

Minutes

Meeting title:	Jersey Care Commission Board	
Meeting date and time:	Wednesday 24 July 2024, 09:00-12:00	
Meeting location:	1st Floor, Capital House, 8 Church Street	
Meeting chair:	Glenn Houston (GH)	Chair
Those present:	Lesley Bratch (LB) Kathryn Chamberlain OBE (KC) Jackie Hall (JH) Noreen Kent (NK) Gordon Pownall (GP)	Commissioner Commissioner Commissioner Commissioner Commissioner
Attendees:	Becky Sherrington (CI) Tom Binet (TB) Ruth Johnson (RJ) Malgorzata Ptak (MP) Valter Fernandes (VF) Jo Bailey Walker (JBW) Ewa Robert (ER) Lisa Phillips (LP)	Chief Inspector Minister for Health and Social Care (Item 1) Director of Health Policy (Item 1) Finance Business Partner (Item 6) Principal Standards Officer (Item 10) Regulation Officer Administrator Executive Assistant – Minute taker
Apologies:	Mark Silver (MS) Angela Parry (AP)	Head of Business and Performance Commissioner

Documents presented:	<ol style="list-style-type: none"> 1. Agenda 2. Draft Minutes of Board meeting (22 May 2024) 3. Chair's Report 4. SPPP meeting minutes Q1 18 April 2024 5. Professional Registration -A New Approach; Government of Jersey Consultation Report 6. Chief Inspector's Report 7. Finance Report (2 papers) 8. Business Plan/Six monthly review 9. Risk Register (2 papers) 10. Single Assessment Framework (2 Papers) 11. Forward Look 2024
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PART A – PUBLIC SESSION

1.	Minister of Health and Social Care to address the Board
	<p>The Chair welcomed Deputy Binet, Minister for Health and Community Services and Ruth Johnson, Director of Health Policy to the meeting, and brief introductions were given.</p> <p>The Chair briefed the Minister on the key priorities for the Commission.</p> <p>The Minister referred to his first six months in office and highlighted some of the key challenges facing the health service.</p> <p>The Chair outlined the on-going work in preparation for the extension of the Commission’s remit to incorporate regulation of the hospital, ambulance and adult mental health services.</p> <p>The Chair thanked the Minister and Director of Health Policy for attending the meeting.</p>
2.	Welcome, Apologies and Declarations of Interest
	<p>The Chair welcomed everyone to the meeting, particularly Jo Bailey Walker (JBW), recently appointed Regulation Officer. There were brief introductions.</p> <p>There were no new declarations of interest to note.</p>
3.	Minutes of the last meeting and Matters Arising
	<p>The minutes of the previous meeting (22 May) were discussed and approved.</p> <p>Jackie Hall (JH) proposed, Lesley Bratch (LB) seconded.</p> <p>The actions from the previous meeting were reviewed and noted as complete.</p> <p>Action 1 The new risk 7/2023 (Representations) requires further consideration to demonstrate that the existing Escalation and Enforcement policy applies equally to any representations in matters relevant to conditions of professional registrations. However, in view of the recent legal advice, Commissioners noted that it is unlikely that a Notice of Proposal to vary or impose a condition on professional registration would be undertaken ahead of the outcome of any Professional Conduct Committee proceedings notified by the equivalent UK regulatory authority.</p> <p>The Chief Inspector (CI) advised that the newly appointed Law Officer has been asked to review the Escalation and Enforcement Policy and establish what further information should be included regarding professional representations.</p> <p>Noted as ongoing. Law Officer to be briefed accordingly.</p> <p>Action 2 The following amendments were agreed to the Forward Look:</p>

	<ul style="list-style-type: none"> • Invitation to Finance Business Partner to attend the July Board • Defer the proposed review of the Inspection Report Template until November • Invitation to the Law Officer to attend the September Board • Invitation to the Accountable Officer, Tom Walker (TW) to attend the September workshop • Defer the review of the Constitution until November Board. <p>Noted as completed. Commissioners asked that a list of key stakeholders be compiled with titles, including the dates the Board had last met with them. The CI and Lisa Phillips (LP) will compile and share the list with the Board, including key priorities.</p> <p>Action 3 Invitation to Minister for Children's Services to the September Workshop or Board.</p> <p>It was noted that the invitation to the Minister for Children's Services would be deferred until 2025.</p> <p>Action 4: The CI to obtain clarity on expenses on specific lines of the Finance Report:</p> <ul style="list-style-type: none"> • Earned Through Operations - 'Year-to-Date Actuals' and the 'Full Year Forecast' • Non-Pay - 'Business and Management Admin Services' <p>Noted as completed. This action will be discussed under agenda item 6.</p> <p>The recent ethical recruitment event was discussed, and the CI provided an overview confirming the event had been well attended and appreciated by those who took part.</p> <p>An update was provided to the Board regarding the Digital Project. The go-live date is 29 July, and a soft launch is planned. The recent technology outage may affect the timing of the necessary approval from the Change Approval Board. LP is working closely with the Digital Project Manager. The Project Manager will be invited to the November Board to provide a final report.</p>	
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4.	The Chair's Report	
	<p>The Chair presented document 3 and highlighted the following:</p> <p>An interim response to the Chair's letter has been received from the Chief Executive of the Government of Jersey (GoJ), who advised that the Infrastructure and Environment Department will provide an official response at the end of July.</p>	

