

# 2019

Annual Report

Jersey Care  
Commission

R.65/2020

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

## CONTENTS

INTRODUCTION	2
FOREWORD	3
PERFORMANCE SUMMARY	4
FINANCIAL PERFORMANCE AND ACCOUNTS	6
ORGANISATIONAL STRUCTURE	8
PERFORMANCE ANALYSIS	9
REGISTRATION AND INSPECTION	10
PUBLIC ENGAGEMENT	15
PROFESSIONAL REGISTRATION	18
COLLABORATIVE WORKING	21
LEADERSHIP AND DELIVERY	22
KEY PERFORMANCE INDICATORS (KPI'S)	23
PRIORITIES IN 2020	26
APPENDIX 1: PROFESSIONS WHICH ARE REGISTERED BY THE COMMISSION	28



# INTRODUCTION

The Jersey Care Commission (the Commission), was established on 1st January 2019 in accordance with the enactment of the Regulation of Care (Jersey) Law 2014 (the 2014 Law), and the Regulation of Care (Transfer of Functions) (Jersey) Regulations 2018.\*

The Commission existed in 'shadow' form prior to the enactment of the 2014 Law.

The end of 2019 represented the first full year of the Commission's existence and, as such, was the opportunity for the Commission to commence its range of functions and to consolidate its role.

The Commission was appointed to undertake the following three strategic priorities: -

- to provide the people of Jersey with independent assurance about the quality, safety and effectiveness of their health and social care services

- to promote and support best practice in the delivery of health and social care by setting high standards and challenging poor performance
- to engage with service users and their families and carers to improve their experience of health and social care and achieve better outcomes.

This first annual report demonstrate how the Commission has begun to achieve these objectives and indicates the range of work which will be undertaken in 2020 and beyond.



\* See also: Regulation of Care (Standards and Requirements) (Jersey) Regulations 2018 and the Regulation of Care (Regulated Activities) (Jersey) Regulations 2018.

# FOREWORD

The establishment of the Jersey Care Commission is the culmination of the extensive preparations to introduce independent regulation of health and social care in Jersey.

The Regulation of Care (Jersey) Law 2014, and the associated Regulations determine the remit and responsibilities of the Commission and confirm its independence from the Government of Jersey and from those who deliver health and social care in Jersey.

I am honoured to have been appointed to serve as the first Chairperson of the Commission. The Commission consists of a team of five people appointed to serve for an initial term of three years. Commissioners were appointed on the basis of their knowledge, skills and experiences of working in the public service, and through having experienced what it is to be a carer for a family member.

The operational arm of the Commission consists of a team of Regulation Officers and support staff headed by a Chief Inspector. The team consists of people who have health and social care qualifications and have had experience of working in the delivery and regulation of health and social care in Jersey and elsewhere.

Creating a new public body has many challenges. It is important in the first year of operation to establish a reputation for collaborative working, whilst maintaining independence of thought and action.

I believe the Commission has acted fairly and impartially in its dealings with individuals and services operating within the scope of the regulations and standards.

I wish to acknowledge the support of the Chief Minister, the Council of Ministers, and other elected representatives who have campaigned for the establishment of the Commission. Without their persistence and determination, the necessary preparatory work, including the policy and legislative framework, could not have been accomplished.

I wish to acknowledge too the work of the former Professional and Care Regulation Team, the forerunner of the Care Commission, which undertook a range of duties and responsibilities, including the regulation of the health and social care workforce and inspections of independent care services.

As you read this report you will gain an insight into the work of the Care Commission in 2019. It has been a productive first full year of activity. There is still much work to do, but we look forward to building on the strong foundation we have already created.

**Glenn Houston**  
Chair of the Jersey Care Commission



# PERFORMANCE SUMMARY

The Commission's first year has focussed on the establishment and consolidation of its role and function. The Commission has successfully formalised its constitution and has established its first Business Plan, setting out key objectives and performance indicators for these initial stages of the Commission's operation.

Alongside a range of formal strategic and operational governance arrangements, the Commission has written and approved standards relating to each of the areas of health and social care services which the Commission regulates. Services have been and will continue to be inspected and assessed against these standards.

The Commission is responsible for the registration of health and care professionals, medical professionals, piercing and tattooing premises and premises where certain classes of lasers are used. This work was completed, and all renewals of registration were processed in a timely manner.

A range of services (regulated activities) became registered with the Commission during 2019 with further applications received and in process. Inspections of regulated activities were also undertaken throughout the year.

In 2019 the Commission successfully recruited a Chief Inspector and a Head of Governance, Policy and Standards. It has also recruited two additional Regulation Officers, who will commence their roles in early 2020.

Following the first Ofsted-led inspection of children's social work services in 2018, a follow-up inspection was commissioned and successfully completed in 2019.

The Commission is grateful for the assistance of Ofsted, the Chief Minister and the Minister for Health and Social Services in facilitating this. The report of this inspection is available on the Commission's website.

In seeking to raise its profile and to publicise its work, the Commission has established a website and has undertaken a series of workshops with service providers and managers. The Chief Inspector has met a wide range of stakeholders including service providers, partner agencies, service users and carers as well as many others interested and concerned with the work of the Commission.

The Commission has published policies to support its aims and objectives and continues to develop its policy framework. These include policies relating to inspections, enforcement and in making complaints or raising concerns about service providers.

A significant aspect of the role of the Commission has been in responding to enquiries and in undertaking investigatory work where this is required. This includes the need to listen to the public, service users, families and carers so that their concerns are responded to effectively, whilst supporting service providers in being able to successfully meet the required standards relating to provision of care.

