



2023

Annual Report

R.97/2024



Jersey Care
Commission



Contents

Forward	04
Our 2023 Highlights	06
About the Jersey Care Commission	08
Our Vision	09
Our Purpose	09
Our Values	09
What we do	10
How we work	10
Our Structure in 2023	11
Performance Report	12
Chief Inspector’s Report	14
Our Strategy	16
Performance Analysis	17
Accountability Report	41
Corporate Governance Report	42
The Commissioners	52
Staff Report	63
Sustainability Report	67
Finance Report	70
Appendix	73



Forward

by the Chair of the Board of Commissioners

Our fifth Annual Report provides a detailed overview of the work of the Jersey Care Commission (the Commission) for 2023. It describes the Commission's activities and the impact of its work on the regulation of Jersey's health and social care provision.

The Commission was established by the Regulation of Care (Jersey) Law 2014 as an independent arm's-length body with perpetual succession. It came into being in January 2019. The Commission is accountable to the people of Jersey through the Minister for the Environment.

Our Commissioners are people with lived experience of health and social care. Some are experienced professionals with successful careers in senior managerial positions, including experience in delivering and regulating health and social care in other jurisdictions. One Commissioner lives on Island and was appointed specifically because of her experience of being a carer.

Our remit was extended in 2023 to include the regulation of care for children and young people, including Child and Adolescent Mental Health Services (CAMHS). The preparations for inspections of children's services continued throughout the year. This included developing

the Standards and our inspection handbook and methodology, surveying people who use children's services and those who work in the sector and reviewing strategic and managerial oversight of these services. The first inspections of CAMHS, and Social Work Services and Independent Reviewing Officers took place in 2023. Other inspections, including fostering and adoption, will follow in 2024.

The Commission has commenced preparations to extend regulatory reach further, including the hospital, ambulance and adult mental health provision. It has developed a partnership arrangement with the Care Quality Commission (CQC) to facilitate this work.

The Commission held an engagement event with care sector representatives in May 2023. This was an opportunity to hear directly from care providers on the receiving end of inspections, and we look forward to another similar engagement in 2024.

Commissioners visited care providers on the Island and found it beneficial to see how front-line services are being delivered in various care settings.

Throughout the year, the Board met with people at the highest levels of Government, including Ministers and senior officers. These informative sessions allowed Commissioners to hear about significant policy developments in Jersey. We continued to meet quarterly with Government representatives through the Strategic Policy, Planning and Performance (SPPP) department. These meetings provided an opportunity to discuss performance and to provide assurance as to the appropriate use of public funds.

"The Commission undertook workshops throughout the year to delve into matters that directly impact the work of the Commission."

The Commission undertook workshops throughout the year to delve into matters that directly impact the work of the Commission. In September, we looked at our governance arrangements and devised a single assurance framework to improve governance and accountability.

Glenn Houston
Chair of the Jersey Care Commission



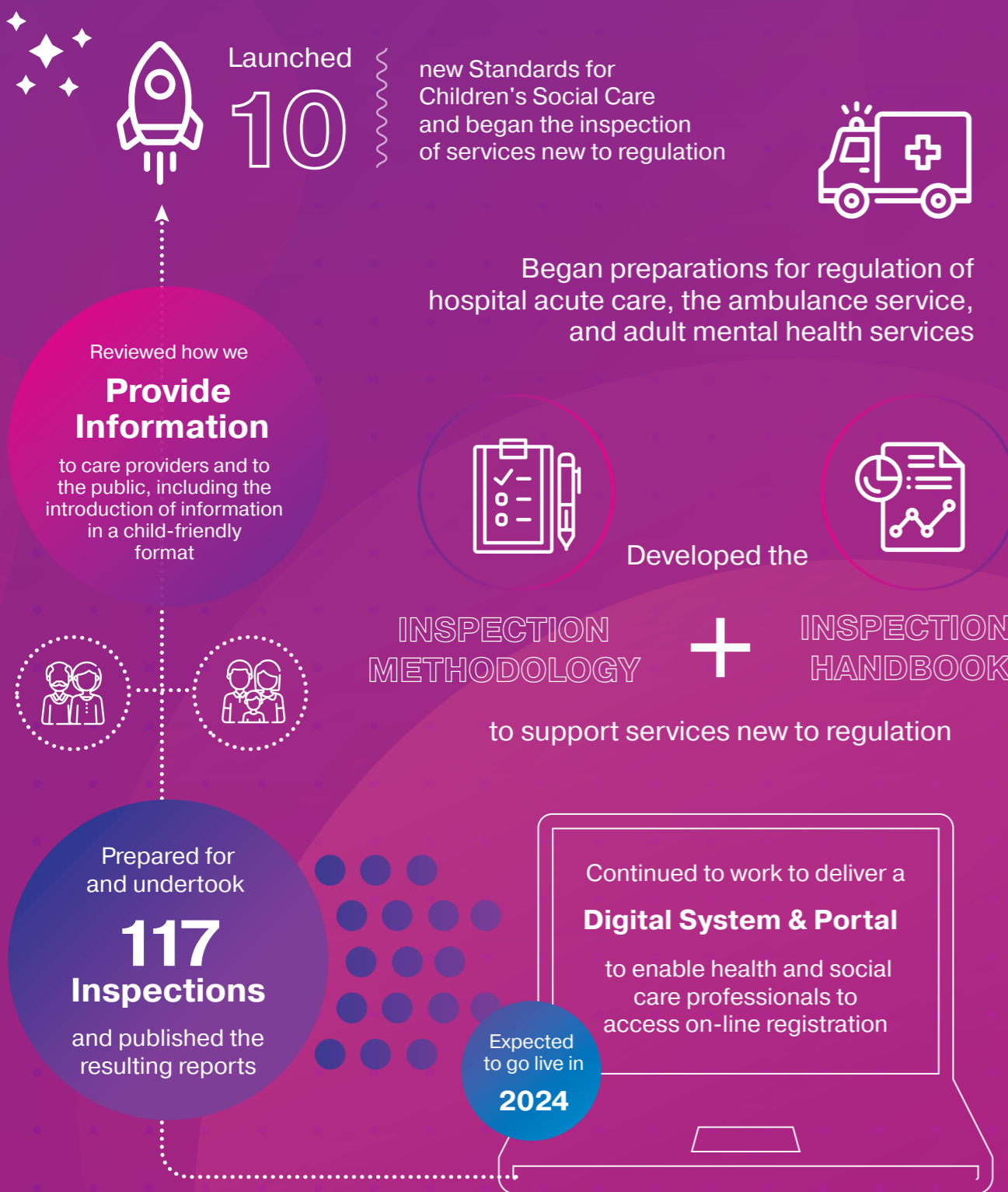
In 2023 two Commissioners, Alison Allam and Sian Walker-McAllister, who each made a significant contribution to our work, ended their second successive terms in office, and we bade them farewell.

This year, we welcomed two new Commissioners, Kathryn Chamberlain OBE and Gordon Pownall, appointed following an open recruitment process overseen by the Jersey Appointments Commission. Three Commissioners whose first terms in office ended in December 2023 have each been appointed by the Minister for the Environment for a second three-year term, providing much-needed continuity at a significant time in our development.

The Commission's work is ably led and facilitated by Becky Sherrington, Chief Inspector, assisted by a team of regulation officers and administrative support staff. The Commission relies on the team to deliver robust, agile and effective regulation in Jersey. Throughout 2023, Regulation officers delivered more than one hundred inspections of regulated activities, including care homes, children's homes, home care and day care services. The reports of these inspections are published on the Commission's website.

As you read this report, I trust you will be assured by the evidence of the Commission's work promoting best practice, challenging poor performance and driving up the quality of health and social care provision in Jersey.

OUR 2023 HIGHLIGHTS



Commissioned a new **SURVEY** working with the Picker Institute, into user and family experience of Children's Social Services



HOSTED a Health and Social Care Sector engagement event for registered providers



Worked with professional regulatory bodies such as the General Medical Council, and the Nursing and Midwifery Council, to ensure protection of title¹ and that professionals working in Jersey are subject to robust fitness-to-practise processes when required



Met with several local care providers and service users to hear more about the value of regulation and the impact this has on the services they provide or receive. This was undertaken as part of the Commission's **#CareConversation**

which generated high rates of engagement across all the Commission's social media platforms



Continued to develop partnerships with UK Regulators, including agreeing to work with the **Care Quality Commission** in England to support the regulation of acute hospital, ambulance and adult mental health services

¹ Makes sure that titles associated with a profession can only be used by those who are registered in that profession.



About the Jersey Care Commission

The Commission was established by the Regulation of Care (Jersey) Law 2014. The Law sets out our functions, powers, duties and responsibilities, along with detailed provisions about the Commission's appointment, resources, and funding.

A Board of Commissioners oversees the work of the Commission. The Commissioners appoint officers to carry out the duties of the Commission. The Executive Team structure is shown on page 11. The Commission engages independent contractors to deliver specific projects requiring additional skills and expertise.



Our Vision

Providing independent assurance, promoting best practice and improving health and social care outcomes for the people of Jersey.



Our Purpose

We were appointed as a Health and Social Care Commission to:

- provide the people of Jersey with independent assurance about the quality, safety and effectiveness of their health and social care services
- promote and support best practice in the delivery of health and social care by setting high standards and challenging poor performance
- work with service users, families and carers to improve their experiences of health and social care and to achieve better outcomes
- register a range of health and social care professionals and take steps to assure ourselves and the people of Jersey that all registered professionals are fit to practise.



Our Values

- A person-centred approach – we put the needs and the voices of people using health and social care services at the heart of everything we do
- Integrity – we are objective and impartial in our dealings with people and organisations
- Openness and accountability – we act fairly and transparently and are responsible for our actions
- Efficiency and excellence – we strive to continually improve and provide the best possible quality and value from our work
- Engagement – we work together with, and seek the views of, those using, providing, funding and planning health and social care services in developing all aspects of our work.



What we do



We regulate and inspect services for adults and children to ensure that people receive high-quality, safe, and effective care.

The services we regulate include care homes providing nursing and personal care, care provided to people in their own homes, adult day care services, and residential and other services for children and young people.

We are also responsible for:

- ▶ registering health and social care professionals
- ▶ protecting the public from infection risks by regulating piercing and tattooing businesses
- ▶ registering and inspecting premises which use lasers for cosmetic purposes
- ▶ registering and inspecting Yellow Fever Centres.

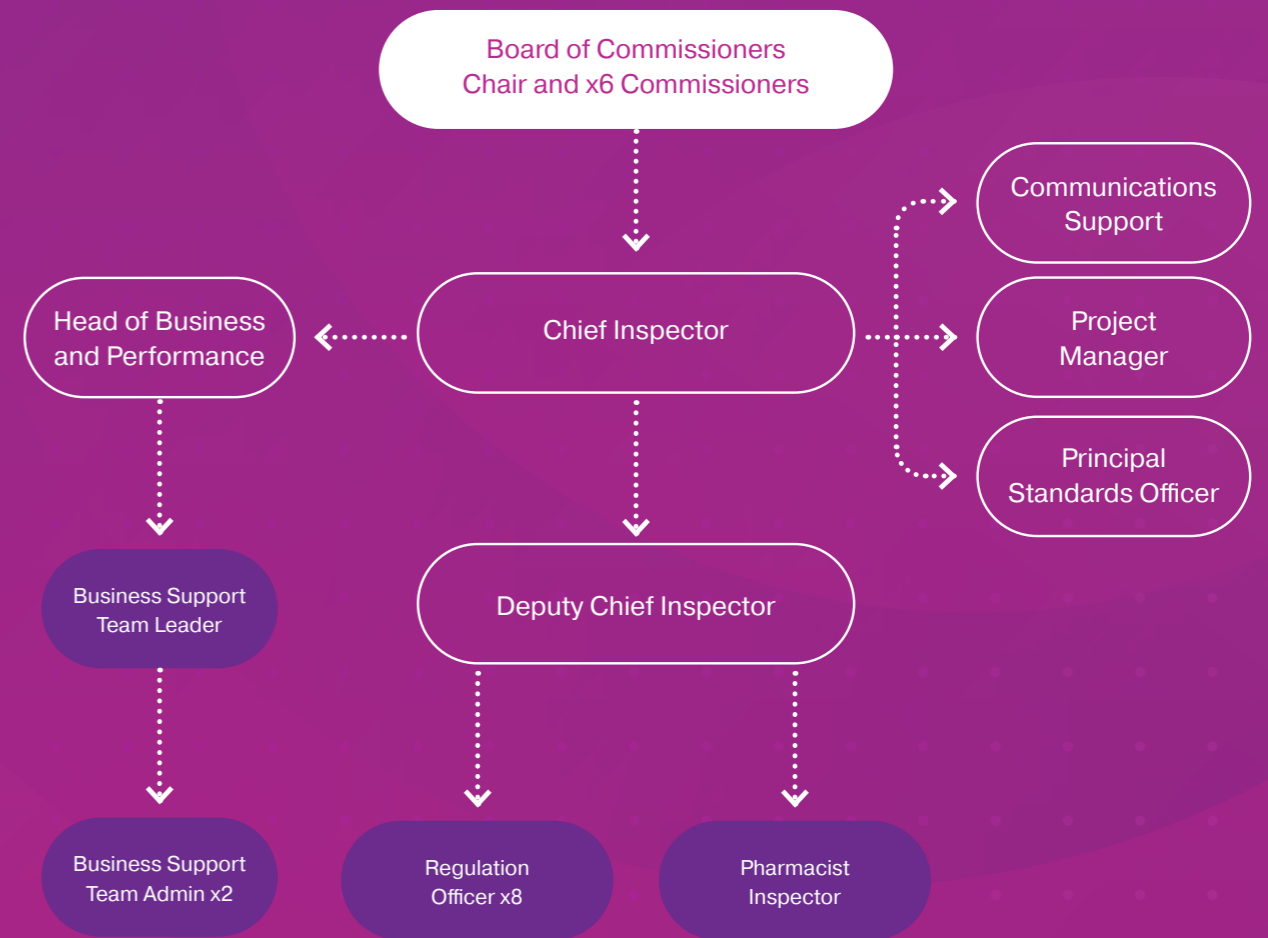
How we work



We embrace the "Right-touch" regulation principles outlined by the UK's Professional Standards Authority. These state that regulation should be:

- ▶ **Proportionate:** regulators should only intervene when necessary. Remedies should be appropriate to the risk posed, and costs identified and minimised
- ▶ **Consistent:** rules and standards must be joined up and implemented fairly
- ▶ **Targeted:** regulation should be focused on the problem and minimise unintended consequences
- ▶ **Transparent:** regulators should be open and keep regulations simple and user-friendly
- ▶ **Accountable:** regulators must be able to justify decisions and be subject to public scrutiny
- ▶ **Agile:** regulation must look forward and be able to adapt to and anticipate change.

