

Minutes

Meeting title:	Jersey Care Commission Board	
Meeting date and time:	Wednesday 17 May 2023, 9:00 am to 12:00 pm	
Meeting location:	1st Floor, Capital House, 8 Church Street and via 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:	Becky Sherrington (CI) Mark Silver (MS) Deputy Inna Gardiner (IG) (Item 1) Martin Keith (Item 1) Emilie Fisher (EF) (Item 6) Alaistair Jerrom-Smith (AJS) (Item 9) Anna Hamon (Item 11) Lisa Phillips (LP) Sandra Damiao (SD)	Chief Inspector Head of Business and Performance Minister for Children and Education Private Secretary, Minister for Children and Education Finance Business Partner Project Manager Assisted Dying Policy Lead Executive Administrator – Minute taker Administrator - Observer
Apologies:		

Documents presented:	<ol style="list-style-type: none"> 1. Agenda 2. Draft Minutes of Board meeting (29 March 2023) 3. Chair's Report 4. Chief Inspector's Report 5. Finance Report 6. Risk Framework and Register (2 papers) 7. Annual Report (printer's proof) 8. Professional Registration Project Report (2 Papers) 9. Assisted Dying Consultation Feedback Report and presentation 10. Forward Look
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PART A – PUBLIC SESSION

1.	Minister to Address the Board
	<p>The Chair welcomed Deputy Inna Gardiner (IG) and Martin Keith (MK) to the Board.</p> <p>There were brief introductions.</p> <p>The Minister thanked the Board for the invite and discussed the key issues impacting on the Minister's brief and on the experiences of children and young people living on the Island.</p> <p>The Minister discussed historic legacy issues that had been identified since being appointed.</p> <p>The Minister noted the need for additional residential care provision. The Government Plan had included funding to create additional residential care settings, the Minister highlighted:</p> <ul style="list-style-type: none">• Two new residential units providing additional beds are going through the registration process.• Additional foster carer assessments are progressing.• Additional places will become available for care leavers in quarter four.• Plans are being drafted for children's therapeutic care.• Negotiations are underway for a further property to increase residential capacity.• There is a plan for a new purpose-built school in St Helier for Children with special educational needs.• The Children's framework was launched, making consultation with children and young people the default position. <p>The Minister noted how the Secure Children's Home had improved following recent inspections by the Commission. The Chair remarked on the improvement journey at Greenfields, which had taken time to address.</p> <p>The Minister advised that the Children and Adolescent Mental Health Service (CAMHS) has improved its profile, with an increase in employees and the introduction of the Neurodiversity Service and an Early Intervention Team to respond to increased demand.</p> <p>The CI advised Minister that she had met the senior leadership team for CYPES; the team has planned engagement events, and is in dialogue with all managers across Children's Services regarding registration and regulation.</p> <p>Plans for the inspection of children's services were outlined and discussed. The Chair noted that the Commission would use both in-house and off island capability in the profile of inspection teams, would continue to use a narrative description in all inspection reports, rather than a single word assessment used by other UK regulators. The Inspection process will be a test-and-learn environment for the first two years. The Commission welcomes feedback regarding the inspection process which will assist in refining the</p>

	<p>approach, taking into consideration what works well and what doesn't. The Minister is committed to supporting independent regulation and will work with the Commission to drive further improvements.</p> <p>The Minister highlighted that prevention of family breakdown requires further investment but continues to assign time and resources to improve the service profile.</p> <p>Recruitment was discussed and it was noted that providing training and maintaining safe staffing levels for social care was both a challenge and a risk. A turnaround team is working with social care and the Government is investing in the Highlands apprenticeship training scheme on Island.</p> <p>The Chair thanked the Minister and Martin Keith (MK) for attending the Board and advised the Commission would welcome a follow up meeting at an appropriate time.</p>
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2.	Welcome, Apologies and Declarations of Interest	
	<p>The Chair welcomed all to the formal Board meeting. There were no apologies noted.</p> <p>The Chair's profile and register of interests has been updated on the website, noting the two-year extension. The Chair's second term of office as a Non-Executive Director (NED) with the Disclosing and Barring Service (DBS) ended on 14 April.</p>	

