



Chief Executive's Report

Report to: Board
Date: 24 October 2014
Report by: Annette Bruton, Chief Executive
Report No: B-25-2014
Agenda Item: 12

PURPOSE OF REPORT

This report provides the Board with an update on key developments since the 27 June 2014 Board meeting.

RECOMMENDATIONS

That the Board:

1. Notes the information contained in this report.

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Version Control and Consultation Recording Form

Version	Consultation	Manager	Brief Description of Changes	Date
1.0	Senior Management	Executive Team	Contributed to report	
1.0	Legal Services	Executive Team	Contributed to report	
1.0	Resources Directorate	Executive Team	Contributed to report	
	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

NO

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: Annette Bruton

Position: Chief Executive

Authorised by Director

Name: A Bruton

Date:

1.0 INTRODUCTION

This report provides Board members with an update of any key developments for the Care Inspectorate since the last report in March 2014.

2.0 INSPECTION PLANNING AND QUALITY ASSURANCE

2.1 Intelligence & Analysis

During the past three months a considerable amount of work has been undertaken to develop the Care Inspectorate's Scrutiny and Improvement Plan for 2015/16. Proposals are due to be considered at a meeting of the Executive Team on 9 October 2014 and by the Board at their strategic event in Dundee on 31 October 2014.

A comprehensive review of how we gather and share information/intelligence within the Care Inspectorate and with partner scrutiny bodies has now been completed. Areas for improvement have been identified which will strengthen how we use intelligence to inform our scrutiny and improvement activities in regulated care services and through joint strategic inspections, as well as the work of our link inspectors and contact managers.

In parallel with the scrutiny and improvement methodology review, the Head of Analysis and Business Planning is now leading a piece of work to develop an outcome focussed risk framework which supports the Care Inspectorate's strategic objective of delivering scrutiny and improvement which is intelligence led, risk-based, targeted and proportionate. All of this will be geared to support improvement in services to enhance the quality of care people who use care services and their carers receive.

3.0 CO-OPERATION AND JOINT WORK WITH OTHER REGULATORS

During the past year we have established a process with Healthcare Improvement Scotland to share information more effectively through an integrated health and care assessment to help plan our strategic inspection programmes for 2015/16 better. Cognisance has also been taken of the work undertaken by the Audit-Scotland led Local Area Networks (LANs) which involve our staff and the shared risk assessments forming part of the Assurance & Improvement Plan for each local authority area.

We have continued to embed our national approach to inspection planning which provides scrutiny partners and ourselves with a single point of contact to identify risks, share information and plan and coordinate inspections better, particularly those which are carried out under a duty of cooperation.

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The Head of Analysis and Business Planning continues to represent the Care Inspectorate on the cross-scrutiny body schedulers and planners forum to ensure the work we are doing is coordinated well and reflected in the National Scrutiny Plan (NSP).

4.0 STRATEGIC INSPECTION

4.1 Joint inspections of services for children and young people

In quarter one, we published our first inspection report of 2014/15, on services for children and young people in East Renfrewshire. This brings the total number of children's services inspection reports published to date to 12. We will shortly be publishing the findings of our inspection in South Lanarkshire. Inspections in Aberdeen City and North Lanarkshire are currently underway.

We have now published our revised Quality Indicator Framework for services for children *How well are we improving the lives of children and young people? A guide to evaluating services using quality indicators*. The framework has been revised following extensive consultation with services and our experience of using the framework to date.

4.2 Independent Commissions

The Director and Head of Inspection are due to meet officers from Guernsey in October to discuss their request for an independent inspection into child protection and looked after children's services. We have also been approached by the Isle of Man to support them in a progress review following the inspection we carried out there last year.

4.3 Supported Self Evaluation in Criminal Justice Social Work Services

In August we published *Improving assessment and case management in criminal justice social work*. This report is an assessment of a significant piece of supported self-evaluation services on the implementation of a national assessment tool called LS/CMI, rolled out by the Risk Management Authority across all 32 local authority areas. The tool has been designed to support social work staff in assessing needs and risks and has the capacity to aggregate information about risks and needs of people who offend to enhance performance management.

4.4 Link Inspectors

The Link Inspectors are developing their engagement with their colleagues in Community Planning Partnerships across Scotland. Reports on their initial findings in terms of adult and child protection have been presented to ministers and will be published in due course.

Through our Link Inspectors we are providing significant input to support

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improvement in Dumfries and Galloway and the Western Isles.

5.0 INSPECTION OF OTHER REGULATED SERVICES

5.1 Strategic activity within Children's Services and Criminal Justice

The Head of Inspection (Strategic Children's Services) is the Care Inspectorate representative on National Corporate Parenting Advisory Group, which is important in taking forward the work on the Act.

We remain closely involved in national developments and strategy in relation to Child Sexual Exploitation and are working with colleagues and key stakeholder re the impact and implications for Scotland of the Jay report. We will be attending a Ministerial summit to discuss this in October and will be able to update the Board on any action arising from this meeting.