Our Structure in 2023





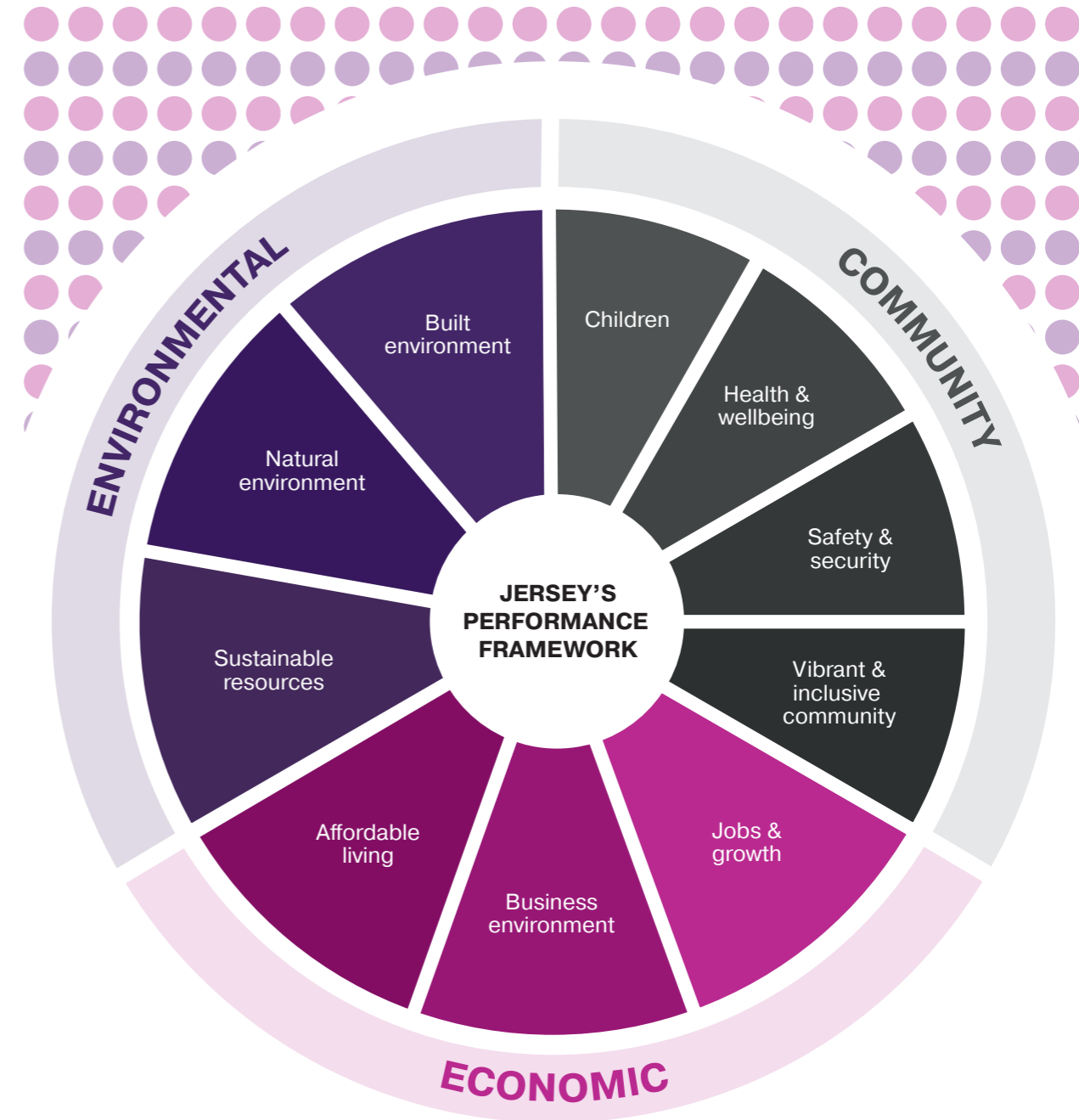
Performance Report

The Commission is an independent organisation partly funded by fees, but much of the Commission's income is received from the Government.

As a public regulator, the Commission has a role in helping the Government deliver its objectives. The long-term aims of the Government of Jersey are set out in the Jersey Performance Framework and the Island Outcome Indicators, which measure progress towards the Government's sustainable wellbeing goals.

Sustainable wellbeing is a way of measuring the progress of a society. It is a holistic concept and uses different tools to measure how well society is doing across the key areas contributing to human wellbeing. The Government of Jersey focuses on three key areas set out in the Jersey Performance Framework.

<p>Community wellbeing</p> <p>the quality of people's lives</p>	<p>Environmental wellbeing</p> <p>the quality of the natural world around us</p>	<p>Economic wellbeing</p> <p>how well the economy is performing</p>
--	---	--



The Commission directly contributes to community wellbeing, and the Government has set out specific objectives for the Commission:

- people are provided with independent assurance about the quality, safety and effectiveness of Island services through the Commission
- all providers deliver high standards of care, and where care is poor, this is readily identified so that services can be supported to improve or are subject to appropriate interventions
- there is public confidence in the Commission, that it is seen as effective, relevant and provides value for money.

Chief Inspector's Report



In 2023, the Commission took on responsibility for a much wider remit across children's social care, including CAMHS, Social Work Services, Secure Children's Homes, Care in Special Schools, Contact Centres, Family and Community Nursing Services, and Independent Reviewing Officer (IRO) Services.

Expanding its responsibilities to oversee children's social care represents a significant step forward since the publication of the Independent Jersey Care Inquiry report in 2017. This has been a crucial and demanding aspect of the Commission's work in 2023. Despite the considerable challenges, we remained dedicated to our core mission and principles, using our influence and authority to enhance the wellbeing of Islanders.

The Commission has effectively implemented thorough inspections of registered care providers of particular aspects of children's health and social care, using the published standards and regulations and continues to publish its findings. These efforts will positively impact and enhance children's and young people's lives.

Adult Social Care also remains a large part of our role; people in Jersey expect to receive safe and effective social care, now and for future generations. In 2023, we carried out 117 inspections and subsequently published the inspection reports. Throughout 2023, the Commission established that the quality and

safety of care delivered in care homes and in the community is generally good, with some examples of providers delivering exceptional care. Where we have concerns that care is below the required standards, we have challenged providers by highlighting underperformance and have followed up to establish the provider's progress in making the necessary changes.

Throughout the year, we acknowledged the efforts of registered providers and managers involved in the Commission's work. In addition to our inspection programme, we initiated regular and routine dialogue with the sector. This has included several in-person and online events, which were well attended and have received positive reviews.

We also launched a communications campaign #CareConversation, inviting care receivers and providers to share their views of what regulation has meant to them. This was then shared on social media as part of the 'Care Conversation' on the Commission's LinkedIn, Facebook, and X (formerly Twitter) channels.

I would like to acknowledge and thank the following, including providers who took part in the campaign:

- A service user from Positive Steps
- Chief Executive Officer from Family Nursing & Home Care
- Chairman of Sanctuary Trust
- Home Manager from St. Joseph's Care Home
- Chief Officer from Children, Young People, Education and Skills (CYPES).

We also hosted several online events in collaboration with the Disclosure and Barring Service (DBS) and Jersey Office of the Information Commission (JOIC), both of which were well attended.

As our remit expands, any inspection arrangements introduced will only be as effective if we ensure high quality and the right skills within the inspection workforce. This annual report points to the important changes being made in this area. For example, we have successfully recruited new staff members with diverse professional skills and backgrounds, on both a permanent and temporary basis.

Becky Sherrington

Chief Inspector

19 April 2024



This includes the recruitment of a pharmacist into the team, which has already seen a positive impact. Staff recruitment has also included people with specialist skills in inspecting children's social care. We have also benefited from a positive partnership with the Royal College of Psychiatrists in the inspection of CAMHS.

We have invested in international, and UK-based training for our permanent regulation officers and will continue to build on external support for the next phase of our regulatory transformation work. This is one part of our workforce strategy which seeks to mitigate the most significant risk to progress in this area, that is recruitment and retention of staff.

We are committed to improving inspection quality while ensuring our resources are used effectively. Over the past year, our financial performance has been well managed. Despite considerable uncertainty, we have delivered our business plans and objectives within budget.

As you will see from this report, the Commission is making great strides both in consolidating its core activities and stretching to meet new and ever more challenging objectives. It will be challenging not only for us but for those new to inspection and regulation. However, the Commission will continue to ensure that Islanders are provided with independent assurance as to the quality and safety of the services provided on their behalf. Like those we inspect, we are accountable to Islanders. As the Commission continues its development, our rolling business plan for 2024 – 2027 will continue to show our commitment to a person-centred approach, openness, accountability, efficiency and engagement.

Our Strategy

Our strategic aim is to develop a comprehensive and effective regulatory infrastructure that protects and promotes the rights of people who use the services we regulate.

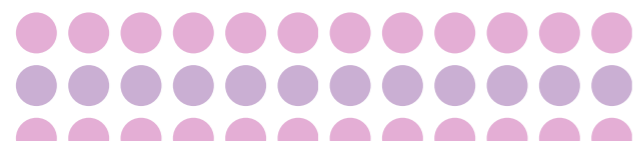
To achieve our aim in 2023, we identified six strategic objectives:

- 1** deliver an effective system of regulation and inspection of health and social care services in Jersey

4 maintain an accurate register of relevant health and social care professionals working in Jersey
- 2** engage effectively with representatives of the Government of Jersey and other key stakeholders to develop the regulations, standards and robust methodologies for inspection of services new to regulation

5 improve the Commission's capacity to gather, interpret and respond to information and intelligence regarding regulated activities and registered persons
- 3** raise the profile of the Commission by consulting and engaging with people who use and provide services and other stakeholders in all aspects of our work

6 ensure financial stability and growth for the Commission to deliver its core functions and the planned extension of those functions to other health and social care services.



Performance Analysis

Our Performance Framework comprises six business priorities to bring operational focus to our strategy along with Key Performance Indicators (KPIs) which align to our priorities.



The performance analysis looks at the Commission's performance against these priorities.



Performance Analysis

Priority 1 - Regulation and Inspection

Develop and implement a growth plan alongside the approved associated budget build to enable the expansion of the core team to deliver an effective regulatory regime for Jersey which supports best practice and drives continuous improvement.

HOW SUCCESSFUL HAS THIS BEEN?

In anticipation of the Commission's expanding remit, we made structural changes to the leadership team towards the end of 2022, replacing the Head of Governance, Policy and Standards role with two new posts: Deputy Chief Inspector and Head of Business and Performance.

In 2023, these posts provided effective and focused operational and corporate support to the Chief Inspector. They enabled the Commission to deliver on its ambitions of improving operational delivery and introducing robust and structured corporate governance processes to support the Commission in its expanding role.

The Government Plan 2023-2026 included funding for changes needed to enable the Commission to fully deliver on its commitments. In implementing our growth plan, in 2023 we were successful in recruiting two additional regulation officers and a Pharmacist Inspector. The Pharmacist Inspector enables the Commission to directly undertake inspections of medicines management, administration, and disposal. Given the challenges of drafting and consulting on the Standards for areas new to regulation, and reviewing and revising the existing standards, the Commission recruited an experienced professional to lead this work.

These changes to our workforce and structure are underpinned by a budget plan to ensure the Commission has the necessary resources to deliver its remit.

WHAT MORE NEEDS TO HAPPEN?

The Commission has made excellent progress in developing the team to meet the expanded workload in 2023 and in preparation for introducing new areas of regulatory activity throughout 2024 and 2025. To support new staff, the Commission reviewed and improved its induction process, making sure it prepares staff for the Commission's new roles. This programme of induction and orientation has evolved throughout 2023 and will continue into 2024 as new staff are appointed.

Some recruitment of regulation officers has been deferred, partly to ensure new staff can be supported appropriately and partly to ensure the Commission recruits staff with the right skills and experience. The Commission understands the need to continue to increase the team's scope and range of skills and expertise, especially in areas new to regulation.



Maintain an effective system of regulatory oversight by undertaking a planned annual programme of announced and unannounced inspections of all regulated services and activities for adults and children in Jersey, with the associated inspection findings published on our website.

HOW SUCCESSFUL HAS THIS BEEN?

The Commission has delivered its annual programme and completed all scheduled inspections in 2023. In total, 105 regulated services were inspected during 2023. An additional 12 Inspections were carried out, bringing the total to 117. Additional inspections are usually those scheduled to check progress on recommendations but can also include inspections of unregistered services where it is believed a regulated activity is being carried out.

When the Commission identifies a service that is not fully or consistently meeting the required standards, areas for improvement are recorded in the inspection report. The regulation officer usually agrees a specific timescale for delivery to ensure that the provider has sufficient opportunity to make the required changes.

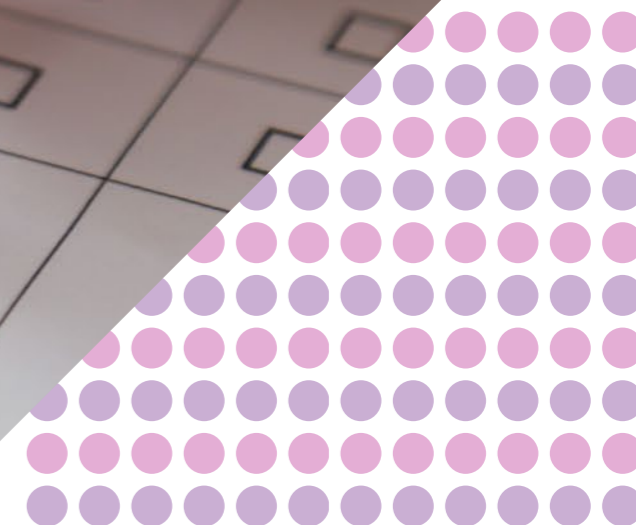
Depending upon the type and seriousness of the breach or shortfall, the Commission may undertake further inspections to ensure the provider addresses the issues. The Commission has the power under the Law to impose discretionary conditions on a provider. It can also issue a formal Improvement Notice which sets out the exact action a provider must take along with a timescale for compliance.

