

STATES OF JERSEY



SCRUTINY REVIEW OF THE GOVERNMENT PLAN: 2020–2023 (S.R.13/2019) – CARE OF CHILDREN IN JERSEY REVIEW PANEL FINDINGS – JOINT RESPONSE OF THE MINISTERS FOR CHILDREN AND HOUSING AND HOME AFFAIRS

**Presented to the States on 10th February 2020
by the Minister for Children and Housing**

STATES GREFFE

TITLE (SAME AS ON FRONT COVER)

Ministerial Response to:	S.R.13/2019
Review title:	Scrutiny Review of the Government Plan: 2020–2023
Scrutiny Panel:	Care of Children in Jersey

MINISTER FOR CHILDREN AND HOUSING’S INTRODUCTION

Thank you to the Scrutiny Panel for its detailed work on the Government Plan especially in the areas focusing on the Corporate Strategic Priority for putting Children First. I am focussed on ensuring we deliver the best services possible for our most vulnerable children and young people in Jersey.

MINISTER FOR HOME AFFAIRS’ INTRODUCTION

I would like to thank the Scrutiny Panel for its work on the Government Plan and especially in relation to the areas that fall under my ministerial responsibility.

FINDINGS

	Findings	Minister	Comments
1	The Minister for Children and Housing has identified efficiencies within three areas that include moving residential care from larger to smaller homes, improving the intensive fostering service, and making better decisions about the permanent situation for a young person in care (permanence).	MCH	<p>The efficiency proposals entail changing the current staffing rota in operation within Children Residential Care Homes which will reduce the need for overtime and the use of bank staff.</p> <p>The newly appointed Director of Safeguarding is reviewing off-Island placements as a matter of urgency to make a concerted effort to reduce the number of off-Island placements which are generally more expensive. This will also reduce the visits social workers will need to make off-Island which is a more efficient use of the resource on-Island.</p> <p>Intensive Fostering Service – The Minister is aware that getting this service in place is critical in supporting children with complex needs on-Island, it will offer an opportunity for a placement in a family home rather than a residential unit. In an intensive fostering secure support must be enhanced, the model proposed builds a team around the</p>

			child and he team around the home including an out of hours support available to carers.
2	Until such time as the outcomes of both legislative and service delivery for the Child in need project are available, it is not possible to give an assurance over the level of funding it has been allocated within the Government Plan.	MCH	<p>The funding set out in the Government plan for this policy is to support CYPES led delivery of services in response to the changes in the Children’s law. The cost shown in the Government Plan also includes the enhancement of the new early help service across the continuum of need. This investment supports the implementation of the agreed model to develop our early help service and offer to ensure a comprehensive approach which supports and strengthens families and reduces the incidence of escalation of children’s circumstance through statutory services.</p> <p>The costs are calculated after considering cost of working with children in need in other jurisdictions. In England’s local authorities 30% of children’s services budgets are spent on Children in Need. This policy forecasts an increased demand of 188 children to 645 children in need at any one time.</p> <p>The proposed amendments to the Children (Jersey) Law 2002 are at present out for Public Consultation until February 2020 and will inform whether Jersey policy should focus on a child in need threshold or to consider whether to support and promote the wellbeing of children.</p>
3	The Panel is concerned that without certainty over the proposed Legal Aid Guidelines, and how they link with the Family Law proposals, it is not possible to identify whether access to support under the new legislation would be impacted.	MCH CM	<p>The Government does not expect that the areas of law covered by Legal Aid will be greatly altered by the introduction of a new Scheme. This includes divorce, judicial separation, civil partnership and nullity proceedings where there are dependent children. It is accepted, nevertheless, that absolute certainty cannot be provided until the new scheme has been brought into effect, including with regard to financial</p>

