



Inspection Planning 2012-13

Report to: Strategy and Performance Committee

Date: 17 January 2012

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Report No: SP-01-2012

Agenda Item: 5

PURPOSE OF REPORT

To provide the Strategy and Performance Committee with the Care Inspectorate's inspection planning proposals for 2012/13, with a view to submission to Scottish ministers along with the budget proposals.

RECOMMENDATIONS

That the Strategy and Performance Committee:

1. Considers the Inspection Plan for 2012-13.
2. Where options are detailed in this report, considers the recommendations made by the Executive Team and make recommendations to the Resources Committee on the priorities identified for the Inspection Plan in the consideration of competing budget pressures.
3. Request the Executive Team to undertake the appropriate consultation on the draft Inspection Plan and prepare for submission to Scottish Ministers.

Version Control and Consultation Recording Form

Version	Consultation	Manager	Brief Description of Changes	Date
	Senior Management	Executive Team	Contributed to the report	
	Legal Services			
	Resources Directorate			
	Committee Consultation (where appropriate)			
	Partnership Forum Consultation (where appropriate)			
Equality Impact Assessment				
To be completed when submitting a new or updated policy (guidance, practice or procedure) for approval.				
Policy Title:				
Date of Initial Assessment:				
EIA Carried Out		YES <input type="checkbox"/>	NO <input type="checkbox"/>	
If yes, please attach the accompanying EIA and briefly outline the equality and diversity implications of this policy.		These proposals are at an early stage in our planning process for the new inspection year and it is our intention to include a full consultation and EIA with our stakeholders in progressing the actions agreed by the Strategy and Performance Committee.		
If no, you are confirming that this policy will have no negative impact on people with a protected characteristic and a full Equality Impact Assessment is not required.		Name: Position:		
Authorised by Director	Name: J Roberts		Date: 10 January 2011	

1.0 INTRODUCTION

Each year the Care Inspectorate must prepare an Inspection Plan which is in line with best regulatory practice and the agreed budget. The plan should be subject to appropriate consultation and agreed by Scottish Ministers.

The Inspection Plan for 2012-13 proposed in this paper builds on experience in the first year of Care Inspectorate and is significantly influenced by three major policy changes. Firstly, Scottish Government's response to the Health and Sport Committee's inquiry into the regulation of care for older people, secondly, the planning and preparation for the multi-agency scrutiny of children's services and thirdly, the plans to integrate the delivery of health and social care services, which will influence the Care Inspectorate's approach to the scrutiny of adult services.

The aim of the Inspection Plan for 2012-13 will be to provide assurance to people who use services, their families and their carers that services are delivering quality outcomes according to needs, rights and risks. The Plan is designed to assess whether services are improving in quality and to provide public reports on all findings. This Inspection Plan marks a significant change from the inherited programmes adopted by the Care Inspectorate and represents the first year of a proposed three year programme to cover all 32 Local Authorities.

This paper sets out proposals for the overall level and intensity of inspection across all the Care Inspectorate's responsibilities based on risk assessment and intelligence. The proposals indicate how the three different workstreams inherited from the predecessor bodies will change further as part of a three year change programme.

1.1 Background

During its first year the Care Inspectorate placed emphasis on business continuity and targeting poorer performance. This was reflected by:

- Achieving completion of the sixth year of multi-agency child protection inspections
- Continuation of the third year of risk-based scrutiny of social work services
- Continuation of risk-based inspections of regulated care services, following the removal of minimum statutory frequency of inspections
- Early focus on greater and more intensive inspection activity when services were performing less well

These three workstreams have continued on target during a period of major organisational change characterised by:

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- The establishment of national teams for complaints investigations and for registering new services
- A commitment to all unannounced inspections
- A reduction in front line inspection staff and significant staffing changes
- A reduction in middle and senior management posts
- An interim organisational structure and lack of planning/time following the delay in senior appointments.
- The additional challenge in the first year to respond effectively, as the care regulator, to the threat to the continuity and stability of over 100 registered care services, following financial difficulties experienced by three major providers of care in Scotland.

1.2 Inspection Plan 2012–13 Background

1.2.1 Steps Towards a Unified Scrutiny Body

For legitimate reasons a significant amount of inspection activity in 2011/12 has focussed on rolling forward and completing work inherited from our predecessor bodies whilst at the same time laying the foundations for fuller integration of these three workstreams. The year 2012/13 provides the opportunity to make significant strides in unifying these activities with a clear focus on the benefits to those who use care services and their carers.

The child protection inspection programme will be completed by the end of March 2012. The final Initial Scrutiny Level Assessment (ISLA) will be completed in June. From June onwards, any scrutiny of a Local Authority social work service will be planned and designed as part of the overall Care Inspectorate plan.

The strategic inspections of children's services in Local Authority planning partnership areas will incorporate inspections of registered care services to ensure that the Care Inspectorate has evidence of the benefits of all services to the children receiving them.