This will continue to be a challenge moving forward, but the Commission is well-placed to respond to these needs and priorities.



<sup>1/2</sup> Making a Difference; Driving Improvement: A Follow-Up Report\*  
<https://carecommission.je/wp-content/uploads/2019/12/Ofsted-progress-report-FINAL-Copy.pdf>



The Commission's first year has focussed on the establishment and consolidation of its role and function. The Commission has successfully formalised its constitution and has established its first Business Plan, setting out key objectives and performance indicators for these initial stages of the Commission's operation.

This section includes information on income and expenditure, and details of remuneration (including any non-cash remuneration) and interests of Board members.

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

- (a) keep proper accounts and proper records in relation to the accounts; and
- (b) prepare accounts in respect of each financial year and a report on its operations during the year.

Income forecasts and the expenditure budget are agreed at the beginning of each financial year with the Commission. The Commission determines areas of expenditure in accordance with its annual priorities.

The Commission cannot commit to any new expenditure unless it can be met from within the Commission's available funds or from an additional recurring or non-recurring allocation approved by the Accounting Officer.

In 2019 the Commission received the necessary approval and a non-recurring allocation of funds to engage Ofsted to undertake a follow up inspection of children's social work services.

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

### Income Sources

Income is received from sources including fees from medical and healthcare professionals, from regulated activities and from piercing and tattooing practitioners and premises. A direct allocation is provided from the Government of Jersey specified within the core budget.

The Regulation of Care (Jersey) Law 2014 was agreed by the States Assembly on the understanding that the former Inspection Team's budget would be grant-funded to the Care Commission and that this would represent approximately 45% of the total cost of administering the Law. These monies, the core budget, were transferred to a dedicated

Care Commission business unit for financial accounting purposes.

In addition, the Commission received income from fees prescribed by the Chief Minister at the point at which the 2014 Law came into force.

These fees include:

- Making an initial application for registration as a provider or a manager (Article 4)
- An annual fee for continued registration (Article 9)
- Applying for a variation on conditions of registration (Article 17)
- Replacement of registration certificates (Article 8)
- Provision of printed copies of Commission report (Article 38)

The sponsor division is the Department for Strategic Policy, Planning and Performance (SPPP), within the Government of Jersey. The Department (SPPP) has responsibility for the provision of adequate financial and other resources required to support the function of the Commission.

The Accountable Officer for the appropriate use of public funds, including the funding for the Commission, is appointed in accordance with the Public Finances (Jersey) Law 2019, and is the Director General for Strategic Policy, Planning and Performance. It is the responsibility of the Accounting Officer to ensure the Commission represents value for money.

Where the Accounting Officer has concerns relating to fee income, the Accounting Officer will inform the Chair and Chief Inspector and may report those concerns to the Treasury and Exchequer; the Comptroller and Auditor General. No such concerns arose or were reported in 2019.

The Accountable Officer delegates the management of funds to the Chief Inspector in accordance with the Department's Scheme of Delegation and the Government of Jersey's Public Finances Manual in accordance with the Public Finances (Jersey) Law 2019.

The Department works with the Treasury Department to ensure the provision of a core budget to the Commission, post staff to the Commission and provide a HR framework for supporting staff appointed by the Commission and providing financial management and other agreed services to the Commission.

Recurring expenditure consists of both pay, including staff salaries and pension contributions, and non-pay, including goods and services.

Essential support services including provision of office accommodation, information technology, payroll and legal services are provided directly to the Commission by the Government of Jersey at no direct cost. This represents part of the Government of Jersey's contribution to the overall operation of the Commission.

The staff working for the Commission are employed by the States of Jersey Employment Board (SEB). The terms and conditions of employment of Commission staff are the standard SEB terms and conditions, and staff are remunerated accordingly. The Commission appoints and manages its staff in accordance with the relevant SEB policies and procedures.

The Commission is required to complete an Annual Financial Assurance Statement.

The Commission's accounts for 2019 have been audited as part of the whole of Government accounts and the Government of Jersey Annual Report and Accounts for 2019 was published on 02 April 2020.

### Income and Expenditure

### Jersey Care Commission Budget Outturn 31 December 2019

IFRS Consolidation	Year to Dec Actual 2019	Year to Dec Budget 2019	Year to date Budget Variance (Adv)/Fav	Full Year Forecast 2019	Full Year Budget 2019	Full Year Forecast Variance (Adv)/Fav
Fee income - regulated activities	(206,230)	(167,715)	38,515	(167,715)	(167,715)	0
Fee income - other	(31,060)	(34,755)	(3,695)	(34,515)	(34,755)	(240)
<b>Total Income</b>	<b>(237,290)</b>	<b>(202,470)</b>	<b>34,820</b>	<b>(202,230)</b>	<b>(202,470)</b>	<b>(240)</b>
Staff Costs	472,541	495,252	22,711	476,026	495,252	19,226
Supplies and Services	112,062	111,528	(534)	107,243	111,528	4,285
Administrative Expenses	7,200	3,500	(3,700)	3,500	3,500	0
Premises and Maintenance	1,139	12,250	11,111	13,450	12,250	(1,200)
<b>Total Expenditure</b>	<b>592,942</b>	<b>622,530</b>	<b>29,588</b>	<b>600,219</b>	<b>622,530</b>	<b>22,311</b>
<b>Total Net Expenditure</b>	<b>355,653</b>	<b>420,060</b>	<b>64,407</b>	<b>397,989</b>	<b>420,060</b>	<b>22,071</b>
	355,653	420,060	64,407	397,989	420,060	22,071

The Care Commission's final outturn was an underspend of £64,407.

