

### Regulation of Care (Jersey) Law 2014

The Regulation of Care (Regulated Activities) (Jersey) Regulations 201-

The Regulation of Care (Standards and Requirements) (Jersey) Regulations 201-

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#### **PART 1: Introduction to consultation**

The Regulation of Care (Jersey) Law 2014 (the “2014 Law”) provides a framework for the regulation of health and social care in Jersey. It is envisaged that the 2014 Law will come into force in late 2018, once the States Assembly had debated associated Regulations including:

- the Regulation of Care (Regulated Activities) (Jersey) Regulations 201-
- the Regulation of Care (Standards and Requirements) (Jersey) Regulations 201-

The States of Jersey undertook an initial consultation on the proposed draft regulations during February 2017 to April 2017. The feedback received in response to the consultation is attached in Part 4.

The draft regulations, which were updated to reflect stakeholders comments received in response to that consultation, are now being published.

- The amended draft Regulation of Care (Regulated Activities) (Jersey) Regulations 201- are set out in Part 2
- The amended draft Regulation of Care (Standards and Requirements) (Jersey) Regulations 201- are set out in Part 3

The purpose of publishing the amended regulations is to provide key stakeholders, including care providers, care users and their representatives a further opportunity to comment on the draft regulations ahead them being lodged for debate by the States Assembly.

#### **Fees consultation**

The publication of the Regulations coincides with an ongoing consultation on proposed fees to be introduced under the 2014 law. Details of the fees consultation can be found at:

<https://www.gov.je/Government/Consultations/Pages/RegulationOfCareLawProposedFees.aspx>

## Ways to comments or ask questions

If you have any comments, or any questions, about the amended draft Regulations, contact Christine Blackwood:

**Telephone:** +44 (0) 1534 445798

**Email:** [c.blackwood@gov.je](mailto:c.blackwood@gov.je)

**Write to:** 23 Hill Street  
St Helier, JE2 4UA

**Date published:** 19 July 2018

**Closing date for comments** 21 August 2018

### How we will use your information

The information you provide will be processed by the Community and Consultation Affairs Department in compliance with the Data Protection (Jersey) Law 2018 for the purposes of this consultation. For more information, please read our privacy notice at the end of this document.

The States of Jersey may quote or publish responses to this consultation including (*sent to other interested parties on request, sent to the Scrutiny Office, quoted in a published report, reported in the media, published on [www.gov.je](http://www.gov.je), listed on a consultation summary etc.*) but will not publish the names and addresses of individuals without consent. Confidential responses will still be included in any summary of statistical information received and views expressed. Under the Freedom of Information (Jersey) Law 2011, information submitted to this consultation may be released if a Freedom of Information request requires it but no personal data may be released.

Do you give permission for your comments to be quoted?

1. No
2. Yes, anonymously
3. Yes, attributed

Name to attribute comments to:

Organisation to attribute comments to, if applicable:

### **Data Protection (Jersey) Law 2018 Privacy Notice**

#### **How will we use the information about you?**

We will use the information you provide in a manner that conforms to the Data Protection (Jersey) Law 2018.

We will endeavour to keep your information accurate and up to date and not keep it for longer than is necessary. In some instances the law sets the length of time information has to be kept. Please ask to see our retention schedules for more detail about how long we retain your information.

We may not be able to provide you with a service unless we have enough information or your permission to use that information.

We will not pass any personal data on to anyone outside of the States of Jersey, other than those who either process information on our behalf, or because of a legal requirement, and we will only do so, where possible, after we have ensured that sufficient steps have been taken by the recipient to protect your personal data.

We will not disclose any information that you provide 'in confidence', to anyone else without your permission, except in the few situations where disclosure is required by law, or where we have good reason to believe that failing to share the information would put someone else at risk. You will be told about this unless there are exceptional reasons not to do so.

We do not process your information overseas using web services that are hosted outside the European Economic Area.

#### **Data Sharing**

We may need to pass your information to other States of Jersey (SOJ) departments or organisations to fulfil your request for a service. These departments and organisations are obliged to keep your details securely, and only use your information for the purposes of processing your service request.

We may disclose information to other departments where it is necessary, either to comply with a legal obligation, or where permitted under other legislation. Examples of this include, but are not limited to: where the disclosure is necessary for the purposes of the prevention and/or detection of crime; for the purposes of meeting statutory obligations; or to prevent risk of harm to an individual, etc.

At no time will your information be passed to organisations for marketing or sales purposes or for any commercial use without your prior express consent.

### **Your rights**

#### **You can ask us to stop processing your information**

You have the right to request that we stop processing your personal data in relation to any of our services. However, this may cause delays or prevent us delivering a service to you. Where possible we will seek to comply with your request but we may be required to hold or process information to comply with a legal requirement.

#### **You can withdraw your consent to the processing of your information**

In the few instances when you have given your consent to process your information, you have the right to withdraw your consent to the further processing of your personal data. However, this may cause delays or prevent us delivering a service to you. We will always seek to comply with your request but we may be required to hold or process your information in order to comply with a legal requirement.

#### **You can ask us to correct or amend your information**

You have the right to challenge the accuracy of the information we hold about you and request that it is corrected where necessary. We will seek to ensure that corrections are made not only to the data that we hold but also any data held by other organisations/parties that process data on our behalf.

#### **You request that the processing of your personal data is restricted**

You have the right to request that we restrict the processing of your personal information. You can exercise this right in instances where you believe the information being processed is inaccurate, out of date, or there are no legitimate grounds for the processing. We will always seek to comply with your request but we may be required to continue to process your information in order to comply with a legal requirement.

#### **You can ask us for a copy of the information we hold about you**

You are legally entitled to request a list of, or a copy of any information that we hold about you. However where our records are not held in a way that easily identifies you, for example a land registry, we may not be able to provide you with a copy of your information, although we will do everything we can to comply with your request.

## Stakeholder Information

You can ask us:

- to stop processing your information
- to correct or amend your information
- for a copy of the information we hold about you.

You can also:

- request that the processing of your personal data is restricted
- withdraw your consent to the processing of your information.

You can complain to us about the way your information is being used by contacting us at [dataprotection2018@gov.je](mailto:dataprotection2018@gov.je) alternatively you can complain to the Information Commissioner by emailing [enquiries@dataci.org](mailto:enquiries@dataci.org).