

**WRITTEN QUESTION TO THE MINISTER FOR HEALTH AND SOCIAL SERVICES
BY DEPUTY M. TADIER OF ST. BRELADE
ANSWER TO BE TABLED ON TUESDAY 5th JULY 2011**

Question

Is the Minister satisfied that all the staff currently employed by private residential and respite care homes are suitably qualified? Is the Minister satisfied that working conditions in all such homes are satisfactory enough so as to not create instances of low morale which may lead to instances of client neglect? If so, what evidence does she have to know that this is the case? What mechanisms are there in place to monitor private care homes? Are there sufficient whistleblowing mechanisms in place to flag up staff concerns, and if so, what are they?

Answer

All independent nursing and residential homes¹ are required to be registered under the Nursing and Residential Homes (Jersey) Law 1994 and are regulated under the associated Orders.

It is a requirement of registration that all nursing homes “*employ by day and by night suitably qualified and competent professional technical ancillary and other staff in numbers which are adequate to ensure the well being of patients*”.

It is a requirement of registration is that all residential homes “*employ by day and where necessary by night suitably qualified and competent staff in numbers which are adequate for the well being of residents*”

To support these requirements, HSSD issues staffing standards setting out what will be assessed for compliance with the Order. These standards require both nursing and residential homes to have:

- “*a staff training and development programme that includes induction and further training and opportunities to undertake qualifying/educational courses*”.
- “*a minimum of 50% of the care staff employed (who) have either NVQ level 2 or equivalent or have previous experience as a care worker.*”
- “*on any one shift, a minimum of 50% of the care staff are either qualified to NVQ level 2 in care or equivalent or have previous experience as a care worker.*”

Nursing and residential homes are inspected at least once and usually twice a year to monitor compliance against standards. The inspections, which are generally unannounced, can take

¹ A residential home provides its residents with accommodation, board and personal care. A nursing home provides nursing care for people suffering from illness, injury or infirmity. The term “care home” applies to both residential and nursing homes.

anything from one day to three days depending on the size of the home and what is found during the inspection. The inspector talks with staff and residents, consults the home manager and inspects staff rotas and a sample of personnel and training records.

If standards are not met this is formally recorded in the inspection report alongside the required actions. This is monitored at subsequent inspections or, in more serious cases through follow up visits. A formal notice would be served in the event of persistent non-compliance which could lead to prosecution. In such cases the Minister would be informed.

Where concerns exist about clients' well-being additional visits are conducted between the formal inspections and, where necessary, additional investigations are undertaken.

Care homes generally have their own whistle blowing policies, however any individual can report directly to HSSD's Registration and Inspection Team if they believe their concerns will not be satisfactorily addressed through the home's own procedures.

In addition to existing whistleblowing policies, Jersey was the second jurisdiction to sign a memorandum of understanding with the Nursing and Midwifery Council (NMC), which is the regulator of nurses across the UK. This memorandum aims to safeguard the wellbeing of all Islanders by enabling anyone to raise concerns about any Jersey based health or social care service directly with the NMC.