

How the Care Inspectorate re-evaluates (re-grades) services

March 2015

Publication code
OPS-1114-290

Evaluation is a continuous process that reflects the assessment and professional evaluation of how a service is performing. We evaluate each service at a full inspection but we can award evaluations to a service outwith the inspection cycle. We call this re-evaluation.

The inspector and team manager will make the decision about whether to re-evaluate a service based on the intelligence held on the service and within our current improvement framework.

Updating evaluations following improved performance

Inspectors can update the evaluations for a service where the service has provided evidence of improved performance to meet requirements made at inspection. This is generally considered where the service was evaluated as adequate or below. The inspector must be satisfied that the requirements made at the previous inspection have been met and that this has led to improved outcomes for people who use services.

Re-evaluation following complaints

The lead inspector may re-evaluate a service following an upheld complaint where the inspector sees evidence of weak or unsatisfactory performance in one or more quality statements. There must be clear evidence that there are poor outcomes for people using the service related to their health, safety and wellbeing.

If the service is to be re-evaluated, the complaint investigation must evidence poor outcomes for service users generally and not just the person detailed in the complaint investigation. This is to ensure that we are being proportionate to the risk of poor outcomes for other service users. However, there may be situations that evidence poor outcomes for one service user and the potential risk to others leads to the decision to re-evaluate. The inspector will consider the information from the complaint and make the professional decision.

The complaint inspector and the service inspector must discuss the findings from an upheld complaint and consider whether the service should be re-evaluated or not. The lead (service) inspector will then make the decision about re-evaluation with their team manager, using all of the intelligence we hold about the service and with a view to supporting improvement. The discussion must take account of the action plan submitted by the service and their capacity for improvement. The discussion and decision should be recorded and added as a memo under the service in PMS.

Although the decision to re-evaluate lies with lead inspector, the complaint inspector's perspective, knowledge and information must be given careful consideration and the complaint inspector must be part of the decision-making framework. This is particularly important when we consider that, in some service types, the complaint inspector will have been the most recent inspector to have visited the service.

Re-evaluation when a service fails to be available for inspection

The former approach was to re-evaluate a care service to "unsatisfactory" across all themes when the inspector had clear evidence that the service had received our communications but an inspection could not be arranged despite this. The Care Inspectorate will not take this approach. In such circumstances, inspectors and team managers should consider taking enforcement action with a view to de-registering the service. Legal advice should be taken before cancelling the service.

Re-evaluation due to workers not being registered with SSSC

Inspectors can re-evaluate a service where the provider has failed to ensure that their staff are registered with the SSSC.

Evaluations must, however, reflect how well the service is complying with the law in this respect. Services that have staff who are not appropriately registered and not in the process of application should generally not be evaluated as adequate or better on the quality of staffing and/or quality of management and leadership themes. Inspectors should be aware that there may be a time lag between an application to the SSSC being made and registration granted.

The inspector can re-evaluate the service to previous evaluations once the provider has evidenced that staff are now registered with the SSSC or relevant registration bodies.

Where providers do not ensure staff are registered, and reminding and re-evaluation still fail to ensure staff are registered, inspectors should consider enforcement and consider reporting the provider to the Procurator Fiscal.

Re-evaluation due to notifications

Inspectors can re-evaluate following notifications of incidents in care services, but if a notification is serious enough to warrant re-evaluation, serious consideration must be given to bringing forward the next inspection. This decision should be made in light of all the intelligence known about the service and the risk assessment of it.

However, if re-evaluation is considered, it is vital that we re-evaluate only based on the actions the provider takes and not the subject matter of the notification, or the simple fact that a notification has been made. We should not re-evaluate a service simply because they have followed the proper guidance and notified us of an issue. This could potentially result in people being non-compliant and not informing us of situations.

How to re-evaluate on RMS

Using the service name on RMS, use the 'Create Re-evaluation Tool' function on the left hand column to re-evaluate the relevant quality statements. The inspector must work through the form giving the reasons for the re-evaluation. You should not submit this form until you have informed the provider and/or manager. Once the inspector presses "submit", the document will be sent to the provider and/or manager through the eForms system. Re-evaluation will result in new evaluations appearing in the service's evaluation history on our website and will identify the reason why.

How to report on re-evaluation in the next inspection report

Any re-evaluation since the previous inspection should be reported in the next inspection report under the heading 'Has the service had to take any actions as a result of or since our last inspection?' The inspector should detail reason for re-evaluation and the action taken by the provider.