Similarly, the planning and development of strategic inspections of services for adults will incorporate timetabling and integration of registered services inspections.

Information from complaints investigations and registrations will also be drawn into the overall strategic assessment of the planning, design and delivery of services.

This developing methodology will not be at the expense of our core function of ensuring that registered services are monitored and assessed according to risk, intelligence and the applicable statutory minimum frequency.

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1.2.2 Assessment of Risks

All inspection regimes should be risk-based, targeted and proportionate. Therefore any planned programme of inspections should aim at minimising risk to service users by targeting activity (assessment and follow-up) wherever intelligence suggests that poorer performance is more likely. The challenge for the Care Inspectorate is that analysis of such risks is still a developing expertise and reliable information about the risk of services deteriorating to an unacceptable level between inspections is still being developed, as illustrated in Section 2.1.1.

Therefore all the proposals in this paper are based on the broad assumption that risks to service users would increase as levels of inspection activity reduce. This broad assumption is further enhanced by detailed knowledge of general performance in each category of service regulated by the Care Inspectorate.

The proposed 2012 -13 Inspection Plan reflects the planned three year change programme detailed in the Corporate Plan in the following ways:

- **Children's Services** - following a request from the Minister for Children and Young People, the Care Inspectorate is leading the development of a new scrutiny model for joint inspection of children's services in Scotland. This new model will be much wider than the previous child protection inspections, placing the child's experiences and outcomes at the centre and focusing on children in need.
- **Improving our core business** - during the first year there have been developments in the ways in which the Care Inspectorate approaches its scrutiny. Therefore the new inspection plan will reflect:
 - A revised intelligence strategy
 - New risk assessment tools
 - A stronger internal quality assurance process
 - A coherent Care Inspectorate input to Local Authority shared risk assessments led by Audit Scotland
 - Revised self-evaluation methodology
- **Adult Care Services** – on 12 December 2011, the Cabinet Secretary announced the Scottish Government's intention to integrate adult health and social care services, principally through the introduction of adult health and social care partnerships. Because of this major policy shift and because we have learnt from the planning and preparation of the multi-agency children's services inspections, it is now proposed that the Care Inspectorate will bring forward this part of its change programme and commence development work on multi-agency inspections of services for adults later in 2012, with the intention of aligning scrutiny more closely with the new delivery arrangements.

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- The plan also ensures a continuing commitment to the independent scrutiny of Criminal Justice social work services.

1.3 Scottish Government's Response to the Health And Sport Committee's Inquiry into the Regulation of Care for Older People

Scottish Government remains committed to a more proportionate, risk-based and targeted approach to inspection of care and social services, as recommended in the Crerar Report to Scottish Government in 2007¹. Nevertheless, in response to the Health and Sport Committee's concerns about the reduction in frequency of inspections of better performing services, Scottish Government announced in September 2011 that the Care Inspectorate will be required to undertake, as a minimum, an annual unannounced inspection of all registered services in the following categories:

- Care homes for older people
- Care homes for adults
- Care homes for children and young people
- Support services – care at home
- Housing support services when combined with care at home services
- Secure Accommodation

Regulations, putting these requirements on a statutory basis have now been laid. This new statutory requirement has therefore significantly influenced all the proposals set out below.

1.4 Link Between Inspection Plan and the Budget

The Resources Committee is due to meet on 31 January 2012 to consider and agree the draft Care Inspectorate budget for 2012-13.

The recommendations made by the Strategy and Performance Committee as a result of this report will inform the overall budget.

The remainder of this report sets out the different components of the Inspection Plan and related activity. For each component the resource implications will be identified and classified as follows:

- Deployment of resources already included within the base budget for 2011-2012
- Proposals to develop and improve scrutiny activities not currently allocated in the budget

¹ Crerar, L D (2007), The Crerar Review, The Scottish Government, Edinburgh

A summary of a range of costed options is presented in Section 3.0. It is unlikely that the range maximum will be affordable from the likely available resources and therefore the Committee will receive a presentation setting out proposals to save up to £1m (see Appendix 3 for details).

2.0 INSPECTION PLAN 2012-2013

The Inspection Plan is set out in nine distinct categories of activity (paragraphs 2.1-2.9). However, for each category it will be noted that inspection staff from the three former separate areas of activity will be working in ways which will form a more unified and integrated approach to inspections, while not losing focus on the core business of care regulation.

2.1 Regulated Care Services

Following Scottish Government's decision to place minimum frequency of inspections for certain services on a statutory footing, the arrangements for regulatory inspections have altered significantly from those introduced for 2011-12.

All services registered in the following categories will receive, as a minimum, an annual unannounced inspection, no matter how well the service has been performing.

The categories are:

- Care homes for older people
- Care homes for adults
- Care homes for children and young people
- Support services – care at home
- Housing support services, but only those which are combined with care at home services
- Secure Accommodation

All other services will receive a minimum frequency inspection, based on an assessment of risk and previous performance. For many services, this will mean more than one inspection per year and for two high risk categories of service (special residential schools and secure care) there will always be a minimum of two inspections a year.

