

States of Jersey
States Assembly



États de Jersey
Assemblée des États

Health and Social Security Panel



Legacy Report for session 2014 - 2018

Presented to the States on 20th April 2018

S.R.10/2018

Introduction

1. The Health and Social Security Panel has reviewed the work it has undertaken since its establishment by the States in 2014. The Panel agreed to provide a report to its successor Panel to assist in developing its own work programme.
2. The report sets out:
 - the work undertaken by the Panel during the session 2014 - 2018
 - methods of working used by the Panel
 - suggestions for issues that a successor Panel may wish to consider in developing its work programme
3. The Panel met 220 times between November 2014 and March 2018. Details of minutes can be found on the Panel's web pages.

Remit

The Panel's remit covers the Departments of the Health and Social Services Minister and Social Security Minister (Code of Practice 4.2).

Membership:

Deputy R.J. Renouf (Chairman)
Deputy G.P. Southern (Vice-Chairman)
Deputy T.A. McDonald
Deputy J.A. Hilton [from April 2016]
Senator S.C. Ferguson [from October 2016]

Work undertaken

4. The Panel conducted the following reviews in the period 2014 to 2018:

Review	S.R. Number	Publication Date
2015		
Respite Care for Adults	S.R.4/2015	28th July 2015
Draft Discrimination (Sex and Related Characteristics) (Jersey) Regulations 201-	Comments	26th May 2015
2016		
Staff Recruitment and Retention at the Hospital	S.R.1/2016	21st March 2016
Draft Discrimination (Age) (Jersey) Regulations 201-	Comments	25th April 2016
Zero-Hour Contracts	S.R.3/2016	11th July 2016
Living on Low Income	S.R.4/2016	7th September 2016
Draft Medium Term Financial Plan Addition for 2017 - 2019	Comments	23rd September 2016

Future Hospital Project: Interim Report	S.R.6/2016	3rd November 2016
Zero-Hour Contracts (P.92/2016)	Comments	3rd November 2016
Future Hospital Project	S.R.7/2016	24th November 2016
2017		
Service Users of Home Care	S.R.1/2017	27th February 2017
Health and Social Care System: A New Governance Model	Amendment	31st October 2017
Redesign of the Health and Social Care Governance Model	S.R.9/2017	10th November 2017
Income Support: Reinstatement of Single Parent Component	Proposition	15th November 2017
2018		
Draft Discrimination (Disability) (Jersey) Regulations 201-	Comments	16th March 2018
Human (Transplantation and Anatomy) (Jersey) Law 201- (Organ Donation)	S.R.3/2018	27th March 2018
Long-Term Care Scheme	S.R.4/2018	28th March 2018

Other matters

5. The Panel has fulfilled the four main roles of scrutiny (Code of Practice 7.9) by undertaking work on:
 - (a) **Policy**
 - (b) **Legislation**
 - (c) **Annual Business Plan and Budget**
 - (d) **Matters of public interest**

Methods of working

6. **Sub-Panels** - The Panel found that the creation of a Sub-Panel was very effective especially when a topic came under the same remit as another Panel. For example the review of the Future Hospital Project included members of the Corporate Services Scrutiny Panel.
7. **Co-option** – The Panel found that co-opting other States Members onto its Panel was very beneficial particularly if a Member had an interest in the review topic. The Panel co-opted Deputy M. Tadier to undertake the review of Living on a Low Income.
8. **Quarterly Public Hearings with the Minister for Health and Social Services and Minister for Social Security** - The Panel invited the Ministers on a regular basis to discuss topical issues arising in the respective departments.

9. **Advisors** - The Panel appointed expert advisors to assist with some of its reviews. In addition to providing briefing notes on evidence received and assisting with question plans, advisors have been able to meet with departmental officers on a number of occasions to discuss important background to the reviews being undertaken by the Panel.
10. **Briefings** – The Panel has invited Departmental Officials to give informal briefings on a particular subject for background information at the start of a review. For example, the Officers from the Social Security Department and its expert advisor gave the Panel a briefing on the sex discrimination and disability discrimination regulations. This enabled the Panel to speak informally with Officials and obtain background information on the regulations before the review was formally undertaken.

Suggestions for future work

11. This section identifies possible areas for future work by a successor Panel including forthcoming legislation:
 - **Regulation of Care:** The Regulation of Care (Jersey) Law 2014 was approved by the States in 2014. However the Law cannot come into force until there are regulations (for care homes, care at home and adult day care services) describing what services will be regulated and what those services must do to ensure the care provided is safe and of high quality. The draft Regulations were consulted on in 2017. The intention was to lodge the draft Regulations in early 2018 but it is understood that they will now be lodged in the latter half of the year. The Panel believe that its successor Panel should review the draft Regulations to ensure that they are fit for purpose.
 - **Income Support: Assessment Tools:** During the Panel's review of the Long-Term Care Scheme it was noted that the income support system includes an assessment of impairment. The range of medical and health needs supported by impairment components of income support are considered through a separate application and assessment process to the LTC Scheme. The Panel wish to highlight this as a potential issue in terms of efficiency within the system. For example, if an individual was assessed for LTC but did not meet the criteria they then have to apply (and start the process again) to receive the impairment component of income support. The Panel believe this is a potential issue which warrants a review.
 - **The Income Support System:** The Panel notes that a Scrutiny review of the income support system was undertaken in 2009. The Panel feel that, as the system has been implemented for 10 years, another review should be undertaken. As the system encapsulates several components, the successor Panel may consider undertaking several smaller reviews focussing on particular areas.
 - **Health related equipment:** During the Panel's review of the Long-Term Care Scheme, some of the submissions received from organisations and the public identified access to health related equipment as a potential issue. The Special Needs Advisory Panel (SNAP) said:

If families/ home care services are to care for individuals in their own homes they MUST have a safe and accessible environment in which to carry out this care. The correct equipment is an essential part of the safe delivery of care for both the individual and the care giver. Individuals may require transfer and personal care equipment, ramps/house adaptations and accessible vehicles. For those who have a sensory disability, though their disability may not be visible, it is just

as essential for them to have pieces of equipment to enable them to function in daily life, both in the care environment and when accessing the wider community.

SNAP understands that the Occupational Therapy Services is subject to an equipment review. The Social Security Department is working closely with H&SS around the complexities of equipment including the problem of liability insurance.

*Families have highlighted the costs they face when purchasing disposable items such as incontinence products, feeding tubes and buttons; these costs can really mount up and put extra pressure on our families, who tend to be on a low income. The loss of the Care Component on moving to LTC is causing even more hardship, with the cost of these items reported to be as much as £500.00 per month. SNAP understands that disposable products are not **yet** included in LTC Scheme funding. From our work with Social Security, we also believe that the department is aware that there needs to be a better understanding of these products.*

The Panel was advised that a Community Equipment Project Team was established in April 2017. The remit of the group is to redesign the community equipment service to, amongst other things, improve integration across all equipment providers including state, charities and voluntary provision. The Panel believe that a review into this matter should be undertaken.

- **Health and Social Care System: A New Governance Model (P.60/2017):** P.60/2017 was lodged by the Council of Ministers on 23rd June 2017 and asked Members to approve the formation of a System Partnership Board (SPB) which would draw together representatives from across the spectrum of health and social care in Jersey. The Board would be piloted for an initial three years. The Panel undertook a review of P.60/2017 and supported the principle of establishing a new governance model in the form of a SPB. During the debate on the 14th November, however, the Minister for Health and Social Services withdrew the Proposition. The Minister withdrew the Proposition because further consultation was required with the Public Accounts Committee and the Privileges and Procedures Committee (as stipulated in P.170/2010 which states that before finalising any proposals to establish bodies, consultation must be carried out with the PAC, PPC and the relevant Scrutiny Panel). It is understood that the Proposition will be re-lodged in due course. The Panel believe that its successor Panel should follow up the recommendations made in the Panel's report (S.R.9/2017), once the Proposition is re-lodged.
- **Disability Discrimination Regulations:** The Panel examined the Discrimination (Disability) (Jersey) Regulations 201- and issued a Comments paper in time for the debate on 20th March 2018. The Panel considered calling in the draft Regulations due to a concern about the exemption for people with addiction and that no research had been undertaken on this particular issue (*note: a public consultation was undertaken by the Department between September and November 2017*). The Chairman discussed the issue with the Minister for Social Security and it was agreed that an amendment would be lodged, as a transitional position, to remove the exemption in order to ensure the draft Regulations could be debated. The Minister assured the Panel in her report to the amendment that, before an exception is introduced, the Department would carry out further research into the issue, would consult with

relevant stakeholders and would consult with the next Panel. The Panel believes that the successor Panel should follow up on these assurances.

- **Palliative Care:** The Panel notes that Hospice is the lead organisation for palliative care and is leading on the roll out of Gold Standards Framework (commissioned by the Health Department). The GSF is a model that enables good practice to be available to people nearing the end of their lives. The GSF provides a framework for a planned system of care in consultation with the patient and family and aims to promote better coordination and collaboration between healthcare professionals. The Panel believes this could be a potential area for a review.
- **Addressing the needs and care of the elderly:** For its review of the Long-Term Care Scheme the Panel's advisor - Professor Malcolm Johnson - identified that, in recent years, there has been a changing pattern of illness within the older population. He said:

A much larger and continually growing group is made up of older people. For some the need for sustained care and support arises in late adulthood, before standard retirement. But the great majority now develop physical and mental health conditions that will eventually take their lives, in the late seventies, eighties and nineties. Some of these life threatening illnesses will result in death after a relatively short period of decline, but in recent years there has been an exponential growth in those whose lives come to an end slowly and in increasing discomfort, isolation and depression.

The Panel believe that this could be a potential review topic for its successor Panel. If there is a risk of isolation amongst the older population the successor Panel could examine what plans are in place to address this issue.

Further Suggestions

- The Panel would recommend its successor Panel to continuously follow up and monitor the implementation of accepted recommendations from past reviews.