

## Sharing important information with Board members: a protocol

**Report to:** Board  
**Date:** 27 June 2014  
**Report by:** Rami Okasha, Policy and Communications Manager  
**Report No:** B-12-2014  
**Agenda Item:** 6.4

### **PURPOSE OF REPORT**

To clarify how important information about the Care Inspectorate will be shared in a timely manner.

### **RECOMMENDATIONS**

That the Board:

1. Discuss and recommend the proposals for agreement.

**Version Control and Consultation Recording Form**

Version	Consultation	Manager	Brief Description of Changes	Date
1.0	Senior Management			
	Legal Services			
	Resources Directorate			
	Committee Consultation (where appropriate)			
	Partnership Forum Consultation (where appropriate)			
<b>Equality Impact Assessment</b>				
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 checked="" type="checkbox"/>	
If yes, please attach the accompanying EIA and briefly outline the equality and diversity implications of this policy.				
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: R Okasha Position: Policy and Communications Manager		
Authorised by Director	Name:	Date:		

## 1.0 BACKGROUND

The Care Inspectorate handles and deals with a large amount of information every day. Some of this information is operational and some of it is strategic. Some of it is highly sensitive personal information.

It is important that the right information is shared across different parts of the Care Inspectorate. The Board requires appropriate information to be able to understand in detail the work of the inspectorate, provide strategic governance, and be aware of significant issues that arise from time to time. Primarily, the Chief Executive and other senior officers are responsible for providing information to the Board. Much information the Board requires is shared in the form of papers for committee meetings and board meetings.

That said, there are often circumstances whereby information needs to be shared with the Chair, committee convenors and Board members outwith the regular committee cycle. This protocol sets out a way in which such information with the Board will be shared.

## 2.0 SHARING DAY-TO-DAY INFORMATION

Type of information	When will it be shared	With whom	By whom
Significant organisational developments  <i>Eg, major performance issues, reputation issues, or senior staff changes</i>	As they arise	Chair	Chief Executive
Information about significant media developments involving care or the Care Inspectorate  <i>Eg, where we know stories about the Care Inspectorate are to be written that go beyond routine regulatory activity or will have a reputational impact</i>	As they arise	Chair	Director of Strategic Development
Information about significant parliamentary or governmental developments involving	As they arise	Chair	Chief Executive / DoSD

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care or the Care Inspectorate  <i>Eg, new Bill, controversial PQs and motions, ministerial statements, major consultations about areas the Care Inspectorate has an interest in</i>			
Critical cases arising from our inspection work  (see also section 2 below)	As they arise	Chair	Director of Inspection
Court proceedings involving the Care Inspectorate	As they arise	Chair	Director of Strategic Development
Press releases which we issue proactively (as opposed to routine comments on stories)	At point of issue	Board	Communications Team
Joint Inspection reports	At point of publication	Board	Inspection Admin
Major publications	At point of embargoed release	Board	Communications Team
Routine publications	At point of publication	Board	Communications Team
Urgent and significant financial developments  <i>Eg, changes to our funding arrangements, significant liabilities that arise, fraud or unauthorised expenditure in excess of £5k</i>	As they arise	Chair & Convenor of Resources	Director of Corporate Services
Urgent and significant human resources developments  <i>Eg, official disputes with trade unions, dismissals,</i>	As they arise	Chair & Convenor of Resources	Director of Corporate Services

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<i>or human resource matters involving Directors and above</i>			
Official statistics	Briefing provided in advance	Board	Director of Strategic Development

In the event of the Chair having a conflict of interest due to his elected responsibilities, the vice chair will also be notified of matters which in other circumstances would be notified to the Chair; this will also apply when the vice chair is deputising for the Chair.

There will types of information which senior managers will not be able to share the Board. This includes personal data about people using care services, and potentially other people, and information about matters subject to police investigation.

### 3.0 SHARING INFORMATION ABOUT SERIOUS INCIDENTS

The Care Inspectorate also undertakes important roles in relation to serious incidents. This table shows the type of information to be shared with the Chair of the board in each case:

<b>Type of serious incident</b>	<b>When information is to be shared</b>	<b>Information which remains as confidential as possible to operational staff</b>	<b>Person responsible for informing the Chair</b>
<i>Deaths of looked after children</i>	Notifications of deaths which are not from life-limiting medical conditions	Names of children and services	Director of Inspection
<i>Criminal Justice Serious Incident Reviews</i>	Notifications which are of a very serious nature and which raise policy or procedural issues	Name of offender or victim	Director of Inspection
<i>Notifications to the Mental Welfare Commission</i>	In cases where reports are made and where (a) a policy or procedural issues or (b) serious reputational	Names of people involved	Director of Inspection / Director of Strategic Development

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	issues need to be considered		
<i>Deaths of a person using a care service</i>	When a major policy or reputational issue arises	Names of people involved	Director of Inspection / Director of Strategic Development
<i>Child Protection and Adult Protection issues</i>	When a major policy or reputational issue arises or if the Care Inspectorate calls for a significant case review	All details which may identify the child or adult in question	Director of Inspection / Director of Strategic Development

#### 4.0 OTHER CIRCUMSTANCES

There are some cases when information about operational matters cannot be shared. For example, there have been cases where police officers are pursuing active enquiries into events in or related to care services. In these circumstances, the Care Inspectorate has been asked to limit severely its communication about certain care services for a limited period of time. In these cases, information is carefully controlled, usually with a member of the Executive Team allocated as a lead director to provide senior oversight of regulatory work. In such circumstances, the information which can be shared may differ significantly from the above.

#### 5.0 BENEFITS FOR PEOPLE WHO USE SERVICES AND THEIR CARERS

An informed Board, equipped with the necessary knowledge and information about the operations of the Care Inspectorate outwith its committee cycle, will lead to stronger and enhanced corporate governance of the Inspectorate, thus helping ensure that its work is focused on improving outcomes for people who use care services.

#### 6.0 CONCLUSION

The Board is invited to agree this protocol.

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