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# STATES OF JERSEY



## **SUMMARY OF PROGRESS: RESPONDING TO THE INDEPENDENT JERSEY CARE INQUIRY – JANUARY 2020**

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**Presented to the States on 12th February 2020  
by the Minister for Children and Housing**

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**STATES GREFFE**



# SUMMARY OF PROGRESS

Responding to the Independent Jersey Care Inquiry

January 2020



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## Purpose

This report provides a Government of Jersey response to the Independent Jersey Care Inquiry Panel Report Two-Year Review 2019 ([R.123/2019](#)). The Ministerial responses to the panel's individual observations regarding each of the eight headline recommendations set out in the Independent Jersey Care Inquiry Report ([R.59/2017](#)), are described in Appendix 1 at the end of this report.

## Background

The Care Inquiry took approximately three years to complete from its launch on 3 April 2014<sup>1</sup>. The findings and recommendations of the Independent Jersey Care Inquiry were published on Monday, 3 July as R.59/2017: Independent Jersey Care Inquiry Report.

The Care Inquiry report made eight headline recommendations, a summary table of the recommendations are set out in Appendix 2. The Care Inquiry's Final Report identified individual and systemic failings and made recommendations for the future management of Jersey's residential and foster homes, to ensure that the Island provides a safe and secure environment for the children in its care.

The Chief Minister at the time made it clear in his public response to the Care Inquiry that he accepted the eight headline recommendations and asked for a Government implementation plan to be presented to the States Assembly in October the same year.

The subsequent Government report was lodged as a proposition by the Council of Ministers to the States Assembly<sup>2</sup>. It was debated in-committee following a request to do so by the Care of Children in Jersey Review Panel. The report described a comprehensive programme of delivery arising from the eight recommendations. It was acknowledged that the broader cultural changes identified by the Care Inquiry, which are crucial to underpinning and sustaining any future changes, go beyond the timescale for the preparation of the report and two-year timeline for the Panel's return.

## Introduction

There has been a significant amount of work across government to respond effectively to the recommendations of the Care Inquiry. Many of the steps have been incremental, but in the direction recommended by the Care Inquiry Report. There remains much to do. Future delivery of existing priorities via the Government Plan represent the agreed approach to continue to build and consolidate on the hard-won improvements made to date.

The question posed by the Panel to the public in conducting their two-year review was: 'Are children safer now in our system than two years ago?' During gathering evidence, the Panel met with over 200 people in Jersey and received inputs from experts and others working with organisations in Jersey and from many members of the Jersey public. In addition, the Panel received extensive documentation on the changes taking place in Jersey's public services and their outcomes.

Between 21 and 24 May 2019, the Panel held round table discussions each day with politicians, professionals, care-experienced people and voluntary organisations at St Paul's Centre. These discussions were open to the public and media.

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<sup>1</sup> [About the Independent Jersey Care Inquiry](#)

<sup>2</sup> [P.108/2017 Independent Jersey Care Inquiry Report: Implementation of Recommendations](#)

The Panel publicly presented their published findings on 23 September, 2019. On the same day, the Two-Year Review Report (R123/2019) was lodged with the States Assembly.

## Governance of the Government Response (2017 – 2020)

### Programme Management

The Care Inquiry Programme Board was established in 2018 to provide strategic leadership and ensure the headline actions, endorsed by government in its response to the Care Inquiry, were progressed and achieved. The Director General for Strategic Policy, Planning and Performance (SPPP) Chairs the Board, with a focus on reviewing progress reports from projects leads using PERFORM reporting software, and provides oversight on risks, issues and mitigations for each project. The Chief Executive is the programme sponsor.

### Ministerial Decisions to allocate contingency funding

The Government response to the Care Inquiry was assisted by prompt Ministerial Decisions to allocate contingency funding ahead and immediately after the publication of the Care Inquiry Report. Funding in the Medium-Term Financial Plan (MTFP) 2016-2019 included the allocation of £1.65 million per year from Central Contingencies for initiatives that support vulnerable children (£4.95 million in total over the period from 2017 to 2019).

A number of priority areas were able to receive investment ahead of, and immediately after, the publication of the Care Inquiry report, each requiring a Ministerial Decision, as detailed below:

- *November 2016:* The Council of Ministers agreed to allocate a proportion of those contingencies' monies to priority projects (totalling up to £2,260,650 over the period from 2017 to 2019). These projects were considered a priority, as they were time critical. Investment led to the development of a Sexual Assault Referral Centre, increased capacity in the Police Public Protection Unit, enhanced MASH resource and initiating a robust Early Help service response to support children and families
- *May 2017:* Further investment was allocated to preventative programmes with additional resource allocated to Family Support Workers and establishing a Universal Baby Steps Programme delivered by Health Visitors
- *July 2017:* The remainder of the contingency allocation was approved following the Care Inquiry publication. Areas of investment included, additional capacity for the Youth Enquiry Service, more nurse placements for children with special educational needs and establishing a Parent Infant Psychotherapy Service.

### Other funding

- *March 2017:* The Council of Ministers agreed to request the Minister for Treasury and Resources to make available up to £800,000 from Contingencies to meet the likely immediate costs identified by Departments following publication of the Panel's report. The Council also agreed that certain costs (mainly for archiving) could be met from the £23 million made available for the Inquiry
- *July 2017:* following the publication of the Care Inquiry Report, Central Contingency funding of up to £675,000 in 2017 and up to £590,000 in each of the years 2018 and 2019 was requested by the Council of Ministers to be released in order that work could begin to establish a Children's Commissioner. The Minister for Treasury and Resources made these

funds available in July 2017, which enabled the process to appointment a Children's Commissioner to commence during the summer.

Government actions responding to the Care Inquiry Report were set out in P.108 on the 31 October 2017. The additional investment to support the action plan was estimated at £2.9million by the end of the current Medium-Term Financial Plan in 2019. Following Ministerial approval, a costed delivery plan was implemented with oversight from the Care Inquiry Programme Board, which endorses requests for allocation of contingency via the Treasury Minister. The Children's and Treasury Ministers worked together to agree a reallocation of remaining funding in early 2019, where the previously approved funding was slipping, for example due to recruitment difficulties. This ensured that all approved funding was allocated appropriately.

### Political Scrutiny - Care of Children Review Panel

The Chairmen's Committee agreed to establish a Care of Children in Jersey Review Panel in September 2017<sup>3</sup>. The Chairmen's Committee agreed the terms of reference for the Panel, which included:

- to examine the policy of the Council of Ministers in relation to the eight core recommendations made by the Independent Jersey Care Inquiry Panel (IJCI)
- to consider the recommendations contributed to the IJCI by members of the public and stakeholder organisations in Jersey (659 individual recommendations grouped into 11 categories by the IJCI Panel) and examine the policy of the Council of Ministers to those matters
- to scrutinise all legislation arising from the recommendations made by the IJCI.

At the end of its term of office, the Panel published a Legacy Report outlining further areas of consideration prior to the 2018 election<sup>4</sup>. The Chairmen's Committee agreed to re-establish a Care of Children in Jersey Review Panel in August 2018, following the general election. The Review Panel has subsequently published two Reports on the response to the Care Inquiry (December 2018<sup>5</sup> and November 2019<sup>6</sup>).

### Looking Forward 2020 and Beyond

The Care Inquiry Panel have made it clear that they will not be returning to the Island to review and report on progress in the future. The panel challenged Government to identify effective approaches to maintain robust challenge previously provided by the Panel. There are three distinct arrangements now in place that can provide enduring mechanisms for positive change and continued improvement in all services for children.

Firstly, important new independent entities have been established in law, including the Children's Commissioner and the Jersey Care Commission. A key function of these independent bodies is to continually examine, review and challenge to improve services and outcomes for children. While it's early days, it's clear that both entities are having a positive impact on the lives of our children.