This was mainly attributable to an overachievement of income (£34,820) and an underspend in staff costs (£22,711)

#### NOTES TO TABLE 1.

- 1.0 The Commission's total net budget was reported as £420,060
- 2.0 The Commission's full year forecast expenditure was reported as £397,989
- 3.0 The Commission's full year actual net expenditure was reported as £355,653
- 4.0 The budget variance was reported as an underspend of £64,407
- 5.0 The Care Commission accounts were audited as part of the overall Government of Jersey audit

### Remuneration of Chair and Non-Executive Board Members:

Name	Date Appointed	Fees (bands of £5,000) £000	Expenses (travel, accommodation and subsistence)	Restated Fees 2019 Total (Fees + Expenses)
Glenn Houston / Chair	01 May 2017	15-20	3200	15-20
Ann Abraham / Commissioner	10 May 2017	0-5	2600	5-10
Alison Allam / Commissioner	10 May 2017	0-5	1700	0-5
Lisa Jacobs / Commissioner	01 July 2017	0-5	0	0-5
Siân Walker-McAllister / Commissioner	10 May 2017	0-5	3000	5-10

#### NOTES TO TABLE 2.

- 1.0 Fees are stated in bands of £5,000 for the period from 01 January - 31 December 2019

- 2.0 Four of the five Commissioners live off Island and incur additional costs in respect of travel, accommodation and subsistence.
- 3.0 All five Commissioners were appointed for an initial term of 3 years.
- 4.0 Expenses are rounded to the nearest £100 Jersey audit



# ORGANISATIONAL STRUCTURE

The Commission has both a strategic and an operational structure. Its work is overseen by a Board of Commissioners who have a range of professional and carer/service user experience.



Left to right: Alison Allam, Ann Abraham, Glenn Houston (Chair), Siân Walker-McAllister, Lisa Jacobs



The operational aspects of the Commission's function are undertaken by a team consisting of:

**Audrey Murphy**  
Chief Inspector

**Bradley Chambers**  
Head of Governance,  
Policy and Standards

**Dave Luscombe**  
Regulation Officer

**Linzi Mudge**  
Regulation Officer

**Geoff Gurney**  
Regulation Officer

**Lesley Callander**  
Regulation Officer  
(commencing 2020)

**Allison Tandy**  
Regulation Officer  
(commencing 2020)

**Mandy Bates**  
Administrative Officer

**Sally Hazley**  
Administrative Officer



# PERFORMANCE ANALYSIS

The Commission's strategic focus is to develop a comprehensive and effective regulatory infrastructure that protects and promotes the rights of people who use the services it regulates.

1. Ensuring that the services we regulate are safe, well led and of high quality, by developing and delivering an effective system of regulation and inspection of health and social care services in Jersey.
2. Involving people who use and provide care services by consulting and engaging with service users, carers, providers and other stakeholders in all aspects of our work.
3. Keeping the people of Jersey informed about the work of the Commission and the outcome of our inspections.
4. Encouraging the services which we regulate to be self-motivated with a focus on quality improvement.

To enable the Commission to deliver its strategic priorities, it had objectives linked to the following key business priorities for 2019-2020:

- Regulation and Inspection
- Public Engagement
- Professional Registration
- Collaborative Working
- Leadership and Delivery

The next section of the report will constitute an analysis of performance in respect of each of these priorities.





# REGULATION & INSPECTION

Build a strong team of skilled and experienced regulation officers and support staff who will deliver an effective regulatory regime for Jersey which supports best practice and drives continuous improvement.

### How successful has this been so far?

The composition of the Commission changed throughout the course of 2019. Following the retirement of the former Head of Professional and Care Regulation who had managed the team throughout the period prior to the enactment of the Law, the new Chief Inspector took up her appointment in September 2019.

The role of Head of Governance Policy and Standards came into being in early 2019 and the new post holder commenced in June.

Two Regulation Officers left their roles in 2019 and have been replaced by two new Regulation Officers appointed towards the end of 2019.

There are two administrative staff members who provide the necessary office support functions, facilitating the effective operation of the service.

Despite the turnover and the lead in time to complete key appointments, the Commission has undertaken its role effectively, albeit with a need to manage the particular challenges associated with recruitment and retention.

### What more needs to happen?

The Commission needs to ensure that all new staff members receive appropriate induction and that existing staff have access to appraisal and workforce training opportunities. New staff need to feel welcomed into the team and fully involved in the operation of the team. This is a priority in the first quarter of 2020.

All staff members will require an annual appraisal in 2020 and will receive support to ensure that their needs in respect of Continued Professional Development (CPD), are met.

Implement the approved standards for all regulated activities as a framework to measure the quality, safety and effectiveness of these services

### How successful has this been so far?

The Commission has developed four sets of standards for each of the following areas of regulated activity: care homes; children's residential care services; home care services and day care services. These standards are published on the Commission's website - [www.carecommission.je](http://www.carecommission.je).

Regulated services are inspected against these standards. Following an inspection, services are issued with a report which summarises these findings. In the event that they do not demonstrate that they are meeting the standards, a service may be issued with an improvement notice.

### What more needs to happen?

The standards need to be reviewed following feedback received from service providers, to ensure that they are focussed on meeting the needs of service users. One such example has been involving service users in the development of standards relating to children's supported accommodation.

As other services become regulated, new standards will be developed and published for activities new to regulation.

Carry out a planned annual programme of announced and unannounced inspections of all registered services for adults and children in Jersey.

### How successful has this been so far?

It is a legal requirement that every service registered under the Law receives a minimum of one annual inspection in every 12-month period since it became registered.

