

**WRITTEN QUESTION TO THE MINISTER FOR HEALTH AND SOCIAL SERVICES  
BY DEPUTY C.S. ALVES OF ST. HELIER  
ANSWER TO BE TABLED ON TUESDAY 17th NOVEMBER 2020**

**Question**

Will the Minister state –

- (a) how many adults with learning difficulties, or who are otherwise vulnerable, are currently looked after by care providers in Jersey;
- (b) what advocacy service, if any, is available to any such individuals; and
- (c) what oversight or monitoring is currently in place to ensure that such individuals receive the appropriate level of care?

**Answer**

- a) The current caseload (at 31 Oct) of the Adult Social Care or Learning Disability Service is 215 people.
- b) The Capacity and Self-Determination (Jersey) Law 2016 (the CSDL) provides for statutory advocacy. The CSDL affects everyone aged 16 and over. A learning difficulty does not equate to a lack of capacity. However, where learning difficulties do cause a lack of capacity to make a particular decision, the person would come under the safeguards of the CSDL. In terms of advocacy, this is delivered through the Independent Capacity Advocate (ICA) role.

An ICA must be instructed for people who lack capacity in the following circumstances:

- there is no one independent of services, such as a family member or friend, who is “appropriate to consult”; and
- a decision needs to be made about either a long-term change in accommodation or serious medical treatment.

The ICA also provides reports in relation to any restrictions that are necessary to deliver safe treatment and care, for the benefit of the person’s health and welfare. Finally, an ICA may be used where the friends or family of a person lacking capacity to make the decision are in conflict. This service is currently provided by My Voice Jersey.

In terms of more informal advocacy support, we are working closely with a local provider to develop an independent advocacy services for people with LD and Autism on the island since MENCAP ceased to offer self-advocacy in October. We are at advanced stages of the developments with costs identified. We will not be replacing like for like and propose a focused trial for the first 12 months during which the provider will accept referrals and work with unsupported, complex clients for issues broadly in line with the UK Care Act. This will allow us to scope the levels and numbers that do need a service as well as growing the provider as a service in the area.

- c) Any package of support is implemented based on an assessment of need. Where a package is implemented, it is reviewed after 4-6 weeks, and a minimum of annually after that. A review or reassessment can be requested at any time should there be a concern or change in need. The learning disability service provide annual health checks to everyone open to their service. The learning disability service works alongside the Adult Social Care Team and comprises clinical nurse specialists, therapists, support workers, psychologists and an associated psychiatrist.