			eligibility criteria. It is anticipated that a proposed Scheme, to be made under the Access to Justice (Jersey) Law 2019 , will be published in the first half of 2020.
4	As considerable work is still required in order to bring forward the recommendations arising from the Youth Justice Review, the Panel cannot comment on the proposed allocation of funding at this time.	MHA MCH	Additional policy capacity has been allocated to this work programme to develop a modern, cohesive and connected criminal justice policy for Jersey, which puts children first. The aim is to create a welfare orientated, multi-agency, youth justice strategy.
5	Whilst there is clarity over the apportionment of funding to meet the requirements of registration with the Care Commission, an ongoing inspection process has yet to be identified. The Panel therefore cannot provide assurance over the allocation of funding at this time	MCH	A schedule of inspection for Children's Homes is now established. A key component of the phase 2 of the Children's Legislative Transformation Programme is the broadening of types of children services that the Jersey Care Commission can inspect. At present law drafting will cover the following services: Fostering and Adoption, Social Work, Children's Contact Centres, Children Adolescent Mental Health, Children's Community Health Care Services.
6	The Panel supports the development of the proposed 'Child House' model, however, there is uncertainty over the timescale and siting of any future delivery space for the model.	MHA MCH	We are pleased that Scrutiny supports the Government's ambition to develop a Child House model. The model was pioneered in Scandinavia and is recognised as international best practice. It is child-centred and achieves the most effective results. Ministers have requested £1 million in 2020 to explore options around a new build and/or refurbishment of the existing Dewberry House. Once this feasibility study has been completed the Government will be able to provide more certainty about the location and timescale for delivery in the 2021 Government Plan.
7	There has been investment in the Safeguarding Team and Advice Team within the Law Officers' Department to increase the support to Children's Services when dealing with a variety of legal issues. Further evidence of the effectiveness of these additional posts	MCH	The increased capacity of the Law Officers' Department has enabled a number of policy priorities to be progressed quickly during 2019. These have included a second redress scheme, establishing the new Children's Commissioner Law as

	would ensure confidence in the decision-making process.		<p>well as supporting the wider number of Children's Policy Programme identified by the Minister for Children and Housing.</p> <p>In addition, the increased capacity has enabled the department to continue to play an active part in developing and implementing the Public Law Outline Guidance which was introduced during 2019 by the Bailiff. It is intended that this guidance will lead to a shorter period of time for children to be in legal proceedings whilst also securing the best outcome for the child.</p>
8	There is significant funding being applied for policy and service development within the Children's Change Programme, however, due to the considerable volume of work required the Panel cannot comment on whether this funding is appropriate at this stage.	MCH	<p>A number of priority areas including the Children's Change Programme were able to receive investment ahead of, and immediately after, the publication of the Care Inquiry report as the Medium-Term Financial Plan (MTFP) 2016-2019 included the allocation of £1.65 million per year from Central Contingencies for initiatives that support vulnerable children (£4.95 million in total over the period from 2017 to 2019).</p> <p>Consolidated funding for areas where contingency was allocated during 2017-2019 were considered and approved by the Assembly in November 2019 as part of the Government Plan.</p>
9	The evidence received points to a yearly increase in the need for the service. The Panel is concerned that the proposed funding level may not be sufficient in future years to keep pace with the need for the service.	MCH	<p>Much of the new investment in the Government Plan is to develop and strengthen early support approaches, this recognises the importance of investment to support families which will improve outcomes for children in helping them live with their families in order to minimise escalation through statutory systems. This is also a cost-effective approach and assists with medium and longer term shaping of demand for services.</p>
10	The Panel notes the need for the dedicated HR professional post in Children's Services, however, it requires further information about the outcomes	MCH	<p>This post provides a dedicated support for approximately 1 year. This has meant a build-up of knowledge of the professional issues</p>

