and staff at risk occurred daily. The Regulation Officers have not received an assurance that staff members have received adequate training to manage these types of incidents. Appropriate training relating to de-escalation, trauma informed care and behaviour management is recommended to support staff in managing the presenting behaviours. This indicates that Standard 5 of the Care Standards for Children's Homes was not being met.

It was evident that there has been a delay in the service implementing a medication policy and procedures within the home. Correct processes were put in place on 23 December 2022, including a locked drawer provision for safe storage of medication, and the introduction of Medication Administration Records (MAR) for the safe administration of medication. The service's medication policy was provided to the Regulation Officers on 26 January 2023. It was noted that this document was not fully complete, specifically the dates when written and reviewed were inaccurate.

The Regulation Officers viewed the MAR on the day of the inspection. The records confirmed that record keeping did not begin until 23 December 2022. It was noted that there was no Management of Medicines risk assessment (Appendix 2, Medication Policy) in place. This indicates that prior to 23 December Standards 11.7 and 11.8 of the Care Standards for Children's Homes, were not being met.

The service medication policy states that all staff who administer medication have successfully completed the Level 3 QCF Medication module. To date no staff training records have been provided by the service. Therefore, it is not possible to confirm that staff members have completed this training.

The Regulation Officers were not assured that the correct and essential fire certificate and insurance were in place for this service. The risk assessment dated 16 January 2023 provides an overview of the fire precautions which were in place within the home. There were no Personal Emergency Evacuation Plans (PEEPs) available to review on the day of the inspection. PEEP documentation has been written retrospectively and has since been reviewed by the Regulation Officers. The lack of a fire certificate and insurance and the lack of PEEP documentation prior to submission of the new PEEPs indicates that Standards 10.3 and 10.10 of the Care Standards for Children's Homes were not being met.

The lack of evidence regarding individual or group restorative supervision for the staff members remains a matter of concern. This supervision is designed to reduce burnout and stress for health and care staff.

Standard 3.11 of the Children's Home Care Standards, outlines that 'the purpose of supervision is to promote standardised, high quality, safe, and critically reflective practice by providing a channel for communication between manager or supervisor and staff member'. The Regulation Officers felt that it was particularly concerning that the service was unable to evidence that this is being provided, given the needs of care receivers and the relative inexperience of the staff.

Conclusion

In the professional opinion of the Regulation Officers, this service was operating as a children's care home service and, as such, was operating as an 'unregistered regulated activity.' This is in contravention of the Regulation of Care (Jersey) Law 2014, Article 2.

There was no Registered Provider or Registered Manager in place for this service, there was a failure to adhere to the Regulation of Care (Standards and Requirements) (Jersey) Regulations 2018 and a failure to adhere to the Standards for Children's Homes. Had this been a registered service a number of requirements for improvement would have been set out in this report.



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