Secondly, a critical part of the work to implement changes following the Care Inquiry Report has been the public challenge provided by the Care of Children Review Panel established by the States

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<sup>3</sup> [Care of Children in Jersey Review Panel](#)

<sup>4</sup> [Care of Children in Jersey Review Panel: Legacy Report](#)

<sup>5</sup> [Care of Children in Jersey Review Panel: Response to the Care Inquiry: Update Report Quarter Four 2018](#)

<sup>6</sup> [Care of Children in Jersey Review Panel Report: Nov 2019](#)

Assembly. The work of the panel will become even more important in the future in the scrutiny and public examination of progress against the recommendations made by the Care Inquiry.

Thirdly, the extension to Jersey of the legal obligations of the United Nations Convention on the Rights of the Child, provides a robust international framework to monitor progress in relation to children's rights. As part of this obligation, Jersey is required to report periodically to the UN on progress regarding the implementation of the Convention. In response, the UN Committee invites the overall British delegation to a day of constructive dialogue and subsequently publishes 'concluding observations' to note key developments and highlight any areas of concern.



## Appendix 1: Summary of progress by recommendation

### Recommendation 1: Children’s Commissioner

Key milestones achieved
✓ Recruitment of Children’s Commissioner
✓ Establishment of legal framework for Children’s Commissioner
✓ Children’s Commissioner Four Year Strategy published
✓ Policy and research started to incorporate UNCRC

#### Establishing a Children’s Commissioner

The Children’s Commissioner took up her post in January 2018. The role existed in shadow form during the development of policy and legislation. A working group to develop the draft law was led by the Head of Children’s Policy from SPPP and included the Policy Advisor from the Children’s Commissioner’s Office and a Legal Advisor from the Law Officers’ Department.

The Minister for Children and Housing lodged the Draft Commissioner for Children and Young People (Jersey) Law 201-, in February 2019<sup>7</sup>. The draft law was subject to a number of amendments, and was debated and endorsed by the Assembly on 30 April<sup>8</sup>. The Law subsequently came into force in July 2019.

The primary policy objective of the Law is to establish a Children’s Commissioner for Jersey with sufficiently comprehensive functions and robust powers to act as a champion for the rights of children and young people in Jersey.

The Jersey Children’s Commissioner has successfully become part of the British and Irish Network of Children’s Commissioners. Discussions with representatives from the Guernsey Government, as to how best to extend the role of Children’s Commissioner, are ongoing and the Children’s Commissioner has visited Guernsey on several occasions.

#### Progressing models of incorporating UN Convention on the Rights of the Child

In 2014, Jersey requested the UK to extend ratification of the United Nations Convention on the Rights of the Child (UNCRC) to the Island. Jersey is bound by international law to respect, protect and promote the rights guaranteed in the UNCRC for all children resident in Jersey, and is subject to the monitoring and reporting processes of the United Nations Committee on the Rights of the Child (the “UN Committee”).

In 2017, the States Assembly supported a proposition (P.63) lodged by Deputy Doublet that requested the Chief Minister and the Children’s Commissioner to bring forward proposals for the incorporation of the UNCRC<sup>9</sup>. The convention is an internationally recognised system of children’s

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<sup>7</sup> [P.18/2019 Draft Commissioner for Children and Young People \(Jersey\) Law 201-](#)

<sup>8</sup> [States Assembly Hansard 30 April 2019: Debate of Draft Commissioner for Children and Young People \(Jersey\) Law](#)

<sup>9</sup> [P.63/2017 United Nations Convention on the Rights of the Child: compliance of draft Laws and training of States of Jersey employees](#)

rights, which has been incorporated by a growing number of progressive states to form the foundation of domestic children’s law and practice.

In September 2018, the Council of Ministers considered the different approaches presented to them to incorporate the convention. The Council supported a ‘Due Regard’ model in the first instance and requested an assessment of the impact of direct incorporation ahead of further consideration before the end of the current Assembly. A paper outlining a proposed policy approach to ‘Due Regard’ was presented to the Council of Ministers in early October 2019, followed by a public consultation on proposals at the end of 2019. It is intended that law drafting commences in 2020 with an aim to debate draft law at the end of the same year.

## Recommendation 2: Giving children and young people a voice

Key milestones achieved
✓ 35 of 42 schools registered on the Rights Respecting School programme
✓ School Councils Network established
✓ Children’s Rights Officer post established in Children’s Services
✓ Establishing an independent participation and advocacy service for children in care
✓ Support for Youth Parliament to be developed in 2020 as part of Government Plan

During 2017, a group of children and young people were supported to work with a number of key stakeholders from Schools, Youth Services, Community Services and Voluntary Sector representatives to identify together effective models of participation and engagement. During the workshops, examples of good practice were reviewed, and participants explored ways in which children and young people could be engaged more effectively to express their needs, views and wishes with local decision makers. The workshops were the catalyst for several service developments identified below.

### Jersey Youth Connect

Following the workshops held in 2017, Jersey Youth Service continued to engage and develop ideas about different models of a local Youth Parliament with young people. Resources have been committed during 2019 so that the governance and operational procedures can be developed in partnership with young people to establish a Youth Parliament. In addition, key relationships with the States Assembly and Scrutiny are also being explored and agreed. The work will ensure the delivery of Ministerial commitments to Children’s Voice as set out in the Common Strategic Policy<sup>10</sup>.

### Student Council Network

In 2017, the Principal Educational Psychologist launched the Student Council Network. A student council introduces an effective model of support; guiding staff and students to nurture the right conditions for ‘voice and participation’ to occur.

The vision for the network is for every student attending a Jersey school to be able to participate in, and be supported by, a student council, enabling students to voice their opinions and be involved in decision-making processes. Every student council will function in accordance with a set of key

<sup>10</sup> [Common Strategic Policy 2018-22](#)

principles, operate at both a school and Island-wide level, and enable the voice of students to interact directly with future Island-wide initiatives.

The schools included in the network are supported to review their student councils against best practice and continue to build a school environment that recognises and promotes opportunities for student voice and participation. The network now supports every Primary School Council in the Island with a termly gathering of school council representatives who meet and share issues on a termly basis.

### Children's Rights Officer

During 2018 a recruitment process was completed which led to the role of a Children's Rights Officer being introduced to Children's Services<sup>11</sup>. The role is focused on empowering and supporting Looked After Children and Young People to realise their rights as described in the UNCRC. The role plays a key part in ensuring children and young people's professionals hear young people's voices, experiences, and that they have a meaningful involvement in decisions made about their care.

### Independent advocacy and participation

Alongside the Council of Ministers response to the Care Inquiry, a group of leaders from the Community and Voluntary Sector began to meet to discuss how best to respond collectively to the Inquiry findings and address the challenge of learning from care-experienced young people.

The group successfully organised an exchange trip to Edinburgh to learn more about how children in care are looked after in the Scottish care system. Among the delegation that was received by the Scottish Minister Maree Todd was the then Chief Minister, Senator Ian Gorst, Chair of the then Care of Children in Jersey Review Panel, Deputy Sam Mézec, and a group of care-experienced young people from Jersey. The Children's Commissioner and the Managing Director of Children's Services also joined the visiting group.

On their return to Jersey, the same group of Voluntary Organisations and Directors met to build on the learning gained from the Edinburgh visit. This led to this piece of scoping work being undertaken between May and October 2018 and published in March 2019<sup>12</sup>.

The scoping report reviewed previous experiences of care-experienced people in relation to advocacy and identified a model of advocacy and participation with children and young people's experience at its centre. The report was launched by a new and emerging Jersey charity called 'Jersey Cares'. The charity has received resources and political endorsement from the Government of Jersey to develop and deliver the service model set out in its report. 'Jersey Cares' continues to build a network of supporters, capacity and experience across adults and young people with care-experience. The final contract for the Jersey Cares participation and advocacy service was completed in December 2019.