	being achieved through this funding prior to making any further comments.		and service, with support to staff particularly managers around all areas of HR including attendance, absence and performance. This officer has linked to the additional support focussing on the recruitment and retention strategy and efforts in the service.
11	It is expected for the training offered by the Safeguarding Partnership Board to vary depending on the needs of staff. The Panel cannot, therefore, comment on the funding levels as need for training may increase or decrease and impact the funding requirement.	MCH	The Safeguarding Partnership Board's training Programme is open to public, voluntary and private sector practitioners. In 2019 there were 736 attendees from 90 different organisations at the Children Safeguarding Courses. We expect an increase this year due to more courses being provided. Priorities for 2020 alongside the core skills offered in Safeguarding include, Harmful Sexual Behaviour, Child Exploitation, Neglect, Developing Professional Curiosity, Child Development attachment and the Impact of Trauma, Responding to risk in Adolescence, Leading and Championing Evidence Informed Practice. An additional new bitesize programme has been developed in partnership with other agencies and topics planned include FGM, Jersey Children's First, Pre- Birth Pathway, Adolescent to Parent Violence and Abuse. Alongside this training, we will also be offering professional networking events and opportunities to support Multi- Agency Working.
12	The Children's Legislative Transformation Programme is intended to be implemented over three phases, the first of which has started in 2019. Given the length of time required, and breadth of legislation required, the Panel cannot give assurance over the level of funding applied to it at this stage.	MCH	Each of the policy projects being developed as part of the Children's Legislation Transformation Programme will require a estimation of any costs of implementation. Any new costs identified will need to be described as part of a business case and presented as part of the established Government Planning Cycle.
13	The Panel supports the work of Jersey Cares and any work that helps strengthen advocacy support for Looked After Children and Care Leavers,	MCH	The Minister signed a contract with Jersey Cares to enable them to provide independent advocacy for care leavers on the 7th December. In

	however, further details are required as to how this funding will be applied by Jersey Cares.		commissioning this service, the Government of Jersey is delivering on its pledge to children and young people, published in September 2017. 'to listen directly to children and young people and involve them in how we design, deliver and review our services'. To provide a successful advocacy service an independent board will be established within the first six months of the service being operational.
14	The Panel is supportive of the development of a Children's Rights service; however, further details are required as to how the Children's Rights Assistants will be recruited to support this service. It is noted that a Children's Rights Officer is currently being recruited.	MCH	The Minister welcomes the support of the panel in this crucial role. The Children's Rights Team Manager post has been successfully filed by Sheree Maher. She will be responsible for recruiting and leading a team of Children's Rights Officers. In total this will service will be made up of three full time equivalent posts which will include 2 Children's Rights Assistants who are care experienced. This will consistently put children's rights at the heart of all that we do to ensure children are safe and thrive.
15	As the posts of Practice Improvement Officers have yet to be recruited to, the Panel cannot, at this stage, comment on whether the proposed funding will meet the intended objectives of the posts.	MCH	In other jurisdictions posts such as these have been shown to be effective in keeping a rigorous focus on quality and impact of service delivery and planning. These posts will be part of a broader approach to improvement and quality assurance.
16	The Independent Jersey Care Inquiry raised concern within its two-year report of the role and operation of the Multi-Agency Safeguarding Hub (MASH).	MCH	Ofsted carried out a follow up inspection with report published in December 2019. The inspection was explicit in saying that one of the improvements in the service was a strengthened Multi agency safeguarding hub (MASH). The report said 'The MASH provides an effective response to ensuring timely decisions about how best to respond to referrals that identify risk and need for children. Threshold decisions are mostly appropriate. Partners are strongly engaged and provide high-quality information and

			analysis that help managers to decide on next steps.
17	The funding allocated to the Citizen's Panel is to enable them to produce further reports and recommendations, but not to implement any recommendations made. The funding under the proposal is only for 2020, however, there is scope to extend this funding if seen fit.	MCH	The Minister agrees that the work of the Citizens Panel has been commendable and that the commitments which have been made to taking forwards their recommendations should be seen through. The panel now exists to have oversight of its recommendations concerning the Care Inquiry legacy. During 2019 it became clear to the panel and officers supporting it that implementation was progressing slower than previously planned. In conjunction with the panel it was agreed to extend the life of the panel. Previous COM commitments to funding elements of the legacy such as a memorial children's day remain unchanged.
18	The Panel cannot comment on the proposed funding levels for the project to support children with complex needs until such time as evidence of the outcomes of the project are available.	MCH	The first stage is to consider the skill mix and to add to the therapist establishment to deal with the increasing need for service by children with complex needs.
19	The funding allocated to support the redesign of CAHMS relates to roles that will support children, young people and their families at an early stage. The roles are currently in the process of being identified. To that end, the Panel cannot comment on whether the funding level is appropriate at this stage.	MCH	Significant work is underway with the full range of stakeholders (including children and families) to inform the specification and the redesign of the CAMHS service. The new service specification is anticipated to be complete in summer 2020.
20	The proposal to create a new therapeutic unit for Looked After Children with complex needs is due to be developed over the course of 2020. To that end, the Panel cannot comment on whether the proposed funding level will meet the service requirements at this stage.	MCH	This work is taking place under the auspices of the sufficiency strategy for looked after children and is part of a transformation programme which also sees the implementation of an intensive fostering service and the re-development of the Greenfields Secure Unit.
21	The Panel is fully supportive of the improved Corporate Parenting offer contained within the Government Plan proposals. It does, however, note that legislation is required before any proposals can be fully implemented.	MCH	The Minister agrees with the importance of corporate parenting. An omnibus amendment to the Children (Jersey) Law 2002 is proposing a statutory duty to be placed on named organisations