The number of regulated activities as of the end of 2019 are represented in Figure 1.

The number of inspections which were completed as of the end of 2019 are represented in Figure 2.

### What more needs to happen?

The programme of inspections needs to continue in 2020 to ensure that the statutory requirement is met and continues to be met.

### Type of Regulated Activity

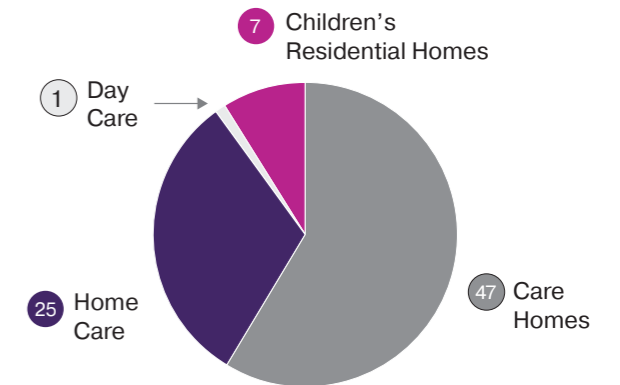


Figure 1: Number of services which are subject to the provision of the Regulation of Care (Jersey) Law 2014 as of 31 December 2019

### Inspections completed

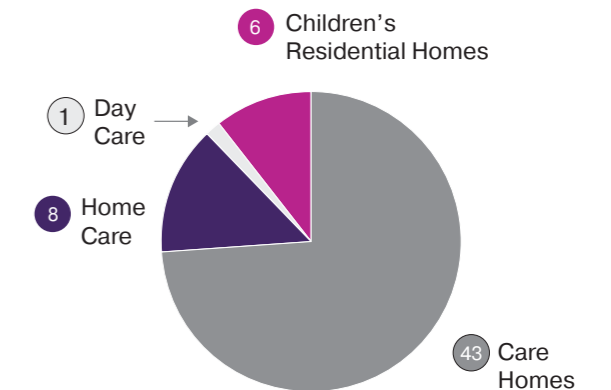


Figure 2: Number of registered services which received at least one inspection as of 31 December 2019



Introduce a programme of regular inspections for all children’s residential care services in Jersey.

**How successful has this been so far?**

Children’s residential care services include care homes, secure accommodation and residential respite settings in which children and young people live or stay and receive personal support, personal care or nursing care. There are currently seven children’s residential care services registered in Jersey for children and young people aged between 0 and 18 years. These comprise four small children’s homes; two short breaks centres for children with a disability; and one secure children’s home.

In addition, the Commission has also registered two supported accommodation units for young people and young adults aged 18 to 21 who require additional support as they move towards independence. It has also registered a homeless hostel for children, young people and young adults aged between 16 and 25.

Each of these services have been subject of registration and a first inspection and will receive a minimum of one inspection per annum.

One regulation officer has recent relevant experience of working with children and young people and specific knowledge

relating to children’s residential services. This has been of significant benefit to the Commission and has provided an excellent foundation upon which the Commission is able to build.

**What more needs to happen?**

The Commission must continue to build and maintain relationships with each of the newly-registered children’s residential care services to ensure that the children and young people living in these facilities are directly engaged and can inform the outcome of the inspection process.

There are currently 5 hostels for young people and young adults, aged between 18 to 25, operating in Jersey. On account of the relatively low level of support provided in these facilities, they do not currently meet the definition of a regulated activity. However, this will remain under review and the Commission may support these services to seek to register in the event that the level of support provided increases.

The Commission will work with the Children’s Commissioner in developing and facilitating a rights-based approach to the inspection of services for children and young people.

Complete a programme of pre-registration inspections of all services new to regulation including residential care homes, domiciliary care providers and adult day care service providers.

**How successful has this been so far?**

The Commission has worked with each of the services required to register in 2019 and has developed a collaborative approach in supporting them to become registered. Pre-registration visits took place throughout 2019 and will continue to occur as new services are developed across the island.

**What more needs to happen?**

The Commission must continue to work with any developing services which are yet to register to enable them to confidently and successfully complete the registration process.

Commission a follow up inspection of children’s social work services in Jersey.

**How successful has this been so far?**

The Commission appointed Ofsted to return to Jersey in 2019 and undertook a follow up inspection of children’s social work services in September.

The follow up report (Making a Difference; Driving Improvement - An Inspection of The Government of Jersey Children’s Social Work Service) was published in December and is available on the Commission’s website.\*

It is intended that further work will continue and that the Commission will, over time, build capacity within the team to undertake inspections of children’s services, drawing support from Ofsted and other external sources as required.

**What more needs to happen?**

The findings of these inspections continue to be considered by the Government of Jersey and embedded into practice. The Commission will consider undertaking targeted work in specific areas where a need for improvement has been identified.

It is intended that the inspections of children’s social work services will become a statutory duty of the Commission. As such, regulations and standards covering specific aspects of services for children and young people (to include early help; fostering; leaving care and support after leaving care), will be developed in consultation with stakeholders.

\* Making a Difference; Driving Improvement: A Follow-Up Report\* <https://carecommission.je/wp-content/uploads/2019/12/Ofsted-progress-report-FINAL-Copy.pdf>





Hold service providers to account by taking corrective action when they fail to comply with regulations or conform to the relevant standards in delivery of health and social care.

**How successful has this been so far?**

The Commission has undertaken 10 investigations relating to complaints/ concerns about standards of care in regulated activities in the course of 2019.

