

**3.1 Deputy M. Tadier of St. Brelade of the Minister for Health and Social Services regarding concerns raised about levels of care at Highlands Care Home in the past 2 years:**

Will the Minister advise whether any concerns have been raised about the levels of care at Highlands Care Home in the past 2 years, whether there have been any inspections at the home during that time period and if so, what the findings of those inspections were?

**Deputy A.E. Pryke of Trinity (The Minister for Health and Social Services):**

Highlands Care Home is registered under the Nursing and Residential Homes (Jersey) Law 1994. As required by this law, the home is inspected twice a year. I can confirm Highlands has been inspected in accordance with the statutory requirements. During inspection last year, concern was raised by the management at the home regarding a member of staff. This was investigated under the current safeguarding procedure. There were no current or outstanding regulatory actions in respect of Highlands. Information provided during inspection is given in confidence for the limited purpose of ensuring that the department has discharged its statutory functions. The Solicitor General has confirmed that there is no legal authority in law to disclose inspection reports and the department does not therefore have the legal power to disclose any details of these inspections.

**3.1.1 Deputy M. Tadier:**

The Minister confirmed that there had been concerns raised by management but can she say whether there have been concerns raised to her department by members of the public about levels of care at the home?

**The Deputy of Trinity:**

I do not have the exact details of that but I am happy to look into it. There is a policy that any family member of the resident can ask to see the inspection body.

**3.1.2 Deputy R.G. Le Hérissier of St. Saviour:**

Given the large amounts of public money that are often paid to these homes and, as we see in the U.K., in fact, money which ensures their survival, would the Minister tell the House how these homes are publicly accountable for the public money that is placed in them?

**The Deputy of Trinity:**

As a regulatory body, I wear 2 hats. The regulation and inspection is a statutory function which is very detailed looking at various aspects of fire, number of staff per patients, *et cetera*, as well as the other hat. We have an S.L.A. (Service Level Agreement) with care homes and residential homes if we need to, or we purchase contract spot beds, and we continue to monitor all the care and support that they need.

**3.1.3 Deputy R.G. Le Hérissier:**

I wonder if the Minister could be a bit more precise. If complaints are received, for example, and they fall within the S.L.A. or the non-adherence to the S.L.A., how does the Minister respond to this?

**The Deputy of Trinity:**

As I have said, if there is a complaint, then the regulatory and inspection body will go into nursing homes or residential homes to look at the complaints and proceed from there.

**3.1.4 Deputy J.G. Reed of St. Ouen:**

Will the Minister confirm whether criminal record checks are required for all staff working in care homes?

**The Deputy of Trinity:**

Yes, all care homes undertake robust recruitment procedures, and these are a detailed application form, full employment history, qualifications and experience, 2 references and since the beginning of this year, a criminal record check, and this was following advice from the Law Officers' Department.

### **3.1.5 Deputy G.P. Southern of St. Helier:**

Would the Minister define for us what she sees as wearing 2 hats and if there is a conflict in her roles, as Minister, will she divest herself of one of those?

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

The 2 hats I was referring to as part of that is the statutory function, the regulation and inspection of all nursing and care homes as well as part of Community and Social Services with the S.L.A.s. With the Regulation of Care Law that is going to be coming to this House, hopefully by the beginning of January next year, that will change slightly because we will need to set up a Commission to look at the regulation and inspection function.

### **3.1.6 Deputy G.P. Southern:**

Could the Minister please elucidate, because I do not understand whether she thinks that she has a conflict of interest presently and whether she is, in fact, getting rid of one of those roles?

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

No, because they are 2 separate functions. It might not be ideal in the Deputy's eyes but this is how it is at the moment and that is why the Regulation of Care Law, which is coming to this House hopefully by July of next year, is important, because at the moment it is only privately run nursing homes and residential homes that are regulated and inspected.

### **3.1.7 Senator S.C. Ferguson:**

The Minister said earlier that she does not have knowledge of complaints. Does she not discuss these with her Chief Officer, since they are indicative of the success of the policies being applied?

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

Matter of inspections is the regulation and inspection. If there is a serious complaint, yes, I will be notified, because if the complaints are not addressed or there is still an ongoing problem that needs to come to me, because I will take some action.

### **3.1.8 Senator S.C. Ferguson:**

Surely a regular discussion of complaints is more useful than just an occasional discussion of a major complaint?

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

As I said, the regulation and inspection body go into each nursing and residential home. If there is a complaint and serious complaints, yes, they do come to me and I do discuss them along with other residential and nursing homes and other organisations that we do regulate.

### **3.1.9 Deputy M. Tadier:**

Senator Ferguson touched on my point. The Minister earlier said she does not have the exact details when I asked if concerns had been raised by members of the public. It is simply a yes or no and I am astounded that the Minister does not seek to find that information which the question is seeking before coming to this Assembly. Can the Minister really confirm, I think she knows as well as I do, that she has been approached by at least one member of the public, who is one of my constituents, who has raised concerns that patients there have been left on their own, when alarms go off, that there are insufficient staff numbers, that there is a high level of staff turnover,

that often clients come back home after respite smelling of urine, *et cetera*, and will she confirm that she is taking these concerns very seriously and acknowledge the fact that concerns have been raised, either directly or indirectly, to her department from members of the public?

**The Deputy of Trinity:**

Yes, I know the issue that the Deputy was talking about. As with any complaint, we take complaints very seriously, and the complaint goes to the inspection and regulatory authority who will address these complaints.