Failure to comply with an Improvement Notice is an offence which could result in prosecution. The Commission did not issue any Improvement Notices in 2023 but on five occasions the Commission imposed discretionary conditions to help manage the risks where issues of compliance with regulations and standards were identified.

WHAT MORE NEEDS TO HAPPEN?

The Commission will continue to carry out its planned annual inspection programme to maintain an effective regulatory system. Additional inspections beyond the scheduled programme will be completed as and when required. The Commission will face the challenge in 2024 of continuing the programme of inspections of children's services that are new to regulation and preparing the way for hospital, ambulance service, and adult mental health service inspections in 2025. The process of planning and preparation has already commenced to meet this challenge.

The Commission is also exploring ways to provide increased assurance through inspections, including developing methods to measure the effectiveness of inspections and processes to monitor outcomes.



Performance Analysis

Key Performance Indicator (KPI) 1 Regulation and Inspection

KPI 1.1

The Commission will complete 100% of inspections in respect of each of the regulated activities, as required in Law:

TARGET

100%

OUTCOME

100% ✓

In 2023, 117 inspections were carried out; 105 were annual inspections of registered providers required by the Law. Ten services relating to Children's social services were required to register for the first time in 2023. They had until 30 June to register, and the Law requires the Commission to ensure they are inspected within 12 months of this deadline.

KPI 1.2

The Commission will ensure that at least 80% of its inspection reports are completed in draft form within 28 days of an inspection having concluded.

TARGET

80%

OUTCOME

93% ✓

80%

INSPECTION
REPORTS ARE
COMPLETED



KPI 1.3

The Commission will publish 100% of its inspection reports within seven working days of reports being considered final.

TARGET

100%

OUTCOME

95% ✗

A total of 95% of inspection reports were published on the Commission's website within seven working days of being finalised. The 5% gap was caused by technical and process issues. The Commission is reviewing the measure to consider if the 100% target is achievable in future.

Performance Analysis

Apply the Regulations and Standards for all regulated activities as a framework to measure the quality, safety and effectiveness of these services.

HOW SUCCESSFUL HAS THIS BEEN?

The Commission applied the Regulations and Standards throughout 2023 and provided narrative findings on quality, safety and effectiveness in the inspection report. In most cases, any improvements identified were resolved through the 'Areas for Improvement' section at the end of the relevant inspection report. On five occasions the Commission imposed discretionary conditions which are applied to help mitigate risks.

Failure to comply with an Improvement Notice is an offence which could result in prosecution. The Commission did not issue any Improvement Notices in 2023 but on five occasions the Commission imposed discretionary conditions to help manage the risks where issues of compliance with Regulations and Standards were identified.

WHAT MORE NEEDS TO HAPPEN?

The main challenge in 2024 will be to expand our capacity to cope effectively with the increasing range of services subject to regulation. We successfully launched new standards and an inspection handbook for Children's Health and Social Care services.

We will now need to do the same for acute hospital, ambulance, and adult mental health services. We are working with the Care Quality Commission to help develop these new standards and inspection methodologies.

As happened in 2023, with services new to regulation, the Commission will need to engage with and support services that are due to become regulated to enable them to prepare effectively for regulation and inspection.

Review the effectiveness of the existing standards, incorporating the views of people who use and provide services.

HOW SUCCESSFUL HAS THIS BEEN?

The Commission recognises the importance of reviewing the existing standards and incorporating the views of people who use and provide services. In 2023, as it implemented one set of new standards for children's social work services and began to develop another set for the regulation of the hospital, ambulance and adult mental health services, the Commission decided to delay the review of standards. This is so that it can undertake a proper comparison of the benefits of different approaches and to learn from other regulators.

WHAT MORE NEEDS TO HAPPEN?

Once the new standards and inspection approaches have been embedded, the Commission will set a revised timeframe for reviewing existing standards alongside a review of the effectiveness of the new approaches. This will enable a robust and informed analysis to be carried out.



Performance Analysis

Work with the Government of Jersey and operational leads in implementing new Regulations and Standards relating to children’s social work and associated activities and Child and Adolescent Mental Health Services, ensuring the Commission can absorb the additional developmental work relating to these activities.

HOW SUCCESSFUL HAS THIS BEEN?

The new Regulations relating to children’s social work and other areas new to regulation were enacted on 1st January 2023. The Commission successfully introduced the new regulatory framework. It carried out the inspections of children’s social work services including the Independent Reviewing Officer service, and CAMHS in 2023, working with the Royal College of Psychiatrists and other experienced independent regulators to deliver these inspections.

WHAT MORE NEEDS TO HAPPEN?

The children’s services inspection programme is underway and scheduled to continue into 2024. All services new to regulation will undergo their first inspection by the end of June 2024, with those who were inspected for the first time in 2023 having an annual inspection in the second half of the year.

Develop new inspection methods to deliver robust annual inspections of the services new to regulation across children’s social care.

HOW SUCCESSFUL HAS THIS BEEN?

In consultation with providers and working with contractors with experience of conducting these inspections, the Commission developed specific sets of standards, and an inspection methodology, supported by an inspection handbook. These were successfully applied during the initial inspections of children’s services.

WHAT MORE NEEDS TO HAPPEN?

Now that the initial inspections have been completed, the Commission has contacted providers for feedback so that areas for improvement are identified and addressed. This will continue throughout 2024, and any lessons learned will be fed back into developing standards for hospital, ambulance, and adult mental health services.

Develop new standards and consider inspection methods for acute hospital, ambulance and adult mental health services.

HOW SUCCESSFUL HAS THIS BEEN?

The Principal Standards Officer (PSO) has been appointed and has begun developing the new standards. The PSO is working closely with the CQC in England in developing our standards but has ensured that these are designed specifically for use in Jersey.

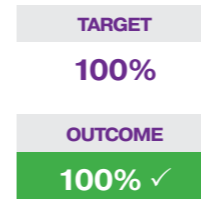
WHAT MORE NEEDS TO HAPPEN?

We will continue working with providers and experienced partners to develop standards, inspection methods, and an inspection handbook. We will ensure that learning from introducing new standards in 2023 is used to inform our regulatory practice going forward.

Performance Analysis

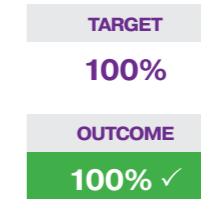
KPI 1.4

Inspections and Inspection reports to meet 100% of quality assurance criteria.



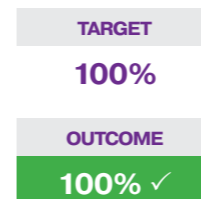
KPI 1.5

Identified Areas for Improvement have an agreed action plan and agreed timescales for delivery.



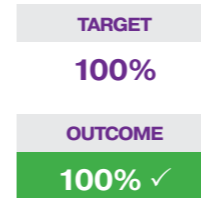
KPI 1.6

Improvement and action plans are reviewed by the Commission within agreed timescales.



KPI 1.7

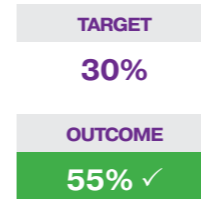
Consult directly with care receivers, relatives/ carers, staff members and external professionals in 100% of inspections.



In some cases, a regulation officer may have valid concerns about the appropriateness of seeking feedback from family members. In these circumstances the regulation officer can decide not to consult with relatives. In all other cases, consultation was carried out.

KPI 1.8

Seek post-inspection feedback on annual inspections with providers and managers of regulated activities. Publish a summary of responses.



A feedback survey is issued to all registered providers following all inspections. Over 55% of care providers submitted feedback. Results are available on our website.

Performance Analysis

Registration of Regulated Services

A significant part of the Commission’s function is managing the registration and changes to registrations for regulated services. The Commission has set challenging targets to ensure that all registrations and changes are made promptly.

A requirement of making an application is that all necessary information and supporting documents are submitted. The target timeframe for completion of the registration process begins once the Commission receives a completed, fully documented application.

Key Performance Indicator (KPI) 2 Registration of Regulated Services

KPI 2.1

Finalise applications for registration of providers of regulated activity within four weeks of receiving all required documentation.

TARGET

100%

OUTCOME

100% ✓

KPI 2.2

Finalise requests for changes to registration (for example Directors, registered manager, type of service, or numbers of care receivers) for providers of regulated activities within four weeks.

TARGET

100%

OUTCOME

100% ✓

KPI 2.3

Finalise requests for changes to conditions of registration within four weeks.

TARGET

100%

OUTCOME

100% ✓

KPI 2.4

Undertake annual reviews and registrations of designated Yellow Fever Centres, as required by Law.

TARGET

100%

OUTCOME

100% ✓

Performance Analysis

Priority 2 - Engagement with the public and stakeholders

Revise the Communications Plan to support the Communications Strategy.

HOW SUCCESSFUL HAS THIS BEEN?

The Commission’s communications plan has been kept under regular review both for its effectiveness and to identify any additional required initiatives throughout the year.

In 2023 the Commission launched its #CareConversation campaign. Its success in engaging with service users and providers exceeded our expectations.

Another prominent initiative was enabling users to provide feedback on their experience of using the website.

This was only completed towards the end of the year and the results will be analysed once sufficient data is available.

WHAT MORE NEEDS TO HAPPEN?

The Commission remains committed to seeking further opportunities to engage with the public and professionals and to enabling them to provide feedback. It is currently considering the opportunities to improve engagement by working with a range of community groups.

Ensure that the voices of people who use and provide services, their carers and representatives, are heard throughout the Commission’s work.

HOW SUCCESSFUL HAS THIS BEEN?

The Commission mainly engages directly with care receivers and their families through the inspection process. Regulation officers speak to a range of people at each inspection, and their feedback is included in inspection reports where appropriate. This is not always possible; feedback often includes highly personal or sensitive data.

The #CareConversation campaign is part of our communications strategy which aims to broaden the ways we engage with care receivers and providers.

It has exceeded expectations and provided measurable data about the effectiveness of our engagement.

WHAT MORE NEEDS TO HAPPEN?

Following on from the success of the #CareConversation campaign, the Commission will continue to seek new ways to engage with the public, and especially with care receivers and their families. We are also continuing to explore other more traditional options to increase engagement through surveys and through the website.



Performance Analysis

Provide the public with access to relevant information about the Commission's activities on the Commission's website and, for those who cannot use a website, provide access to other appropriate methods of contacting the Commission.

HOW SUCCESSFUL HAS THIS BEEN?

All inspection reports, policies and guidance are available to the public through the Commission's website. Minutes and agendas of Board meetings are also available, in keeping with the requirements of our publication scheme. The Commission provides alternative methods to access documents on request.

The Commission operates a duty office so that telephone queries are answered promptly. In addition, especially in complex matters, the Commission is always ready to engage directly with the public by appointment in face-to-face meetings. This is actively encouraged when resolving complaints. In 2023, the Commission also began to make some key information available in Easy Read formats.

WHAT MORE NEEDS TO HAPPEN?

Enhancing engagement with the public remains a key objective, and with this in mind, the Commission is keen to understand what else it can do to provide members of the public with the information they require. To do this, we continue exploring options for improving our feedback channels and mechanisms.

Following the introduction of a limited amount of information in child-friendly and plain English formats, we will be increasing the range of information available and providing more information in an easy-to-read format.

PUBLIC ACCESS TO RELEVANT INFORMATION



Performance Analysis

Key Performance Indicator (KPI) 3 Public Engagement

KPI 3

The Commission will improve and expand engagement with the public by introducing new channels to engage with the public and seek feedback.

OUTCOME

Achieved ✓

KPI 3.1

The Commission will work with the supplier to enhance the use of website statistics and consider feedback mechanisms to understand public engagement.

TARGET

100%

OUTCOME

100% ✓

This was implemented in 2023, and towards the end of the year we began to receive feedback, Early indications are that while most users easily find the information they require this is not the case for all users. Once we have collected more data, we will seek to ensure all users can find the information they need.

KPI 3.2

Engage with care receivers and families during inspections and provide an opportunity for them to give feedback on their experience of inspections.

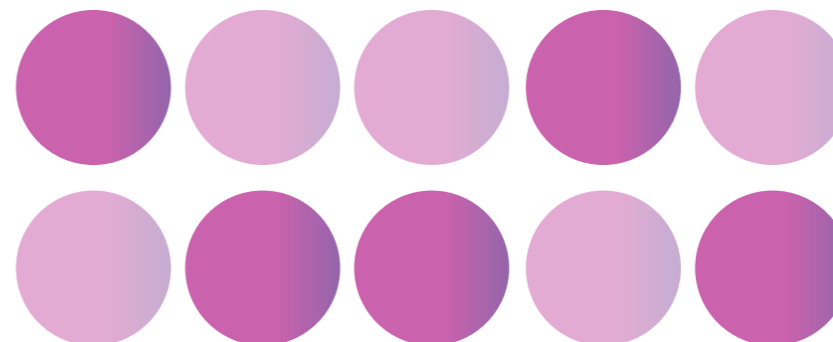
TARGET

100%

OUTCOME

100% ✓

This was achieved in all instances where the Regulation Officer deemed it appropriate to seek engagement. Anonymised comments received from care receivers and their families are included in inspection reports where consent is given, and where this can be done without infringing privacy.





Continue to raise the profile of the Commission with the organisations it regulates and with those who receive services and their carers/representatives, through a planned programme of engagements.

HOW SUCCESSFUL HAS THIS BEEN?

The Commission has continued to engage directly with providers and organised a successful engagement event in May 2023. Feedback confirmed that attendees found the event valuable and would welcome similar events.

The Commission organised two online seminars for care providers with key partners. The Disclosure and Barring Service (DBS) and the Jersey Office of the Information Commissioner (JOIC) spoke about their work and provided guidance and support to participants. Both seminars were well received by attendees.

WHAT MORE NEEDS TO HAPPEN?

The Commission will continue to hold further sector-wide engagement events in 2024 and explore other meaningful ways to engage care providers and service managers. This will enable providers to share experiences of regulation and will offer further opportunities to provide feedback about the work of the Commission.

Following the success of the seminars with key partners, the Commission will consult with providers to ensure we continue to identify other subjects of interest.

Establish effective links with other UK regulatory bodies with shared responsibilities for overseeing professional regulation in Jersey, including developing Memoranda of Understanding.

HOW SUCCESSFUL HAS THIS BEEN?

During 2023 the Commission worked with several regulatory bodies to agree Memoranda of Understanding (MOUs) and working practices focussed on keeping the people of Jersey safe. Two MOUs were finalised in 2023 with the Nursing and Midwifery Council (NMC) and with the Health Care Professions Council (HCPC). Other MOUs are being progressed. Discussion so far has enabled the Commission and other professional regulatory bodies to agree effective working practices and clarify the lawful basis for data sharing. This has promoted effective joint working, pending the agreement of formal MOUs.