The Commission has the authority to issue improvement notices where it identifies breaches of regulations or standards. No improvement notices have been issued in 2019. However, where concerns relating to any potential breaches have been identified, the Commission has acted by issuing advice, both formally and informally, to services about how they might ensure that deficits might be resolved.

The Commission has developed a draft Escalation, Enforcement and Review policy. The purpose of the policy is to ensure that there will be a transparent process through which the Commission can hold services to account where there are identified breaches in either regulations or standards.

**What more needs to happen?**

The Commission must ensure that the Escalation Enforcement and Review policy is ratified and published following consultation.

The Commission will continue to adopt a 'right touch' approach whereby responses are evidence-based and proportionate to the level of concern.

The Commission has identified a need to improve its recording systems in relation to information received relating to standards of care.



**PUBLIC ENGAGEMENT**

Provide a voice for service users, by ensuring that service providers operate robust systems for investigating complaints relating to possible regulatory breaches and, where necessary, undertaking inspections to investigate concerns.

**How successful has this been so far?**

All service providers are required within the standards to have and to operate a complaint process and complaints must be directed to the responsible individual at the regulated activity in the first instance.

When a complaint is brought to the attention of the Commission it is responded to appropriately. Complainants are provided with information relating to how the complaint has been addressed, either by the service provider or by the Commission.

Inspections have included the voice of the service user; Regulation Officers have sought the views, opinions and perspectives of people who receive services and have recorded these within inspection reports.

Each of the Commissioners has 'lived experience' of caring for others. One Commissioner is actively caring for a family member with special needs. This has proven to be invaluable in ensuring that the Board reflects a variety of perspectives which can better inform practice.

**What more needs to happen?**

The Commission has produced a Communication Strategy which includes the following priorities:

- Develop an understanding among people who use services, their families and carers and members of the public of the role of Commission.
- Encourage service users, relatives, carers and others to contact the Commission when they have a concern regarding a service provider by enhancing an island-wide understanding of and confidence in the Commission.
- Ensure that new policies are subject to a process of stakeholder consultation before being approved.

In addition, a draft Complaints Policy (which sets out the Commission's expectation that providers of regulated activities have robust complaints arrangements in place in responding to complaints about the quality of care) is due to be finalised early in 2020.

In combination, these priorities are intended to become embedded into the work of the Commission to ensure that the public understand the role, function and purpose of the Commission.





Provide the public with access to relevant information such as registration guidance, application forms, legislation, regulation and standards and inspection reports.

**How successful has this been so far?**

The Commission’s website includes all of the necessary guidance and forms relating to the registration process. The website also includes information about the relevant legislation, regulations and standards.

The Commission has been mindful of the need to respond positively to feedback from stakeholders with regards to the quality and accessibility of its website. Consequently, numerous changes, alterations and improvements have been made to the website throughout the year in response to the feedback received.

Over the course of 2019, the website had 3,335 users and 6,780 hits.

**What more needs to happen?**

The website is in the process of being further developed to provide more extensive and detailed information.

It is acknowledged that the website needs to be more accessible and easier to navigate. Additional improvements will be necessary. It is also acknowledged that other mechanisms for engendering public engagement e.g. use of other social media resources, would be of benefit.

Inspection reports will be included on the website in 2020.

The Commission is able to accurately quantify the number of phone calls it receives but does not currently log the number of emails it receives. It will devise a means of capturing this information alongside the evaluation of the usefulness of the website and other media.

Further workshops and engagement events will allow the Commission to source the views of a range of stakeholders, particularly in the development of further sets of standards and policies.

To ensure that regulated services feel adequately supported by the Commission, each service is allocated to a Regulation Officer. This promotes consistency and continuity. The office duty system will continue, during working hours, so that requests for advice and support will be responded to as quickly and efficiently as possible.

Raise the profile of the Jersey Care Commission with the organisations we regulate, as well as with service users and carers.

**How successful has this been so far?**

Since its inception in 2019, the Commission has engaged with many services through its process of pre-registration visits and annual inspections. It operates a duty system whereby a representative of a regulated activity may contact someone in the Commission for guidance, advice and support; to request information or to raise concerns/make complaints. This system is well-utilised, and the Commission receives many contacts from people requesting advice daily.

In the course of 2019, the Commission received a total of 5868 phone calls.

The Commission has facilitated four workshops in 2019 on the subjects of Statements of Purpose; Quality Assurance and monthly reporting and the inspections process. These workshops were well attended by providers and managers of regulated services and have been both positive and productive in seeking their views on the implementation of the regulations and standards.

**What more needs to happen?**

The Communication Strategy outlines the types of activity which the Commission must undertake to raise its profile and to enhance its reputation with regulated services as well as with service users and carers.





# PROFESSIONAL REGISTRATION

Ensure the health and social care workforce in Jersey is appropriately qualified, registered and fit to practise.

### How successful has this been so far?

The list of professions which are registerable under this law are listed in Appendix 1.

Health and social care professionals are required to have and to maintain qualifications which are directly commensurate to their role. Most are also required to be registered with a relevant UK registering body. These requirements vary depending upon the role. For example, in order to practise in Jersey, a social worker must have a professional social work qualification and must also be registered with Social Work England.

Some registered professionals are required to complete an annual renewal application in order that they may continue to practise in Jersey. The Commission has successfully ensured that this has taken place.

In addition, the Commission has statutory functions designated under the following laws:

- Piercing and Tattooing (Jersey) Law 2002 (including the practices of acupuncture and electrolysis)
- Designated Yellow Fever Centres - International Health Regulations 2005
- Nursing Homes (Jersey) Law 1994 (in respect of the use of certain classes of lasers)
- Opticians (Registration) (Jersey) Law 1962

In 2019, the Commission renewed the registration of 60 piercing and tattooing premises. There were seven newly registered piercing and tattooing premises in 2019.