The planned minimum frequency of inspections schedule and how this relates to risk, category of service and performance is detailed in Appendix 1.

The frequency with which the Care Inspectorate inspects is always dynamic. For example in 2011-12 alterations were made to risk assessments of major care providers (such as Southern Cross, Choices, Argus and Argyll), because

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of reported financial and/or operating difficulties and this increased levels of scrutiny for over 100 registered services, reflecting heightened uncertainties about continuation of care for people and the associated risks of service failure. This enhanced scrutiny will have an impact on the Inspection Plan for Quarters 1 and 2 in 2012-13 because of the need for early follow-up inspections of these services.

2.1.1 Resource Requirements

A download of information from the Practice Management System (as at 15 November 2011) containing details of the size and Regulatory Support Assessment (RSA) or risk score of 14,433 regulated care services, was applied to the workforce planning assumptions (adjusted for the revised statutory minimum frequency). This analysis determined that 196.44 FTE Inspectors will be required to deliver the minimum number of inspections in 2012-13. This amounts to an increase of 10.57 FTE from the Inspector FTE requirement for 2011-12. This increase is primarily due to the increase in minimum frequency but also reflects changes in the number, size and RSA or risk score which contribute to variances between years.

The cost of 196.44 FTE inspectors needed to deliver the minimum frequency of inspection according to the criteria set out in Appendix 1 has been incorporated into the 2012/13 draft base budget.

2.2 Sampling of Better Performing Services

The role of external scrutiny is a key driver in assisting providers to progress from good to very good to excellent. We recognise that many service types are performing well and to ensure that this is being maintained, the Care Inspectorate will carry out selective sampling of those services which would not be due an inspection in 2012-13 under minimum frequency criteria. This sampling will be applied to the following service types:

- Adoption
- Fostering
- Mainstream School Care Accommodation
- Childcare Agencies
- Adult Placement
- Nurse Agencies
- Offender Accommodation
- Childminders
- Daycare of Children and Adults
- Housing Support (not combined with care at home)

All other service types will have a minimum inspection frequency of at least one inspection per year.

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In addition, it is vital that the Care Inspectorate plans its activities based on evidence and an assessment of risk. To this end, we have analysed the proportion of services which have dropped their grades since the last inspection, in order to inform the level of sampling for inspections.

During 2011-12 up to 30 November 2011, 7% of all registered services showed some deterioration in their grades in at least one quality theme. The themes reported as declining most commonly are Quality of Care and Support and to a slightly lesser extent, Quality of Management and Leadership. It is therefore important for public protection and assurance to ensure that unannounced inspections are continued in a meaningful sample of better performing services.

This sample will be selected from all better performing services and will be subject to an unannounced inspection across all four quality themes. This will mean that:

- there will be more inspections undertaken than would be required to meet the criteria set for minimum frequency in 2011-12: and
- these will be in-depth inspections covering all relevant quality themes.
- A higher level of public assurance (and protection) will be provided across all registered care services with increased opportunity to identify good practice.

The table below details the number of additional inspections that could be undertaken, using samples of 5%, 10%, 15% and 20% for illustration. The extent of sampling will be contingent upon the resource allocated and the level of acceptable variation in the sample.

It is important that the sample size is big enough to enable us to assume that the findings from our sample reflect what we would find if we inspected all of the better performing services. At the same time it is important that we demonstrate an optimum sample size having regard to available resources and competing priorities.

The table below shows, in the final column, the “confidence interval” for each of the different sample sizes. This can also be described as the variation we would need to expect for each size of sample – so if our sample is small, we will be less certain that our findings might be the same as those we would find if we inspected all of the better performing services, therefore the confidence interval, or variation is big – 11.5% in the table below. As the sample gets bigger, so the expected variation or “confidence interval” gets smaller, which means that we can be more and more certain that our sample findings are reflective of all of the better performing services.

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In order to allow consideration and approval by the Strategy and Performance Committee, the confidence intervals for each sample size are shown below, alongside the resource implications of each option.

Sample Size	Inspections	Inspector FTE	Confidence Interval
5%	278	3.3	11.5%
10%	553	6.4	7.9%
15%	832	9.8	6.3%
20%	1,108	13.0	5.3%

(note: samples are at 95% significance level)

We recommend that:

- the sample of an additional 20% of services be carried out, in order to gain the level of assurance we need about the better performing services that we do not routinely plan to inspect in 2012/13 inspections against all four quality themes are undertaken in order to form a sound evidence base for future planning of more targeted and proportionate inspections, depending on the findings from the inspections of this 20%.

2.2.1 Resource Requirements

A range of options is possible. The Executive Team has expressed a preference for a 20% sample of services not due an inspection in 2012-13 according to frequency criteria, reducing to a minimum sample size depending on the availability of budget. A sample size of 20% requires 13 FTE inspectors. This reduces to 6.5 FTE inspectors for a sample size of 10% and 3.3 FTE for a sample size of 5% (Appendix 3).