5.2 Early Years Inspection

On both a strategic and operational level, the Care Inspectorate has had a considerable contribution with regard to the implementation of the Children and Young People (Scotland) Act 2014 (the Act). We have worked closely with Scottish Government colleagues to produce national Statutory Guidance issued to local authorities which outlines the Scottish Governments commitment to provide every 3 and 4 year old with 600 hours nursery provision and to provide 600 hours of care or support to two year olds from workless households. Some local authorities will be providing the service to two year olds through partnership with Childminders as we have implemented the new inspection methodology this year we will be able to record this provision within these services and report on our findings. Our inspections of all early years services will provide information on the quality of services and the outcomes for children and families as the Act is implemented. We have a small number of staff working with Education Scotland which will support the expansion of services and particularly support authorities to build capacity for two year olds which will also provide support materials and link to further education providers to ensure training for care staff in the future includes care and development for two year olds.

To support the increase of early year's provision in Scotland the Government produced a national practice guide called 'Building the Ambition' which we were involved in the development of. Early Years staff have successfully brought their expertise to the national table and made a significant contribution to the expansion of early learning and childcare. We provided detailed practice guidance and case studies within the document to meet the particular needs of children aged 2-3 years, who have become eligible for funded places.

Early Years has continued with relatively high levels of enforcement compared to other service types, which has included applying for the cancellation of a Childminder's registration at the Sheriff Court. All inspection staff will have the

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opportunity to attend enforcement workshops to ensure they have the skills and knowledge to carry out this task effectively.

We have welcomed the first fixed term secondment from Renfrewshire Council into early years and are considering a replicable arrangement. This will provide opportunities for both organisations to share knowledge and experience.

We continue to provide a shared inspection programme with Education Scotland and to support this we continue to provide shared development and learning opportunities, we have recently had the first “Professional Dialogue” session where inspectors from both organisations meet over lunchtime to discuss an area of practice.

Performance regarding inspection targets remains positive, though margins are very tight this year due to more services failing to be inspected and reduction of available inspection staff due to promotion, retirement or secondment opportunities. The current recruitment should address this deficit, especially completing inspections in the North. While the recruitment is on-going we continue to allocate the inspection staff using a national overview.

5.3 Criminal Justice & Young People

Children Services and Criminal Justice inspectors have continued to develop good working relationships with Education Scotland colleagues in developing a joint approach to inspecting secure care and residential special schools. This has resulted in improved communication and information sharing between the two inspectorates. The Head of Inspection and the lead team manager for secure care have met with provider reference groups and will be piloting our joint approach to the inspection of these care services in January/February.

The lead team manager for fostering and adoption has been chairing a short life working group which is following up the recommendations of the Fostering Review. Good progress is being made in relation to this.

Inspectors and managers have begun to consider the impact of the Children and Young People (Scotland) Act 2014 for young people receiving through care and aftercare services and how services can be supported to build capacity to meet the requirements of the Act. Discussions between CYPCJ managers and managers in registration have started to take place in order to identify the opportunities and challenges for the Care Inspectorate in relation to this.

The Scottish Throughcare and Aftercare Forum (STAF) is leading the way along with CELSIS in relation to the implementation of the Act. STAF attended our development week and provided very helpful insights into the requirements of the Act and issues facing young people and services. Consideration and discussion of these issues will be taken forward into future development days for Care Inspectorate staff.

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In August the Head of Service delivered a presentation to the Board on the impact of the Act for young people.

Managers and senior managers are continuing to monitor capacity with the Children Services and Criminal Justice Teams. In recent weeks we have lost four staff to other posts and this has had a significant impact on the allocation of work, particularly in relation to fostering and adoption services. However, the recent recruitment drive, the possibility of a secondment into the Care Inspectorate and the use of locums may help address the capacity issues.

5.4 Adults and Older People

The Head of Inspection Older People (West) has been working closely with Bradford University Dementia School and the Care Inspectorate's Dementia Consultant to develop and deliver training on SOFI (Short Observation Framework for Inspection) to all Inspectors and Team Managers in the older people teams. This has included training for trainers to roll out the training to staff. SOFI is an approved and internationally recognised tool for regulators providing a framework to enhance the observations about well-being and staff interactions we already make on inspection. Its strength lies in the powerful, factual and episodic evidence it provides, especially for service users unable to communicate their views. Feedback on SOFI observations to staff and managers in the care home also enables them to become more reflective practitioners and supports practice improvement.

Training has now taken place and from October 2014 Inspectors will use SOFI tool on all inspections of care homes for older people. A communications strategy to stakeholders will raise awareness about SOFI and its benefits for the people who use services.