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<sup>11</sup> [New Children's Rights Officer and Ministers celebrate National Care Day](#)

<sup>12</sup> [Listen Louder report hears from care-experienced islanders](#)

## Recommendation 3: Independent Inspection

### Key milestones achieved

- ✓ Independent inspection of Children Social Services
- ✓ Return visit of inspectors scheduled for September 2019
- ✓ Children Service published programme of improvement
- ✓ Demonstrable quality improvement in parts of Children Services

### Establishing Independent Inspection

During 2018, there was a further public consultation on the regulations for Independent Inspection, drafted under the Regulation of Care (Jersey) Law 2014. Subsequent endorsement by the States Assembly enabled routine Independent Inspection to commence from May 2019<sup>13</sup>.

### Jersey Care Commission inspection of Children's Services

The Care Inquiry stated that children may still be at risk in Jersey and that children in the care system are not always receiving the kind or quality of support they need. In August 2017, the then Chief Minister made a formal request to the Chair of the Jersey Care Commission to procure an independent and detailed investigation in response to the concerns identified in the Care Inquiry report.

The Jersey Care Commission subsequently engaged the Office for Standards in Education, Children's Services and Skills (OFSTED) to undertake an inspection of children's social work services. In September 2018, a report of the findings from the Care Commission inspection was published<sup>14</sup>. This led to a programme of improvement within Children's Services.

A follow up report arranged by the Jersey Care Commission was completed by OFSTED was published in November 2019 describing the areas of progress made and observations for further work and development<sup>15</sup>.

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<sup>13</sup> [Jersey Care Commission: Our Role](#)

<sup>14</sup> <https://carecommission.je/inspection-reports/>

<sup>15</sup> <https://carecommission.je/inspection-reports/>

## Recommendation 4: Workforce

### Key milestones achieved

- ✓ Increase in the number of on-island foster carers
- ✓ Increase in the number of permanent social work staff recruited
- ✓ Homelier environment in all children's Residential Homes
- ✓ Established a robust IT system to measure service activity and performance
- ✓ Reviews of key service areas

### Recruitment and retention

A local and international recruitment campaign, 'Let's Be Honest,' was designed and delivered to recruit social workers. The campaign consists of a managed microsite, recruitment fair attendance and a series of recruitment centres held in Jersey<sup>16</sup>. The aim is to recruit more social workers to permanent contracts to reduce turnover and agency costs. In 2019, Jersey was present at national social work recruitment events in Manchester, London and Birmingham. With over 400 enquiries, a new permanent senior team has been recruited and as of October 2019, 22 new social work recruits will have joined the service as a result of the campaign. A workforce board was established to manage retention of staff and support the delivery of a longer-term recruitment and retention strategy.

### Key worker accommodation

In 2018, the Control of Housing and Work (Exemptions) (Jersey) Order 2013 was amended to allow co-habiting partners of distinct groups of key workers (nurses, midwives and social workers) to be exempt from employment controls. This has also been extended to children (aged 18 to 25) of key workers and their co-habiting partners.

The housing consultancy firm Altair Ltd. was commissioned to undertake research and provide possible solutions to solve the Island's long-term key worker accommodation issues. They produced a phase one report that is now published. A phase two report has been initiated by the newly formed Housing Policy Development Board.

Ministerial endorsement has been secured to enable Andium Homes Ltd. to provide accommodation for key workers at Plaisant Court. A Ministerial Decision was signed in autumn 2018 enabling 48 units of accommodation to be used by key workers. Commencing in October 2019, the intention is to enable Andium Homes Ltd. to deliver 90 further units of accommodation that will be available to key workers at Hue Court.

Work is ongoing to transfer all residential properties currently owned and managed by Health and Community Services and the Department for Children, Education, Young People and Skills to Jersey Property Holdings.

### On-Island social work training

A new BA Social Work Degree commenced in Jersey at Highlands College<sup>17</sup>. The course was a new partnership with the University of Sussex, who will be co-teaching the course with a local team of

<sup>16</sup> [Let's Be Honest microsite](#)

<sup>17</sup> [A new social work degree course for Jersey](#)

lecturers during the first three years of the course. The course commenced in September 2019 with a full cohort of 15 students. It is anticipated that Jersey will have its first group of locally trained and qualified social workers in the summer of 2022.

### Reviews of service areas

Youth Justice Review: As part of the response to the Care Inquiry, the Government committed to a review the Youth Justice System. The work was led by two external reviewers: Professor Jonathan Evans, of the University of South Wales (Lead author) and Dusty Kennedy, Chair of the Youth Justice Board Cymru, and supported by an on-island internal review group. The final report was signed off by the review group in October 2019 and its findings presented by the Director General for Justice and Home Affairs to the Corporate Strategy Board in March 2019. Its recommendations were agreed in principle by the Council of Ministers on 8 May 2019. Resource to assist the implementation of the recommendations were endorsed as part of the Government Plan.

Review of Greenfields: In January 2019, a review was completed into the Greenfields Secure Residential Unit<sup>18</sup>. The timing of the review allowed the findings of the Youth Justice Review to be included in this project.

Review of fostering and adoption: In August 2018, an external review of the fostering and adoption service was completed. The review's aim was to provide a short, but intensive, solution-focused review of the functionality and efficacy of components of the fostering and adoption service. Together with the design and possibilities for a level 4 (Specialised Foster Care) programme.

Review of bullying and harassment in the workplace: The States Employment Board met on 27 July 2017 and requested a comprehensive review of the issue of bullying and harassment in the workplace. Subsequently, 'The HR Lounge' was appointed on 18 October 2017 to undertake a review of bullying and harassment.

A redacted version of the report was published following a Freedom of Information Request on 18 June 2018. Information supplied in confidence by the team performing the independent review was also redacted in accordance with the Law<sup>19</sup>.

Workplace culture: The Government of Jersey has described its ambition for all Islanders to enjoy a good quality of life, in a fair and balanced society, sustained by a prosperous economy and outstanding, modern public services.

Central to realising this ambition is the creation of Team Jersey, which is a significant and long-term programme, focused on building a positive workplace culture across all government departments. Part of its remit involves embedding and supporting the attitudes and behaviours that enable people to be confident and skilled in their work and feel inspired to deliver excellent services to islanders.

The Team Jersey Programme Phase One Report<sup>20</sup> (April 26<sup>t</sup> 2019) set out the findings about the organisational challenges and barriers, insights into the prevailing culture both positive and negative, and the recommendations for the future work of the Team Jersey Programme.

Social work practice development: As part of the planned programme of practice improvement, learning and development the Government has partnered with the Social Care Institute for Excellence. Together the Institute and the Service will focus on developing a single model of practice,

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<sup>18</sup> [Review of Greenfields Secure Unit](#)

<sup>19</sup> [HR Lounge report on bullying cases \(FOI\)](#)

<sup>20</sup> [Team Jersey Programme Phase One Report](#)

as well as the delivery of workforce training to establish a high-quality children social work service. The partnership will also allow local practitioners access to a wider set of national learning networks across the UK.

## Recommendation 5: Corporate Parenting

Key Milestones Achieved
<ul style="list-style-type: none"> <li>✓ 'Putting Children First' a priority in Government Plan</li> <li>✓ Elected Members and Senior Public Officials sign Children's Pledge</li> <li>✓ Children's Plan developed and launched</li> <li>✓ Corporate Parenting Board established</li> <li>✓ Children with Care Experience meeting and advising Ministers</li> </ul>

### Public pledge - Putting Children First

The 'Putting Children First Pledge' was launched as part of the public commitment to children<sup>21</sup>. The pledge was adopted by Ministers, Assembly Members and the most senior officers in public service. The pledge was sponsored by the Minister for Children and Housing, a new Ministerial position created following the 2018 elections.

In 2019 the pledge was extended to an Island-wide audience with an invitation to the public to sign up to 'Putting Children First'<sup>22</sup>. The pledge will be used as the key reference point to promote key Government and Public milestones concerning children in the future.

### Corporate Parenting Policy Framework

The Corporate Parenting Policy Framework was agreed by the Council of Ministers in late 2018. It gave a mandate to the setting up of a Corporate Parenting Board with specific terms of reference that included holding officers to account for a Corporate Parenting Strategy. The Board had its inaugural meeting in March 2019 and has had oversight of the progress of the Government's priorities for Corporate Parenting.