2.3 Scrutiny and Improvement of Children's Services

There will be an entirely new approach to how services for specific groups of children will be inspected from April 2012 onwards.

Ministers have requested that the Care Inspectorate leads on these inspections, co-ordinating scrutiny which:

- Improves outcomes for all children and young people including: those who are in their early years, those who require additional support or child protection, those who experience parental substance, mental health and domestic abuse, those who are looked after away from home or reside in kinship care and those who themselves are young carers
- Provides assurance about the quality of services for particularly vulnerable children and young people
- Is child-centred and based on the child's experiences throughout childhood
- Has an effective multi agency and multi professional approach.

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This is an ambitious undertaking and because it is more comprehensive than any of the previous individualised inspections of children's services, will provide better intelligence on public services for children and will be evaluated on the basis of existing Scottish Government policies. These include the principles of Getting it Right for Every Child (GIRFEC).

This new approach to joint inspection of children's services will require new and integrated ways of working within the Care Inspectorate and with other scrutiny bodies. The Care Inspectorate will bring together the skills, knowledge and expertise of its staff resource which transferred from the Care Commission, Social Work Inspection Agency and the HMIE Child Protection team to form a more integrated workforce.

This means that from 1 April 2012, the composition of inspection teams for scrutiny of children's services will be multi-disciplinary comprising of social work, education, health and police expertise and include staff with knowledge, skills and experience of assessing the performance of social work services, inspection of child protection and regulated care services.

During 2012-13, there will be six multi-agency strategic inspections, carried out across local authority areas. These will involve Community Planning Partners who all contribute at present to integrated children's service plans.

The selection of local authorities to be included in 2012-13 has still to be confirmed, but the key driver will be a risk-based approach, based on the intelligence already held. Appendix 2 is the proposed schedule which identifies the planned inspections. The scheduling and particular selection of Local Authority areas is still to be finally concluded. The intention is to complete inspections of all 32 Local Authority areas within three years.

These inspections will reduce any avoidable duplication in the scrutiny activity, as both the child protection and performance inspection of social work services will be fully concluded by June 2012.

There will also be some reductions to scrutiny undertaken by other bodies such as Education Scotland and Audit Scotland, and it is likely that the Care Inspectorate will work with Audit Scotland on two out of the three proposed pilot inspections of community planning partnerships.

The plan is to incorporate regulatory inspections of individual service types, such as childminders, day care of children, adoption and fostering and residential care as part of the essential core activities of the strategic inspection. This will provide intelligence and focus on outcomes for children and young people according to the well-being indicators. It will also enable an integrated team approach to scrutiny of children's services to give stronger assurance and protection. It is anticipated that the overall impact of this approach will be to reduce the scrutiny footprint.

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The inspections will be informed by:

- Evidence from the regulation of relevant care services for the most vulnerable children.
- Deaths of looked after children
- Significant case reviews
- The inspections will also include the results of the Local Authority Partners' self evaluation which the inspection will validate through the range of essential 'core' activities
- Inspection teams will be multi-disciplinary, mirroring the expertise required to evaluate successful outcomes for the most vulnerable children

The supporting methodology is still being fully developed and is likely to evolve over time, especially to ensure a sharper focus on improving outcomes for children. It is anticipated that the model and methodology for these multi-agency inspections will be adapted for the adult services inspections, in order to provide a coherent Care Inspectorate approach to the independent scrutiny and assurance of services for both adults and children.

2.3.1 Resource Requirements

The model developed for the integrated inspection of children's services will be a more efficient use of staff time input than the combination of ISLA, post ISLA scrutiny and child protection methodologies that it replaces.

The proposed inspection model requires 99 days of Senior Inspector time and 26 days of Inspector Manager time. This staff resource requirement will be

contained within the existing budgeted Senior Inspector and Inspector Manager FTEs. The regulated care service element of the integrated inspection will be provided by inspections that would be undertaken using the minimum frequency criteria and enhanced by the proposed sampling of 'better performing' services, referred to at paragraph 2.1.1.

In addition to Care Inspectorate staff, resources will be provided by the use of Associate Inspectors and staff seconded short term from other scrutiny bodies under the Duty of Co-operation and from other delivery bodies, particularly Local authorities and Health Boards.

The resource requirements for these inspections have been built into the draft base budget.

2.4 Scrutiny and Improvement of Adult Services

The Cabinet Secretary for Health, Wellbeing and Cities Strategy announced on 12 December 2011 the Scottish Government's plan to integrate health and social care. The key elements of the changes will be the introduction of health

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and social care partnerships with joint responsibilities by NHS and local authorities. The statutory bodies will also work in partnership with the third and independent sectors.

Our planned inspections are intended to align with Scottish Government policies for the integration of health and care, including re-shaping care for older people, dementia strategy and adult protection arrangements.

