



Jersey Care
Commission

INSPECTION REPORT

Unregistered Children's Home 3

Date of Inspection

17 February 2023

THE JERSEY CARE COMMISSION

Under the Regulation of Care (Jersey) Law 2014, all services carrying out any regulated activity 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 3. This service is no longer operating.

The home is a three-bedroomed, detached two-storey building. The front door enters a hallway area, and the property has an open-plan kitchen/ diner/ lounge on the ground floor. There is one double bedroom and one wet room/ toilet (the only house bathroom) on the ground floor. On the first floor, there are two further bedrooms and a landing area that separates the two rooms, this area is in the roof space of the building.

There are tamperproof window restrictors fitted to the Velux windows in the bedrooms on the first floor. The Regulation Officers noted that these two windows were closed and when attempts were made to open them, it was apparent that the mechanism was broken.

The windows in the ground floor lounge are fitted with cable type window restrictors. Although on the ground floor of the building, the windows are at a height likely to cause harm in the event of a fall.

The windows in the ground floor bedroom (the staff sleep in bedroom), did not have window restrictors. The distance from the window to the ground was high enough to pose a risk in the event of a fall.

There were no locks on any of the doors within the property other than the bathroom door and main entrance.

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	17 February, 2023
Time of Inspection	9.30am to 12.10pm
Type of Inspection	Announced
Number of areas for improvement	N/A
Number of Regulation Officers	2

The Government of Jersey Children's Social Care Services operates the children's home 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 January 2023.

The Chief Inspector of the Commission informed the Chief Officer of CYPES that an announced inspection of the premises would be arranged and tasked two Regulation Officers with undertaking this inspection.

The Service Lead for Children's Homes and Short Breaks (CYPES) advised the Regulation Officers that the inspection could occur on 17 February 2023. The inspection timing was arranged to ensure that no care receiver was on the premises during the inspection.

SUMMARY OF INSPECTION FINDINGS

The following is a summary of what the Regulation Officers found during the 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 met with the Service Lead for Children's Homes and Short Breaks (known as the Service Lead for the purposes of this report) and a member of the residential care team from another children's home, on 17 February 2023, to carry out an announced inspection.

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.

Care was provided in this home from January 2023 by a variety of social care staff including agency Social Workers, Family Support Workers, Residential Care Officers and Foster Carers. This was evident from the staff rotas.

Prior to this, care had been provided in another care setting (which was also an unregistered regulated activity) by a variety of staff also employed by the Government of Jersey's Children's Social Care Services, some of whom had transferred to the new care setting.

The Service Lead confirmed that the Residential Services team in Children's Services had led the organisation and arrangement of the placement for care receivers, including the move to a new care setting, staff rotas and the day-to-day operation of the provision.

A review of the staff rotas showed that from January 2023 to 17 February 2023, 20 different staff members had provided direct support. Most staff were primarily employed in the Government of Jersey's Children's Social Care Services and their rostered shifts for this placement were in addition to their substantive roles. The Regulation Officers considered that their working hours were excessive in one case this was 70.5 hours in one week. This indicates that Standard 3.7 of the Care Standards for Children's Homes was not being met.

The Regulation Officers were advised that one person had been identified to take responsibility for managerial oversight. The individual had previously been a Registered Manager of a registered children's home and had started work in the unregistered home on 13 February 2023.

Prior to the Manager commencing work in the unregistered home, the staffing arrangements had been overseen by a Registered Manager who was not based in this home, and this had been undertaken remotely. On the day of the inspection, the Service Lead, who had senior management oversight of the facility, confirmed that this was their first visit to the home.

The management of medications was of concern to the Regulation Officers. There was no designated locked cupboard for the safe storage of medications. The Regulation Officers reviewed a medicines administration record. This needed to be completed, had been used incorrectly, and a picture had been drawn on the sheet along with handwriting which was identified as belonging to a care receiver.

INSPECTION PROCESS

This inspection was announced and was completed on 17 February 2023. The Chief Inspector provided notice of the intended inspection to the Chief Officer of CYPES on 10 February 2023.

The Service Lead and the person who was had been appointed as taking on managerial oversight facilitated the inspection with two Regulation Officers.

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

This inspection focussed 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, very little information was available to the Commission pre-inspection, therefore the usual pre-inspection procedures were not able to be undertaken.

The Regulation Officers examined records, including care records, medication administration records, staffing rosters, risk assessments and staff training records. The inspection included a tour of the premises.

