

## **2.12 Deputy R.G. Le Hérissier of the Minister for Home Affairs regarding the introduction of mandatory criminal record checks for persons applying to work in care homes:**

Is it intended to introduce mandatory criminal record checks for persons applying to work in care homes and if so, when?

### **Senator W. Kinnard (The Minister for Home Affairs):**

This answer mainly affects Health and Social Services. While the Chief Officer of Home Affairs is leading a corporate initiative to provide for a small agency to act as a designated authority under changes due to come into force under the Safeguarding Vulnerable Persons (Jersey) Act, the responsibility to vet staff rests with employers and the departments concerned. I am advised that currently the management staff of homes registered under the Nursing and Residential Care Homes (Jersey) Law 1994 are subject to police checks as well as the directors of private homes. When the U.K. Act comes into force in October 2009, the scope of the new independent safeguarding scheme will go much wider than the current arrangements. The new scheme will be introduced in phases and will require those who wish to work with vulnerable groups to be registered with the independent safeguarding agency. Certain employments will be classified as regulated. Regulated activities include frequent intensive or overnight contact for any activity in a specified setting such as care homes. In the U.K. anyone providing a regulated activity must be registered with the independent safeguarding agency after October 2009. Jersey is working in parallel with the implementation of the U.K. Act which is to be introduced, as I have said, in phases. The first phase will require all new workers or those changing jobs to register with the independent safeguarding agency. Thereafter a further timetable will be announced for the checking of existing staff and continuous checking arrangements. Again, Sir, Jersey will seek to work in parallel as each phase is introduced.

### **2.12.1 Deputy R.G. Le Hérissier:**

Can I therefore draw from the Minister's answer that all persons working in care homes are subject to a mandatory police check? Secondly, Sir, where there are concerns on behalf of the management of such a care home, those concerns are conveyed always to the relevant U.K. professional body?

### **Senator W. Kinnard:**

I think that has to be a question more rightly directed to the Minister of Health and Social Services. I have given the answer that I am advised that currently the management staff of the homes that are registered under the Law are subject to police checks as well as the directors of private homes. I have no further information because obviously it is the detail of Health and Social Services.

### **2.12.2 Senator J.L. Perchard:**

Just to avoid any confusion, will the Minister confirm that it is a well-established practice that all staff working in children's residential care homes, as well as the Greenfields secure units, are subject to mandatory criminal record checks?

### **Senator W. Kinnard:**

I am advised so.

### **2.12.3 Deputy R.G. Le Hérissier:**

Just to clarify, Sir, so the Minister hereby clarifies that care workers on the front line are not, at the moment, subject to mandatory checks?

### **Senator W. Kinnard:**

I really do not think that that is a question I can answer and I am not the Minister of the department concerned and as I have said - I will say it again - it is the responsibility of the employers and the departments concerned to check their own staff.