### Children's Plan

The Children's Plan was developed over an 18-month period using a range of participative approaches that enabled children and young people to assist in setting the priorities contained within the plan<sup>23,24</sup>. The plan describes one vision, four headline outcomes and sixteen indicators. The plan was agreed and signed off by the Council of Ministers in late 2018 and publicly launched in March 2019<sup>25</sup>.

A Children's Strategic Partnership Board was established and met for the first time in February 2019. The Board is chaired by the Minister for Children and Housing, who has oversight of the plan as it moves into the implementation phase. Priorities identified within the Children's Plan are consistent

<sup>21</sup> [Children's Minister presents Pledge to schoolchildren](#)

<sup>22</sup> [Putting Children First Pledge 2019](#)

<sup>23</sup> [Grands Vaux School: Children's Plan Launch](#)

<sup>24</sup> [A New Children's Plan for Jersey](#)

<sup>25</sup> [Children and Young People's Plan 2019-2023](#)

with those identified in the Council of Ministers Common Strategic Policy (2018-22) and the Government Plan 2020-2023.

### States Members duties

The Privileges and Procedures Committee lodged a proposal in March 2018 (P.71/2018)<sup>26</sup> that brought forward plans to put in place additional specific duties of States Members within the current Oath of Office. This proposal required members, amongst other things, to ‘undertake these duties with particular regard to the most vulnerable members of the community, including the Island’s children and other people for whom the States of Jersey has a duty of care’. This proposal was withdrawn following the election of a new government and a change in the composition of the Privileges and Procedures Committee in 2018.

As part of their induction, the Bailiff invited all newly elected States Members to attend a training session on children’s safeguarding and children’s rights in May 2018. The Privileges and Procedures Committee has subsequently agreed to run more training scheduled for 2020.

### Recommendation 6: Legislation development

Key milestones achieved
✓ Children’s Legislative Programme published
✓ Youth Justice Review completed
✓ Public Consultation on UNCRC Due Regard 2019
✓ Public Consultation Children’s Law amendments for Q4 2019
✓ Assembly approved Repeal of Article 79

The Children’s Legislation Transformation Programme was approved and published by the Minister for Children and Housing on 20 December 2018 and will underpin the policy focus of government, practitioners and citizens to make Jersey the best place for children to grow up<sup>27</sup>.

In the first phase of the programme, policy relating to vulnerable children and young people has been prioritised in areas such as Children in Need, Care Leavers and Corporate Parenting. Following the Youth Justice Review, related policy will be brought forward which reflects the Review’s welfare and rights-based recommendations to Youth Justice. Wider family policy and law matters are also being progressed, which include introducing no-fault divorce, raising the minimum age of marriage and extending civil partnerships to all.

Further to the States Assembly endorsement (15 January 2019) to repeal Article 79 Children (Jersey) Law 2002, amendments to the Law were approved by the States Assembly in December 2019, coming into effect in early 2020.

Underpinning the legislative transformation process is the Government’s commitment to incorporation of the UNCRC. Policy work will be progressed during 2019 that brings forward a duty on Ministers to have ‘Due Regard’ to the convention. Similar legislation exists in Wales (Rights of Children and Young Persons (Wales) Measure 2011).

<sup>26</sup> [P.71/2018 States Members’ Duties](#)

<sup>27</sup> [Children’s Legislation Programme](#)



## Recommendation 7: Jersey Way

### Key milestones achieved

- ✓ Increase capacity and capability of independent entities to hold government to account
- ✓ Increase focus on encouraging more young people to vote or register to vote in elections
- ✓ Public consultation on models for a Public Sector Ombudsman
- ✓ Increased resource to support elected members in scrutiny and backbench positions
- ✓ Establish structures to build better working between government and Voluntary Sector

The Care Inquiry observed two different uses of the term, the 'Jersey Way'. Firstly, a positive use, describing a strong culture of community and voluntary involvement; and secondly a negative connotation describing a perceived system of secrecy, lack of transparency and a lack of openness leading to a lack of trust, a 'fear factor', and a perception that serious issues are swept under the carpet and people escape being held to account.

A range of actions have been progressed to better understand the views, concerns and needs of the whole community and across government and public institutions in respect of our system of governance and where approved by the States Assembly, implement outstanding recommendations of the Clothier and Carswell Reports in relation to the separation of powers and establishment of a Public Services Ombudsman.

### States Assembly – Separation of Powers

In 2017, the States Assembly adopted P.84/2017<sup>28</sup>, which was lodged by the former Chief Minister and amended by the Privilege and Procedures Committee (PPC)<sup>29</sup> and former Senator Bailhache<sup>30</sup>. By adopting the proposition, the Assembly agreed to elect its own Speaker and Deputy Speaker at its first sitting in 2019, subject to a referendum on the role of the Bailiff as President of the States. In April 2018, the PPC lodged the required Referendum Act<sup>31</sup>. This was rejected in July 2018 and, consequentially, P.84/2017 fell.

Early in 2019, Senator Mézec then lodged P.31/2019<sup>32</sup>, which was essentially the same as P.84/2017. This was amended by the Connétable of Grouville to the same effect as the Bailhache amendment to P.84/2017. Senator Mézec then withdrew P.31 before a final vote could be taken on the proposition.

In April 2019, the Chief Minister lodged his own proposition on the subject: P.47/2019<sup>33</sup> which was designed to offer a compromise in addressing the perception of a conflict of interests in the role of Bailiff as President and Assembly. The proposal was rejected by the Assembly.

<sup>28</sup> [P.84/2017 Elected Speaker and Deputy Speaker of the States Assembly: Selection and Appointment](#)

<sup>29</sup> [P.84/2017 – Amendment](#)

<sup>30</sup> [P.84/2017 – Third Amendment](#)

<sup>31</sup> [P.76/2018 Draft Referendum \(Presidency of States Assembly\) \(Jersey\) Act 201-](#)

<sup>32</sup> [P.31/2019 Elected Speaker and Deputy Speaker of the States Assembly: Selection and Appointment](#)

<sup>33</sup> [P.47/2019 Establishment of an Elected Speaker](#)

## Administrative redress

Public Sector Ombudsman: The Jersey Law Commission, following its 2016 consultation, published its Report<sup>34</sup> and recommendations on improving administrative redress in Jersey. The States Assembly approved in principle the idea of a Public Services Ombudsman to improve administrative redress across public services in Jersey.

The Jersey Law Commission undertook a research report investigating the best models for an Ombudsman scheme in a small jurisdiction. The report, 'Designing a Public Services Ombudsman for Jersey'<sup>35</sup> was published in October 2018.

There are many different types of Ombudsmen working within different sectors, for example: health sector, financial services, local government, property, pensions, removal industry, etc. What all Ombudsman services have in common is that they offer independent complaints resolution as an accessible alternative to the courts or other quasi-judicial processes, such as tribunals.

A public consultation on the different aspects of a Public Sector Ombudsman which are most appropriate to Jersey was launched in July 2019 and closed in October 2019. A report on the findings of the Public Consultation is scheduled for early 2020 and will help progress the development of this role.

Whistleblowing: The Government of Jersey launched a new whistleblowing policy<sup>36</sup> and an independent reporting telephone line in January 2019. The new policy encourages employees to speak out when they witness inappropriate activity, including concerns about patient safety, financial practice or other issues.

Independent regulation and offices: Established under the Regulation of Care (Jersey) Law 2014, the Care Commission came into being on 1 January 2019. Functions of the Care Commission include preparation and publication of standards for compliance, carrying out inspections of regulated activities and the serving of improvement notices on registered health and social care providers.

Registration of charities: From May 2018, charities have been able to apply to become 'registered charities' on application to a new Charities Commissioner, established under the Charities (Jersey) Law 2014, with the intention of protecting public trust and confidence in charities.