	<p>The correspondence will be shared with the Board, as discussed during the recent workshop.</p> <p>The Strategic Policy Planning and Performance (SPPP) Quarter 1 meeting minutes have been signed off and approved. LP will share these with Commissioners.</p> <p>The Government's public consultation on professional registration is now closed. The Chair advised there were 775 responses using the template provided and an additional 18 email responses. Two proposals are deemed contentious, one on the principle of professional fees and the other relating to the Commission having unilateral powers of suspension. Ministers will review the proposal on fees.</p> <p>Recent advice from the GoJ Policy Lead is that it is unlikely the Commission will be granted a unilateral power to suspend an individual health or social care practitioner ahead of the outcome of any UK led investigation or professional conduct committee proceedings. It is proposed instead that some private practice in Jersey may be deemed to be a 'regulated activity', subject to the provisions of the Regulation of Care (Jersey) Law. The CI will contact the Head of Policy, GoJ, to clarify the intention for private practice.</p> <p>The consultation summary report has been added to Board papers.</p>	
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5.	The Chief Inspector's Report	
	<p>The Chief Inspector's report was taken as read and (CI) answered questions about the report, noting that the previous workshop had covered most of the key points.</p> <p>Kate Chamberlain (KC) enquired about the Commission's policy on recognising staffs' achievements. The CI advised that recognition of achievement is noted in internal team meetings. The Commission has a culture of recognising staffs' achievements. A letter from the Chair on behalf of the Board recognising the recent long service award was agreed.</p> <p>The CI clarified the vacant staff posts within the Commission. It was highlighted that the Commission has a significant gap surrounding data analysis and public engagement. A Senior Data Analyst and Engagement Lead role will be advertised in place of the vacant RO. The impact of this will be cost neutral. KC noted that data is often considered as numbers and proposed that the term 'data' be expanded to incorporate statistics and other types of information.</p> <p>The CI advised that the planned Engagement Day with representatives of the care sector is booked for 17 September. Invitations have been sent and shared with the Board. The event will be a half day, held in the afternoon.</p>	

	<p>Learning from significant events and training activities was discussed. The CI confirmed that the Executive Team is provided with 'lunch and learn' opportunities which provide an opportunity to reflect and learn from significant events.</p> <p>A panel event with other Jersey Regulatory organisations is planned to discuss the benefits of regulation. The Institute of Directors (IOD) Chair will facilitate this event. No date has been set; but it is anticipated that it will take place in October.</p>	
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6.	The Financial Report	
	<p>The Finance Business Partner (MP) presented document 6 and highlighted the six-month (mid-year) financial position.</p> <p>The year-to-date underspend is £290k, due to an overachievement in income, an underspend in staffing due to funded vacancies at the beginning of the year, and an underspend in non-pay.</p> <p>The full-year forecast is an underspend of £185k. The Commission has appropriate plans to use this underspend and will operate within Treasury guidelines when applying available resource to specific needs and requirements.</p> <p>The income full-year forecast was discussed. Fee income is usually invoiced at the beginning of the year and most of the fees are obtained in the first quarter. LP is due to review the fees and monitor forecasting with MP.</p> <p>KC requested that a narrative be added to future Finance Reports to note what has changed since the previous report. The Finance Business Partner agreed to add this to all future reports.</p> <p>Non-pay expenditure will be reviewed in an endeavour to reduce the number of expenditure lines.</p> <p>Board costs are reported in 'Cost of Recharges', but it should be noted that travel and accommodation costs are not included in this expenditure line.</p> <p>Management Consultancy Services was discussed, including the plan for the use of the available underspend.</p> <p>There are plans to use the Education and Training budget later in the year.</p> <p>There are 11.8 full-time employees. As of June 1, a full-time role is vacant: Regulation Officer, with plans to recruit in September.</p> <p>A part-time Pharmacy Role is also vacant, and will continue to be vacant for 2025 as part of the value-for-money target saving requirements. Should the Commission need to surrender its budget for independent legal advice as part of the value-for-</p>	

