



Jersey Care
Commission

Publication Scheme

Fostering openness and transparency in what the Commission does, its priorities, decisions and policies and how it both generates and uses its income.

Improving public access to the information we hold, making it easier for members of the public to find and obtain the information they require without having to make a written request.

March 2023

Introduction

The Jersey Care Commission is committed to ensuring that its activities are open and transparent. Consequently, the Commission intends to make all its publications and data available to the public unless there is a valid legal or privacy-related reason not to do so. This publication scheme commits the Commission to making information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the Commission.

Review

This publication scheme will be subject to biannual review.

1.0 The scheme commits the Commission:

- To proactively publish or otherwise make available as a matter of routine, information which is held by the Commission and falls within the classifications below.
- To specify the information which is held by the Commission and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information the Commission makes available under this scheme.

- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.

2.0 Classes of information

The Commission will routinely publish information which falls under each of the following headings:

2.1 Information about the Commission and its role.

Organisational information, locations and contacts, constitutional and legal governance. Agendas, papers and minutes of Board meetings. Note: Board papers which are drafts will not be published until the final document has been agreed. Board papers which would be routinely published such as policies, the Annual Report and Business Plans will be published on the website following their usual schedule, rather than separately as Board papers.

Correspondence about general Health and Social Care issues which is likely to be of interest to the public, either initiated by the Commission or received from a third party, except for letters or emails marked confidential, and subject to the requirements of the Data Protection (Jersey) Law.

2.2 Income and Expenditure

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

2.3. Priorities and Performance

Strategy and performance information, business plans, assessments, inspection reports and reviews.

2.4 Decision-making

Policy proposals and decisions. Processes, protocols and procedures.
Consultations. Enforcement action including Improvement Notices.

2.5 Policies and Procedures.

Current written policies and protocols for delivering our functions and responsibilities.

2.6. Lists and registers.

Information held in registers required by law and other lists and registers relating to the functions of the Commission.

2.7 Services provided by the Commission

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

3.0 Exceptions

The classes of information which the Commission will publish will not generally include:

- Information the disclosure of which is prevented by law or exempt under the Freedom of Information (Jersey) Law 2011 or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage or is difficult to access for similar reasons.
- Information which is protected by legal professional privilege.
- Commercially sensitive information.

In making decisions whether to publicise information which it retains, the Commission will always comply with both:

The Regulation of Care (Jersey) Law 2014, Article 27 (7) '*The Commission may...omit from the report any confidential information*',

And,

The Regulation of Care (Jersey) Law 2014, Article 31: Offence of disclosing confidential personal information.

4.0 The method by which information published under this scheme will be made available

The Commission will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of the Commission, information will be provided on its website. Where it is impracticable to make information available on its website or when an individual does not wish to access the information by the website, the Commission will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale. Information will be provided in the language in which it is held, or in such other language that is legally required. Where the Commission is legally required to translate any information, it will do so and will take steps to do so when asked, even where this is not a legal requirement.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

5.0 Charges which may be made for information published under this scheme.

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. If a charge is made by the Commission for routinely published material, this will be justified, transparent and kept to a minimum. As a general principle, charging will normally be avoided.

Material which is published and accessed on a website will be provided free of charge where possible. Where charges are levied, these will be in adherence to The Regulation of Care (Jersey) Law 2014 Article 8 (3) (b).

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information.

6.0 Written requests

Information held by the Commission that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information (Jersey) Law 2011.