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<sup>34</sup> [Jersey Law Commission Topic Report: Improving Administrative Redress in Jersey](#)

<sup>35</sup> [Jersey Law Commission Topic Report: Designing a Public Services Ombudsman for Jersey](#)

<sup>36</sup> [Government of Jersey Whistleblowing Policy](#)

## Recommendation 8: Legacy

### Key milestones achieved

- ✓ Public consultation on Haut de la Garenne site completed
- ✓ Citizen Panel established, and their recommendations agreed by COM in principle
- ✓ Future trauma informed care-pathway approved in Government Plan
- ✓ Second Redress Scheme launched
- ✓ Archiving evidence given to IJCI completed and website now live
- ✓ NSPCC commissioned to provide therapeutic programme for children disclosing abuse

### Recommendation 8a: Preserving and making accessible the inquiry archive

The cataloguing process began in January 2018 and is part of a major project to archive all the public domain documents from the IJCI to ensure there is full and open access to all members of the local and worldwide community. The project was completed by Jersey Archive at the end of 2019. Approximately, 10,580 public domain documents from the inquiry have been catalogued, indexed, checked for redactions and are now available online at: <https://catalogue.jerseyheritage.org/>

There have been more than 500-page views of the main inquiry page on the Jersey Heritage catalogue since April, when the Archive was made available online. The digital documents have been backed up on a digital preservation system for authenticity, file format migration and long-term storage. Discussion is ongoing as to the long-term preservation of the un-redacted archive, which is currently located at the UK Ministry of Justice and plans for the long-term preservation of this material are expected to be concluded in the first half of 2020.

### Recommendation 8b: Remembering and recognising Jersey's child care history

A Citizens Panel was established to develop preferred options for a potential memorial. Officers worked with expert facilitators to recruit members of the public and survivors from the historic care system to be part of the Citizens Panel.

The Citizens Panel met for five days during May and June 2018. Their approach to the task and their recommendations for a four-part legacy were presented in their final report.<sup>37</sup> The Panel initially presented their recommendations to the Chief Minister during a private briefing on 24 June; their report was considered by the Council of Ministers on 4 July 2018. Ministers accepted the four high-level elements of the legacy (a memorial; Jersey Children's Day; help and support for survivors; and an Emblem), and asked that the means of implementing the legacy should be scoped.

Officers presented Ministers with a proposal for implementing the legacy described by the Citizens Panel on 28 November 2018, with Ministers instructing officers to take the necessary action. In order to progress the implementation phase, the Citizens Panel was re-convened until July 2019. From November 2018 onwards, the focus of the Citizens Panel sessions has been to progress each of the legacy elements as distinct but connected projects. Progress towards these is summarised below:

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<sup>37</sup> [The Jersey Citizens Panel 2018 - Final Report](#)

Memorial: A source of funding has been identified to design, fabricate and install the memorial recommended by the Citizens Panel. A consultant with expertise in commissioning public art has been recruited to support the Panel in developing a design brief for the memorial and to provide project management support. Details of an open competitive design process are currently being finalised and will be announced in early 2020.

Children's Day: A workshop was held in January 2019 for members of the Citizens Panel and professionals from across the children's system to progress planning for Jersey Children's Day. A Steering Group, comprising Panel members and appointed representatives from the Government, the voluntary sector and the Office of the Children's Commissioner, is now meeting regularly. The Group launched the idea of Children's Day in July 2019.

Help and support: The Citizens Panel is continuing to develop their thinking about the nature of the help and support they would like to see as part of this element of the legacy with support from officers and input from local organisations. Panel members will be visiting the UK to talk to people delivering these types of services and understand how they work and how they are funded.

Emblem: The Jersey Children's Day Steering Group has held an inclusive competition for children and young people to design the legacy emblem. It was launched on 3 July 2019 through secondary schools, Jersey Youth Service and the media. The winning design is now being developed and will be used as the symbol for Jersey Children's Day and the other elements of the legacy recommended by the Panel.

### **Recommendation 8c: Redeeming the Haut de la Garenne site**

In order to progress consideration of Recommendation 8c, the Council of Ministers determined that a public consultation should be held to consider the future of the former Haut de la Garenne site. This ran for ten weeks from 8 February to 22 April 2018. During the consultation, drop-in sessions were offered at community venues across the Island and two open days were held at the site. Two focus groups were also arranged to explore the arguments for and against demolishing the former children's home. Over 1,000 people participated in the consultation and 842 valid questionnaires were received. Overall 93.7% of respondents were opposed to the demolition of the former Haut de la Garenne site. The Council of Ministers considered the findings of the consultation in July 2018 and announced that the former children's home would not be demolished but that further work would be undertaken to secure the redemption of the site and identify its long-term future use.

Options for the future of the former Haut de la Garenne site and the adjacent Avimore site were explored during 2019. Following engagement with the Citizens Panel, the Council of Ministers confirmed its preferred option in January 2020. An announcement will be made in February 2020 with key elements of the preferred option to include:

- Bringing forward a plan for a small housing development on the Avimore site to meet identified needs
- Creating a legacy fund to benefit care-experienced Islanders, to be initially established using revenue generated by development of the Avimore site
- Investing in the former Haut de la Garenne site to support provision of a high-quality outward-bound experience for children, young people and families.

### **Recommendation 8d: Care for witnesses after the inquiry**

Government Redress Schemes: A redress scheme was launched in 2012 to provide compensation to people who suffered abuse in States of Jersey residential care from 1945 to 1994. There were 132 individuals who submitted claims to the Historic Abuse Redress Scheme. All claims have been settled

in their entirety. Four claims were rejected and three were withdrawn by the claimants. The Council of Ministers agreed that claims that contained elements of abuse suffered in foster care could be admitted under the Scheme.

To date, the monies paid in relation to the Historic Redress Scheme (HARS) and associated matters are:

- total amount received by survivors of abuse from the scheme is £2,345,642
- lawyers acting for survivors have received £1,020,428.

A second redress scheme to provide financial compensation to people who, in the past, suffered abuse or harm while in States of Jersey care was launched on 1 July 2019<sup>38</sup>. The Government has allocated £6.5million to the scheme, which will be open to those who suffered abuse or harm while in States of Jersey foster care and residential care after 1994 or while at Les Chênes secure residential unit. The Redress Scheme will be open for applications for 12 months – closing on 30 June 2020.

Adult Trauma Informed Care Pathway: Many of the children of the historic abuse inquiry are still living on the Island and as adults are highly likely to have suppressed the traumatic memories of their childhood experiences. The everyday reporting of the Independent Care Inquiry has the unintended potential to re-open the trauma for these clients and they struggled with the psychological symptoms they were now experiencing.

Work to establish a care pathway for Complex Post Traumatic Stress Disorder has progressed since the publication of the Care Inquiry report. A cohort of clinicians from across a range of mental health services has already been trained in two evidence-based interventions specifically recommended for complex trauma presentations.

A business case for an effective and sustainable complex trauma pathway of care and network for adults in Jersey was submitted as part of the Government Plan 2020-2023, requesting the necessary resources to increase staffing capacity and capability.

Therapeutic services for children who have experienced sexual abuse: In Spring 2017, the NSPCC began delivering an innovative and evidenced-based new service to provide therapeutic interventions for children who have experienced sexual abuse. The service was planned and co-funded by the Government of Jersey and the NSPCC Charity.

‘Letting the Future In’ focuses on creative therapies such as painting, drawing and storytelling; giving children an opportunity to talk about their experiences and to express themselves creatively. Delivered by social work professionals, individual sessions enable children to work through past events, and understand and move on from what has happened. Approximately 15 children a year have benefited from the service.

Prevention and awareness: In April 2018, The Jersey Safeguarding Partnership Board and NSPCC launched a campaign and new helpline to protect children from sexual abuse. The campaign encourages parents, carers and professionals to have conversations with children about how to stay safe from sexual abuse in an age-appropriate way. Work on a new helpline has developed the existing national Helpline to offer a more Jersey-focused response.