3.	Minutes of last meeting and Matters Arising	
	<p>Siân Walker-McAllister (SW) proposed, and Jackie Hall (JH) seconded the minutes.</p> <p>Actions from the last meeting were confirmed as completed. A few corrections were identified by Noreen Kent (NK) who will notify Lisa Phillips (LP); one being the reference to 'OIC', which should read 'Office of the Information Commissioner'.</p> <p>It was proposed to invite Sarah Elliott, Chair of the Safeguarding Partnership Board to the Board Workshop in September, subject to her availability. This will be added to the Forward Look.</p> <p>The Chief Inspector (CI) advised on progress of working with the Care Quality Commission (CQC). The CI is awaiting a signed Service Level Agreement (SLA) and costs. The CI updated the Board on progress of working with the independent consultants on preparations for inspections of children's social work services and CAMHS.</p> <p>The Deputy Chief Inspector (DCI) and Mark Silver (MS), Head of Business and Performance, have engaged Ann Trudgeon, an experienced independent consultant, to assist in reviewing the quality of inspection reports and on updating the Commission's House Style Guide. The CI will report back to the Board in July.</p>	

4.	The Chair's Report	
	<p>The Chair presented document 3 and highlighted the following:-</p> <p>The Chair continues to meet weekly with the Chief Inspector (CI), providing advice, guidance and support on both strategic and operational matters.</p> <p>Seven candidates were shortlisted for the commissioner roles; one had since withdrawn. Interviews are set for 31 May after which the Chair will forward the Panel's agreed nominations to the Minister for the Environment.</p> <p>The Chair, CI and Deputy CI met with Julie King, Executive Director of Safety Quality and Engagement, Isle of Man, by Teams. The Chair explained why the Commission could not become involved in supporting inspections in the Isle of Man, but was open to other possibilities to work in partnership with the Isle of Man's regulation team. A formal invitation will be sent to Julie to meet the Board.</p> <p>The Chair noted that as this is Siân Walker/McAllister's (SW) and Alison Allam's (AA) final Board meeting he wished to acknowledge their significant contributions in helping shape the organisation during its formative years.</p> <p>The Chair met with Tom Walker (TW), Assistant Chief Executive and Director General SPPP, who had acknowledged the tremendous contribution of both Commissioners in developing the organisation's role and profile.</p> <p>The Chair thanked Siân and Alison for thier respective contributions, particularly with the development of the Commission's Constitution and Framework Agreement, its policies and procedures and for the personal support provided to the Chair and to the wider organisation.</p> <p>AA and SW thanked the Chair for the opportunity of serving as Commissioners for the previous six years.</p> <p>There is one amendment to the Chairs Report cover paper i.e., the date to be changed from 23 March to 29 March (date of the last Board).</p>	

5.	The Chief Inspectors Report	
	<p>The Chief Inspector (CI) presented document 4.</p> <p>The CI updated the Board with progress on recruitment. Two applicants have been offered positions as Regulation Officers. One candidate has accepted and the other offer remains under active consideration. A part-time pharmacist has been appointed and will commence in June, and a secondment role for a Policy and Standards Officer is under consideration.</p>	

