

#### **4.16 Deputy J.A. Hilton of the Minister for Health and Social Services regarding compulsory criminal record checks for employees under the proposed new Regulation of Care Law:**

Will the Minister inform Members whether compulsory criminal record checks for all employees employed in the care system will be a requirement to the new Regulation of Care Law due to be lodged for debate later this year?

#### **The Deputy of Trinity (The Minister for Health and Social Services):**

Just a point of clarification. A proposition outlining the principles associated with the introduction of a Regulation of Care Law will be brought to the States later this year. Any law will then follow on from that debate which hopefully, if the Assembly approves, will be next year. Health and Social Services already undertakes criminal record checks for all of its frontline staff who work with vulnerable people. Under the Regulation of Care Law this will also become an explicit requirement in any regulated service. This will include people working in care homes and anyone employed to provide care in an individual's own home.

#### **4.16.1 Deputy J.A. Hilton:**

I am relieved to hear that it will be an explicit requirement of the new law when it comes to the House but my concern is based around those jurisdictions who may not have such a sophisticated criminal record bureau that the United Kingdom has. I am wondering if the Minister can tell us how she believes that those people who come from other European countries might be dealt with in this respect when their systems simply are not as developed as our own?

#### **The Deputy of Trinity:**

Local criminal record checking only covers offences committed in the U.K. or Jersey but any individual who has lived outside the U.K. or Jersey would need to provide criminal record details from the relevant vetting agency in the country where they have lived. Within many European countries, this would take a form of a police-issued certificate of good conduct.

#### **4.16.2 Deputy J.A. Hilton:**

Is the Minister confirming that without a relevant check from the local police authority that indeed these people will not be employed in the care industry in Jersey?

#### **The Deputy of Trinity:**

As part of any employment there are a number of clearance checks including production of 2 verifiable references and a C.R.B. (Criminal Records Bureau) check. If the person has lived somewhere else in Europe and it is not possible to undertake that C.R.B. check, we would obviously expect a certificate of good conduct. If they could not provide a verifiable certificate of good conduct, they would not be employed in that role.

#### **The Bailiff:**

Very well, that brings questions on notice to an end.

#### **Appointment of 5 members of the Bailiff's Consultative Panel**

#### **The Bailiff:**

May I suggest to Members that we now undertake the ballot in respect of the Bailiff's Consultative Panel so I invite Members to return to their seats and the usher will distribute ballot papers for the positions. Can I remind Members that there are 5 vacancies and therefore Members may put crosses against 5 names. If they put more than that, it will be a spoil paper. Very well, I will ask the Viscount and usher to collect the ballot papers please. Very well, have all ballot papers been collected? Then I will ask the Attorney General and the Viscount to act as

scrutineers please. Now, before we move on to questions without notice, can I inform Members that the Minister for Economic Development has lodged Report 81, Tourism Development Fund Report for 2011 as presented.