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<sup>38</sup> [New redress scheme for those abused in care](#)

For the first time, trained staff will be available 24/7 via phone and online and will have access to a wealth of local information, allowing a greater level of community signposting. The helpline is free to call from Jersey and callers can remain anonymous if they wish. The aim is to encourage more people to contact the helpline at the earliest opportunity to explore any concerns they may have about a child's safety or wellbeing or to ask for advice and support.

## Appendix 2: Government Response to Specific Considerations: Two Year Review: 2019

Recommendation area	Care Inquiry Panel Two-Year Review – Consideration	Government of Jersey response	Future Ministerial responsibility	Governance: Department/Board/Panel
Rec 1: Children's Commissioner	<p>A statutory right to raise a complaint about any aspect of the Children's Service should be introduced, laying out timescales for responses and a mechanism for further review</p> <p>At the first opportunity for review, the Children's Commissioner legislation should be amended to include a duty on the Chief Minister to make a formal public response to the Commissioner's Annual Report</p> <p>The presumption by the Law Officers Department should be framed to indicate that relevant legal advice will be made available to the Commissioner and withheld only where a public interest test is met for non-disclosure</p> <p>Consideration be given as to how an independent element can be introduced to the appointment process for members of the Advisory Panel.</p>	<p>The Minister's notes that the Government of Jersey launched its new Customer Feedback Policy in October 2019. The new policy has a simple three step process which is open to children and families using all government services.</p> <p>The Minister has asked officers to explore with law drafters how the statutory right to raise a complaint (similar to the Special Complaints Procedure in the Children Act 1989) may be incorporated into law in Jersey.</p> <p>Consideration will also be given as to whether the legislation that underpins the Jersey Public Services Ombudsman (see below) should incorporate elements of a social work complaint handling process.</p> <p>The Minister will not seek an amendment to the Children's Commissioner (Jersey) Law 2019. The Minister is satisfied that in the short term the absence of specific provision in the Children's Commissioner legislation does not preclude the Chief Minister from making a public statement in response to the Commissioners Annual Report.</p> <p>The Minister also notes that other elected members may request the Chief Minister to make a comment on future Annual Reports using the existing States Assembly procedures.</p> <p>The Minister is satisfied with the protocol that describes the information sharing agreement between the Children's Commissioner and the Attorney General. There has been one occasion when the Children's Commissioner has needed to deploy the protocol which worked well, and her office received all the information requested.</p> <p>There continues to be a six-monthly review process between the parties as part of the protocol arrangements and which will serve as the mechanism to address specific challenges if and when they may arise.</p> <p>The Minister is satisfied that the existing regulatory framework of the Jersey Appointments Commission (JAC) already covers the Office of the Children's Commissioner and that the JAC is overseeing relevant appointments in accordance with its guidance.</p>	<p>Chief Minister Children and Housing Minister</p> <p>Chief Minister</p> <p>Children's Minister</p> <p>Chief Minister</p>	<p>Strategic Policy, Planning and Performance Children's Legislation Transformation Programme Board</p> <p>Strategic Policy, Planning and Performance Children's Commissioners Office</p> <p>Law Officer' Department Children's Commissioners Office</p> <p>Jersey Appointments Commission</p>

Recommendation area	Care Inquiry Panel Two-Year Review – Consideration	Government of Jersey response	Future Ministerial responsibility	Governance: Department/Board/Panel
<p><b>Rec 1:</b> Children's Commissioner cont.</p>	<p>In reviewing the law, consideration be given to achieving the objective of fully demonstrable fairness in any proceedings to remove a Children's Commissioner from office.</p>	<p>The Minister notes the concern regarding fairness. The primary objective of the legal framework that describes the appointment and dismissal process was one of public transparency with the final decision being made by the States Assembly.</p> <p>The Children's Commissioner (Jersey) Law 2019 requires any proposition (made by the Chief Minister and Chair of the Liaison Scrutiny Panel) for removal of the Commissioner to be accompanied by a statement from the Commissioner. This arrangement provides appropriate opportunities for representations to be made in the interest of fairness.</p>	<p>Chief Minister</p>	<p>States of Jersey Employment Board</p>
<p><b>Rec 2:</b> Giving children and young people a voice</p>	<p>It is important to move as speedily as possible to make a permanent appointment to the post of Children's Rights Officer and, in time, to assess whether a single post will be sufficient to ensure that all children and young people in the care system have regular and easy access to them.</p> <p>It is essential that children placed off-island also have regular access to the Children's Rights Officer and this may have some implications for the resourcing of the post which will require future consideration.</p>	<p>The Minister can confirm that the recruitment process to the substantive position for this role has been successfully completed.</p> <p>In total this service will be made up of three full time equivalent (FTE) posts which include one FTE Children's Rights Officer and two FTE Children's Rights Assistants (who are care experienced). The learning from the pilot phase of this role indicates that this allocated resource is sufficient to provide an effective team to deliver a service to children and young people placed both on and off island.</p>	<p>Minister for Children and Housing</p>	<p>Children Young People Education and Skills</p>
		<p>The Minister understands that this is an area of priority for the Children's Rights Service with off-island visits being carried out by the Children's Rights Officer and relationships developing. The learning from the pilot phase of this role would indicate that allocated resourcing is considered appropriate. In addition to the Children's Rights Service there are resources proposed in the Government Plan to fund Jersey Cares who aim to provide advocacy for looked after children.</p>	<p>Minister for Children and Housing</p>	<p>Children Young People Education and Skills Children's Strategic Improvement Board Sufficiency Strategy</p>
	<p>Those involved should agree a common statement outlining the different roles between the Commissioner, Children's Rights Officer and Independent Advocacy and ensure that it is available in an easily accessible format to children, young people, staff, elected members and the public in general.</p>	<p>The Minister understands that representatives from the Office of the Children's Commissioner, Jersey Cares (the independent body commissioned by the Government of Jersey to put in place an advocacy offer for children in care and care leavers) and Children's Services met on 28 August to consider this matter. The session was facilitated by Professor Mike Stein, a recognised expert in this field (Emeritus Professor in the Social Policy Research Unit at the University of York), and work to formalise a 'common statement' is progressing and will be completed by the end of Q1 2020. A young person's description of the different roles and will also be produced and disseminated.</p>	<p>Minister for Children and Housing</p>	<p>Children Young People Education and Skills Children's Strategic Improvement Board Children's Commissioner</p>



Recommendation area	Care Inquiry Panel Two-Year Review – Consideration	Government of Jersey response	Future Ministerial responsibility	Governance: Department/Board/Panel
<p><b>Rec 3:</b></p> <p><b>Inspection of services</b></p>	<p>We reemphasise that we consider it (Public Sector Ombudsman) to be essential and that proposals currently under discussion are taken forward without delay.</p> <p>A statutory inspection regime for Children's Services is established as soon as possible so that inspections do not continue to happen simply by invitation.</p> <p>Consideration be given as to whether the planned requirement to appoint independent visitors is appropriate or necessary.</p> <p>There is a need for routine independent inspection of the Fostering and Adoption Service, which would include gathering the views and feedback of foster carers.</p>	<p>The Minister notes that a public consultation on a proposed Jersey Public Services Ombudsman closed on 11 October 2019. Law drafting will commence in early 2020 with a view to establishing the Office of the Ombudsman in early 2021, subject to the decisions of the States Assembly. The Government Plan includes provision for the funding of an Ombudsman from 2021 onward. Policy development and law drafting capacity has been allocated in 2020 to progress a draft law.</p> <p>The Minister notes that Regulations providing for the inspection of a broader range of Children's Services by the independent Jersey Care Commission will be brought forward in phase 2 of the Children's Legislative Transformation Programme, which is scheduled to begin in 2020. At present the following services will be included: Fostering and Adoption, Social Work, Children's Contact Centres, Children Adolescent Mental Health, Children's Community Health Care Services.</p> <p>The Minister is advised that children's care home providers are currently required, by law, to appoint independent visitors as part of their quality assurance processes.</p> <p>The Minister has written to the Chair of the Jersey Care Commission requesting that they review the current requirements. A response is expected in early 2020.</p> <p>The Minister is committed to Regulations providing for inspection of Children's Services by the independent Jersey Care Commission, which will include the Fostering and Adoption service. These Regulations will form part of phase 2 of the Children's Legislative Transformation Programme which is scheduled to begin in 2020.</p> <p>In developing the regulations, consideration will be given to gathering views and feedback from foster carers.</p>	<p>Chief Minister</p> <p>Chief Minister</p> <p>Chief Minister</p> <p>Chief Minister</p>	<p>Strategic Policy, Planning and Performance</p> <p>Strategic Policy, Planning and Performance</p> <p>Children's Legislation Transformation Programme Board</p> <p>Jersey Care Commission</p> <p>Strategic Policy, Planning and Performance</p> <p>Children's Legislation Transformation Programme Board</p> <p>Jersey Care Commission</p> <p>Strategic Policy, Planning and Performance</p> <p>Children's Legislation Transformation Programme Board</p> <p>Jersey Care Commission</p>

