

Review Panel – Care of Children in Jersey

Record of Meeting

Date: 7th February 2018

Present	Deputy S.Y. Mézec, Chairman Deputy T.A. Vallois, Vice-Chairman Senator S.C. Ferguson [Item 3 – 14] Deputy M.R. Higgins [Item 3, 13 and 14]
Apologies	
Absent	
In attendance	Ms D. MacMillan, Children’s Commissioner [Item 3 only] Mr A. Harris, Scrutiny Officer

Ref Back	Agenda matter	Action
	<p>1. Records of Meetings</p> <p>The Panel noted and approved the records of meetings held on 11th, 19th, 24th and 26th January 2018. The Chairman signed them accordingly.</p>	
<p>Item 3 24/01/18 511/2/3</p>	<p>2. Conflict of Interest</p> <p>No conflicts were declared by Panel members.</p>	
<p>Item 1 19/01/18 511/2/3/1</p>	<p>3. Meeting – Children’s Commissioner</p> <p>The Panel received Ms D. MacMillan, Children’s Commissioner, to discuss the work she had undertaken since her appointment in January 2018.</p> <p>It was noted that the Commissioner was currently visiting local schools and had been to 15 so far. It was explained that the purpose of the visits was two-fold, to allow meetings with the Head Teachers and to also consult with children about the role of the Commissioner. It was expected that this consultation would feed into the development of the legislation to underpin the role of the Commissioner. Advice had been sought from UNICEF in relation to developing the practice of ‘rights respecting schools’ in the Island, and work was due to be undertaken in partnership with the Education Department to implement this.</p> <p>It was explained that a communication strategy for the office of the Children’s Commissioner was due to be established after half term. It was noted that this would involve the establishment of social media channels, a website and a leaflet to describe the work and role of the Commissioner. As part of this strategy a competition to create a logo for the Office of the Commissioner was due to be launched alongside a survey for children and young people to give feedback as to the areas the Commissioner should look into.</p>	

	<p>The Commissioner explained that she had identified three key areas, other than those put forward by children, that she wished to take forward in her work. These included:</p> <ul style="list-style-type: none"> • Increasing the number of foster carers in the Island • The high turnover of social workers in the Island • The role of the Independent Visitors for Young People (IVYP) <p>In relation to the social work turnover the Commissioner explained that a meeting was due to take place with Community and Social Services, at which clarification over a recruitment and retention plan would be sought. It was noted that a meeting was due to take place with the IVYP in order to discuss their role in relation to the inspection process that was due to be undertaken by the Care Commission and OFSTED.</p> <p>The Commissioner confirmed that discussions had been ongoing with Guernsey in relation to a pan-Island Commissioner role, and further discussions were due to take place shortly. It was explained that although it seemed logical to take this approach, it should not impinge the large amount of work that needed to be done in Jersey.</p> <p>The Commissioner updated the Panel on the incorporation of the United Nations Convention on the Rights of the Child (UNCRC) into Jersey legislation. It was noted that the Law Officer's Department did not have sufficient expertise in this area and as such an external expert from the University of Swansea was due to run workshops during March to train relevant Officers. The Commissioner extended an invitation to the Review Panel to meet with the expert during his visit. It was noted that a proposition would be brought forward after the election to confirm the process for incorporating the UNCRC into legislation. Following the States adopting Deputy L.M.C. Doublet's proposition <i>P.63/2017 United Nations Convention on the Rights of the Child (UNCRC): compliance of draft laws and training of States of Jersey employees</i>, the Commissioner confirmed that work was being undertaken to implement an e-learning package that would be accessible by all States of Jersey employees and members of the public.</p> <p>The Commissioner confirmed that she was due to attend a meeting in Belfast with the British and Irish Network of Children's Commissioners (BINCC). It was hoped that this would allow for the examination of governance structures in other jurisdictions, as well as examination of the legislation underpinning the role. It was noted that the BINCC was due to ratify the role of Commissioner in Jersey, and once the legislation had been approved by the States this would also be ratified with the United Nations.</p> <p>The Review Panel discussed the Commissioner's views on the proposed role of a Children's Rights Officer (CRO). The Commissioner explained that the rationale of the CRO reporting directly to the Managing Director of Community and Social Services was unclear. It was noted that this proposed structure could lead to potential duplication, especially in light of the work being done by the IVYP. It was suggested that the CRO role would be better suited as part of the Children's Commission or Care Commission.</p>	
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	<p>The Commissioner explained that she held concerns over the OFSTED inspection process. It was noted that the Commissioner had already raised several issue and was concerned that the inspection could raise these issues again, which in turn could lead to staff leaving or being replaced. The Commissioner explained that the best scenario would be for the current staff to remain in place and be supported to deal with current issues as well as plan for the future.</p> <p>It was explained that the Law Officer's Department was currently drafting instructions for all legislation in respect of the Children's rights impact assessments. It was noted that training on incorporating this into legislation would be run in time for June 2018.</p> <p>The Review Panel thanked the Commissioner for attending and offered an invitation to her to contact it should any further issues arise.</p>	
<p>Item 5 24/01/18</p> <p>511/2/3/1</p>	<p>4. Recommendation One: A Commissioner for Children</p> <p>The Panel discussed various questions that it wished to raise with the Children's Commissioner and the Chief Minister. It was agreed that these areas would be added to the question plan for the hearing scheduled for Thursday 8th February.</p>	AH
<p>Item 6 24/01/18</p> <p>511/2/3/2</p>	<p>5. Recommendation Two: Giving Children and Young People a Voice</p> <p>The Panel noted the actions in respect of Recommendation Two. It also noted questions that had been identified for the hearing with the Chief Minister on 8th February 2018.</p>	
<p>Item 5 06/12/18</p> <p>511/2/3/3</p>	<p>6. Recommendation Three: Inspection of Services</p> <p>The Panel noted a response from the Chief Minister in relation to the issues it had raised in respect of the IVYP. It was agreed that the Panel would follow this up at the hearing with the Chief Minister on 8th February.</p> <p>The Panel also noted that there had been a delay in confirming the Terms of Reference for the independent inspection of services by OFSTED. It was agreed that this would be followed up at the hearing with the Chief Minister on 8th February.</p>	
<p>Item 7 24/01/18</p> <p>511/2/3/4</p>	<p>7. Recommendation For: Building a Sustainable Workforce</p> <p>The Panel discussed questioning the Chief Minister on how front line staff in social care were going to be valued in the future. It was agreed that this would be undertaken at the public hearing on 8th February.</p> <p>It was noted that the Panel had yet to receive a response from the Chief Minister in respect of its view that a wider review of the Human Resources function of the States of Jersey be undertaken. The Panel agreed that it would questions the Chief Minister further at its public hearing on 8th February.</p>	
<p>Item 6 20/12/18</p> <p>511/2/3/5</p>	<p>8. Recommendation Five – Legislation</p> <p>The Panel noted that <i>P.118/2017 Draft Criminal Procedure (Jersey) Law 201-</i>, <i>P.18/2018 Draft Sexual Offences (Jersey) Law 201-</i> and <i>Draft Employment (Amendment of Law) (No.2) (Jersey) Regulations 201-</i> were</p>	