While the Commission is not required to undertake an annual inspection of these premises 61 inspections were undertaken in 2019.

All premises registered to operate certain classes of lasers received an inspection.

All Designated Yellow Fever Centres received an inspection.

The Commission maintains a register of all bodies corporate carrying on businesses as optometrists or as dispensing opticians.

The following tables detail the number of health and care professionals who were registered by the Commission in 2019:

### HEALTH CARE REGISTRATION:



Ambulance Paramedic	6
Biomedical Scientist	9
Chiropodist	2
Chiropractor	2
Clinical Psychologist	1
Dietitian	2
Midwife	9
Nurse	97
Nurse Independent Prescriber	12
Occupational Therapist	8
Operating Department	6
Physiotherapist	10
Podiatrist	3
Psychotherapis	3

In addition, 1903 health professionals renewed their registration with the Commission in 2019.

### DENTAL



Dental Nurse	2
Dental Hygienist	1

In addition, 38 dental professionals renewed their registration with the Commission in 2019.

### MEDICAL PRACTITIONER



Medical practitioners are not required to undergo a renewals process.

### PIERCING & TATTOOING PRACTITIONERS



Premises	7
Practitioners	17

In addition, 65 premises and 85 practitioners renewed their registration with the Commission in 2019.

### What more needs to happen?

The Commission will develop, with external support, the online renewal process and an online registration process. This will have the effect of making the registration and renewal process more streamlined and user friendly. Whilst this is in progress, the Commission will continue to maintain its existing process which is a combination of both paper-based and online registration.

The Commission will continue to work with members of the health and social care workforce to ensure that any difficulties associated with individual registrations are promptly and successfully remedied. It will continue to support all registered professionals in maintaining their registered status and will continue to ensure that applications for renewal are processed quickly.

The Commission will support professionals who are new to the process of registering in Jersey to ensure that they understand their own responsibilities as well as the role and responsibilities of the Commission.



Maintain effective regulatory links with other organisations which have shared responsibilities for the oversight of professional regulation in Jersey, e.g. General Medical Council (GMC), Nursing and Midwifery Council (NMC), Social Work England and Health and Care Professions Council (HCPC)

**How successful has this been so far?**

The Commission has raised the awareness of its existence and role with organisations which are external to Jersey. This has taken the form of communications relating to the registration of individual professionals who are registered with UK bodies and who are seeking to register to work in Jersey.

**What more needs to happen?**

The Commission will ensure that all the regulatory bodies are made aware of its role and function and are invited to engage in the formulation of formal Memoranda of Understanding and/or Data Sharing Agreements.

**COLLABORATIVE WORKING**

Maintain and develop appropriate links with organisations that have a shared interest in the areas regulated by the Jersey Care Commission e.g. Safeguarding Partnership Board, Office of the Children’s Commissioner, Chief Nurse, Medical Practitioners local Responsible Officer.

**How successful has this been so far?**

The Commission has developed links with each of these organisations. There is already a Memorandum of Understanding with the Government of Jersey. Therefore, all organisations within the Government of Jersey are able to share information with the Commission as appropriate, in the interests of safeguarding adults and protecting children.

The Commission has a responsibility to share such information with these bodies as required and in line with associated data protection law and policy.

**What more needs to happen?**

The Commission needs to ratify memoranda of understanding with the Safeguarding Partnership Board and the Office of the Children’s Commissioner. It needs to sustain and develop its relationship with each of the organisations which have a shared interest in the matter of regulated services. and purpose of the Commission.





Appoint a new Chief Inspector to assume the responsibilities of the Head of Professional and Care Regulation, in June 2019

**How successful has this been so far?**

The Chief Inspector was appointed to this role and took up her responsibilities in September 2019.

**Appoint a Head of Governance, Policy and Standards to support the role and functions of the Care Commission**

The Head of Governance, Policy and Standards was appointed to this role and took up his responsibilities in June 2019.

Maintain and develop a system of corporate governance which ensures effective oversight and accountability for the work of the Care Commission

**How successful has this been so far?**

The work of the Commission is overseen by a Board of Commissioners. The role and responsibilities of the Commission are set out in Schedule 2 of the Regulation of Care (Jersey) Law 2014. The Board usually meets six times a year. These meetings are open to the public.

The Board receives reports from officers employed within the Commission and also receives updates of progress of work. It maintains and updates a risk register of both strategic and operational risks. The Board also ratifies policies and other corporate documentation.

The Commission is accountable to the Government of Jersey as an arms-length organisation. This concords with a Memorandum of Understanding which was signed by the Chair of the Board of Commissioners and by the Chief Minister in December 2018.

In 2019, six meetings of the Board of Commissioners took place. The attendance of Board members is shown in the following table:

Glenn Houston	6 out of 6
Ann Abraham	5 out of 6
Alison Allam	5 out of 6
Siân Walker-McAllister	5 out of 6
Lisa Jacobs	6 out of 6

Where Board members were unable to attend, apologies were received on each occasion.

In addition to the Board meetings, the Commission facilitated two workshops in 2019 which were attended by both Commission staff members and Commissioners.

**What more needs to happen?**

The Board members' current terms of office are due to be reviewed in 2020.

The Board will continue to meet throughout 2020 and will continue to hold the Commission to account for its operational activity.

The Chair of the Board, in combination with the Chief Inspector and Head of Governance, Policy and Standards will continue to meet quarterly with representatives of the Government of Jersey in order to provide assurances that its contractual obligations are being met.