There will be parallels with the inspection of children's services and the methodology will be based on that which is successfully developed for children's services. The inspections will focus on services across the local authority area, including the extent of joint planning of services with NHS and in particular with Primary Care and Community Services, which enable older people to continue to stay in their own homes and communities.

This is a significant area of development work, which has been given added importance and urgency by Scottish Government's objectives of improving work at the interface of care and health services to ensure that there are improved outcomes for people using services.

It is proposed that three developmental multi-agency inspections will be introduced from October 2012, following completion of the social work scrutiny assessments in June 2012. (see paragraph 2.4.1).

The model of multi-agency scrutiny of adult services is still being developed and up-to-date scoping and selection of possible partnership areas for inspection is being evaluated. This will require joint working with other scrutiny bodies, including Healthcare Improvement Scotland and Audit Scotland.

Initially it is proposed that the partnerships will focus on:

- Improving older people's care – focussing on reducing delayed discharges from hospital or unplanned and unnecessary admissions to hospital
- Increasing the number of older people who live in their own homes rather than in a care home or hospital
- Shifting budgets and staff resources from institutional care to community provision

Relationships between the local authority and the independent providers of services have become increasingly important, as evidenced in the potential risks to services in some parts of Scotland where there has been a high reliance on a single provider. These inspections will therefore include elements of scrutiny of joint strategic commissioning of social care.

The announcement by the Cabinet Secretary will enable this preparatory work to progress more speedily for inspections to commence in the autumn in 2012.

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This new approach to inspection of adult services will require the internal assignment of a Project Manager to develop and lead project planning. The resource requirements which are built into the base budget anticipate that the Project Manager will be required to work full time on developing a new methodology and ensuring joint arrangements are in place with other scrutiny bodies. This work will involve six months' preparatory work commencing April 2012.

The detailed methodology will be very similar to the model adopted and developed by the Children's Services Programme Board. The focus will be on outcomes for adults who need care and health services and on their experience through the care and health pathways. The inspections of registered care services will form an integral part of these inspections. The inspections will be informed by:

- Evidence from the regulation of relevant care services
- Significant case investigations
- Outcomes from previous scrutiny of social work services
- Results of the Local Authorities' and partners' self-evaluation

There are several particular strands of work undertaken by the Care Commission and SWIA which will act as a solid foundation for producing a multi-agency approach to scrutiny. The teams will be multi-disciplinary. The scope of these proposals will now provide a concerted impetus required to carry out an evaluation of the complexities across health and social care services. The intention is eventually to integrate adult and children's services inspections of all 32 Local Authority areas within a three to four year programme, having evaluated the developmental multi-agency inspections in 2012-13.

2.4.1 Resource Requirements

The timing of the developmental inspections for adult services inspections in October is planned to follow on from the conclusion of the former SWIA ISLA programme in June. (see paragraph 2.4.1). This will allow preparation during Quarter 2 for the way in which the multi-agency scrutiny phase will be taken forward from October 2012 onwards. It is anticipated that because the multi-agency adult services model will be to a large extent based on the model developed for children, it will similarly be more efficient than the existing methodologies in terms of Senior Inspector time.

The resource requirements will be broadly similar to those proposed for children's services inspections, and will include three inspections to be completed between October 2012 – March 2013. It is proposed that the Project Manager requirement and the inspection team resources needed for the three inspections will be contained within the existing draft budget for FTEs of senior inspectors and middle managers.

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2.5 Scrutiny of Local Authority Social Work Services

2.5.1 Completion of the Programme of Initial Scrutiny Level Assessments (ISLAs)

The programme of inspecting Local Authority social work services includes those Local Authorities previously scheduled to be receiving Initial Scrutiny Level Assessments between April and June 2012 in Aberdeen, South Ayrshire, Renfrewshire and West Dunbartonshire. This commitment, inherited from SWIA, involves a two stage process:

Stage 1 consists of desktop analysis of documentation provided by the Local Authority, along with file reading of individual cases.

Stage 2 is the planned scrutiny based on the outcome of the ISLA risk assessment. Since the last four inspections coincide with the commencement of children's services inspections in April and the planning of adult services inspections in October, Local Authorities have been advised that this second stage of scrutiny is likely to be incorporated into either of the children's or adults' inspection programmes, depending on which areas of risk have been identified. In effect the plan is to cease to inspect only stand alone social work services but to place emphasis on multi-agency inspections, which will be more efficient in reducing the scrutiny footprint and which reflects the fact that risk to vulnerable adults and children can often be the result of less effective inter-agency working.

2.5.2 Validating Self-Evaluation in Social Work Services

During this period of significant change, when the Care Inspectorate will place emphasis on multi-agency inspection of services for children and adults, it will be vital to maintain some continuing scrutiny of social work services.

Consultation and feedback from Chief Social Work Officers has emphasised Local Authorities' preference for scrutiny to be based on authorities' own self-evaluation. This policy is consistent with the recommendations of the Crerar Report² and provides even more impetus for social work services to maintain their own quality assurance and performance management systems.

