

## Guidance

# Registration as a service provider; and registration of individuals as registered managers

### Purpose of this Guidance

This document provides clarity to the Government of Jersey (GOJ) operating Hospital, (including Mental Health) or Ambulance Services and Children's Services on the legal requirements and expectations for registration as a service provider; and registration of individuals as registered managers under the Regulation of Care (Jersey) Law 2014 ("the Law").

### Key Principles

For the purposes of this document, GOJ regulated activities ("Regulated Activity(ies)") are:

**Hospital (including Mental Health) Services**

**Social Work Services for Children and Young People**

**Ambulance Service**

**Residential Family Centres**

**Care Home Service**

**Care services in special schools**

**Home Care Service**

**Independent Monitoring and Review Service (IRO)**

**Adult Day Care Service**

**Children's Residential Special School Service**

**Children's Home Service**

**Adoption Service**

**Children's and Adolescent Mental Health Service (CAMHS)**

**Fostering Service**

There must be no ambiguity about who holds responsibility for Regulated Activities.

The office of the Minister must be registered as a provider of a Regulated Activity. Their role is to ensure that all Regulated Activities are managed by fit and proper individuals.

An individual must be registered as a manager of a Regulated Activity. Their role is to have direct control and oversight of the services provided under their registration.

Accountability for fulfilling most of the requirements under the Regulation of Care (Standards and Requirements) (Jersey) Regulations 2018, ("the Regulations") and the Jersey Care Commission Standards ("the Standards"), is placed on the registered provider and registered manager(s) jointly.

## Registration as a Service Provider (“the Registered Provider”)

Under the Regulation of Care (Jersey) Law 2014, for services provided by the Government, the Provider shall be the office of the Minister responsible for carrying on the service.

The Office of the Minister must register with the Commission for the services that their departments are responsible for providing.

A Minister may delegate their functions to a Government of Jersey officer under Article 28A of the [States of Jersey Law 2005](#). Once a delegation has been formally made under the States of Jersey Law, the government officer with delegated authority must also register with the Commission before that delegation can take effect under the Regulation of Care (Jersey) Law 2014.

A Minister, as Provider, is the legal entity responsible for carrying on the regulated activity. Where a Minister’s functions have been delegated, this does not affect their ultimate responsibility for discharging those functions.

In most cases, the Commission would expect a Minister to delegate their Provider functions to the Accountable Officer for the relevant department. This would include the Chief Officer for the Department of Health and Care Jersey and the Chief Officer for the Department for Children, Young People, Education and Skills (CYPES). This is because the Provider responsibility should sit with the senior executive with ultimate accountability to the Minister for the performance of those services.

There may be cases where the Minister may consider that the Registered Provider function should be delegated to an alternative senior officer at Group Director/Director level, instead of the Chief Officer. Where this is the case, prior to accepting their application to register as a Provider, the Commission will require the Minister, Chief Officer and the registering officer to provide assurances that the officer holds sufficient delegated responsibility over the service’s budget and other key functions to be able to discharge the Minister’s Provider functions effectively.

As a Minister has been formally elected by the people of Jersey and designated by the Chief Minister for appointment into their role, the Commission recognises that it shall not require registration information in respect of the Minister, however the Commission shall require all registration information from the designated officer, who, it is recognised will be the individual with day-to-day operational oversight of the service.

The Provider is responsible for:

- Ensuring compliance with the Law, the Regulations and the Standards
- Appointing a suitable registered manager
- Governance and overall accountability for service delivery
- Quality and safety of the care delivered under their registration.

## Key Considerations

Where a regulated hospital (including mental health services) or children’s social work service operates across multiple sites, is provided by the same Registered Provider and managed through a single legal and governance structure, all sites may be registered under the same Registered Provider.

## Registration of a Registered Manager (“the Registered Manager”)

The Registered Manager is responsible for:

- Executive day-to-day operational management
- Ensuring safe and effective delivery of care
- Compliance with the Law, the Regulations and the standards at the operational level
- Leading senior staff teams and implementing policies and procedures.

A Registered Manager must be an individual who:

- Has the senior day-to-day responsibility for carrying on one or more regulated activities at one or more locations
- Has sufficient qualifications, skills, experience, and authority to manage the regulated activity effectively.

### Who must be registered as the Registered Manager?

A Registered Manager is required in respect of *each* of the following services: (multiple managers may be registered, or a single manager for each block of services):

**Hospital Care Services** Surgical, Medical, Women and Children Services, Outpatients.

**Mental Health Services** Inpatients, Community Services.

**Ambulance Services** Ambulance Service, Patient Transport, Control Centre.

Hospital and Mental Health services, this is usually:

- Service Director; or
- The senior professional lead (e.g. Chief Nurse, Chief Medical Officer) responsible for executive operational leadership, where the role includes full senior managerial oversight of the regulated activity.

Ambulance services, this is usually:

- Chief Ambulance Officer

Government of Jersey Children Social Work and Independent Monitoring and Review Service this is usually:

- Chief Social Worker for Children

CAMHS, this is usually:

- Service Director or the senior professional lead

Adoption and Fostering Services, this is usually:

- Service Director or the senior professional lead

Children's Homes, this is usually:

- Manager of the Children's Home

Other regulated services provided e.g. Care Home, Home Care etc. this is usually the

- Manager of the Home

## Conditions to Register

It is a further condition of registration as a Registered Manager that the manager demonstrate to the satisfaction of the Commission that they have undertaken training and continuing professional development to ensure that the manager maintains the experience and skills necessary to manage the regulated activity.

## Registration Changes and Notification

If a Registered Manager leaves or changes, the Registered Provider must notify the Commission immediately and provide details of the interim arrangements for managing the regulated activity. Where necessary, a new Registered Manager registration is required.

## Further Information

Detailed registration requirements are available via [www.carecommission.je](http://www.carecommission.je)

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