The existing KPI's are predominantly quantitative. Whilst this was appropriate in the earliest stages of the Commission's existence, it is now necessary that the Commission develops other KPI's in order to have a varied range of outcome measures and to assess its progress more holistically.

Therefore, the Commission will develop a set of outcome-based performance measures throughout the course of 2020.

The following indicators, linked to our strategic and business objectives described above, were used in 2019:

**1. The number of inspections carried out and inspection reports published in each of the following services**

- Care Homes for adults
- Children's Homes
- Domiciliary Care Providers (Home Care)
- Adult Day Care Centres

The Commission's follow up inspection report involving Ofsted, published in December 2019, 'Making a Difference; driving Improvement', is available on the Commission's website.

No other inspection reports have been published on the basis that 2019 was the first year of enactment of the new law. As such it was reasonable that service providers were provided with a 12-month period in which to become familiar with the law and of the regulations and standards associated with their obligations under the law.

Service providers were provided with advance notice that 2020 would constitute the first year in which inspection reports would be published openly. Consequently, it is the Commission's intention that these reports will be published on the Commission's website throughout 2020 as they become available.

Service providers will be provided with the opportunity to read the reports and to undertake a factual accuracy check prior to them being published. The Commission operates a 'no surprises' policy in this

regard whereby providers should be made fully aware of the content of a report about their service prior to it becoming publicly accessible.

**2. The number and outcome of enforcement actions**

To date there have been no enforcement actions undertaken. This is positive in that the Commission will endeavour not to pursue formal enforcement actions in respect of service providers where recourse to advice and guidance is appropriate and appropriate and is sufficient to bring about the desired change.

The Commission seeks to adopt a collaborative approach in working with service providers to encourage improvement rather than to pursue a process of escalation and enforcement.

However, it is acknowledged that there may be occasions where such action is warranted. The Law has provision to enable the Commission to intervene through a stepped approach to enforcement. Consequently, the Commission has developed an Escalation, Enforcement and Review policy. This is currently a working draft pending a period of consultation with relevant stakeholders. Once this is completed, the policy will be ratified and made available publicly on the Commission's website.



**3. The number of health and social care professionals added to and removed from the Jersey register.**

In the course of 2019, 284 health and social care professionals were added to the register and 168 were removed. A total of 1894 renewals were received by 31 December 2019.

**4. The number of health or social care professionals referred to a UK regulator for fitness to practice issues.**

To date, one such professional has been referred to their UK regulator on account of fitness to practice issues.

**5. The number of inspections carried out in response to a concern or complaint about service level provision in a particular setting.**

Ten inspections were undertaken in response to a concern or complaint received relating to service level provision in 2019.

**6. The number and outcome of consultations completed in respect of draft standards.**

Care Standards relating to Care Homes, Home Care, Children and Young People's Residential Care, Day Care have been completed and published on the Commission's website.

Consultation events with representatives of regulated activities took place at the end of 2018 and the feedback from stakeholders was used to inform the final versions of the standards.

Currently, the Supported Accommodation standards for young people leaving care are in draft form and consultation has taken place in respect of these.

**7. The number and outcome of reports about health and social care services requested by the Chief Minister or Health Minister and provided by the regulator in response to emerging issues.**

A Ministerial Direction was issued to the Commission in 2019 to facilitate the independent follow up inspection of children's social work services with Ofsted.

**8. The number and outcome of reports about health and social care services initiated by the Commission in response to emerging issues**

As referred to in 5 (above), ten instances of regulatory activity arising from information received about standards of care are recorded. Some of this activity pre-dates the point at which services became registered (and therefore regulated).

The regulatory activity did not necessarily result in the compiling of inspection reports.

The Commission will systematically receive and record information pertaining to emerging issues and will determine how best to analyse and respond to these contacts.

**9. The number and outcome of public and stakeholder engagements and consultations aimed at raising the profile of the Care Commission in Jersey.**

In the course of 2019, there were five separate stakeholder consultation events which focussed upon the following areas of activity:

- Statements of purpose
- Quality Assurance and monthly reporting
- Standards for children's supported accommodation services
- Inspection process and reports (2 sessions)

The feedback from each of these sessions was overwhelmingly positive. As a result of the inspection sessions in November, the Commission has a pool of stakeholders who have offered to provide support in contributing to consultation work relating to draft policies. This will take place in 2020.

Engagement and consultation has been broader than formal and organised events. Much of this work necessarily happens on a smaller and less formal basis. For example, the standards relating to children's supported living services have been shared and discussed with each of the proposed registered managers and were presented to and discussed with young people using the service.

**10. The number of Memoranda of Understanding (MOU's) agreed with relevant regulatory bodies.**

To date the Commission has an MOU with the Government of Jersey. It has MOU's in draft form with each of the Safeguarding Partnership Board and the Office of the Children's Commissioner. The development of MOU's with regulatory bodies external to Jersey is a priority for 2020.

**11. The outcome from surveying service providers and other stakeholders to gauge their views about the impact of inspection on driving service improvement**

This is an ongoing area of work in that service providers and others will be able to continue to provide their perspectives in relation to inspections.



# PRIORITIES IN 2020

Whilst this report covers our activities in 2019 it is appropriate to look to the future with confidence.

## Regulation and Inspection

The programme of inspections will continue in 2020 to ensure that the statutory requirement is met and continues to be met.

All regulated services will have a named Regulation Officer to better ensure business continuity. Newer members of the team will undertake inspection work with support from more experienced Regulation Officers as part of their induction process.

Inspection reports will be published on the Commission's website throughout 2020.

The Commission will continue to work with any developing services which are yet to register in order that they can confidently and successfully complete the registration process.