The plan is therefore to undertake validated self evaluation scrutiny using the models already developed by and for Local Authorities³. Ten Local Authorities who will not be receiving a multi-agency inspection or an ISLA assessment will be asked to submit a self-evaluation for the Care inspectorate to undertake an independent validation, including file reading, site visits and direct involvement with service users. This will be a structured scrutiny approach based on an existing grading system already in use from social work, child protection and

² Crerar, L D (2007), The Crerar Review, The Scottish Government, Edinburgh

³ SWIA (2009), Guide to Supported Self Evaluation, SWIA, Edinburgh

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regulated services' inspections. The self evaluations will include all areas of social work provision, including Criminal Justice social work services and addiction services. As part of this validated self evaluation work, authorities will be asked to submit a self-evaluation on joint strategic commissioning for all services⁴. Authorities will be assessed for how effectively they have planned for social care commissioning in the short, medium and longer term timescales. This aspect of scrutiny is based on feedback from independent providers and concerns raised by the Health and Sport Committee.

2.5.3 Resource Requirements

The resource requirements for this work have already been built into the draft base budget in terms of Senior inspector time.

2.5.4 Criminal Justice Social Work Services and Serious Incident Reviews (SIRs)

As mentioned earlier, scrutiny of criminal justice social work services will be incorporated into the validated self-evaluation activity for 2011-12. The detailed plans will be informed and influenced by a proposed performance audit of this sector by Audit Scotland, to ensure no additional scrutiny burden or unnecessary duplication.

Local authorities are currently required to submit to Scottish Government SIRs in respect of any offenders who commit serious offences whilst subject to supervision (ie on parole or community payback orders.) Previously, SWIA was responsible for reviewing these SIRs and they are now the subject of revised guidance to be issued by Scottish Government. This new guidance will also cover Multi-agency Public Protection Arrangements (MAPPA) in all Local authorities, so that there will be clarity about which of the two processes should be followed when completing an SIR. These incidents are all potentially high profile as they are likely to involve murder and/or other serious violent offences. Scottish Government has formally requested that the responsibility for assessing these SIRs be transferred to the Care Inspectorate.

Within local authority criminal justice social work services, the assessment and management of offenders must be carried out by qualified social workers with appropriate post-qualifying training in risk assessment frameworks. Therefore Care Inspectorate staff with the appropriate level of skills, experience and knowledge of current risk assessment frameworks and tools will be assigned to this task. Again this part of the programme will be linked with the inspection activity and intelligence gained from the inspection of offender accommodation.

⁴SWIA (2009), Guide to Strategic Commissioning, 2009, SWIA, Edinburgh

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Information about the assessment and management of offenders will be part of the validated self-evaluation work and will contribute to the Care Inspectorate's assessment of performance. Any poor practice identified may well trigger a more in-depth inspection of social work services.

2.5.5 Resource Requirements

A provisional resource requirement estimate of **200 inspector days** has been allowed for this work and is contained within the draft base budget. This work depends on the rate of submission of SIRs following the issuing of the guidance and will need to be monitored throughout the inspection year.

2.6 User Focus

Central to the successful delivery of effective scrutiny and improvement is the ability to maintain the focus on outcomes for people who use care services. In Section 112 of the Public Services Reform (Scotland) Act 2010, the users of a service are defined as 'persons who will or may use the service in the future, persons who act on behalf of others in respect of whom the service is provided and other persons with a direct interest in, or directly affected by the provision of the service, or the scrutiny of the service or the person, body or office-holder providing it'.

There is nothing that can replace the direct contact with service users and their carers in order for inspections to make an assessment of whether the service is meeting needs and representing carers.

Following a discussion at the Board on 20 December 2011, work is now underway to outline specific proposals on how the Care Inspectorate will develop knowledge and intelligence in a systematic and structured way based upon the direct experiences of people who are using services and also their carers.

There are some successful models in local authorities in developing champions for looked after and accommodated children, and during 2012-13, it is proposed to develop this type of approach across all four Care Inspectorate business areas.

Meanwhile it is vital that 'user focus' is enhanced in all aspects of the Care Inspectorate's scrutiny. It is proposed, therefore, to designate specific additional inspection time for regulated care service inspections in 2012-13. This is intended to provide time to allow inspectors to engage more effectively with service users and carers on each and every inspection. It will be a requirement for all inspection reports to include feedback from service users and any advocates, friends, unpaid carers or relatives. Guidance will be put in place to ensure that the information is captured systematically for reporting purposes.

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It is proposed that this specific additional allowance in inspection time be augmented by a number of involvement initiatives such as expanding the 'lay assessor' scheme. A separate report will be produced for the Strategy and Performance and Resources Committees outlining specific proposals and resource requirements for these involvement activities.