			including different parts of Government. Policy proposals are currently out for Public Consultation.
22	The funding identified within the workforce development project (4.31) is to support the roll out of the Jersey Practice framework (Jersey Children First) for an additional 18 months. The Panel maintains its view that investment in oversight roles should not overshadow investment in frontline services.	MCH	<p>The Minister can confirm that this investment is in 2 parts:</p> <ul style="list-style-type: none"> • Across the whole system of services that support children, to roll out the training and implementation for the Jersey Practice Framework, this will ensure that we keep the present co-ordinator and administration support for 18 months. • Professional/technical training and development for children's services staff to ensure ongoing progress of the service, and ensure staff keep in touch with best practice.
23	The development of the case management system (MOSAIC) will assist frontline services in carrying out their duties. It is noted that the system could be further developed to allow for business and performance reporting.	MCH	<p>The Minister has signed a new contract with the providers of MOSAIC on the 14th November 2019. This is to support the ongoing development and effective use of the case management and performance management system. This ensures that children's individual case records are up to date and accurate and compliant with data protection and information sharing arrangements., the system will be developed further to support an effective management of performance and as a contributor to quality assurance.</p> <p>This social care system is the bedrock of the service and the investment in the changes will ensure the system performs better and is utilised to its full potential.</p>
24	The funding identified within business case 4.33 provides a role to support the recruitment of social workers and co-ordinating practical arrangements (such as onboarding) and attend recruitment fairs. The Panel again highlights its view that investment in frontline services is required more so than back office roles.	MCH	The challenge of recruiting and retaining professional social work staff is well documented and is important to note this is an issue across local authorities throughout England. This role provides temporary support to the service in the shape of a co-ordinator who will take on the majority share of the

			recruitment leg work, co-ordination, keeping in touch and also arranging attendance and participation at recruitment. By having a dedicated resource to this campaign, it ensures that frontline staff are able to focus on their vital 'business as usual roles'. The resource will be used for travel, advertising, recruitment campaigns and it is hoped will reduce over the time of the Government Plan as vacancies are filled and the on-Island social work degree has its first graduates in 2022.
25	The Panel supports the redress scheme, however, as there is no certainty over the number and type of applications that will be made to the scheme, it cannot be certain at this stage whether the funding identified is appropriate.	CM	It is correct that there is no certainty over the number or type of applications and hence it cannot be known if the anticipated costs are set at the right level. Work will be undertaken at the 6-month point (January 2020) to review all costs to date and to reforecast future costs based on the 6-month data.
26	The Panel is highly supportive of the need to introduce a Public Services Ombudsman service. Until such time as the policy and accompanying legislation is developed, the Panel cannot comment on the proposed expenditure at present.	CM	The Minister notes that a public consultation on a proposed Jersey Public Services Ombudsman closed on 11th October 2019. Law drafting will commence in early 2020 with view to establishing the Office of the Ombudsman in early 2021, subject to the decisions of the States Assembly. The Government Plan includes provision for the funding of an Ombudsman from 2021 onward. Policy development and law drafting capacity has been allocated in 2020 to progress a draft law.
27	Capital improvements to Children's Residential Homes will be prioritised to meet set objectives in order to comply with the Discrimination Law, safeguarding and Regulation of Care requirements. At present there is no clarity over how funding will be apportioned between these improvements.	MCH	It is accepted that the secure estate at Greenfields needs to reduce and that there is a requirement to carry out some capital improvement in the short term while developing a new specification for the Greenfields 'campus' which will include consideration of what other services should operate from there. There will also be a development of a small therapeutic unit to provide specialist support on-Island as an alternative to off-Island care which will require

			capital spend. As part of the regulatory framework there are standards set out relating to establishments and each of the exiting units will require investment to meet these standards. Different units will require different work carried out and investment accordingly.
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RECOMMENDATIONS