WHAT MORE NEEDS TO HAPPEN?

The Commission will continue to work with UK professional regulatory bodies to agree and regularise working practices so that the public can be assured that health and social care professionals working in Jersey are appropriately registered and regulated. Work with UK professional regulators will also seek to ensure the necessary agreements are in place so that outcomes of fitness to practise committee investigations are communicated and taken into consideration in maintaining an accurate register in Jersey.

Performance Analysis

Work with the Government of Jersey policy leads to prepare for the implementation of the new Registration of Professionals Law.

HOW SUCCESSFUL HAS THIS BEEN?

The Commission has worked closely with the Government of Jersey in its drafting of the proposed Registration of Professionals Law. In preparation the Commission has undertaken the Digital Registration project to ensure it can handle any increase in the volume of registrations following any legislative changes. The Commission supports the Government of Jersey plans to replace existing laws with a single registration law that standardises requirements across all health and social care professionals.

WHAT MORE NEEDS TO HAPPEN?

The Commission will continue to prepare for any changes in the law to ensure the transition to a new regulatory framework is as smooth as possible. The Commission will also publicise the changes and new requirements for professional registrants.

Work with Policy Leads within the Government of Jersey on developing regulations and standards for assisted dying.

HOW SUCCESSFUL HAS THIS BEEN?

The Board receives regular updates from the Government of Jersey policy lead on the Government's intentions regarding assisted dying. As part of the European Partnership for Supervisory Organisations in Health Services and Social Care (EPSO), the Commission has sought advice and information from other regulators with experience in this specialist area.

The Chief Inspector now chairs an EPSO working group on regulatory issues around assisted dying and provides relevant information to the Government of Jersey for its consideration and, where appropriate, to incorporate into its plans.

Should the Government of Jersey enact legislation, the Commission will be prepared to fulfil any consequential additional regulatory requirements.

WHAT MORE NEEDS TO HAPPEN?

The Commission will continue to work with the Government of Jersey to ensure that a system of effective regulation will be implemented to support any changes in the law. The Commission will also continue to work with international partners to ensure that regulation of Assisted Dying in Jersey follows international best practice and takes into consideration experiences of other jurisdictions where Assisted Dying is lawful.



Performance Analysis

Key Performance Indicator (KPI) 4 Stakeholder and professional engagement

KPI 4

The Commission will increase engagement with the sector and stakeholders such as States and Government of Jersey departments, Jersey based arm's-length bodies, and UK regulators.

OUTCOME

Achieved ✓

KPI 4.1

Consult with the sector to organise a sector-wide engagement event for providers

OUTCOME

Achieved ✓

The Commission organised a sector-wide engagement event using feedback from providers about previous events.

KPI 4.2

Facilitate engagement events or training events on specific subjects relevant to providers

OUTCOME

Achieved ✓

Two such events were held with the Disclosure and Barring Service and the Jersey Office of the Information Commissioner.

KPI 4.3

Develop additional feedback mechanisms to enable a greater range of feedback to be provided by the sector

OUTCOME

Achieved ✓

In 2023, the Commission made significant changes to its post-inspection feedback process to improve the information received and the ability to analyse responses. In addition, the Commission introduced an annual survey of registered providers to capture feedback about other aspects of the Commission's work.

KPI 4.4

Use Website traffic and feedback surveys to monitor use and satisfaction with the website and information provided

OUTCOME

Achieved ✓

Towards the end of 2023 the Commission deployed a survey to enable users to provide feedback. In addition, the Commission enhanced the data it collects about website use to help it better understand what information and documents users access most frequently and so that we can ensure users can access the information they require.

Performance Analysis

Priority 3 - Professional Registration

The Commission will complete professional registrations and renewals within agreed timeframes, subject to receipt of completed applications that include all required documentation.

HOW SUCCESSFUL HAS THIS BEEN?

The Commission operates a successful registration programme for health and social care professionals who are required to register with the Commission to work in Jersey. There are currently 3,637 registered professionals permitted to work in Jersey. Proposed changes to the legislation underpinning professional registration could increase the volume of registrants, particularly with respect to renewals, as currently not all professionals need to re-register every year.

WHAT MORE NEEDS TO HAPPEN?

The Commission has been developing a digital online registration system to prepare for a possible increase in activity and to future-proof the registration process. While much of the work to develop the new system took place in 2023, the system is expected to go live in 2024.

"The Commission has been developing a digital online professional registration system for health and social care professionals"



Performance Analysis

Key Performance Indicator (KPI) 5 Professional Registration

KPI 5.1 Complete registration applications from health and social care professionals within three working days of receiving a completed application.

TARGET
100%

OUTCOME
100% ✓

KPI 5.2 Complete renewal applications from health and social care professionals within seven days of receiving a completed application.

TARGET
100%

OUTCOME
100% ✓

KPI 5.3 Complete registration applications from piercing and tattooing practitioners within three working days of receiving a completed application.

TARGET
100%

OUTCOME
100% ✓

3 DAYS

COMPLETE REGISTRATION APPLICATIONS ●●●●●●●●



Performance Analysis

Priority 4 - Information Management and Responsiveness

The Commission is committed to ensuring its internal systems are robust, fit for purpose and capable of managing the complexity and volume of information it handles.

Strengthen the Commission's internal administrative systems to ensure they are sufficiently robust to manage and process the complexity of information received from the public and from regulated activities.

HOW SUCCESSFUL HAS THIS BEEN?

The Commission processes a broad and complex range of information from care providers, individual professionals, and the public. In 2023, it introduced new ways to gather and manage that information using existing technologies. These improvements simplified the process for those submitting information and for Commission staff managing and analysing data.

The Commission's Business Support team ensures a prompt response to all enquiries, with a duty officer to deal with any complex inquiries requiring knowledge of the Regulation of Care (Jersey) Law 2014 or the associated Regulations and Standards.

Complaints are managed in line with our complaints policies. This includes meeting face-to-face with complainants where requested. While we have targets for responding and keeping complainants informed, we do advise complainants that complex issues can take time to resolve.

The Commission also takes seriously its responsibility to uphold data subject's rights under the Data Protection (Jersey) Law. During the year,

the Commission detected two data incidents, which were notified to the relevant data subjects and to the Jersey Office of the Information Commissioner (JOIC). JOIC investigated the incidents and took no further action, confirming they were satisfied with the actions taken by the Commission to manage the incidents. All Commission staff and Commissioners have received data protection training, and are supported by an experienced Data Protection Officer.

WHAT MORE NEEDS TO HAPPEN?

As the range and complexity of information received and managed by the Commission increases, we are looking at options to improve our data processing functions to make it easier to submit information and for the Commission to receive and process that information appropriately.

We plan to introduce an online registration system allowing professionals to register, renew, and make payments online. Following this, we will identify further opportunities to strengthen our systems to make the submission of information by providers, professionals, and the public easier, and to ensure data protection compliance.

Continue to provide prompt and detailed responses to consultations, correspondence from the Chief Minister, Ministers, and States of Jersey departments, as required.

HOW SUCCESSFUL HAS THIS BEEN?

The Commission responds to all requests for information from the States of Jersey and to consultations on a case-by-case basis, accepting that a neutral position is appropriate as an independent regulator in some cases. In 2023 the Commission responded to the Government's public consultation on assisted dying.

WHAT MORE NEEDS TO HAPPEN?

The Commission will continue to work closely with the Government and States of Jersey to enable the Government's planned legislation programme to be delivered. Improvements in data collection and management will enable more detailed and quicker responses to some consultations.

Performance Analysis

Key Performance Indicator (KPI) 6 Information Management

KPI 6.1

Number, outcome, and time to respond to duty calls and public enquiries.

TARGET

80%

OUTCOME

100% ✓

Due to a change in telephony systems during the year, the Commission lost the ability to fully measure all aspects of this KPI. A call management system that could provide data is not considered cost-effective, considering the volume of calls received. The current process means calls and enquiries are answered by the duty officer on the day they are received unless it is considered appropriate to pass them to a specific regulation officer. In this case, if the regulation officer is unavailable, the enquirer is informed when they will be contacted. All calls relating to specific care providers are logged and outcomes noted.

KPI 6.2

Number of notifications received.

No target is set for this indicator.

The Commission recorded 4231 notifications from registered providers during 2023. We are currently exploring options for tracking notifications and to provide more data about the type of notifications received and how they are managed.

KPI 6.3

Number of complaints and percentage managed within timescales set out in complaints policies.

TARGET

100%

OUTCOME

100% ✓

In 2023 the Commission received three formal complaints about the provision of regulated services and one formal complaint about the Commission itself. The Commission has a separate policy for managing and responding to each type of complaint. All complaints have been managed in line with the policies and the timescales set out.

KPI 6.4

Number of data incidents and percentage managed within timelines set out in data breach handling guidance.

TARGET

100%

OUTCOME

100% ✓

The Commission managed two data incidents in 2023. Both were acknowledged, reported, and managed within required timeframes. In both cases, the initial investigation to identify causes, mitigation, and prevent recurrence was completed within five days.

Performance Analysis

Priority 5 - Maintain an effective governance framework

Continue to make sure that the Commission's Governance Framework and financial oversight are robust.

HOW SUCCESSFUL HAS THIS BEEN?

The Commission's key accountability and governance arrangements are set out in its Constitution and in the Framework Agreement with the Government of Jersey. Following a request from the Board of Commissioners, an external assurance audit of the Commission's governance framework was undertaken in 2021 by BDO on behalf of Internal Audit.

All remaining outstanding recommendations within the direct control of the Commission were fully implemented by the end of 2023. Others recommendations for example, would require changes to the Regulation of Care (Jersey) Law 2014 and these are being considered by the Government of Jersey.

The Board undertakes an internal review of its effectiveness on an annual basis, and this review identifies opportunities to strengthen governance controls. In 2023, the Commission implemented an Integrated Assurance Framework to provide assurance that all necessary controls are in place, or that there is an appropriate plan in place to address any gaps or areas where weaknesses in controls are identified.

The Framework covers the full range of governance areas and has significantly enhanced controls. More information about the Commission's governance is provided in the Corporate Governance Report in the Accountability Section of this Annual Report.

WHAT MORE NEEDS TO HAPPEN?

As the Commission's remit has continued to expand, we recognise that we must ensure that our governance framework remains sufficiently robust and well-developed to mitigate new risks, and to support effective decision making.

In addition, the Commission intends to benchmark its governance arrangements against similar organisations and regulators and review best practices for arm's-length organisations.

The Commission's accounts are currently audited as part of the whole of the Government of Jersey accounts, despite the Regulation of Care (Jersey) Law 2014 requiring the Commission to separately publish audited accounts. The Commission has worked with the Government of Jersey to review these arrangements. Current proposals are that is expected to be addressed by a change in the Law in 2024.



Performance Analysis

Key Performance Indicator (KPI) 7 Governance Framework

KPI 7.1

Ensure that the Board of Commissioners meets at least six times per year and that papers are produced to the appropriate standards and promptly to enable the Board to discharge its responsibilities.

OUTCOME

Achieved ✓

KPI 7.2

Undertake a review of the effectiveness of the Board of Commissioners annually.

OUTCOME

Achieved ✓

The Board conducted a review of its effectiveness during the September 2023 workshop.

KPI 7.3

The Commission will ensure a monthly review of risks is undertaken by Commission staff with oversight from the Board at each meeting. A review of the effectiveness of the risk framework will be conducted annually.

OUTCOME

Achieved ✓

The Commission's Executive Team reviews risks at least monthly. The Board receives a report on risks and reviews risks at each Board meeting. The annual review of the effectiveness of the risk framework takes place each January.

KPI 7.4

Develop a performance framework and monthly dashboard to assist the Executive Team and Board to manage performance.

OUTCOME

Achieved ✓

A new performance dashboard was developed in 2023 for use by the Board and the Executive Team. This has helped the Executive Team regularly monitor progress towards delivering key objectives and has provided assurance about performance to the Board.

KPI 7.5

Undertake a review of all corporate policies and ensure a robust schedule is in place.

OUTCOME

Achieved ✓

The Integrated Assurance Framework sets out the review schedule for all key policies and documents. In 2023 reviews were undertaken of all policies and documents as scheduled.

Performance Analysis

Priority 6 - Planning

Having undertaken a comprehensive review of internal infrastructure, devise a revised organisational structure and workforce plan and formulate a detailed business plan based upon the approved budget.

HOW SUCCESSFUL HAS THIS BEEN?

The Commission reviewed its organisational structure, implemented a new structure, and developed a workforce plan to support the expansion of the Commission's remit. Planned recruitment to key posts such as the Principal Standards Officer, Pharmacist Inspector and additional regulation officers took place successfully. For some roles such as regulation officers, recruitment has been phased to help manage staff onboarding and to align with expected workloads from areas new to regulation.

The budget to support this expansion was agreed in the 2023-2026 Government Plan.

WHAT MORE NEEDS TO HAPPEN?

We remain committed to improving business planning and organisational development. In 2023, the new structures were embedded; however, with further plans to expand the Commission's remit in 2024 and 2025, the structures will be kept under review to ensure they continue to enable the Commission to deliver its core objectives.



Performance Analysis

Risk Management

An essential part of delivering the Commission's objectives is managing risks. The Commission has a robust Risk Management Framework, which is reviewed annually.

The Framework describes how the Commission identifies, assesses and manages strategic and operational risks impacting the delivery of its mission and purpose.

The Framework identifies the four most common risk categories: public protection, financial, reputational and delivery. It details the risk appetite the Commission has in each category. It also describes the roles and responsibilities of the Board and officers in managing risks.

Although independent of the Government, as a public body, the Commission has aligned

its Risk Management Framework with that of the Government of Jersey. This enables the Commission to escalate complex risks which go beyond its ability to manage entirely.

The Board is ultimately responsible for ensuring risks are effectively managed. The Board discusses risks, controls, and mitigation at every meeting. Commission staff discuss risks monthly to ensure all staff are aware of existing risks and to facilitate early identification of any emerging risks.

Analysis shows a healthy turnover of risks and active progress on controls, mitigation, and risk ratings.