	all due to be debated and were relevant to aspects of the recommendations made in the Independent Jersey Care Inquiry. The Panel questioned whether any consideration had been given as to how the laws could be joined up to help protect children. The Panel agreed it would raise these concerns further with the Chief Minister.	
Item 8 06/12/18 511/2/3/6	9. Recommendation Six: Corporate Parent The Panel agreed that clarity over the funding of the revised Children's Plan was lacking and agreed to question the Chief Minister at its upcoming hearing. It was noted that there had been no update provided in relation to the work of the Privileges and Procedures Committee (PPC) around the role of the States as Corporate Parent. The Panel agreed that it would request an update from the Committee.	AH
Item 9 06/12/18 511/2/3/7	10. Recommendation Seven: The Jersey Way The Panel tasked the Officer to circulate the ' <i>Jersey Law Commission report on Improving Administrative Redress in Jersey</i> '.	AH
Item 10 06/12/18 511/2/3/8	11. Recommendation Eight: Legacy Issues The Panel agreed that it would question the Chief Minister at its upcoming hearing on the consultation process being undertaken in relation to Haut de la Garenne.	AH
511/2/3	12. In-Committee Debate The Panel recalled the In-Committee debate that had taken place in relation to <i>P.108/2017 Independent Jersey Care Inquiry Report: implementation of recommendations</i> . It was noted that the debate was positive with many members commending the Review Panel for the Comments Paper it published in advance. The Panel reviewed the Hansard of the debate and agreed that it would identify any further points that it wished to take forward.	
Item 9 24/01/18	13. Public hearing with the Chief Minister The Panel noted that it was holding a public hearing with the Chief Minister on Thursday 8th February at 2:00pm. The Panel noted a draft question plan for the hearing and agreed that it would add in questions that had been discussed earlier in the meeting.	AH
	14. Future Meetings The Review Panel noted that its next scheduled meeting was due to take place at 2:00pm on Thursday 1st March in the Le Capelain Room, States Building.	