The key deliverables for this related work will be:

- unification of the current 'Lay Inspector/Lay Assessor Schemes
- increase by 50% the number of Lay Inspectors/Assessors
- Increase the number of inspections with lay assessor/inspector involvement
- involvement of Lay Inspectors in the investigation of some complaints
- involvement of Lay Inspectors in the registration of some new services
- assistance from Lay Inspectors in the validation of self-evaluations by attending focus groups or speaking to people using services
- expansion of the number of telephone interviews of people who use services

The proposal to enhance this part of the all inspection work anticipates some of the expected developments arising from the Self-Directed Support Bill and the shift towards more community-based care.

2.6.1 Resource Requirements

A range of options is possible. The option with the lowest resource requirement that is considered to have any effective impact in improving user focus is to provide an additional 0.5 hours for collecting and collating user feedback for all inspections, with the exception of childminders. This calculates as the equivalent of 4.4 FTE inspectors. Providing an additional one hour for childminder inspections and an additional two hours for all other inspections would calculate as the equivalent of 11.3 FTE Inspectors. In order to ensure that this work is fully undertaken and enhanced and the information is collected and collated in a form which can contribute to the new KPIs, the Executive Team recommends that the Committee approves the higher option (see Appendix 3).

2.7 Flexible Crisis Response Deployment

It is proposed that a flexible resource pool of inspectors is designated from April 2012 to have the capacity to respond immediately on a crisis intervention basis to unexpected but inescapable demands on Care Inspectorate front line resources. The experience of 2011-2012 has provided evidence that the fragility of the social care market can cause major disruption to the provision of services to many vulnerable people. It is essential to put the best interests of the service users first and for the regulator to respond as quickly as possible to

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ensure both close monitoring and follow up of quality and rapid registration of new providers. In addition, the Care Inspectorate must respond immediately to serious incidents in one service, which may require an immediate inspection across a number of services, from the same provider across the country.

Given the current economic context, it is anticipated that this type of work will continue and even increase. It is proposed that the inspectors in this flexible resource pool maintain a caseload of inspections of the better performing services and can also be available for large scale complaints investigations or intensive investigation into one particular authority. They will be managed by a designated Inspector Manager. One of the main benefits of this proposal is the avoidance of unplanned disruption to carrying out the core inspection plan.

2.7.1 Resource Requirement

A range of options is possible. The Executive Team recommends that a minimum of four FTE Inspectors are designated for this resource to reflect the four Care Inspectorate business areas. The preference would be six FTE, depending on resource availability and competing priorities (see Appendix 3) in order to maximise the available flexibility.

2.8 Activities Closely Connected with Inspections

2.8.1 National Complaints and Registration Teams

Pending a full evaluation of the effectiveness of these two national teams, in conjunction with the review of the organisational structure in 2012, it is recommended that the Care Inspectorate continues with these two teams and consideration of the resource requirements for these teams will be part of the Resources Committee's consideration of the draft base budget. There will be further integration of the work in these national teams into risk assessments, planning and scrutiny of local authorities.

2.8.2 Redefining the Care Inspectorate's Liaison with Local Authorities

During the current inspection year two link inspectors have been in place for all Local Authorities to liaise over both the child protection and the social work performance inspection arrangements and action plans. In addition, contact managers (Inspector Managers) have been allocated to all Local Authorities to conduct liaison concerning the regulation of care services. During 2012 there will be a rationalisation and redefining of these roles.

Both these roles will link together closely under the direction of the Inspection Programme Manager in order to contribute effectively to the Local Area Scrutiny Network (led and co-ordinated by Audit Scotland). This liaison partnership will provide vital information for the conduct of the multi-agency inspections.

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Local Area Networks (LANs) are currently in their third year of producing Assurance Improvement Plans (AIPs) following a process of annual shared risk assessment by scrutiny bodies across all 32 local authorities. By 2013-14, Audit Scotland's current work on extending this approach from solely local authorities to community planning partnerships, will commence, with three pilots by December 2012 and the Care Inspectorate is already collaborating closely with Audit Scotland on a partnership for two of these pilots.

During 2011-12, Care Inspectorate staff have been contributing to a single Care Inspectorate input to the LAN meetings. This will be further developed from April 2012 through the identification/appointment of a LAN link inspector for each local authority to ensure a corporate approach through one member of staff rather than three or four. This will improve the overall risk assessment for all commissioned and regulated services.

Separately, the Care Inspectorate will continue Contact Manager arrangements for major national or regional providers of regulated care services to ensure that there is a consistent approach to these services, an important overview of the company's performance and regular provision of information to the Local Authority and NHS commissioners

2.8.3 Resource Requirements

The resources for all this work have already been included within the base budget.

2.9 Designated Improvement, Innovation and Best Practice Resource

The Corporate Plan for the Care Inspectorate (2011-14) states clearly that the Care Inspectorate's purpose is to act as a catalyst for change and innovation and to support improvement and signpost good practice. These activities are an integral part of best practice in regulation. It is proposed that a realignment of resources, with some specific allocated resources, are brought together to fulfil this function in the Care Inspectorate.