	<p>money savings, a letter of comfort should be sought from the Accounting Officer whenever such legal advice is necessary.</p> <p>The Principal Standards Officer role is a fixed-term role which will expire in 2025.</p> <p>The Chair referred to the letter issued by the Chief Executive of the GoJ to Senior Leaders regarding public expenditure and the use of external consultants. The Chair has highlighted to the Accounting Officer (TW) that the Commission is dependent on engaging external consultants, and any restriction will compromise the essential preparations and planning for the regulation of hospital, adult mental health, and ambulance services.</p> <p>KC noted that a summary of previous year-on-year budget increases should be available as evidence of why the Commission's budget has increased and that fiscal growth is linked to a planned expansion of role and responsibilities. MP will consider this and include it in the next report.</p> <p>The 2025 financial forecast will be included in the next report. The 2025 budget will be discussed in the November Board meeting and added to the Forward Look.</p> <p>The Chair thanked MP for attending the meeting and presenting the report.</p> <p>The CI presented the plan for allocating the £139k underspend and the scheduled work programme for the remainder of 2024. Tendering is required for any spend over £30k. The Commission must demonstrate value for money in respect of any single tender actions.</p> <p>Work with the communications team, and accessibility were briefly discussed. Commissioners were assured that all planned communications take into consideration the specific needs and requirements of hard to reach groups. The Chair proposed that a 'browse aloud' function for people with a visual impairment be considered as an addition to the Commission's website.</p> <p>The process of how information from the website's feedback form is received and reviewed by the Head of Business and Performance and the Business Support Team was explained.</p> <p>KC appreciated the detailed plan of expenditure.</p> <p>The Board noted and agreed the proposed use of the in-year underspend.</p>	
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7.	Business Plan/ Six monthly Review	
	<p>The CI presented document 8.</p> <p>The Business Plan outlines our strategic objectives, priorities, and key initiatives. The CI and Head of Business and Performance review the objectives and priorities quarterly. The presentation summarises progress to the mid-point of the year.</p>	

	<p>The Commission is working with Mason Breese to map details and actions required over a four-year cycle. The high-level strategic priorities are being reviewed and will be brought to the Board for approval.</p> <p>The dashboards were discussed. The Inspections dashboard provides the CI with assurance that all scheduled inspections are on target. It was noted that future months should not be populated with current figures. The Business Support Team will work on opportunities to improve the layout of the dashboard.</p> <p>A KPI outcome involving tracking the volume and type of recommendations was proposed as a method of recording how many recommendations are made during inspections, what priority these recommendations have and how many inspections result in improvement notices. The Head of Business and Performance will consider how best to capture this information for future summary reports.</p> <p>It was noted that all Key Performance Indicators (KPIs) were rated green, apart from 5.3 'Timeliness for completion of any required action or updates to the register following the imposition of interim orders or sanctions in Fitness to Practise cases' which is not yet assessed. It was agreed that the relevance of this KPI should be reviewed.</p> <p>The Board noted satisfaction with progress to date, noting that the majority of KPIs are green and some contain relevant narrative explaining progress and constraints in respect of aspirational targets.</p>	
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8.	Risk Update	
	<p>The CI presented Document 9 and updated the Board with a summary of key changes to the corporate risk register.</p> <ul style="list-style-type: none"> • 7/23 Legal Risk: Differing processes and legal frameworks under regulation and registration laws. Proposed to reduce this risk from Likelihood 3 to 2, Impact remains 4. Overall, 8. <p>The CI is working with the legal adviser to address process issues by revising the written guidance on how to make a representation, that will help mitigate this risk.</p> <ul style="list-style-type: none"> • 2/24 Impact of budgetary pressures. Proposed to reduce this risk from Likelihood 3, Impact 4 to Likelihood 2 Impact 3. Overall, 6. <p>The risk is being managed and has been mitigated to the extent that it is unlikely to adversely affect the Commission this year. This would mean the risk is not expected to require active Board intervention but will remain visible to both the Board and Executive Leadership Team.</p> <ul style="list-style-type: none"> • 4/24(P) Potential New Risk; Individual Care Workers- Proposed not to be included on the corporate register due to mitigations in place and low risk. 	