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completion
1	The Minister for Children and Housing should review the number of clients accessing the Nursery Special Needs Service on a quarterly basis in order to identify whether the proposed part-time posts are sufficient to meet the actual need.	MCH		The Early Years Policy Development Board is working on a number of Policy proposals for the Council of Ministers to consider in early 2020.	
2	The Minister for Children and Housing should provide further details to the Care of Children in Jersey Review Panel about the intended use of the funding for the advocacy worker by Jersey Cares. This should be provided by end of Q4 2019.	MCH	Accept	The Minister has provided the relevant details to the panel. If further information is required, please confirm.	
3	The Minister for Children and Housing should update the Care of Children in Jersey Review Panel on the recruitment of the Children's Rights Officer and Children's Rights Assistant posts by the end of Q2 2020 and then subsequently at the end of every quarter until the posts are filled.	MCH	Accept	The Children's Rights Team Manager post has been successfully filed by Sheree Maher. She will be responsible for recruiting and leading a team of Children's Rights Officers. In total this will service will be made up of three full time equivalent posts which will include 2 Children's Rights Assistants who are care experienced. This will consistently put children's rights at the heart of all that we do to ensure children are safe and thrive.	

4	Once the Practice Improvement Officers are in post, the Minister for Children and Housing should provide initial quarterly updates which detail the impact and outcomes of the posts within Children's Services.	MCH	Partially Accept	These posts are part of a broader approach to service improvement and enhanced quality assurance so any regular reporting should take a broader view of the service and its impact.	
5	The Minister for Children and Housing should review the operation of the Multi-Agency Safeguarding Hub (MASH) and in doing so specifically address the concerns raised by the Independent Jersey Care Inquiry about the operation of the service in its two-year report. This should be completed by the end of Q3 2020.	MCH	Accept	The OFSTED report found that the Multi-Agency Safeguarding Hub has been strengthened, which is a particularly welcome finding, given the report from the Independent Jersey Care Inquiry earlier this year. There is no plan to further review MASH subsequent to Ofsted's recent inspection.	
6	The Minister for Children and Housing should ensure that the future of the Citizen's Panel is clarified by the end of Q3 2020.	MCH	Accept	The Minister agrees that the work of the Citizens Panel has been commendable and that the commitments which have been made to taking forward their recommendation should be seen through. The Minister was invited to attend the most recent Citizen Panel (December 2019) where he was updated on the progress being made on the memorial. It is anticipated that a commissioning process will be launched early in 2020.	
7	Further to the Review Panel's recommendation within its most recent update report, the Minister for Children and Housing should fast track legislation that defines the role of Corporate Parent in Jersey, to be completed by the end of Q4 2020.	MCH	Accept	The Government Plan included additional capacity allocated to SPPP to help deliver priorities identified in the children's Legislative Programme.	
8	The Minister for Children and Housing (as chair of the Children's Services	MCH	Accept	The Minister has signed a new contract with the providers of MOSAIC on the 14th November	

	Improvement Board) should ensure that the MOSAIC system is being utilised to enable best practice in record keeping and consistent reporting prior to any additional business and performance reporting facilities being introduced. This in turn should enable more effective data to be produced.			2019 to update the system so it can be used to its full potential.	
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MINISTER FOR CHILDREN AND HOUSING’S CONCLUSION

I reiterate my thanks to the Panel for their work on scrutinising the Government Plan and look forward to working with them as they hold us to account on delivering on this plan.

MINISTER FOR HOME AFFAIRS’ CONCLUSION

I am pleased that Scrutiny supports the Government’s ambition to develop a Child House model.

The recommendations of the Youth Justice Review will be implemented as part of the Justice and Jersey project. This is a very important piece of work as it will, among other things, refine and improve how we manage young offenders in Jersey. I would like to work proactively and constructively with scrutiny on this project. My officers would be happy to brief scrutiny on a more detailed plan for this project in Q1 of 2020.

I believe that the projects in this Government Plan will help improve the lives of young people in Jersey.