	<p>The project manager continues working with the Commission on the professional registration project, on a part-time basis, two days per week.</p> <p>Work is ongoing with the independent consultants concerning the content of the Inspection Methodology Handbook.</p> <p>The CI has joined the European Partnership in Supervisory Organisations (EPSO) and attended their conference in Malta, and follow-up meetings are scheduled.</p> <p>A Regulation Officer is shadowing the Care Quality Commission (CQC) and will participate in a hospital inspection in the Southwest; another has taken part in an inspection in the Northwest.</p> <p>MS is working with professional regulatory bodies on the sign-off of Memoranda of Understanding (MOUs).</p> <p>An engagement event with representatives of the care sector is scheduled for 24 May and two Commissioners, NK and AP, will be attending. The Chair invited NK and AP to provide feedback at the next Board meeting. An agenda for this event will be forwarded to the visiting commissioners once finalised. It was noted that Commissioners would prefer having a longer lead in to planned engagement events, to consider how best to facilitate attendance and participation.</p> <p>The Chair proposed that a workshop on the broad theme of 'governance' would be of benefit, to consider a range of issues, including the Constitution and Scheme of Delegation, Board Members' roles and responsibilities, Commissioners' engagements with the wider Regulation Team and participation in future planned engagement events. This will be added to the Forward Look following the benchmarking exercise in September 2023.</p>	
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6.	The Financial Report	
	<p>The Chair welcomed Emilie Fisher (EF) to the meeting. EF presented document 5 and provided an outline of income and expenditure for the year to date (April 2023) and forecast expenditure to the year end.</p> <p>Due to the issues in reporting, EF was unable to provide any firm figures at the March Board. EF updated the Board with actuals based on April, i.e., month four of the financial year.</p> <p>The forecast end of year position is an underspend against budget.</p> <p>It is noted that the Registration Project is not included within the budget allocation for 2023 and the project has been provided with approval to proceed within a managed risk.</p>	

	<p>Budget lines were discussed, noting that Commissioners' expenditure is included within the Consultancy and Professional Services budget line.</p> <p>Recruitment was discussed, which will impact on pay expenditure during the remainder of the year:</p> <ul style="list-style-type: none"> • 2x Regulations Officer confirmed recruited starting May & July. • 2x Regulations Officer vacancies going to recruitment Quarter 3 2023. • 1x Administrator, no recruitment plan in 2023. • 1x Pharmacist starting July. <p>Mark Silver (MS) confirmed that Treasury requires that allocations in particular budget lines be spent as intended in year and cannot be transferred without prior approval. EF confirmed that approval from Treasury is required if there is an underspend and the Commission wishes to transfer this on a recurring basis to other lines of expenditure.</p> <p>The Chair thanked EF for attending and for the presentation.</p>	
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7.	Outcome of Public Consultation on Assisted Dying	
	<ul style="list-style-type: none"> • The Chair welcomed Anna Hamon (AH), Assisted Dying Policy Lead, who presented document 9. • AH confirmed that 1400 responses had been received from the public consultation on Assisted Dying, with a range of views evident. <p>Areas of consensus were highlighted as follows:</p> <ul style="list-style-type: none"> • Assisted dying be available to Jersey residents only (i.e., 12 months ordinarily resident). • Provided free of charge. • Extend to premises owners (e.g., care homes) and those providing supporting professional opinions as part of the assessment process. • Public Register of Assisted Dying Practitioners. • No expiry date for approvals. • Appeals (only by the person or family member). • Family members have the option to support the self-administration of substances. • Assisted Dying Practitioner to remain nearby during the administration of substance. • Assisted Dying to be noted as the cause of death on a death certificate. • Establish a Health Care Service Delivery and Assurance Board. • Post-death administrative review. • Independent regulation by the Jersey Care Commission. • Eligibility and approval routes noted as diverging views. <p>The proposed timeline was discussed:</p> <ul style="list-style-type: none"> • May 2023 – Proposals to be updated reflecting consultation feedback and/or research evidence. • June 2023 - Council of Ministers to agree updated proposals. • Summer 2023 –Ethics review on updated proposals. 	

	<ul style="list-style-type: none"> • Autumn 2023 –Discussion with stakeholders, proposals to be refined by COM based on ethics review. • December 2023 – proposals lodged for debate (to include a copy of ethics review). • February 2024 –States Assembly debate. • March 2024 –If proposals are approved by States Assembly, develop law drafting instructions. 	
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8.	Annual Report	
	<p>MS updated the Board with progress on the draft Annual Report. This had been discussed in some detail in the workshop on 16 May. MS to proceed with the list of amendments before printing on 18 May 2023 and printed copies to be available on 31 May 2023.</p> <p>The Chair requested that a printed copy be sent to the Board.</p> <p>MS will alert the Minister and GH will provide Minister with a copy to lay before the States Assembly. The Board agreed to approve the draft Annual Report, subject to final proofreading by the CI and MS.</p> <p>The CI will issue a press release but only after the Report has been confirmed as having been formally laid before the Assembly.</p> <p>Commissioners noted the tremendous effort in getting the draft report ready for the publisher and thanked MS and others who were involved in its preparation.</p>	