Summary of key risks, mitigation actions and progress during 2023

Risk	Controls and Mitigation	Progress and change during year	Rating and Trend
<p>WORKFORCE, CAPACITY AND CAPABILITY</p> <p>Increasing demands, especially from areas new to regulation and where the Commission needs to develop additional expertise, could impact the Commission's capacity and capability to conduct its core delivery programme, potentially causing it to fail to conduct statutory inspections.</p>	<ul style="list-style-type: none"> Phased rollout of new legislative changes to take risks into account. Planned growth of team and skills required set out in workforce plan. Relationships being built with UK-based regulators to provide access to additional inspection resources and to help develop additional skills. 	<ul style="list-style-type: none"> Taking on new areas of regulation is a key risk for the Commission. In 2023, this was related to Children's social care, but the risk remains with further new regulatory areas. However, planned recruitment is progressing well, and the Commission has forged effective strategic partnerships with organisations such as the CQC. Overall, the risk remains stable. 	<p>High</p>
<p>DIGITAL</p> <p>The Commission has mainly manual processes for managing registrations, registering providers, and collecting fees. These processes must be strengthened to meet the expected annual demand from proposed changes to professional registration and regulations, which could impact the delivery of objectives.</p> <p>In addition, expanding the Commission's remit creates an additional requirement for data and analysis capability to deliver the core inspection programme effectively.</p>	<ul style="list-style-type: none"> A programme is in place to address underlying issues regarding professional registration. Discovery planned for early 2024 to identify options and priorities for business transformation to make sure the Commission can successfully meet challenges. 	<ul style="list-style-type: none"> Systems and business processes must be changed or risk significant impacts on the Commission's objectives and legal obligations. A digital solution is underway to address professional registration, and a Discovery is planned to identify options to address wider issues. However, whether the Commission can secure the resources necessary to address the additional issues identified needs to be clarified. 	<p>Medium</p>

Performance Analysis

Risk	Controls and Mitigation	Progress and change during year	Rating and Trend
<p>DATA GOVERNANCE AND CYBER SECURITY</p> <p>A partial assessment of the Commission's data governance provided limited assurance of the effectiveness of controls.</p> <p>Data governance controls must be strengthened to ensure that data is fully protected and that controls comply with the highest standards and best practices.</p> <p>The Commission could be exposed to broader data risks and risk breaching data subjects' rights.</p>	<ul style="list-style-type: none"> New IT systems and processes will follow "data protection by design" principles. A comprehensive review of data governance took place in 2023. A schedule is in place to ensure all existing Data Protection Impact Assessments, Data Sharing Agreements and Memoranda of Understanding are reviewed regularly and updated. 	<ul style="list-style-type: none"> Following the initial assessment, a full data governance review occurred in 2023. Several strengthening actions were identified and undertaken. Scheduled reviews are in place to ensure controls remain adequate and effective and are followed as expected. The digital registration project will address additional areas of concern. A planned digital Discovery will identify further areas where improvements could be made. Some risks have been mitigated effectively, and there are likely to be opportunities to strengthen systems further. However, the risk remains extant and may increase with further digitisation of services. 	<p>Medium</p>
<p>FUNDING ALLOCATION</p> <p>The Growth Plan agreed in 2022 to enable the Commission to undertake a broader regulatory remit had no contingency.</p> <p>While the Commission successfully navigated the challenges of new areas of regulation in 2023, those areas coming under regulation in 2024 and 2025 are even more challenging.</p> <p>Reductions to the funding allocation mean this is even more challenging and could impact the inspection programme or other Business Plan objectives.</p>	<ul style="list-style-type: none"> The Commission has sound financial controls and monitors expenditure as closely as possible to identify any issues promptly. All expenditure undergoes a rigorous value for money assessment, and alternatives are considered. In 2024, with the recruitment ongoing, there are opportunities for non-recurring cost avoidance measures. The Commission will need to consider the impact of funding reductions on delivery plans for 2025 and beyond. 	<ul style="list-style-type: none"> This was a risk that the Commission had expected to reduce during 2023 following the allocation of funding in the 2023-2026 Government Plan to enable the Commission to deliver its expanded remit. However, in the 2024-2027 Government Plan debate, changes were made to the funding allocation which must be managed in 2024 and beyond. This is expected to remain a challenge. 	<p>High</p>



Performance Analysis

Risk Profile Changes in 2023

The Commission uses a four-point overall risk rating from Extremely High to Low. There were no Extremely High risks during 2023. Overall, the risk landscape has been mostly stable, and the key risks for the Commission remain around resourcing and managing the expanding role and remit.

A comprehensive, properly informed and implemented workforce plan is critical to mitigating the Commission’s key risks in the medium term. However, to manage the demand in the short term and to ensure that key skills are available when needed, the Commission has successfully partnered with organisations such as the CQC in England. It has also secured the services of independent inspectors. These two initiatives help manage the risk.

Another significant risk is not having the appropriate systems and processes to deal with additional work, especially the additional data the Commission expects to process and analyse. This has been summarised as the Digital Risk. The key mitigation is a digital Discovery to help develop a Digital Strategy in 2024. However, while addressing some existing risks, the Commission is mindful of the new risks that digitisation creates.

The data governance and cyber security risk captures some of these additional risks. While there are risks, there are opportunities to introduce systems with built-in enhanced privacy and security, which could reduce the risk over time. Furthermore, the Commission has conducted a detailed assessment of its data governance controls and introduced a new Integrated Assurance Framework, which has helped reduce the risk in 2023.

Agreement on the funding to be allocated as part of the 2023-2026 Government Plan to enable the Commission to deliver its expanded role initially led the Commission to assess its financial risk as reducing. However, following the 2024-2027 Government Plan debate, the Commission was notified of reductions to departmental budgets and a consequent reduction to the Commission’s budget. The financial section of this Annual Report shows that the Commission reported a surplus of income over expenditure at year end. The Commission has identified opportunities to make non-recurring savings in 2024 that will not adversely impact on its core activities. The Commission will keep under consideration the impact of this budget reduction on the ability to deliver the planned programme of inspections and to achieve break even.

The Board also carefully considers the overall exposure to risk. While there are risks from the expansion of the Commission’s remit, the Board has been appropriately cautious and delayed taking on additional risk where possible and sensible. For example, where requests have been made to support partners in other jurisdictions the Board decided to defer support at a time of uncertainty.



Accountability Report

The Accountability Report provides key information about the Commission.

1

The Corporate Governance Report explains the Commission’s governance structures and how they support it in achieving its objectives. It includes a Chair’s Report, a Statement of Responsibilities, and the Commission’s Governance Statement.

2

The Remuneration and Staff Report provides information about remuneration of Commissioners and staff working for the Commission, along with additional information about staffing and use of contractors.

3

The Accountability Statement brings together further information that forms a key part of the Commission’s governance and accountability framework, including the Finance Statement.





Corporate Governance Report

Chair of the Board of Commissioners Report

The Jersey Care Commission was established in statute by the Regulation of Care (Jersey) Law 2014. The Law states there shall be a Health and Social Care Commission, a body corporate with perpetual succession, consisting of not less than four and not more than eight Commissioners. There are currently seven serving Commissioners, including the Chair.

The Jersey Appointments Commission oversees Board-level appointments, but the authority to appoint the Chair and other Commissioners rests with the Minister for the Environment. The profiles of the existing Commissioners are included elsewhere in this report and are available on the Commission's website.

The Commission came into being in January 2019 and is celebrating five years of continuous operation. The Commission exists to preserve the integrity of independent regulation of health and social care services in Jersey, to identify and address poor practices and to drive up the quality of services. The Board of Commissioners supports the team in discharging its duties and responsibilities under the Law, Regulations and Standards, such as registering and inspecting regulated activities in Jersey. The Commission must undertake annual inspections of all regulated activities and regulated health and social care provision. The Commission must also maintain a register of health and social care professionals employed in Jersey.

Corporate Governance Report

Commissioners have significant experience working in the wider health and social care context in the UK, and some have previous experience working in systems of regulation, including at the Chief Executive level. They bring an essential challenge function in terms of how the Commission can account for how it uses its resources and how it conducts its business. All are required to abide by the Seven Principles of Public Life (also known as the Nolan Principles). These are selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

The Commission is responsible for ensuring that a robust corporate governance system exists and operates effectively. The Commission has a governance framework centred on its Constitution, the Framework Agreement with the Government of Jersey, and its Scheme of Delegation. In addition, it maintains a corporate risk register and a suite of policies and procedures which describe how the Commission conducts its affairs. In 2023, the Commission began working towards an Integrated Assurance Framework, bringing together the various strands of accountability into a single matrix.

Each year, Commissioners participate in a self-evaluation of Board effectiveness. The Commission has also been open to independent scrutiny by the Comptroller and Auditor General. It is referenced in published 'Think Piece' reports. In September 2023, the Commission convened a workshop to conduct an in-depth review of its governance arrangements. Commissioners identified core functions that fall specifically to the Board to deliver and those delegated to the Chief Inspector and others within the team.

The Board's functions include: making sure the organisation fulfils its statutory duties and responsibilities without exceeding its legal mandate; setting the strategic direction, approving the Commission's Corporate Strategy

and Business Plan; monitoring progress against strategic and business objectives, including KPIs; providing support and encouragement to the Chief Inspector, regulation officers, and the wider staff team in exercising its duties and responsibilities.

Other essential functions include protecting independence of thought, action, and decision-making, particularly around complex or contentious issues. Commissioners bring their personal knowledge, skill, and expertise to bear on the work of the Commission, ensuring that the Commission always acts in the best interests of the people of Jersey and providing strategic oversight, scrutiny, and accountability for the work of the Commission in general.

The Commission excels when the Board and the team work effectively together. The Chief Inspector and the Head of Business and Performance attend all Board meetings and make important contributions to the business of the Board. During 2023, the team grew significantly in strength in keeping with the milestones set out in the Workforce Strategy.

The Board meets six times each year. In 2023, this included four on-island meetings, with two conducted remotely. Additional time is invested in workshops centred around the on-island meetings and an annual engagement event with the care sector. Board meetings are held in public. Agendas, minutes, and other Board papers are published on the Commission's website, as set out in the publication scheme.

"The Commission exists to preserve the integrity of independent regulation of health and social care services in Jersey."



Corporate Governance Report

Throughout 2023, the Board addressed a range of important topics, including the preparations for extending regulatory responsibility to include ten areas of children’s services new to regulation. This included the development of the new Standards, the publication of an Inspection Handbook, a survey methodology devised and administered in conjunction with the Picker Institute and developing partnerships with off-island bodies such as the Royal College of Psychiatrists and other independent experts to assist and support the process.

The Board had strategic oversight of an IT project to improve and simplify the professional registration and renewals process. This new system is subject to user acceptance testing, after which it will be rolled out to health and social care professionals in 2024.

Throughout the year, the Board received regular updates on inspections carried out by regulation officers and on associated escalations and enforcements.

The Chair and the Chief Inspector meet weekly to discuss matters affecting the regulation of health and social care in Jersey, ensuring a clear line of accountability to the Board concerning operational and other issues that may have an impact on the Commission.

In addition, the Chief Inspector provides a comprehensive report to each Board meeting. Commissioners receive updates via briefing notes from the Chair between scheduled Board meetings and a Chair’s Report at every meeting.



There were several changes to the profile of the Commission in 2023. Two long-serving Commissioners, Alison Allam and Siân Walker-McAllister left the Commission after completing two consecutive terms in office.

The Minister appointed Gordon Pownall and Kathryn Chamberlain OBE for three-year terms starting in July and in September 2023. The remaining Commissioners, Jackie Hall, Noreen Kent and Angela Parry were offered, and accepted, second successive terms for three years in January 2024.

Glenn Houston

Chair

17 April 2024



Corporate Governance Report

Statement of Responsibilities of the Chair of the Board of Commissioners

The role of the Chair of the Board of Commissioners is to provide leadership and direction to the Commission to ensure, through a process of registration and inspection, that the quality of all regulated activities in Jersey is independently assessed and assured and to deliver improved outcomes for service users. The Chair works with Commissioners, the Executive Team, and representatives of the Government of Jersey to ensure the effective operation and performance of the Commission.

The Chair is required to:

1	assemble an effective and complementary Board of Commissioners and encourage members to work together as a team	6	set and maintain the values for the organisation, ensuring that its obligations to all stakeholders, including people who use services, are understood and met
2	chair all meetings of the Commission, set the agenda, style and tone of discussions to promote effective decision making and constructive debate	7	ensure that resources are allocated to strategic objectives
3	provide effective leadership by maintaining a focus on strategy and performance	8	ensure governance arrangements for the Commission’s executive function are effective and kept under review
4	work in partnership with the Chief Inspector to achieve the aims of the Commission	9	ensure the highest levels of probity and integrity are upheld in the way the Commission carries out its functions and for the use of public funds
5	provide strategic direction, including setting and monitoring operational objectives for the Commission, taking into consideration the context and needs of the Island	10	ensure the promotion of best practice across the sectors overseen.

Statement of Responsibilities of the Chair of the Chief Inspector

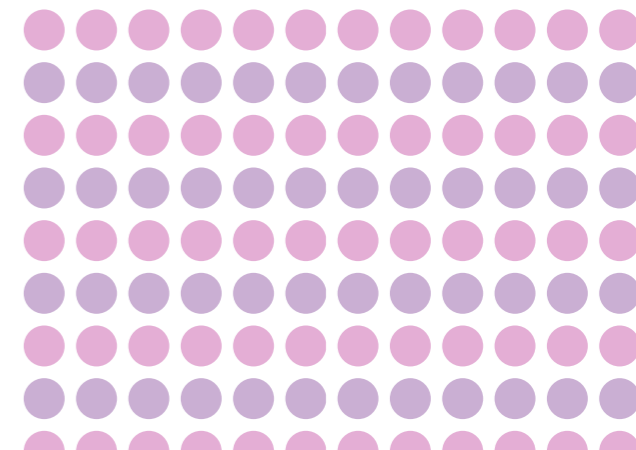
The Chief Inspector is responsible for the day-to-day work of the Commission and, in doing so, works closely with the Chair and Commissioners to provide strategic leadership and expert technical knowledge and skills to ensure the effective and efficient delivery of the Commission's statutory, regulatory and inspection functions, in accordance with legislation.

The Constitution makes clear that the Chief Inspector is not a member of the Commission, or the Board of Commissioners, but is an executive officer of the Commission and is expected to uphold the decisions of the Commission, except where they contradict any requirement or stipulation of the Public Finances Manual or States Employment Board policies and procedures.

