

Chairs Report

Agenda item 3 19 July 2023

1.0 Meetings with the Chief Inspector (CI)

I have continued meeting with the CI on a weekly basis, via Teams. These meetings address both strategic and operational matters, including regulatory and workforce issues, interface with Government of Jersey (GoJ) via Strategic Policy, Planning and Performance (SPPP), on-going preparations for inspections of services new to regulation and preparations for the July Board and Workshop.

2.0 Meeting with Rob Sainsbury and Tom Walker

The CI and I met with Rob Sainsbury, Chief Officer, and with Tom Walker, Assistant Chief Executive, GoJ, by Teams, on Thursday 18 May, at the request of the Chief Officer. The discussion covered current interface issues with the Department of Children, Young People, Education and Skills, (CYPES), including the on-going preparations for inspection of services new to regulation and the outcome of the recent inspections of unregistered regulated activities. In the meeting Mr. Sainsbury provided an assurance that the required applications for registration of all services new to regulation would be submitted to the Commission by 30 June.

3.0 Recruitment of Commissioners

Six candidates for the post of Commissioner were interviewed by the selection panel on Wednesday 31 May. Tom Walker, Francis Walker (Head of Policy, SPPP) and I, met with Deputy J. Renouf, Minister for the Environment, on 01 June, when I nominated Dr K. Chamberlain and Mr. G. Pownall to be appointed to the role of Commissioner for three years, with effect from 01 July 2023.

4.0 Quarterly Monitoring Meeting with SPPP

The second quarterly monitoring meeting of 2023 took place on Thursday 01 June. This meeting covers a set agenda which includes governance, finance, regulatory and workforce matters. An agreed minute of the meeting will be shared with Commissioners in due course.

5.0 Regulation of Care (Jersey) Law 2014

The CI and I met with Francis Walker, Head of Policy SPPP, on Monday 12 June to propose amendments to the Regulation of Care (Jersey) Law 2014, (RoCL), regarding the Commission's powers in respect of Essential Services. The definition of an Essential Service is set out in paragraph 22 of the RoCL i.e., 'a service which is carried on by a Minister and which is not carried on by any other person.' Paragraph 22, clause 8, permits

the Commission to provide a report to the Council of Ministers, to recommend actions and to publish a report.

I have requested that the proposed amendments not only address the current restrictions as to who may hold the office of Commissioner but will also address the required changes to allow the Commission greater leverage to intervene when an Essential Service is deemed to be failing to meet the required Standards. For example, the use of mandatory and discretionary conditions, the use of an Improvement Notice, the power to cancel registration of a registered manager, the power to recommend that an essential service be placed into 'Special Measures' and the power to require a report from the Registered Provider on actions being taken to improve / turn around a failing service.

The current definition of an 'Essential Service' would include key aspects of children's services, e.g., Social Work provision and CAMHS, and almost all elements of healthcare provision for adults and children, including acute hospital services, mental health inpatient services and ambulance services.

Any proposed amendment to the Law will be preceded by law drafting instructions and will ultimately require a period of full public consultation before any amendments can be presented to the States Assembly for ratification. There will be opportunities for the Commission to consider and respond to the proposed changes via the public consultation process.

6.0 Unregistered regulated services (Children's Homes)

The CI has advised that Deputy Inna Gardiner, Minister for Children and Education, wrote to Deputy Catherine Curtis, Chair of the Children, Education and Home Affairs Scrutiny Panel on 02 June, setting out detailed responses to nine questions posed by the Panel in a letter, dated 25 May, in relation to the Commission's published inspection reports on the Unregistered Children's Homes. The reply, which was published via social media, refers to the actions of the Care Commission throughout and sets out the Minister's plans to increase provision of residential accommodation and fostering placements for children and young people in the care of the State.

7.0 Key Performance Indicators (KPIs)

I met with the Head of Performance and Business by Teams on Thursday 06 July to discuss a proposed new visual representation of performance against the Commission's Key Performance Indicators (KPIs) in the 2023 Business Plan. He will present this work to the Board for further and more detailed consideration, alongside the mid-year review of our Business Plan objectives.

8.0 Meetings in 2024

A draft schedule for proposed meeting dates in 2024 has been circulated to Commissioners for consideration.

Dates and times of meetings will be confirmed at the September Board.