

2019.01.29

**7 Deputy G.P. Southern of the Minister for Health and Social Services regarding the progress made in implementing an Ethical Care Charter in Jersey: [OQ.29/2019]**

Will the Minister update Members on the progress he has made, if any, on the implementation of an Ethical Care Charter, as agreed with the adoption of P.48/2017, and if there has been no progress, will he explain why?

**The Deputy of St. Ouen (The Minister for Health and Social Services):**

Members will be aware that in July 2017 the last States Assembly adopted a proposition of Deputy Southern that, in principle, Jersey should adopt an Ethical Care Charter governing the provision of care in people's homes. As instructed by the proposition, a consultation was undertaken with the Jersey Care Commission and with users and providers of care services on the terms of any charter. This took place in February and March last year. As a result, there was general support for the proposed content of the charter. As the questioner knows, I am supportive of the move to secure high standards of care in our homecare sector and I believe there is clear support for the charter. To some extent, the charter will complement some of the provisions of the Regulation of Care (Jersey) Law 2014 and its underlying regulations. Therefore it was sensible to wait until those accompanying regulations that give effect to the law were passed by the States just 2 months ago. In the meantime, I have met with the Jersey Care Commission and with Caritas, the charity that promotes the Jersey Living Wage Foundation, to explore issues relating to the implementation of a charter. I believe that how care workers are supported and rewarded can have a direct impact on the quality of care they provide. If, due to other pressures I have not been able to dedicate time immediately to the next stages in the implementation of a charter, I now hope to be able to return to this important subject very shortly.

**3.7.1 Deputy G.P. Southern:**

The key issue here is that this Ethical Care Charter was passed *nem con* by the States and it has been some time now, so the question is: when does he expect to come back to this House with the arrangements in place in order that the Ethical Care Charter is implemented in full?

**The Deputy of St. Ouen:**

I cannot give a firm date because it involves reaching agreement with others. My next step will be to speak to the Minister for Social Security and her officers, possibly also her Assistant Ministers. Because the charter envisages that the employment terms of homecare workers will be enhanced. That of course affects employment law, which is a matter for the Minister for Social Security.

[10:45]

It does mean that we will effectively be creating an employment law for homecare workers, which is different from the employment law that affects all other workers in the Island. If we proceed in that way there is a degree of compulsion about it because it is intended that all persons registered to provide home care will have to adhere to the charter and these employment terms. That has to be negotiated with the Minister, as I have said, and I will engage in those discussions as soon as possible.

**3.7.2 Deputy M. Tadier:**

One of the points in the Ethical Care Charter was that homecare workers should be paid for their travel time, travel costs and other necessary expenses, such as mobile phones, which I

understood received overwhelming support in the survey. Can the Minister advise what steps he is minded to take to make sure that these factors are realised?

**The Deputy of St. Ouen:**

The way to ensure that this happens is to embed it in the charter and to ask or require, if that is the will of the Assembly, all homecare providers to adhere to the terms of the charter. The consultation response reveal that some companies do pay for travel time or provide phones at the cost of the employer. There are some companies that appear not to. It is a mixed story in that respect. Again, further discussion will be needed with the companies involved.

**3.7.3 Deputy M. Tadier:**

For the Minister's part, does he believe that travel time and travel costs should be paid as standard?

**The Deputy of St. Ouen:**

It is my view. That also would appear to be the view of this Assembly, in passing the Ethical Care Charter in principle *nem con*.

**3.7.4 Deputy G.P. Southern:**

Can the Minister assure Members that where terms and conditions are referred to in the Ethical Care Charter, they do contain a safety or level of care element? You cannot have people working 12-hour shifts. At the end of that shift they are not delivering good quality, high-quality care. Does he accept that the relationship between health and safety and the quality of standards of care in the home are related to their Ethical Care Charter?

**The Deputy of St. Ouen:**

I accept that and I believe the Ethical Care Charter contains provisions to ensure that those sorts of standards are maintained.