The Chief Inspector's duties are to:

1	lead and develop the Executive Team in delivering the Commission's corporate plan, ensuring effective regulation of health and social care services and registration of care professionals	4	ensure that the Commission's overall governance framework and controls assurance structure, including risk management, financial management and policies and procedures are appropriate and effective
2	build and sustain credibility with the public and registered service providers by promoting a regulatory approach that ensures compliance with Regulations and Standards, challenges poor performance and supports continuous improvement	5	provide regular reports and management information to assure the Commission that it is fulfilling its statutory responsibilities
3	in consultation with the Chair and Commissioners, prepare: <ul style="list-style-type: none"> - a Corporate Strategy setting out the Mission, Vision and Values of the organisation - a Business Plan setting out the Commission's key business objectives, operating model, and performance indicators - a corporate risk framework, including a risk strategy and risk registers - an annual report describing progress against the objectives in the Corporate Strategy and Business Plan 	6	lead and manage the Commission's executive functions, including business planning, data protection obligations, performance management, risk management and audit systems, responses to Freedom of Information requests and complaints, individual staff review and appraisal, training and continual professional development to secure continuous improvement in the Commission's performance

7	ensure sound financial management and monitoring of budgets and advise Commissioners on budget planning, income generation and actions needed to maintain expenditure within budget	12	take a lead role in working with the States, Government departments, and other key stakeholders in matters related to the regulation of health and social care services and professional regulation
8	lead and develop a team of specialist and generalist regulation officers to ensure the effective regulation of health and social care services to protect, improve and safeguard the health, care and welfare of the local population	13	positively promote the work of the Commission and act as a focal point of contact to enquiries from Ministers, Government officers, care providers, the public, the media and others, as appropriate
9	ensure consistent, high-quality regulatory practice, with a focus on supporting service improvement, monitoring compliance and, where necessary, taking effective enforcement action	14	develop and facilitate relationships with people who use services and their families and carers to improve their experiences of health and social care and achieve better outcomes
10	lead and develop the Commission's business and administrative staff to ensure efficient and effective administration of the Commission's regulatory responsibilities	15	lead and support consistent, high-quality practice within the staff team, promoting employees' health, safety and welfare, managing performance, monitoring work standards for all staff and promoting diversity and equality of opportunity.
11	build capacity and develop staff, ensuring the Commission acquires the necessary skills and resources to respond effectively to the projected extension of the Commission's regulatory reach		



Corporate Governance Report

The Commission and the Board of Commissioners

The Commission is a 'body corporate' with perpetual succession. The Regulation of Care (Jersey) Law 2014 states that the Commission shall consist of not less than four and not more than eight Commissioners. There are currently seven serving Commissioners, including the Chair.

In 2023, two Commissioners completed their terms of appointment, and two new Commissioners were appointed. Therefore in 2023, the Board consisted of:

Glenn Houston	Chair of the Board of Commissioners
Lesley Bratch	Commissioner
Kathryn Chamberlain OBE	Commissioner (from September 2023)
Jackie Hall	Commissioner
Noreen Kent	Commissioner
Angela Parry	Commissioner
Gordon Pownall	Commissioner (from July 2023)
Alison Allam	Commissioner (completed term May 2023)
Siân Walker-McAllister	Commissioner (completed term May 2023)

Kathryn Chamberlain OBE was appointed in July but was unable to take up the appointment until September 2023. The Minister for the Environment appoints Commissioners in line with the arrangements set out in the Law.



Corporate Governance Report

Governance Framework

The Law states that the Commission is independent of the Minister for Health and Social Services, The Chief Minister, and the Government of Jersey. Although independent of the Government of Jersey, the Commission is funded by a combination of public funds and fees levied on providers and professionals.

The Commission is accountable for its performance and use of public money. The Commission's Framework Agreement and Constitution set out the arrangements to ensure the Commission is accountable.

The Cabinet Office is responsible for providing adequate financial resources to the Commission. The Chief Officer for the Cabinet Office is the Accountable Officer and is accountable to the Government of Jersey for the appropriate use of public funds allocated to the Commission. The Accountable Officer is appointed in accordance with the Public Finances (Jersey) Law 2019. The Accountable Officer is responsible for ensuring the Commission represents value for money.

The Accountable Officer delegates the management of funds to the Chief Inspector in accordance with the Department's Scheme of Delegation and the Public Finances Manual. The Board of Commissioners provides support to the Chief Inspector as well as scrutiny of decisions and oversight of financial performance.

The Constitution and Framework Agreement are available on the Commission's Website and are reviewed regularly. They are due to be reviewed again in 2024. Between them, they set out how the Commission discharges its functions described in the Law and how it is governed.

In addition, a Scheme of Delegation sets out the decisions the Commission has delegated to the

Chief Inspector and Executive Team and those reserved for the Board. This ensures there are appropriate boundaries between operational decision-making and corporate governance.

Good relationships between the Chair, Chief Inspector and Commissioners are crucial for the smooth functioning of the Commission. The Chair and Chief Inspector meet weekly to maintain a close working relationship between the Board (the Commissioners) and the Executive Team (regulation officers and administrative support staff) and to ensure effective oversight and delivery of the Commission's core functions.

The Governance Framework and Scheme of Delegation ensure that policies and procedures are approved by the Board and brought back to the Board for regular review, in line with best practice.

Each year, the Commission approves an annual Business Plan and associated budget. This ensures a clear link between Government policy on the regulation of health and social care and the strategic direction of the Commission.

The Commission receives regular reports on income and expenditure from the Treasury and Exchequer department. It has established an effective working relationship with the Government of Jersey through quarterly governance and liaison meetings with the Cabinet Office. This is the forum in which discussions regarding fee income and financial support take place.

Each year, the Commission must publish an Annual Report, which is laid before the States Assembly. This provides a public account of the Commission's overall performance regarding its strategic objectives and key performance indicators.

Framework Agreement

The Corporate Governance Framework for the Commission is described in the Framework Agreement with the Government of Jersey. The agreement sets out:

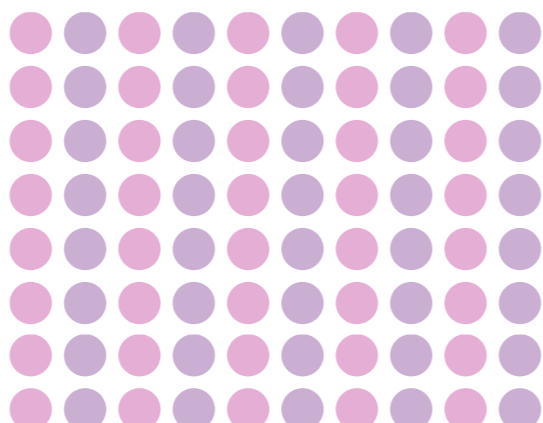
- the responsibilities of the Chief Minister and the Minister for Treasury and Resources in providing the necessary resources, services and support to the Commission to ensure its effective operation in accordance with the intentions of the Government
- the Commission’s responsibilities in demonstrating its accountability to the Government, and to the people of Jersey
- the four key principles that underpin the partnership between the Commission and Cabinet Office. These principles mirror those of the UK Cabinet Office’s Code of Good Practice relating to departments and arm’s-length bodies: Purpose, Assurance, Value, and Engagement.

Government of Jersey’s objectives

The Government of Jersey is committed to improving health and social care outcomes for people in Jersey. It seeks to ensure that:

- people are provided with independent assurance about the quality, safety and effectiveness of Island services by the Commission
- all providers deliver high standards of care, and where care is poor, this is readily identified so that services can be supported to improve or are subject to appropriate interventions. This is in relation to services directly delivered by the Government, as well as other registered providers
- there is public confidence in the Commission that it is seen as effective, relevant and provides value for money.

The Framework Agreement sets out the current accountability arrangements. The accountability arrangements reflect the independence of the Commission and the need for the Commission to be accountable to the Minister. It also confirms that the Accountable Officer is ultimately accountable for the use of public funds and fees levied by the Commission.



Governance Responsibilities of the Accountable Officer and the Commission

The Accountable Officer is responsible for providing the Government with assurance as to the performance of the Commission and for demonstrating the linkage between Commission and departmental objectives. The Commission supports the provision of this assurance.

The Accountable Officer provides the Government with assurance as to:

- achievement of the objectives of the Government of Jersey in relation to the Commission
- good governance and value for money.

The Commission prepares an annual Business Plan that reports on performance against the previous year’s objectives and targets and sets out objectives, targets, and KPIs for the coming year. The Business Plan is discussed and agreed with the Accountable Officer.

The Accountable Officer is accountable for the public funds that flow from the Government to the Commission. The Accountable Officer delegates management of these funds to the Chief Inspector in accordance with the Department’s scheme of delegation.

The Chief Inspector ensures that the standard of financial management complies with the provisions of the Public Finances (Jersey) Law 2019 and the Public Finances Manual.

Where the Commission may require a deviation from the requirements of the Manual, the decision and rationale will be documented, and appropriate approval obtained from the Accountable Officer.

The Accountable Officer requires assurance from the Commission regarding financial propriety and regularity, that funds are being used economically, efficiently and effectively, that there is effective stewardship of any assets controlled or safeguarded, and that appropriate systems are in place to identify and manage risks.

The Chief Inspector prepares an Annual Financial Assurance Statement, approved by the Commission, and included in the Annual Report and Accounts.

Appointment of Chair and Commissioners

The Minister for the Environment appoints Commissioners and the Chair of the Commission and within the Law decides the duration of that person’s appointment.

The current Chair was initially appointed for a three-year term from 01 May 2017 until 30 April 2020. The Chair was reappointed for a second three-year term, which expired on 30 April 2023. In the interests of consistency and stability, the Minister extended this appointment for a further two years.

The Law states that a term of appointment shall be at least three years and not more than five years and that a person may be appointed more than once. Changes to the Law to set a limit on the maximum duration a person may serve as a Commissioner are currently under consideration.

The Commissioners



Glenn Houston - The Chair

Glenn is a skilled senior executive with over 40 years' experience working in the integrated health and social care system in Northern Ireland. He has more than 20 years' experience operating at Board level, having worked at both Director and Chief Executive levels in several organisations.

Between 2009 and 2016, he was Chief Executive of the Regulation and Quality Improvement Authority – Northern Ireland's independent health and social care regulator. For three years he was a member of the Board of the European Partnership of Supervisory

Organisations, served as President of that Board in 2015 and worked on projects in The Netherlands, Denmark and Kosovo.

Glenn is a qualified social worker. In 2014, he was awarded a Master of Science Degree in Inter-Professional Health and Social Care Management from Queen's University Belfast.

He is currently a non-executive director on the Board of the Northern Health and Social Care Trust and is an independent Board member of the Northern Ireland Public Prosecution Service.



Lesley Bratch

Lesley was appointed to the Board of the Commission for three years from October 2021. Lesley lives in St Brelade and has represented the interests of carers in Jersey for many years.

She is a founding member of the Special Needs Advisory Panel (SNAP). She has campaigned for a change in the law to benefit families caring for children with a disability.

Lesley has been involved in local charities, promoting the interests of people with a disability and their carers, including Enable Jersey and the Youth Inclusion Project.

She is a carer, supporting her daughter who has a learning disability and complex health needs. She is passionate about helping Islanders and recognises the many challenges facing care providers.

Corporate Governance Report



Kathryn Chamberlain OBE

Kate lives and works in Wales. She is an experienced Chief Executive, having spent seven years as Chief Executive Officer at Healthcare Inspectorate Wales and most recently three years as Chief Executive of the Independent Monitoring Authority for the Citizens' Rights Agreements. Previously, Kate was the Welsh Government's Chief Statistician and Head of Knowledge and Analytical Services.

Kate has experience in both Executive and Non-Executive roles in public authorities. Recent roles include Chair of the Wales Audit Office and a non-executive position at the Office of the Secretary of State for Wales.

Kate holds a degree and a PhD in statistics from the University of Cardiff, Wales. Kate's particular knowledge of the use of evidence and application of statistical analysis in driving quality improvement will greatly benefit the Commission in the future.



Jackie Hall

Jackie is a Registered Mental Health Nurse with over 30 years of experience in clinical nursing and senior management roles within health and social care.

Jackie has considerable experience working with adults with learning and physical disabilities or an acquired brain injury, and with older adults with complex needs. She is a member of the Tribunals Service for Disability Living Allowance (DLA), Personal Independence Payments appeals (PIP), the Mental Health Tribunal in the Southeastern Region, and sits as a specialist member of Special Educational Needs and Disability Tribunals.

Jackie has previous experience as a Panel Member for the Nursing and Midwifery Council (Conduct and Competence Committees). She has worked as an inspector for the Commission for Social Care Improvement (CSCI), a predecessor of the CQC. She has led and managed services registered with both CQC and Ofsted. She is skilled in delivering services to the highest standards in a regulated environment.

Corporate Governance Report



Noreen Kent

Noreen is a skilled and respected midwifery and nurse leader in Scotland. She has over 40 years' experience working in the NHS, a career that has spanned clinical, managerial, education and policy roles.

Noreen was Nurse Director and Executive Lead for Clinical Governance within NHS National Services Scotland, helping to shape and apply policy at national, regional and local levels. In this role, Noreen was the senior responsible officer for the Excellence in Care Programme.

As UK Programme Director and strategic lead for 'Midwifery 2020', Noreen ensured the delivery of a complex change management project across the four UK jurisdictions on time and within budget.

Noreen has recently completed an eight-year term as a Fitness to Practise registrant panel member and Chair with the Nursing and Midwifery Council and has considerable experience in professional regulation.

Noreen describes herself as passionate about the importance of the link between maintaining professional standards and behaviours and safeguarding the health and wellbeing of the public. She is committed to placing the patient and client at the centre of care, always striving to improve quality and outcomes for service users and their families.



Angela Parry

Angela has worked in strategic leadership and operational roles in health, social care and housing. In these settings she has been responsible for the quality and performance of services provided.

As an independent management consultant, she leads pathway redesign and improvement projects for England's local authorities and care companies. An improvement specialist, Angela is experienced in using business process re-engineering to drive up performance in support environments.

Angela has worked effectively with boards, politicians, residents and others, setting stretching goals and priorities to bring about positive, practical change. She has worked as an independent peer reviewer for the Local Government Association (LGA) and for the Association of Directors of Adult Social Services (ADASS). She was also part of the team that created the National Level 5 Training Programme 'Commissioning for Wellbeing' supported by Skills for Care.

Corporate Governance Report



Gordon Pownall

Gordon is an experienced NHS Manager and Commissioner who lives in the Isle of Wight. He is experienced in commissioning integrated health and social care services in an island community.