9.	Professional Registration Project Update	
	<p>Alaistair Jerrom-Smith (AJS) presented document 8 and highlighted the following:</p> <ul style="list-style-type: none"> • Governance is signed off by Modernisation and Digital (M&D). • The overall design of the system has been approved. • The decision on the supplier will be made on 19 May 2023 following a tendering panel. • The budget was discussed and any risks to costs can be mitigated in finishing earlier than expected. • Advice being sought by M&D in respect of the payment system. • Work is due to start at the end of May and beginning of June 2023. <p>The Chair thanked AJ-S for this comprehensive update and invited him to the November Board meeting for a further briefing.</p>	

10.	Chief Inspector - Registration and Inspection of Children's Services	
	<p>The CI updated the Board on progress with the final drafting of the Inspection Handbook. Picker Institute will lead the survey of children and their families, which will be launched in July.</p> <p>Project planning continues on a weekly basis.</p> <p>The Royal College of Psychiatrists is engaged to assist the Team in the inspection of CAMHS, scheduled for October 2023.</p>	

11.	Risk Register Update	
	<p>MS presented document 6 and provided the Board with an update of the corporate risk register.</p> <p>Risk 1: MS recommended removing this risk as it is captured in risk 3. Following a brief discussion the Board agreed to remove this risk.</p> <p>Risk 2: MOUs are under consideration with the General Medical Council (GMC) and Nursing and Midwifery Council (NMC). MS is awaiting sign-off; this can take some time, depending on their in-house processes. Risk rating to remain unchanged. It was noted that there is no MOU with Social Work England, but it is ready to go once the sign-off from GMC and NMC have been finalised.</p> <p>Risk 3 – To be updated to include points in Risk 1. Risk rating to remain the same.</p> <p>Risk 4: This risk has been updated to capture the current status.</p> <p>Risk 5 – Risk mitigation in place and no changes to the status.</p> <p>Risk 6: No changes as there is potential for recurrence. It was agreed that in similar circumstances the Commission would inspect and refer any identified breaches of the Regulation of Care (Jersey) Law, or any other statutory failings, to the Attorney General (AG).</p> <p>Risk 7: It was agreed to redraft this risk as 'Impact of Regulation'.</p> <p>Risk 8: Remains stable. MOUs are pending sign-off.</p>	

12.	Forward Look	
	<p>The Chair presented document 12. The Chair noted that, subject to Ministerial approval of the nominations, the July meeting would include introductions to the new Board members as part of the Workshop.</p> <p>The Chair will inform Commissioners of the identities of the new board members once the Minister has confirmed the appointments.</p> <p>The Chair concluded by thanking SW and AA for their dedicated service over the years and wished them both well in all future endeavours. The Board noted that as colleagues they would both be greatly missed.</p>	

13.	Any Other Business
	None

JERSEY CARE COMMISSION
Action Points

Action Point	Owner	Status
Invite Sarah Elliot, Chair of Safeguarding Partnership Board, to the September Board Workshop.	The Chair	Complete
Remove Risk 1 from the Risk Register, to include transfer of key points from risk 1 to risk 3.	Head of Business and Performance	Complete
Re-draft Risk 7 as 'Impact of Regulation'.	Head of Business and Performance	Complete
Invite Alastair Jerrom-Smith to the November Board	The Chair	Complete
Chairs Report cover paper - change the date from 23 March to 29 March	LAP	Complete
Invite Julie King, Executive Director of Safety Quality and Engagement to meet the Board	The Chair	Complete
MS to share printed copies of the finalised Annual Report with the Board	Head of Business and Performance	Complete