This report sets out findings identified during the inspection. No specific areas for improvements have been identified, as would normally happen during an inspection, as this service is not registered. Where 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 the service had ended.

This inspection has highlighted multiple concerns regarding this unregistered regulated activity, where standard operating procedures for a children's home have not been adhered to. The considered professional opinion of the Regulation Officers is that this has placed both care receivers and the staff providing care and support in these services at unnecessary 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 17 February 2023 confirmed this. No application has been made to register this service as a 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.

No Statement of Purpose or Children and Young Person's Guide was in place for this service. The Statement of Purpose is intended to set out the service offered to children, young people, and their families. It is meant to include how care will be provided and the operating model of the service. Care receivers and their families need to be clear about the type and scope of the service and the measures of care and safety in place to support the protection of care receivers. A Statement of Purpose is intended to provide this information, and its absence represents a risk to care receivers. This means that Standard 1.1 of the Care Standards for Children's Homes was not being met.

There is no Children and Young Person's Guide for this provider, which should be written in a format that meets children's and young people's communication needs. It should include the service details, aims and objectives, and how it supports children and young people. The guide should provide the details of the management arrangements, the role of the Registered Manager, expectations of the staff and the care receivers and the qualifications and competence of staff members providing the care and support. The rights of care receivers and how to make a complaint should be evident within a Children and Young Person's Guide. The lack of such a guide puts care receivers at a disadvantage, as they are not provided with the necessary assurances about receiving safe care. This means that Standard 1.2 of the Care Standards for Children's Homes was not being met.

The Regulation Officers requested assurance from the Service Lead that the service follows safe recruitment practices. Due to the staff team comprising a range of

Children's Social Care staff, including agency recruited Social Workers, the Service Lead was unable to clarify if all members of the staff team had been recruited following safe recruitment processes. The Service Lead explained that Government of Jersey Human Resource department would need to provide assurance that safe recruitment was in place. At the time of writing this report, the Regulation Officers have not received clarification. Standard 3 of the Care Standards for Children's Homes sets out the requirements for safe recruitment practices and states that there should always be enough competent staff to meet the needs of care receivers; this includes having the right training in place. The Regulation Officers were unable to evidence that Standard 3 of the Care Standards was being met.

Supervision is a significant component in supporting staff to provide high-quality, standardised, safe care. Delivering direct care to vulnerable children and young people makes supervision particularly critical. The Regulation Officers were not provided with evidence that staff members were receiving supervision in connection with this placement. The Service Lead stated that "some" staff team members were receiving supervision from their managers aligned to their full-time roles. The Service Lead could not give assurances that the supervision received related to this placement. No supervision records were supplied to the Regulation Officers during the inspection process. This indicates that Standard 3.11 of the Care Standards for Children's Homes was not being met.

The Regulation Officers inquired if the staff team conducted team meetings to receive updates, share good practices, gain oversight of how care is progressing, share concerns and have a cohesive approach to care. The Service Lead advised that team meetings had not been taking place.

The Regulation Officers reviewed the daily logs. Record keeping principles had not been followed, such as clear and legible writing, signing all entries with an initial signature and printed name of each person making an entry on the record and date and time of entry. It was noted that the content of the daily logs was not child-centred and did not evidence risk management, interventions, and strategies to prevent and minimise harm to care receivers. This indicated that Standard 4 of the Care Standards for Children's Homes was not being met.

The Service Lead and staff member present at the inspection reported that there had been no accidents or incidents. However, this conflicted with the evidence within the daily logs. The Regulation Officers explored with the Service Lead the outcomes of some of the frequent incidents of harm to self or others that were evident from the daily logs. The Service Lead was asked if the incidents were reported on a 'datix' or equivalent system used by the wider organisation.

The Service Lead clarified that there had been no formal recording of the incidents identified in the daily logs as staff were unaware of the organisational reporting system. It was also confirmed that there had been no collective review, as a staff team, of the incidents which had led to harm to members of the team or to care receivers. This indicated that Standard 10.7 of the Care Standards for Children's Homes was not being met.

The staff rotas seen on the day of the inspection had not been fully completed. Only the first names of care workers were used in most cases. Staff were not easily identified on the rotas, which was of concern given the possibility of a future allegation or complaint in respect of staff, where a clear record would be crucial. This indicates that Standard 4 of the Care Standards for Children's Homes was not being met.