Gordon worked as Associate Director of Commissioning with NHS Hampshire and Isle of Wight Integrated Care System formerly Hampshire and Isle of Wight Clinical Commissioning Group. His skillset is the transformation of mental health, learning disability and neurodevelopmental services.

His previous work experience includes management of primary care, community care and acute mental health hospital services, including tertiary services and palliative care. He has worked successfully with services for both adults and children and is an experienced analytical finance manager with a comprehensive understanding of budget and business planning across health and social care.

Previous roles include Head of Integrated Commissioning at NHS Bexley Clinical Commissioning Group, Community Commissioning Manager with responsibility for end-of-life and palliative care with NHS Hertfordshire and Head of Specialised Mental Health Commissioning with the former NHS East of England Specialised Commissioning Group.

Gordon worked as a Psychotherapist and Counsellor in private practice and for charities delivering residential and community services for adults with a disability and mental health support needs. He is a member of the National Institute for Health and Care Excellence Adoption and Research Panel and was a Committee Member of the Institute for Healthcare Management (IHM), and Lead Governor for Safeguarding at the Isle of Wight College.

He worked as a qualified vaccinator during the Covid pandemic and holds both a Bachelor's and Master's degree in Psychotherapy.

The following Commissioners completed their terms during 2023

- **Alison Allam**
- **Siân Walker-McAllister**

Corporate Governance Report

Functions and Duties of the Board of Commissioners

The key responsibilities required of the Board of Commissioners (the Board) are set out in the Constitution. These are to:

- ensure that services are regulated and inspected in accordance with the law so that all care receivers and their families benefit from good quality services that meet their needs
- oversee a regulatory regime which supports continuous improvement, as opposed to one which focuses purely on compliance monitoring
- provide strategic direction, including setting and monitoring operational objectives for the Commission, taking into consideration the context and needs of the Island
- set and maintain the values of the organisation and ensure that its obligations to all stakeholders, including people who use services, are understood and met
- ensure that resources are allocated to strategic objectives
- ensure governance arrangements for the Commission’s executive function are effective and kept under review
- ensure the highest levels of probity and integrity are upheld in the way the Commission carries out its functions
- promote best practice across the sectors it oversees.

The Board discharges its functions by formally meeting as a Board, by participating in Board workshops and other events, and through the weekly meetings between the Chair and the Chief Inspector.

Frequency and Nature of Board Meetings

The Constitution states that the Board must meet a minimum of four times a year.

The Commission has established a pattern of meeting formally on six occasions each year.

In addition to the formal Board meetings, the Commission meets in workshop format, delving more deeply into issues that are of significant value or importance to the Commission.



Corporate Governance Report

Attendance at Board Meetings

Glenn Houston (The Chair)	6 out of 6
Alison Allam	3 out of 3
Lesley Bratch	6 out of 6
Kathryn Chamberlain OBE	2 out of 2
Jackie Hall	6 out of 6
Noreen Kent	6 out of 6
Angela Parry	6 out of 6
Gordon Pownall	3 out of 3
Siân Walker-McAllister	3 out of 3

Board Meetings

Board meetings are scheduled in advance, and the agenda and Board Papers are shared with Commissioners one week before the stated date of the meeting. Meetings are open to the public and are advertised on the Commission’s website. Agendas and approved minutes are published on the Commission’s website along with papers specified in the Publication Schedule.

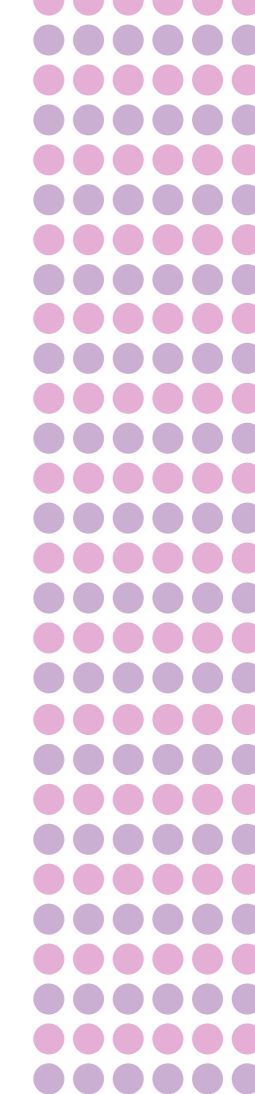
The standing agenda items include review of minutes and actions of the previous meeting, a report from the Chair and an update from the Chief Inspector on any significant operational matters since the previous Board meeting. This includes any enforcement action taken regarding regulated activities.

Sufficient time is allocated to other important matters, including financial reporting and risk management. Minutes show the Commission has had detailed discussions on these issues,

with Commissioners providing both support and appropriate challenge.

A confidential session at each Board meeting allows members to consider any sensitive matters, including items considered under legal privilege, or anything confidential or of a commercially sensitive nature that cannot be shared openly.

The Commission does not operate a committee structure. There is no requirement to have an Audit and Risk Committee or Remuneration Committee. The Board currently deals with matters that would come within the purview of such committees. However, the Commission keeps its governance structure under review, especially considering its increasing remit and budget, and may decide in future that committees are required to support the Board in discharging its statutory functions.



Work of the Board in 2023

The Board met, as planned, on six occasions throughout the year. Over the year, the Board's achievements include:

- approved an inspection method and handbook for services new to regulation
- approved the workforce plan and recruitment plans to increase the workforce to take on new areas of regulation
- reviewed the Risk Management Framework and introduced changes to manage risk more effectively
- considered whether and how the Commission could assist health and social care regulators in other jurisdictions
- considered the Commission's role and response to the Assisted Dying proposals
- reviewed key policies such as the publication schedule, the Scheme of Delegation, the Complaints Policies and the Enforcement and Escalation Policy
- reviewed the Commission's Business Continuity Plans to ensure they were robust
- analysed the Strengths, Weaknesses, Opportunities, and Threats facing the Commission and reviewed the governance arrangements to ensure they were adequate, especially considering the Commission's expanding remit
- invited to the Board or otherwise met with the Minister for Health and Social Services, the Minister for Children and Education, and the Government of Jersey Policy lead for assisted dying
- working with the Policy Lead in respect of the changes to legislation, consultation, and the proposed regulation of acute hospital services, the ambulance service and adult mental health services
- regular meetings between the Chair and the Minister for the Environment
- discussions with senior executives of the Isle of Man Government to discuss common issues around regulation
- reviewed project updates concerning a range of operational and transformational work, ensuring progress was satisfactory and that appropriate risk mitigation was in place
- approved the 2023 Annual Report and 2024 Business Plan and Budget
- ensured Commissioners played an essential role in the sector engagement event, chairing round table discussions with representatives of regulated services at an event in the Town Hall
- undertaking visits to care settings in order to engage directly with providers
- approved a new Integrated Assurance Framework as part of ever more robust governance arrangements
- approved new monthly dashboards to improve in-year performance reporting.

Effectiveness of the Board

One of the principal responsibilities of the Chair is to oversee the Commission's effectiveness, especially the work of the Board. The Chair conducts annual appraisals with each Commissioner and reports the outcome to the Accountable Officer. The Accountable Officer appraises the performance of the Chair.

Commissioners evaluate Board effectiveness using a structured survey as part of the annual appraisal process. Overall, Commissioners were positive about the conduct of business and the impact of the Board on key decisions. There is consensus that the Board broadly has an appropriate combination of skills and experience and works well. Commissioners identified opportunities to expand the skill set of the Board, particularly in areas where the Commission is expanding its remit.

Commissioners identified that the Board workshops allowed them to explore complex matters in greater detail and, as a result

(particularly bearing in mind the increased complexity of the Commission's work as it regulates new areas) these will happen more often in 2024.

Commissioners felt the Board had the appropriate strategic focus and maintained the correct balance of supporting and challenging operational delivery. Commissioners stated that in general the Board agendas cover the issues that need to be addressed.

Commissioners who attended, greatly valued the engagement session with service providers and the opportunity to visit providers to engage directly with them.

"The Chair conducts annual appraisals with each Commissioner and reports the outcome to the Accountable Officer."



Corporate Governance Report

Remuneration of Chair and Non-Executive Board Members

Commissioners, including the Chair, are not full-time employees. The Chair is contracted to work up to 40 days each year. In the case of Commissioners, while there is no set number of days, attendance and travel for all Board meetings and workshops, including remuneration for travel time, requires 12 days per year.

Name	Date Appointed	Remuneration (bands of £5,000)	Expenses (Travel, accommodation, and subsistence)	Total Cost 2023 (Remuneration + Expenses)
Glenn Houston (The Chair)	1 May 2017	£20,000 - £25,000	<£5,000	£25,000 - £30,000
Alison Allam	10 May 2017 (until May 2023)	<£5,000	<£5,000	<£5,000
Lesley Bratch	1 October 2021	<£5,000	<£5,000	<£5,000
Kathryn Chamberlain OBE	1 July 2023	<£5,000	<£5,000	<£5,000
Jackie Hall	16 December 2020	<£5,000	<£5,000	£5,000 - £10,000
Noreen Kent	16 December 2020	<£5,000	<£5,000	£5,000 - £10,000
Angela Parry	16 December 2020	<£5,000	<£5,000	£5,000 - £10,000
Gordon Pownall	1 July 2023	<£5,000	<£5,000	<£5,000
Siân Walker- McAllister	10 May 2017 (until May 2023)	<£5,000	<£5,000	<£5,000

Corporate Governance Report

Register of Interests

The Commission's Constitution requires that Board Members ensure that no conflict of interest arises, or could reasonably be perceived to arise, between their public duties and private interests.

To assist with discharging this requirement, the Commission maintains a Register of Interests for Commissioners. This lists all outside interests, whether paid or unpaid, and whether held by a Commissioner or a close family member.

Commissioners complete a fresh declaration of interest every year and must provide details of any changes during the year. In addition, at the start of each Board meeting, the Chair asks if there are any additional declarations or conflicts of interest that are relevant to the agenda.

The Register is maintained on the Commission's website. It can be found by searching for the register of interests or at this link:

<https://carecommission.je/wp-content/uploads/2024/04/Register-of-Board-Members-Interests-January-2024.pdf>

Statement of Assurance

The Commission is taking on a more complex range of duties and responsibilities. Regulation of health and social care has already been extended to cover aspects of social work services for children and young people, such as fostering and adoption, and Child and Adolescent Mental Health Services (CAMHS).

It is expected that during 2024, key elements of healthcare, including acute hospital services, ambulance services, and adult mental health services, will become regulated, with inspections due to take place in 2025.

The Commission needs to be ready and capable for the new inspection regime. Much of this depends on the Commission expanding its direct workforce of skilled and experienced regulation officers whilst forging strategic partnerships with UK regulatory authorities such as CQC and appropriate use of experienced contractors, where necessary, to bolster the Commission's skills and experience.

These developments form part of the regular discussion the Board holds about risk and assurance. As the Commission's role expands, meeting the requirements becomes more complex. To manage this, the Board approved a new assurance framework to ensure controls remain fit for purpose and are regularly reviewed.

As Chair, and informed by the processes described above, my assessment is that current controls, including assurance, planning and risk management, are adequate to manage risks effectively.

Corporate Governance Report

Financial Assurance

The Commission relies on the timely and accurate financial reports drawn from the States of Jersey's financial systems. These systems are subject to review and scrutiny by the Cabinet Office and by the Treasury and Exchequer department. Since our inception, our accounts have been included in the audit of the whole of Government of Jersey accounts but not separately identified.

The Regulation of Care (Jersey) Law 2014 requires that the Commission include a statement of independently audited accounts in its Annual Report. This is the subject of ongoing discussion with the Accountable Officer. The information in the Finance section has been quality assured by the Treasury and Exchequer department and is accurate and complete.

As Chair of the Board of Commissioners, I am satisfied that appropriate financial controls are in place, value for money is being achieved, and public funds are being used for the purpose intended.

Internal Controls

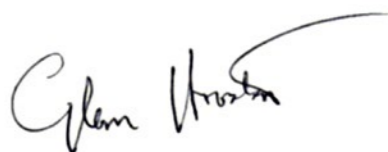
As Chair, I am responsible for reviewing the effectiveness of the overall internal control system. I carry out my own assessment, research and enquiries. I am assisted by the Board, the Chief Inspector and staff employed by the Commission, as well as through quarterly review meetings with the Cabinet Office, especially about our finances, risks and propriety.

Based on my assessment, the support I received, and the information in this report, I am satisfied with the arrangements for governance, risk, assurance, and internal control.

Significant internal control weaknesses

Other than the discrepancy with the independent auditing of the accounts, there were no significant weaknesses in the Commission's internal controls in 2023 that affected the achievement of our objectives.

The Corporate Governance Report has been signed on 19 April 2024.



Glenn Houston

Chair of the Board of Commissioners, Jersey Care Commission

19 April 2024



Staff Report

As part of the Framework Agreement, staff working for the Commission are appointed to the Commission but are employed by the States Employment Board (SEB).

Commission staff are on SEB standard terms and conditions for Civil Servants, including matters relating to pension, pay and associated pay increments, and flexible working policies. Staff are paid via standard Government of Jersey payroll arrangements.

In 2023, there was a total of fifteen permanent members of staff. Two new regulation officers were appointed in 2023 along with a Principal Standards Officer to oversee the development of new standards and the review of existing standards, and a Pharmacist Inspector.

Staff remuneration policy

Staff are paid in accordance with the Civil Service pay scales. Pay scales range from Civil Service Grade 6 to Civil Service Grade 15. The Chief Inspector is a Grade 15, which in 2023 had a pay range from £96,657 to £106,770. Civil Service pay scales for 2023 can be viewed on the Government of Jersey website. The total cost of staff in 2023 was £1,082,155.

Using pay scales to consider fair pay ratios, the highest-paid staff member received 2.85 times the pay of the lowest grade of staff, 2.5 times

the lower quartile pay and 1.4 times the median pay. Views on established benchmarks for fair pay ratios vary. The Hutton Review of Fair Pay in the Public Sector 2010 declined to set a cap or recommended any specific target ratio.

However, the report stated that public sector organisations should be transparent about pay differences. The same report found that typically most public sector organisations had a pay ratio from lead executive to lowest paid staff of around 12:1.

Staff Report

Gender Pay Gap

The Commission is a relatively small organisation. Its gender pay gap is calculated at 7% for the Commission's staff. The small number of staff can cause issues when compared with large scale analysis of gender and pay data. However, the average Jersey gender pay gap is 12% according to the Earnings and Statistics Gender Pay Gap Report published in February 2024 by Statistics Jersey. The Government's own Gender Pay Gap 2022 report published in December 2023 gives a 15% gender pay gap across the public sector in Jersey.