	<p>Individual Care Workers were discussed in some detail. The proposed risk rating has been assessed as Likelihood 1 Impact 3. The Board agreed that this risk should not be added to the corporate risk register at this time.</p> <p>The Care Quality Commission (CQC) partnership agreement and the risk involving a change in senior leadership and decision-making at CQC, their workforce issues and capacity to support the JCC was discussed. The CI confirmed that the risk has been reviewed, and whilst it does need to be monitored, it does not meet the requirement to be added to the Commission's risk register at this time.</p> <p>The Board noted and agreed to the proposed changes to the risk register.</p>	
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9.	Project plan for services new to regulation (Hospital, Ambulance and Adult Mental Health Services)	
	<p>The Chair welcomed the Principal Standards Officer (VF) to the meeting.</p> <p>Following the detailed discussion in the workshop, VF confirmed the following changes for the Board approval:</p> <ul style="list-style-type: none"> • Change in Terminology for Universal Requirement 21.1.10 <ul style="list-style-type: none"> ‘The service has effective discharge arrangements in place for individuals with complex health and social care needs, considering their potentially chaotic lifestyles.’ <p>To be replaced with:</p> <ul style="list-style-type: none"> ‘The service has effective discharge arrangements in place for individuals with complex health and social care needs, taking into account specific needs and social circumstances.’ <ul style="list-style-type: none"> • Remove Standard 35 and amend the introduction to the Service Assessment Framework to include 34 Standards. • During the methodology phase, consider including eco-sustainability as a universal requirement in the 'well-led' aspect. <p>The Board agreed and approved the proposed changes. The Board is satisfied with the content of the Single Assessment Framework (SAF) and has been kept informed about all aspects of its development.</p>	

	<p>The Board agreed that VF should progress the next stage of the devolvement of the Service-Specific Requirements. It was confirmed that the Board had approved and signed off the SAF.</p> <p>Jackie Hall (JH) shared her appreciation of how well the team had kept within the project timescales. She noted how difficult this can be. The CI will share the comments with the team.</p> <p>The Chair thanked VF for attending the meeting.</p>	
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10.	Forward Look	
	<p>The Forward look was discussed. The following amendments were agreed:</p> <ul style="list-style-type: none"> • Invite the Chief Nurse and Director of the Hospital to a future Board • Defer invite to Minister for Children's Services until 2025 • Defer invite to Children's Commissioner until 2025 • Annual Feedback Survey to be added; May 2025 • Digital Project Manager to attend the November 2024 Board • Outline of 2025 budget and Business Plan – November 2024 • Remove Public Finance Manual (PFM) Training from September 2024 • Defer Chair of Health and Community Services Board to 2025 -Open invitation provided (tbc) • Extend invitation to the Minister for Infrastructure and Environment to a Board meeting in 2025 <p>Training on the Public Finance Manual was discussed. The Board agreed that the training is optional, but a link to what is required would be useful to keep Commissioners up to date on their specific duties and responsibilities.</p> <p>Following a discussion with the Head of Health Policy an open invitation has been provided to the Chair of Health and Community Services Board to attend the Commission's Board.</p> <p>The Commission will check with the Head of Policy if there is any significant change in Fees for Professional Registration. This can be deferred if there are no changes by September 2024.</p> <p>The Chair thanked all for attending. The meeting closed at 12:00</p>	

JERSEY CARE COMMISSION

Action Points

	Action Point	Owner	Status
1	The new risk 7/2023 Representations requires further consideration in consultation with LOD.	The Chief Inspector	Ongoing
2	The Chief Inspector and Lisa Phillips to compile a list of key stakeholders and share with the Board.	The Chief Inspector & Lisa Phillips	Complete
3	SPPP Q1 minutes to be shared with Commissioners	Lisa Phillips	Complete
4	<p>The Forward look was discussed. The following amendments were agreed:</p> <ul style="list-style-type: none"> • Invite the Chief Nurse and Director of the Hospital • Defer invite to Minister for Children's Services until 2025 • Defer invite to Children's Minister until 2025 • Defer invite to Children's Commissioner until 2025 • Annual Feedback Survey to be added to May 2025 • Invite the Digital Project Manager to the November 2024 Board • Outline 2025 budget – November 2024 • Remove Public Finance Manual (PFM) Training from September 2024 • Defer Chair of Health and Community Services Board to 2025 -Open invitation provided (tbc) 	Lisa Phillips	Complete
5	The Chair to review wording on The Chair's report to reflect an exchange of correspondence from the Chief Executive, GoJ, and the Commission	The Chair	Complete
6	The CI will contact the Head of Policy to clarify the intention of regulation for private practice	The Chief Inspector	Complete
7	The Business Support Team will work on the Inspection Dashboards to ensure future months will not populate figures.	Lisa Phillips	Complete
8	KPI to be reviewed. 5.3 'Timeliness for completion of any required action or updates to the register following the imposition of interim orders or sanctions in Fitness to Practise case'	The Head of Business & Performance	Complete
9	The Finance Business Partner to include a narrative to all future reports to explain any significant variations	Finance Business Partner	
10	The Finance Business Partner to provide a summary of budget variations over the previous 5 years.	Finance Business Partner	