The existing standards will continue to be applied with attention given to collating and interpreting feedback from the sector regarding their quality and utility.

As other services become regulated such as children's social work services and Child and Adolescent Mental Health Services (CAMHS), the Commission will continue to develop associated standards and to publish them once they are finalised.

## Public Engagement

The Commission will embed its communication strategy into its culture and practice. Specifically, it will devise a programme of communication enhancement for 2020 based upon the following priorities:

- Develop an understanding among people who use services, their families and carers and members of the public of the role of the Commission.

- Encourage service users, relatives, carers and others to contact the Commission when they have a concern regarding a service provider by enhancing an island-wide understanding of and confidence in the Commission.

As part of its communication strategy, the Commission will develop its website in order that it encompasses a wider range of information which is presented in a way which is more accessible for members of the public.

The Commission will continue to build and maintain relationships with each of the newly-registered children's residential care services. It will develop a strategy for ensuring that the views of the children and young people who receive care in these facilities is consistently captured in order to better inform the inspection process and in order to ensure that these service users' perspectives are more fully understood

## Professional Registration

The Commission will continue to work towards developing the online renewal process and registration processes.

It will continue in its role of providing a service to professionals whereby registrations are processed promptly and where any difficulties arising from the registration processes are responded to efficiently.

The Commission will continue to raise awareness of its existence, role and function with external regulatory bodies and will formulate Memoranda of Understanding or other such formal data sharing arrangements where this is possible.

## Collaborative Working

The Commission will work with the Government of Jersey in embedding into practice the recommendations of both the Ofsted-led inspection and follow-up inspection. The Commission will determine how it can facilitate sustained improvement and to make sure that any loss of momentum is appropriately challenged.

The Commission will work collaboratively with the Government of Jersey to ensure that areas requiring improvement are appropriately targeted and reviewed.

The Commission will ensure that the following policies are ratified, consulted on and published:

- Inspection Policy
- Escalation, Enforcement and Review Policy
- Complaints (about the Commission) Policy
- Complaints (about regulated services) Policy

In doing this, the Commission will facilitate a consultation process with relevant stakeholders.

The Commission is conscious that it exists within a context of change and improvement in relation to service delivery. Consequently, it will continue to be mindful of external drivers of change and will seek to engage with bodies such as the Office of the Children's Commissioner, the Safeguarding Partnership Board as well as with Government of Jersey agencies where there is a benefit associated with coordination of activities and of joint-working.

## Leadership and Delivery

The Commission will work towards strengthening its team of staff by inducting and supporting new staff members; ensuring that a programme of regular supervision is more fully embedded into the culture of the team and in undertaking annual appraisals.

Attention will be given to the matter of Continued Professional Development (CPD) by devising a programme of training and learning and by undertaking a detailed analysis of individual learning needs.

The Commission will consider its requirements going forward and whether it needs to expand its core skill set in accordance with any planned extension of its regulatory reach in 2020 and beyond.

The Commission has identified a need to improve its recording systems in relation to information received relating to standards of care. It will therefore undertake a process of enhancing its internal governance processes. This will include specific concentration on improving risk management, information management, data protection and financial oversight of income and expenditure.

The Board will continue to meet throughout 2020 and will continue to hold the Commission to account for its operational activity.

The Chair of the Board, in combination with the Chief Inspector and Head of Governance, Policy and Standards will continue to meet quarterly with representatives of the Government of Jersey in order to provide assurances that its contractual obligations are being met.

The constitution of the Board will be kept under regular review and where necessary, recruitment of additional Commissioners initiated.



APPENDIX 1

Professions which are registered by the Commission.

Legislation	Registrable Professions
<p>Health Care (Registration) (Jersey) Law 1995.</p> <p>Health Care (Registration) (No.5) (Jersey) Regulations 2019:</p>	<p>Ambulance paramedic</p> <p>Art Therapist</p> <p>Biomedical scientist</p> <p>Chiropodist</p> <p>Chiropractor</p> <p>Clinical psychologist</p> <p>Dietitian</p> <p>Midwife</p> <p>Midwife prescribing practitioner</p> <p>Nurse</p> <p>Nurse prescribing practitioner</p> <p>Occupational therapist</p> <p>Operating department practitioner</p> <p>Orthoptist</p> <p>Osteopath</p> <p>Physiotherapist</p> <p>Podiatrist</p> <p>Psychotherapist</p> <p>Radiographer</p> <p>Registered nurse: first level</p> <p>Registered nurse: second level</p> <p>Social worker</p> <p>Specialist community public health- nurse</p> <p>Specialist community public health- nurse prescribing practitioner</p> <p>Speech and language therapist</p> <p>Nurse independent prescriber</p> <p>Optometrist independent prescriber</p> <p>Paramedic independent prescriber</p> <p>Pharmacist independent prescriber</p> <p>Physiotherapist independent -prescriber</p> <p>Podiatrist independent prescriber</p> <p>Therapeutic radiographer independent -prescriber</p>
Dentistry (Jersey) Law 2015	<p>Clinical dental technician</p> <p>Dental hygienist</p> <p>Dental nurse</p> <p>Dental technician</p> <p>Dental therapist</p> <p>Orthodontic therapist</p>
Medical Practitioners (Registration) (Jersey) Law 1960	Doctors





# Jersey Care Commission

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

---

Telephone + 44 (0) 1534 445801  
Email [enquiries@carecommission.je](mailto:enquiries@carecommission.je)

2nd Floor, 23 Hill Street, St Helier JE2 4UA

**[www.carecommission.je](http://www.carecommission.je)**