As the Commission follows Civil Service policies, staff with similar roles and responsibilities receive equal pay.

An analysis for the Board of Commissioners was also conducted following the 2023 changes to the Board. There are only seven commissioners, which makes the analysis sensitive to slight differences, with the Chair being one of only two male Commissioners. Other than the Chair, all Commissioners are remunerated at the same daily rate. The gender pay gap for the Commissioners is 44%.



Gender balance

Gender balance in the Commission tends to favour female staff at all levels. Of seven members of the Board of Commissioners, five are female. As at the end of 2023, of the fifteen permanent staff members, thirteen including those holding the two most senior positions are female.

As Commission staff are employed by the States Employment Board (SEB), the Commission follows all SEB policies, including those concerning fair and open recruitment of staff. The Commission is committed to increasing the diversity of its staff. However, it is mindful that this can be difficult for small organisations to evidence.

Use of Contractors and Consultants

Where it is considered that they offer expert knowledge and advice, the Commission aims to effectively use contractors and consultants. Its guidelines for using consultancy and temporary staff mirror those of the Government. This means that use of contingent labour is considered:

- where the Commission does not have the skills set required
- where the requirement falls outside the core business of the Commission
- where an external, independent perspective is required
- where there are sound business reasons, for instance, where a contractor is the most cost-effective and efficient way of getting temporary, skilled, or external input.

In 2023, the total cost of contractors was £174,232. These costs include contracted organisations as well as individual contractors. For instance, the Picker Institute surveyed staff and families that were using certain Children's Services. This was considered an effective use of resources as the Picker Institute also conducts similar work in the UK, allowing responses to be compared to established benchmarks.

Other significant use of contractors is for project delivery, communications, developing inspection methods and conducting inspections in areas new to regulation. In each case, the additional support required was time-limited and required specialist skills. Recruiting permanent staff to undertake the work would not be cost-effective or practical.



Staff Report

Staff Engagement

In 2022, the Commission undertook a Pulse Survey to establish staff engagement and seek feedback about the organisation. The exercise was repeated in 2023. However, the results of several arm's length bodies were combined in the 2023 survey, meaning a comparison with the 2022 results cannot be made. The Commission has requested its results be disaggregated for future surveys. The 2022 results placed the Commission in the top category.

The Commission has continued to build on this positive baseline to help it meet the challenges associated with regulating new areas of activity. Staff are actively engaged in the Business Planning process especially around delivering the new regulatory frameworks.

New staff have been recruited to help managed the expanded role, and in 2023 and into 2024, the Commission has continued to focus on developing its induction programme and sourcing training for regulation officers and other staff to ensure it has the required skills.

Employee Wellbeing

As an arm's-length body with staff employed by the SEB, the Commission benefits from the Government's wellbeing arrangements, including access to Occupational Health, the health surveillance offer, and the Employee Assistance Programme.

In addition, Commission staff undertake a variety of local initiatives to promote wellbeing among staff such as training staff to be mental health first aiders.



Sustainability Report

This is the Commission's third report covering Environmental, Sustainability, and Governance (ESG) issues. In 2019, the States Assembly declared a climate emergency and, in doing so, recognised that climate change could have profound effects in Jersey.

As a result, the Carbon Neutral Strategy was developed and was agreed by the States Assembly in February 2020. The Commission therefore considers the impact on the environment of its staff and their vehicles, the office accommodation and the services it delivers.

To manage its environmental performance and to reduce the impact on the environment caused by its day-to-day operations, the Commission mirrors the Government of Jersey's objectives, as set out in its annual report. Specifically, the Commission has committed to the following:

- complying fully with the requirements of environmental legislation and approved codes of practice
- reducing pollution, emissions and waste arising from our activities
- reducing the use of all raw materials, energy and supplies
- raising awareness among its staff of environmental matters
- encouraging similar environmental standards from all regulated activities
- participating in discussions about environmental issues.

Sustainability Report

Transport and carbon emissions

The Commission does not own or lease any vehicles. Staff members use their cars to visit regulated activities for inspections and associated work. In 2023, the team continued to consider ways to reduce the number and length of journeys undertaken by staff. This included virtual meetings, combining visits to minimise trips, vehicle sharing, and, where practical, conducting visits on foot, using public transport, and using bicycles. The location of the care settings we visit means these methods are not always practical.

The Commission did consider whether measuring progress on these issues was possible. However, the lack of baseline data and difficulties recording every visit meant this was not yet considered feasible.

The most significant impact in terms of carbon emissions arises from Board meetings. Six of the seven Commissioners live off Island. The current restrictions on Commissioners' previous employment, and the requirement to ensure that Commissioners have the requisite skills, means this is unlikely to change significantly.

Two meetings a year are held virtually to reduce emissions, which has successfully reduced the Commission's carbon footprint. The Commission will continue with the blended approach, having a mix of in-person and virtual Board meetings.

The International Civil Aviation Organisation (ICAO) has developed a methodology to calculate the carbon dioxide emissions from air travel, enabling the CO2 emissions per passenger to be calculated online by searching for and using the: **ICAO Carbon Emissions Calculator (ICEC)**

This was previously used to help determine this aspect of the Commission's carbon emissions. A comparison has been made with the previous years, including a pre-pandemic year.

Comparing 2023 to 2019, the most recent pre-pandemic year, both air kilometres covered by the Commission and emissions have increased. This is because of additional travel not undertaken in previous years to facilitate the recruitment of two new Commissioners, attendance on courses, other development of staff such as shadowing CQC inspectors, and attendance at the EPSO conference.

	2023	2022	2021	2020	2019
Total distance travelled by air (km)	29,418	22,864	14,646	7,614	25,980
CO₂ (Kg)	3,962	3,477	1,967	943	3,228

Consumption – Utilities

Currently, the Commission has not been able to determine an effective method for baselining consumption; this is something the Commission will continue to seek to address.

Consumption – Paper and Resources

The Commission has continued to reduce its use of paper by printing as little as possible and promoting electronic production and sharing of documents. The Commission's Board no longer uses printed documents. In future, digital transformation initiatives will enable online completion of forms and reduce the need for applicants for registration to print and submit paper documents.

Recycling

The Commission increased the range of materials collected at its office for recycling to the full range of recycling available in Jersey.

Other ESG Initiatives

The Commission is particularly aware of the human rights of care receivers and their families, especially its obligations under the United Nations Rights of the Child. In addition, towards the end of 2023, the Commission focused on the need to raise awareness of Modern Slavery issues

Another ESG activity of note is that Commission staff support Every Child Our Future (ECOF), an educational charity to further the chances of children in Jersey - staff volunteer to help children through the Book Buddies programme.



Finance Report

Under the provisions of the Regulation of Care (Jersey) Law 2014, the Commission is required to:

- a. keep proper accounts and proper records about the accounts, and
- b. prepare accounts for each financial year and a report on its operations during the year.

The arrangements governing the use of the Commission's financial resources are set out in paragraphs 19-36 of the Framework Agreement between the Jersey Care Commission and the Government of Jersey.

The accountability and assurance arrangements in the Framework Agreement are intended to reflect the Code of Practice Principles and accord with the Government of Jersey's Public Finances Manual.

Income forecasts and the expenditure budget are agreed at the beginning of each financial year with the Accountable Officer, the Chief Officer of the Cabinet Office. The duties and responsibilities of the Accountable Officer concerning the Commission are set out in paragraphs 25-29 of the Framework Agreement.

The Commission prepares an Annual Business Plan and associated budget, setting objectives, targets and KPIs for discussion and agreement with the Board and Accountable Officer.

The Commission determines areas of expenditure in accordance with its priorities and commitments, as described in its Annual Business Plan.

The Commission can only commit to any new expenditure if it can be met from within available funds or from an additional recurring or non-recurring allocation approved by the Government of Jersey.

The Chief Inspector drafts an Annual Financial Assurance Statement, which the Board approves before submitting to the Accountable Officer.

The Government of Jersey provides a financial management service to the Commission, including in relation to its core budget and fee income.

Finance Report

Income Sources

Income is received from two sources. Fees are derived from healthcare professionals, regulated activities, individuals, and premises. The Commission also receives a budget allocation from the Government of Jersey which in part is intended to meet the costs of regulating services provided by the Government. In 2022, the Government Plan was updated to reflect the increased budget allocation from 2023 to 2026 to enable the Commission to take on its required expanded remit.

Fees include:

- initial application for registration as a provider or a manager (Article 4 Regulation of Care (Jersey) Law 2014)
- replacement of registration certificates (Article 8)
- annual fee for continued registration (Article 9)
- variation of conditions of registration (Article 17)
- professional registration.

Expenditure and Support Services

The main components of expenditure consist of pay, including staff salaries and pension contributions, and non-pay, including professional fees, rent, goods and services.

Essential support services, including information technology (IT), payroll and legal services, are provided directly to the Commission by the Government of Jersey at no cost. This represents part of the Government of Jersey's contribution in kind to the overall operation of the Commission.

The Commission is required to complete an Annual Financial Assurance Statement. The Commission's accounts for 2023 are audited and published as part of the whole of the States of Jersey accounts.

Statement of Comprehensive Net Expenditure

	2023 Budget £'000	2023 Actual £'000	2023 Variance £'000	2022 Actual £'000
REVENUE				
Earned through Operations	(364)	(371)	7	(400)
Total Revenue	(364)	(371)	7	(400)
EXPENDITURE				
Staff Costs	1,344	1,082	262	770
Other Operating Expenses	615	546	69	235
Total Expenditure	1,959	1,628	331	1,005
Operating Net Revenue Expenditure /(Income)	1,595	1,257	338	605

* Income is shown as a negative number indicated by brackets ()

Finance Report

Performance against budget

The Commission's spend and budget have increased since 2022 when the Government Plan 2023-2026 included additional money for the Commission to prepare for and implement inspection of services new to regulation. This included inspections of Children's Services in 2023 and will include preparation for inspections of acute hospital services, adult mental health services and the ambulance service during 2024 and 2025.

The main 2023 budget variances were:

- additional income from fees of £6,982
- an underspend on staffing costs of £261,844
- an overspend on travel of £15,324
- a slight overspend on conference and course fees of £1,344
- an underspend on administrative expenses of £18,167
- an underspend on professional fees of £73,463
- an overspend on premises and maintenance of £6,318.

The underspend on staff costs was because budgets for staff were set while scheduling for onboarding of staff was still being confirmed. Onboarding of staff was planned to ensure staff were in post and fully trained at the right time to begin inspections of services new to regulation. This also had some impact on administrative expenses which include Information Technology provision for new staff. It was recognised early in 2023 that there would be underspends in these areas and it was planned to use these to offset some of the costs of the Digital Registration project.

The overspend on travel was due to travel which was not expected at the start of the year. This was to facilitate the recruitment of new Commissioners, travel to training and development such as attendance on courses and shadowing UK based partners on inspections such as the CQC, and attendance at the EPSO conference.

A significant part of the underspend on professional fees was because the budget includes an allocation of £50,000 to enable the Commission to procure independent legal advice. This was not required in 2023. Further information about how professional fees are used is provided in the Staff Report on page 65 in the section on the use of contractors and consultants.

"Onboarding of staff was planned to ensure staff were in post and fully trained at the right time to begin inspections of services new to regulation."



Appendix - Registrations by type (Professionals and Services)

Registrations by type (Professionals and Services)

Health Professionals	2021	2022	2023
Ambulance Paramedic	47	67	64
Art Therapist	3	3	5
Biomedical Scientist	145	62	64
Chiropodist	17	13	13
Chiropractor	31	29	27
Clinical Scientist	3	1	1
Clinical Psychologist	19	36	38
Dietitian	7	13	15
Midwife	125	86	92
Midwife Prescribing Practitioner	1	0	0
Nurse	1811	1337	1372
Nurse Independent Prescriber	22	40	39
Occupational Therapist	55	55	52
Operating Department Practitioner	85	42	48
Orthoptist	4	7	5
Osteopath	6	10	9
Paramedic Independent Prescriber	0	1	4
Physiotherapist	110	124	115
Podiatrist	14	17	17
Psychotherapist	13	31	29
Radiographer	113	71	66
Social Worker	417	211	202
Specialist Community Public Health Nurse	46	40	35
Speech and Language Therapist	22	33	29
Totals	3,116	2,329	2,341

Appendix - Registrations by type (Professionals and Services)

Dental Professionals	2021	2022	2023
Clinical Dental Technician	1	2	1
Dental Hygienist	11	17	14
Dental Nurse	26	68	62
Dental Technician	4	4	4
Dental Therapist	3	6	6
Orthodontic Therapist	0	3	3
Totals	45	100	90

Medical Practitioners	2021	2022	2023
Responsible Officer	0	1	2
States Employee	88	188	246
Performer	63	105	157
Independent Practitioner	8	14	25
UK Connected Practitioner	302	618	698
Totals	461	926	1,128

Care Services	2021	2022	2023
Children's Homes	7	7	*See Note 1
Care Home	55	57	46
Daycare	5	5	5
Home Care	34	37	36
Individual Care Worker	27	23	34
Totals	128	129	121

*Note 1 – There was an amendment to the regulations for 2023. From 2023 Children's Homes are included in registrations now recorded as Children's Social Care Services.

Appendix - Registrations by type (Professionals and Services)

Children's Social Care Services	2021**	2022**	2023
Adoption	-	-	1
Fostering	-	-	1
Children's Home Service	-	-	11
Care in Special Schools	-	-	1
Children and Family Community Service	-	-	2
Social Work Service for Children and Young People	-	-	2
Independent Monitoring and Review Service	-	-	1
Child Contact Centre	-	-	1
Children and Young People Mental Health Service	-	-	1
Residential Family Centres	-	-	0
Totals	-	-	21

**Note 2 Other than Children's Home Services which were previously registered as Care Services, other Children's Social Care Services were not registered before 2023.

Laser Services & Yellow Fever Centres	2021	2022	2023
Laser Services	8	10	10
Yellow Fever Centres	9	9	9
Totals	17	19	19

Piercing & Tattooing (P&T)	2021	2022	2023
P&T Practitioners	83	87	78
P&T Premises	53	67	60
Totals	136	154	138



Jersey Care Commission

**Providing independent assurance, promoting
best practice and improving health and social
care outcomes for the people of Jersey.**

Telephone + 44 (0) 1534 445801
Email enquiries@carecommission.je

1st Floor, Capital House, 8 Church Street, St Helier, JE2 3NN

www.carecommission.je