The team of specialists including current specialist and staff and secondments such as the nurse consultants will be created. It will be multi-disciplinary and will have the responsibility for drawing together 'leading edge' material and information, and for capturing the most up to date evidence and information on best practice which is made available through the many different improvement bodies such as Healthcare Improvement Scotland (HIS), NHS Education Scotland (NES), the Institute for Research and Innovation in Social Services (IRISS), the Improvement Service, the Joint Improvement Team (JIT) and the Quality and Efficiency Support Team (QuEST). The work will have two purposes, firstly to inform the practice of inspectors and keep their knowledge up-to-date and secondly, to promote improvements and innovation in service delivery.

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From this resource it will be possible to provide assistance and guidance for Local Authorities and independent providers on effective self-evaluation. The designated team will require a Manager and will report to one Operational Director.

The Care Inspectorate has shown through its three predecessor bodies an impressive contribution to innovative improvements in services across Scotland. Examples include the development of resources and training packs for infection control, prevention of falls and fractures, involvement of children and young people and a rights-based approach to care of older people. In order to ensure that a 'Best Practice' approach can be further developed, it is proposed to bring together this improvement, innovation and best practice resource, which will promote selected exemplary services which have been evidenced through inspections and which may be capable of adaptation or introduction in other areas. This resource will also develop staff knowledge and awareness of best practice nationally and internationally. Through a process of scrutiny/improvement/review, it is therefore hoped that the best practice resource will promote real change and sustainable improvements. Promoting improvement, with all that that entails, is a vital function of our organisation as envisaged in the Public Services Reform Act 2010.

In order to keep pace with new developments, continue to build capacity in the Care Inspectorate and more widely across the social care sector, the best practice resource will have a budget allocation to fund secondments from health, social work and other specialist sources.

2.9.1 Promotion of Dementia Standards - Inspectors

As part of the designated 'best practice' resource and, in order to extend to care homes and care at home settings, the best practice approach in working with people with dementia, it is proposed that one qualified nurse inspector be redesignated in each of the four areas from April 2012 to concentrate on the additional work around Dementia Standards which now need to be effectively rolled out across care homes and care at home settings

2.9.2 Resource Requirements

The resource requirements for this designated resource are as follows:

- Deployment of current resources within the draft base budget
- Development of designated multi-disciplinary personnel for promotion of best practice, as detailed in Appendix 3

During 2012-13 it is proposed that early discussions with HIS are held to investigate the alignment of this resource with the equivalent resource in HIS.

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3.0 SUMMARY RESOURCE IMPLICATIONS

The Resources Committee will require input from the Strategy and Performance Committee on the priority it applies to the variable components of the Inspection Plan which have not already been included in the draft base budget.

These are summarised in the following table:

		Range Min FTE	Range Max FTE	Range Min £m	Range Max £m
2.2.1	Sampling Better Performing Services	3.3	13	0.132	0.520
2.7	User Focus Inspectors	4.4	11.3	0.176	0.452
2.8	Flexible Crisis Response Deployment	4	8	0.16	0.32
2.9	Improvement, Innovation and Best Practice			0.1	0.3
2.9.1	Promoting Dementia Standards	4	4	0.16	0.16
	Total	15.7	36.3	0.728	1.752

It is unlikely that the range maximum will be affordable from the likely available resources and therefore the Committee is asked to consider proposals to save up to £1m from the total figure in four bands of £250k. The Executive Team has carried out this exercise in order to demonstrate its application (see Appendix 3) and the Committee is therefore asked to consider and agree the Executive Team's recommendations. The final version (incorporating the Committee's recommendations) will be submitted to the Resources Committee to include within their overall budget deliberations. The Resources Committee will be requested to maximise these components of the Inspection Plan.

4.0 BENEFITS FOR PEOPLE WHO USE SERVICES AND THEIR CARERS

All the proposals in this Inspection Plan are aimed at providing improved benefits for people who use services and their carers. The Care Inspectorate has taken the Duty of User Focus a further step forward in its proposed programme for the next three years.

5.0 CONCLUSION

The proposals set out in this report describe in detail an Inspection Plan for the Care Inspectorate for 2012-13. The plan takes into account significant Scottish Government policy developments and the overall objectives set out in the first

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Corporate Plan. The plan represents a significant step change in the Care Inspectorate's three year programme and provides a sound basis for the organisation to make an impact on the quality of services, while focussing and targeting scrutiny activity where it counts. The proposals developed by the Executive team are based on an assessment of risk to the organisation, a commitment to the focus on people who use services and on our best professional judgement. The priority is to direct resources to front line scrutiny and improvement services in order to provide public assurance about the quality of care services in Scotland. The proposals also support the statutory Duty of Co-operation, set out in the Public Services (Scotland) Act 2010.

LIST OF APPENDICES

- Appendix 1 -** Frequency of Inspection Rules
- Appendix 2 -** Inspection Schedule 2012-13
- Appendix 3 -** Inspection Plan Resources Allocation and Savings Scenarios

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