Recommendation area	Care Inquiry Panel Two-Year Review – Consideration	Government of Jersey response	Future Ministerial responsibility	Governance: Department/Board/Panel
	<p>We recommend JFCAS operations should be included in future programmes of inspection.</p>	<p>The Minister notes that in 2018, the Jersey Probation Board determined that there should be an inspection of the Jersey Family Court Advisory Service (JFCAS). The Chief Probation Officer commissioned Ofsted to carry out this work, which was published in October 2019.</p> <p>The Minister remains committed to Regulations providing for the independent inspection of JFCAS by the independent Jersey Care Commission, which will be brought forward as part of the Children's Legislative Transformation Programme.</p>	<p>Chief Minister</p>	<p>Strategic Policy, Planning and Performance</p> <p>Children's Legislation Transformation Programme Board</p> <p>Jersey Care Commission</p>
<p><b>Rec 4:</b></p> <p><b>Building a sustainable workforce</b></p>	<p>Turnover of staff - we consider that this is a serious deficiency in the service, which was also highlighted in the 2018 Ofsted inspection.</p> <p>Turnover of staff - review of benefits and terms and conditions.</p> <p>Permanent appointments to senior management posts are made, without any undue delay, in order that a leadership team with a commitment to the future is seen to be in place.</p>	<p>The Minister has approved a Children's Social Work Recruitment and Retention Strategy for 2019, which includes a comprehensive review of the current recruitment 'package'.</p> <p>The Minister has previously announced a permanent appointment to the role of Director of Safeguarding, and more recently two new permanent Heads of Service, resulting in a full complement of permanent senior management for Children's Social Work Services.</p> <p>A review of employees Terms and Conditions will take place as part of a wider States Employment Board led programme. A scope for this work will be presented to the Board in the first quarter of 2020.</p>	<p>Minister for Children and Housing</p>	<p>Children Young People Education and Skills</p> <p>Children's Strategic improvement Board</p> <p>Children Young People Education and Skills Workforce Board</p>

Recommendation area	Care Inquiry Panel Two-Year Review – Consideration	Government of Jersey response	Future Ministerial responsibility	Governance: Department/Board/Panel
<p><b>Rec 4:</b> <b>Building a sustainable workforce cont.</b></p>	<p>Consideration be given as to how students in Jersey can be linked into experiences in successful local authorities with which the University of Sussex already has links.</p> <p>A model of social work practice is developed which is fit for the Jersey context and which offers effective help for families experiencing hardship and distress and is delivered by a well-trained and stable workforce.</p> <p>Parish Hall Enquiry system: We are of the opinion that there should be a review of how it operates, particularly in respect of dealing with young people.</p>	<p>The Minister has been advised that the course team at Highlands College will embed learning from other jurisdictions into the course materials as a way of broadening students' understanding of what good practice exists globally and how this might be transferred to the island. Academic links have been made with the European Research Institute for Social Work (ERIS) and future study visits are being explored to Strasbourg and the European Court of Human Rights.</p> <p>The Minister has been pleased to see the development of the Jersey Children's First Practice Framework, which has been developed by local practitioners with significant numbers of staff now trained and implementation of the framework and tools underway. Training to support implementation will continue in 2020.</p> <p>The Minister is advised that during 2019, the Social Care Institute for Excellence has been working with Social Work Practitioners to build and embed a common set of principles and practice approaches which are informed by the evidence.</p> <p>The Minister notes the commitment in the Government Plan to develop new policy that reflects changes in the concept of child protection and the development of a welfare-based approach to youth justice. This change in policy will be developed and implemented in partnership with a range of partners including the Parish Halls.</p>	<p>Education Minister</p> <p>Minister for Children and Housing</p> <p>Justice and Home Affairs Minister</p>	<p>Children Young People Education and Skills Jersey Skills Strategy (Tertiary Strategy)</p> <p>Children Young People Education and Skills Children's Strategic Improvement Board Sufficiency Strategy</p> <p>Strategic Policy, Planning and Performance</p> <p>Children Young People Education and Skills Children's Strategic Improvement Board Sufficiency Strategy</p> <p>Children Young People Education and Skills Children's Legislation Transformation Programme Board</p>
<p><b>Rec 5:</b> <b>Legislation</b></p>	<p>Greenfields: We recommend that plans are developed to move all residential child care from this site.</p> <p>Greenfields: Replaced with small homely units within which close support can be provided when necessary.</p> <p>We reinforce the need for ongoing training for all involved in court decision making in respect of children.</p>	<p>Following an independent review of Greenfields, the Council of Ministers supported the current approach to Greenfields, which acknowledges that there remains a need for secure places in Jersey, albeit a very small number.</p> <p>In the short term, the current unit will be redeveloped with options for future development to be scoped during 2020 with the full range of stakeholders. A wider programme of work will be brought forward during 2020 to redesign and redevelop services on the current campus.</p> <p>The Minister is aware of the positive developments to progress more effective joint working and court decision making in respect of children. The recent Practice Direction FD 19/01 – Care and Supervision Proceedings – Case Management issued by the Bailiff, is an important step forward. It is also hoped that the strengthening of pre-proceedings in 2018, will also improve outcomes for children. It is intended to review and evaluate the effect these changes in October 2020.</p>	<p>Minister for Children and Housing</p> <p>Minister for Children and Housing</p>	<p>Children Young People Education and Skills Children's Strategic Improvement Board Sufficiency Strategy</p> <p>Children Young People Education and Skills Children's Legislation Transformation Programme Board</p>

Recommendation area	Care Inquiry Panel Two-Year Review – Consideration	Government of Jersey response	Future Ministerial responsibility	Governance: Department/Board/Panel
<b>Rec 6:</b> <b>Corporate Parenting cont.</b>	<p>Corporate Parenting: States Members attendance at future briefings/training following elections should be mandatory and that there should be annual refresher training.</p> <p>Oath: urge that a decision and arrangements are made in this regard, without further delay, to ensure that the oath of office is amended in sufficient time for future elections.</p> <p>Children's Plan: more specific objectives, outcomes and timescales should be published, alongside clarity as to where responsibility for delivery lies.</p>	<p>The Children's Minister agrees the importance of corporate parenting training for Assembly members. Making such training mandatory for elected members is problematic in the absence of a meaningful sanction for non-attendance. The Minister will seek support of the Chair of the Privileges and Procedures Committee to revisit previous approaches to Assembly members' induction at the start of the electoral cycle, as well as refresher training in 2020 and 2021, with a view to identifying an effective way forward.</p> <p>The Children's Minister will seek support of the Chair of the Privileges and Procedures Committee to re-examine ways of recognising the importance of corporate parenting in the duties and conduct of States members.</p>	<p>Chair of the Privileges and Procedures Committee</p> <p>Chair of the Privileges and Procedures Committee</p> <p>Minister for Children and Housing</p> <p>Chair of the Privileges and Procedures Committee</p>	<p>Greffé of the States Assembly</p> <p>Greffé of the States Assembly</p> <p>Strategic Policy, Planning and Performance Children's Strategic Partnership Board</p> <p>Greffé of the States Assembly</p>
<b>Rec 7:</b> <b>The Jersey Way</b>	<p>Adequately supporting States members, with priority being given to those with roles in monitoring the resources, activity and outcomes relating to children.</p> <p>A mechanism be established whereby all new policy, procedure or legislation is checked as to whether it has the potential to create a further perception of there being a 'Jersey Way' or whether it counters any such perception by being</p>	<p>The Children's Minister supports the current proposal in the Government Plan to increase the capacity of officer support to assist in the role of scrutiny and backbench research and preparation.</p> <p>The Minister is supportive of proposals that will be brought before the Assembly in 2020 that include the requirement for all policy and legislation debated in the Assembly to have 'due regard' for children's rights. This legislation will ensure transparent consideration of children's rights in all future decisions made by the States Assembly.</p> <p>The Minister notes that the Common Strategic Policy (2018-22) commits the Council of Ministers to working more effectively with the States Assembly to deliver better outcomes for Islanders. This will include improving the way in which the Ministers work with Scrutiny; the way in which Ministers develop policy, such as through the new Policy</p>	<p>Minister for Children and Housing</p> <p>Minister for Children and Housing</p>	<p>Strategic Policy, Planning and Performance Children's Legislation Transformation Programme Board</p>