The Regulation Officers noted from the staff rotas that there were members of the staff team who were covering excessive hours alongside their substantive professional roles. The Service Lead confirmed that some members of the staff team worked full-time in substantive posts alongside the shifts they were covering in this placement. Documentation was also provided during the inspection process, which demonstrated this. 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 in excess of 48 hours per week.

The Regulation Officers requested information regarding the mandatory training undertaken by the staff members directly supporting care receivers. The Service Lead was unable to provide this. A spreadsheet comprising 14 staff members and their training details was provided during the inspection. The documentation showed significant gaps in the mandatory training expected for staff working in a children's care home service (for example, First Aid, Level 1 Food Hygiene, Fire Safety, Behaviour management, Medications Management and Infection Control). There needed to be management oversight of a training needs analysis for the staff members supporting the placement, and this was not in evidence. This indicates that Standard 3.10 of the Care Standards for Children's Homes was not being met.

It was unclear to the Regulation Officers as to how long the property in which the care was being delivered was available to the service. The Service Lead was confident that the property was available until the end of the month but could not offer any assurances beyond this.

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 were advised that a care receiver had been moved to several different care settings in the period preceding the inspection date. The documentation provided by the service and the information provided by the Service Lead demonstrated that the number of staff members and Foster Carers supporting each care episode had been excessive. This indicated that Standard 5 of the Care Standards for Children's Homes was not being met.

Copies of care plans were not available on the day of the inspection. The Regulation Officers requested the most current care plans as part of the inspection process. Care plans were provided to the Commission on 28 February 2023. The plans did not reflect care receivers' views, wishes, and feelings. They did not adequately identify the health needs of care receivers and did not explain why the appropriate educational provision was unavailable to meet care receivers' needs. There was no plan for contact with relevant family members. Care plans did reflect discussions with professionals involved in care who expressed concerns regarding isolation and lack of social interactions. Care plans did not name Independent Reviewing Officers (IRO). The IRO role is intended to provide an independent overview of care planning. One professional stated they were concerned about the care arrangements as they were not meeting needs. Care planning is expected to be child-centred and focused on need. There was limited evidence of this.

An additional care plan attached to one provided on 28 February. The information recorded was out of date and related to a previous placement. Standard 4.1 of the Care Standards for Children's Homes states that care plans should be child-centred, appropriate and comprehensive; this Standard was not being met.

Care receivers' health related needs were discussed with the Service Lead. It was evident that the service needed to maintain food diaries and to undertake regular

weight measurements. It was not clear that either of these requirements was being implemented at the time of the inspection. However, the Service Lead advised that the newly identified Manager would be implementing food diaries.

The Regulation Officers explored whether any support was offered by the nursing team responsible for the health assessments of children in care. The Service Lead reported that there had been no engagement from or with the nursing team. This indicated that Standard 11.2 of the Care Standards for Children's Homes was not being met.

It was identified from care planning that the service had not always supported care receivers in attending medical appointments. The Service Lead confirmed that the staff team had not rescheduled any missed appointments. This indicated that Standard 11.4 of the Care Standards for Children's Homes was not being met.

The Regulation Officers asked the Service Lead whether Independent Reviewing Officers (IROs) were notified when changes of placement occurred. The Service Lead could not confirm this and indicated that this matter would need to be checked with the social work team. On 28 February 2023 via email correspondence, the Service Lead reported that a social worker had confirmed discussions had taken place with the IRO, however this was some time before the subsequent changes of placement. It was unclear whether the IRO had been informed about these specific changes in placement.

A review of the daily logs evidenced that a number of concerning incidences which posed significant risks to both to care receivers and to staff had occurred. In the considered professional opinion of the Regulation Officers, more appropriate proactive responses from staff members using appropriate training such as MAYBO, which helps staff manage concerning behaviour, and trauma-informed practice (trauma recovery model) could have prevented a number of incidents from occurring. Given the large numbers of staff involved in care, the numerous changes of placement and the general instability of the care provision, Regulation Officers concluded this was likely to have contributed to some of the concerning incidences.

This indicates that Standards 5 and 10 of the Care Standards for Children's Homes were not being met.

The Regulation Officers requested information regarding support to ensure care receivers' views, wishes, and feelings were being heard. Children's advocacy services are intended to ensure that care receivers' views and wishes about their care experience are listened to and acted upon where possible. The Service Lead could not confirm whether care receivers had been referred to a children's advocacy service. It was confirmed by the Service Lead on 27 February 2023, that due to there being "many people involved ... advocacy has not been approached to date because of this." This indicates that Standards 6.4, 7.4 and 5.4 of the Care Standards for Children's Homes were 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.