Recommendation area	Care Inquiry Panel Two-Year Review – Consideration	Government of Jersey response	Future Ministerial responsibility	Governance: Department/Board/Panel
	as open and transparent as possible.	Development Boards; how Ministers supported improved resources for non-executive States Members; and better communication and consultation with the States Assembly.  The Children’s Minister remains committed to removing the dual role of the Bailiff.		
	The preservation and accessibility of the archive of the inquiry documentation and other material.	The Minister notes that 10,580 public domain documents from the Inquiry have been catalogued, indexed, checked for redactions and are now available online at: <a href="https://catalogue.jerseyheritage.org/">https://catalogue.jerseyheritage.org/</a>  There have been over 500-page views of the main inquiry page on the Jersey Heritage catalogue since April when the Archive was made available online. The project was completed at the end of 2019, with copies of the digital documents backed up on a digital preservation system for authenticity, file format migration and long-term storage. Discussion is ongoing as to the long-term preservation of the un-redacted archive, which is currently located at the UK Ministry of Justice and plans for the long-term preservation of this material are expected to be concluded in the first half of 2020.	Chief Minister	Greffier of the States  Jersey Heritage (Jersey Archive)
<b>Rec 8:</b> <b>Legacy issues</b>	Remembering and recognising Jersey’s child care history.	The Minister agrees that the work of the Citizens Panel has been commendable and that the commitments which have been made to taking forwards their recommendations should be seen through.  Mature plans and funding are in place to launch a competitive process to design the final memorial, once a site has been confirmed. The Citizens Panel met in early December 2019 and are reviewing the proposed sites regarding the memorial ahead of launching a competitive design process in the new year.  A steering group has been convened to oversee planning for Children’s Day, with recurring funding and support committed by the Children, Young People, Education and Skills Department.  In early 2020 the Minister will be announcing the winner of the competition held to design the emblem which will link the elements of the Citizens Panel’s legacy project together.	Children’s Minister	Strategic Policy, Planning and Performance  Citizens Panel / Oversight Group  Children Young People Education and Skills  Citizens Panel / Oversight Group

Recommendation area	Care Inquiry Panel Two-Year Review – Consideration	Government of Jersey response	Future Ministerial responsibility	Governance: Department/Board/Panel
<p><b>Rec 8:</b> Legacy issues cont.</p>	<p>The Minister welcomes the announcement of the Jersey Care Model and plans to improve access to mental health services. The Government Plan identifies investment for improving the mental health estate, initiatives for crisis support, a 'listening lounge', complex trauma, child and adolescent mental health services and mental health legislation; all of which will contribute to the realisation of the Citizens Panel's recommendation regarding support for survivors and their families.</p> <p>The Ministers agree that robust and validated safeguarding and safety measures need to be guaranteed at the former Haut de la Garenne site, as with all venues offering activities for children.</p> <p>The Council of Ministers have confirmed their preferred option to redeem Haut de la Garenne - which includes the adjacent Aviemore site. An announcement will be made in February 2020 with key elements of the preferred option to include:</p> <ul style="list-style-type: none"> <li>• Housing development on the Aviemore site</li> <li>• Creation of a legacy fund to benefit care-experienced Islanders</li> <li>• Invest in the former Haut de la Garenne site to support a high-quality outward-bound experience for children, young people and families</li> </ul> <p>The development of a trauma informed pathway and network is one of a range of responses designed to meet the mental health needs of complex trauma clients in support of their recovery. A business case for an effective and sustainable complex trauma pathway of care and network for adults in Jersey has been submitted as part of the Government Plan 2020-2023, requesting the necessary resources to increase staffing capacity and capability.</p> <p>In line with best practice models, three phases of treatment have been identified to support the delivery of a complex trauma pathway and network; namely stabilisation, trauma interventions and maintenance. A cohort of clinicians from across a range of mental health services have already been trained in two evidence-based interventions specifically recommended for complex trauma presentations.</p>	<p>The Minister for Health and Community Services</p> <p>Minister for Infrastructure</p> <p>Minister for Children and Housing</p> <p>Minister for Health and Community Services</p>	<p>Health and Community Services</p> <p>Mental Health Strategy Steering Group</p> <p>Citizens Panel / Oversight Group</p> <p>Growth Housing and Environment Department</p> <p>Haut de la Garenne site Steering Group.</p> <p>Citizens Panel / Oversight Group</p> <p>Health and Community Services</p> <p>Mental Health Strategy Steering Group</p> <p>Citizens Panel / Oversight Group</p>	

## Appendix 3: Table 2 Quick reference Care Inquiry headline recommendations

<b>Recommendation No:</b>	<b>Overview</b>
Recommendation 1: A Commissioner for Children	<i>We recommended that a Commissioner for Children be appointed to ensure independent oversight of the interests of children and young people in Jersey (IJCI: Executive Summary: Para 13.5: p57)</i>
Recommendation 2: Giving children and young people a voice	<i>Ensuring that the voice of children and young people is heard in relation to all matters affecting their lives, including the development of government and service policy, is crucial in building confidence that their interests are given paramount consideration (IJCI: Vol 3 of 3: Para 13.14 pp52)</i>
Recommendation 3: Inspection of services	<i>Jersey should establish a truly independent inspection arrangements for its children’s services, which will have confidence of children, staff and the wider public (IJCI: Executive Summary: Para13.11 p58).</i>
Recommendation 4: Building a sustainable workforce	<i>Effective professional practice must be underpinned by safe recruitment, access to high quality training and reflective supervision. (IJCI: Vol 3 of 3: Para 13.29 page 59)</i>
Recommendation 5: Legislation	<i>Consideration is given as to how the Island can have a more effective mechanism for developing legislation, policy and practice (IJCI: Vol 3 of 3: Para 13.33 p60)</i>
Recommendation 6: Corporate Parenting	<i>There seemed to be little evidence of a full commitment to the concept (Corporate Parent) that children looked after by the States were entitled to have full resources of the States applied in their best interests throughout their time in care and, indeed, beyond (IJCI: Vol 3 of 3: Para 13.37:p61)</i>
Recommendation 7: The ‘Jersey Way’	<i>Ensure that the island’s children and young people will be looked after in a caring and compassionate system that is underpinned by a system of governance in which there is the utmost confidence among all of the island’s citizens Para 13.43: p64: Vol 3 of 3: Recommendations and Appendices</i>
Recommendation 8: Legacy issues	14.1 The Chief Minister has committed to engaging survivors and the wider public in developing a plan to address the legacy issues identified by the Inquiry report. Each of the four areas identified under Recommendation 8 have their own unique set of sensitivities.