The Regulation Officers requested to see the fire regulations and procedures set out for the placement. This included Personal Emergency Evacuation Plans (PEEPs), the fire policy, and the fire certificates and associated records for this service. PEEPs were available to the Regulation Officers during the inspection. However, a fire policy, fire certificate and fire procedure logs were unavailable during the inspection. The Service Lead sent a photograph of the 'Fire Actions' on display in the placement on 27 February 2023. This highlighted the actions to take in the event of a fire. At the point of writing this report, the Regulation Officers have not been provided with a fire certificate or fire logbooks for this service. The Regulation Officers were not satisfied that fire policy and procedures for this service were being followed and were not assured that Standard 9.2 of the Care Standards for Children's Homes was being met.

The service had one bathroom shared by care receivers and staff. Situated on the ground floor between the lounge and the staff bedroom, it housed the only toilet in the facility and has a shower and no bath. Standard 9.3 of the Care Standards for Children's Homes states that each child should have access to an en-suite bathroom or a nearby private bath or shower facility. This arrangement does not meet Standard 9.3. The Regulation Officers asked whether there was a uniform policy for staff which sets out the expectations of appropriate nightwear and clothing worn when leaving the bathroom or taking a shower after a sleep in. The Service Lead reported that there was no such policy or guidelines for staff in this area, they reported that this was not an issue in any other children's homes, and they would 'presume that staff would all wear appropriate clothing'. In the considered professional opinion of the Regulation Officers, given the vulnerabilities and risks, having such a policy would be advised to ensure that the privacy and dignity of care receivers are protected. The Regulation of Care (Standards and Requirements)

(Jersey) Regulations 2018, Care and Welfare point 8, states that when planning and delivering care, there should be due regard to good practice, and the care should meet the particular needs of the care receiver.

Risk Assessments and Safer Care Plans were available on site on the day of the inspection. These had followed each care receiver from previous services. However, the latest updates precede the move to the current care setting. There is no reference to the environmental risks related to the current service, or the various risks associated with a large number of care staff being involved in care.

The service had received clarification from their legal department that Government of Jersey liability insurance 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 management of medications in this service concerned the Regulation Officers. It was confirmed by the Service Lead that there was no locked medicines cabinet on the premises and that the medication prescribed was being stored in the staff bedroom. The storage facility purchased for a previous home had not been transferred.

A Medicines Administration Record Sheet (MARS) was available to view on the day of inspection. The Regulation Officers found that the record was handwritten, drawn and written on by a care receiver, needed more essential information and was not always signed by staff members when administering the medication. It was apparent that this would not meet Standards 11.7 and 11.8 of the Care Standards for Children's Homes.

The Regulation Officers noted that the service needed to implement appropriate food hygiene measures. Examples include the requirement to use coloured food preparation boards, the recording of fridge temperatures and temperature probes to ensure that food was thoroughly cooked. Having viewed the training spreadsheet provided to the Regulation Officers, it was concerning to note that most of the staff

members on the spreadsheet still needed to complete their food hygiene training. This indicated that Standards 3.10 and 12.1 of the Care Standards for Children's Homes were unmet.

No photographs were available to care receivers to aid their understanding of which members of the staff team would be looking after them on each shift. With a large staff team providing direct care, photographs would support them in identifying the staff members by picture and name.

The Regulation Officers noted that there was a general lack of evidence of the sourcing of care receivers' views, wishes and feelings. This should commence at the outset of the placement and become a continual process throughout care provision. Regulation Officers explored with the Service Lead whether care receivers' voice had been captured, as it was not immediately evident from the documentation available at the inspection. The Service Lead advised that care receivers had only been asked about their views regarding potential future placements in relation to court proceedings, as courts need to understand the views of children.

It was concerning to the Regulation Officers that there was no evidence that contact with care receivers' siblings or peers had been promoted. The Service Lead advised that the service had concluded that such contact posed too high a risk for care receivers and others. Whilst the Regulation Officers understood these concerns, there was no evidence of risk assessments having been undertaken which could support such a conclusion. This indicates that Standard 8.1 of the Care Standards for Children's Homes was not being met.

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. No specific areas for improvement were identified as would normally happen during an inspection, as this service is not registered.



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