6.0 DEVELOPING METHODOLOGY FOR JOINT INSPECTIONS OF SERVICES FOR ADULTS

In September 2014, we published the first two pilot reports of the joint inspections of services for adults, relating to Moray and Aberdeenshire. A revised format for future reports has been agreed. Development continues to refine the methodology and footprint required.

Work is underway in Angus and Fife to complete the first two substantive inspections and we expect to publish reports on these in November 2014.

7.0 DUTY OF USER FOCUS

We continue to recruit additional inspection volunteers, targeting areas of the country where we require additional volunteers. We have published a new handbook for inspection volunteers and inspectors on inspections which include an

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inspection volunteer.

We have commenced pilots in South and North Lanarkshire to introduce inspection volunteers in daycare of children and are looking at the possibility of recruiting young inspection volunteers to support inspections in other children's services.

Our Involved People Group will meet in Glasgow in October for an all-day event to discuss key issues affecting people who use care services.

All staff are currently undertaking equality training which is being delivered by the involvement and equalities team.

8.0 HEALTH IMPROVEMENT TEAM

Work continues on the review of the Health and Wellbeing Improvement Team, looking at the best structure and role for it in supporting improvement and better outcomes for people using care services. It is anticipated that the Executive Team will discuss a report on the matter in the Autumn.

The Health Improvement team continue to support colleagues across inspection, registration and complaints as well as contributing where relevant to national policy and practice. Examples of this work includes:

- Pharmacy advice and support to large care providers as improvement to practice
- Development of medicine app with SSSC
- Work on Controlled Drugs legislation
- Review of CI responsibilities for AWI
- Work on continence and dementia to develop care home resources

9.0 METHODOLOGY DEVELOPMENT (REGULATED CARE SERVICES)

Work continues on the review of our scrutiny and improvement methodology. Early thinking has developed significantly and a paper on the direction of travel was discussed by the Executive Team in September and was part of the Board discussion. This has been informed by extensive consultation with service providers and people who use care services.

The Methodology Steering Group has been working on developing a Programme Initiation Document which describes a significant three-year change programme which involves processes and culture change within the organisation to improve our processes and better support improvement. This will be considered by the Executive Team shortly, who will act as the programme board for the changes.

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A high level advisory group has been established at Chief Executive / Director level to ensure that umbrella bodies and key players in the sector are closely involved in changes. This includes service user and carer representation, which will be bolstered by discussions amongst our involved people.

We have begun to develop relevant partnership working with other scrutiny bodies to ensure our changes are progressed with cognisance of other changes in the sector.

Early pieces of work include:

- revised interim enforcement guidance to ensure that we can report on enforcement action undertaken and we have consistency of processes
- guidance and support for providers undertaking self-evaluation and improvement planning
- a review of when and how we make requirements to bring in the improvement focus and clarify how and when decisions around are made by inspectors
- guidance on our response to notifications to ensure that we are improvement and outcome focussed in assessing information from providers
- identifying possible sites for tests of change where the proof of concept for approaches can be tested

We continue to support the Scottish Government's consultation on National Care Standards.

During the recent development week, inspectors discussed and reflected on the changes required to be more outcome-focussed and effective in promoting responsive regulation. Three Heads of Inspection have moved to the Strategic Development Directorate to support the development of the programme.

We have continued work with My Home Life, including joining their advisory group in Scotland. My Home Life is a group that supports evidence-based knowledge, training and development in care homes across the UK. Other key partners are the Joint Improvement Team, IRISS, Scottish Social Services Scotland, Alzheimer's Scotland, Scottish Care and it is chaired by Professor Belinda Dewar of University of West of Scotland. We anticipate that this group will be influential in improving the care home and care at home sector.

10.0 IMPROVING QUALITY AND CONSISTENCY

The Quality Assurance Group is currently considering a new quality assurance framework for the Care Inspectorate, to replace the current framework. The purpose is to ensure that the standard of our work remains high and that we evaluate and assess our outputs and the associated outcomes effectively. We are looking at building an EFQM based approach for our framework, and are

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undertaking early work to determine whether there is scope to adapt the approaches we use when inspecting strategic partnerships.

Work continues to refine the joint inspections of children's services and adult services, including the production of inspection handbooks and additional quality assurance checks.

Supporting consistency is a key aim of the review of scrutiny and improvement methodology, and we are currently considering whether we should publish examples of very good and weak practice in specific areas or service types. We also propose an evaluation framework to show how inspectors will make decisions. Our new inspection framework will be published and allow providers and inspectors to operate with a shared understanding of our approaches.

Our first Quality Conversation took place in Glasgow during July 2014 and was extremely successful in enabling senior officers from providers, the Executive Team and the Chair to share ideas around quality and consistency of scrutiny and introduce some of the thinking to support changing our scrutiny and improvement methodologies.

11.0 REGISTRATION AND COMPLAINTS

Work continues on track to deliver upon post 'Registration and Complaints Review' work is scheduled for completion by 30 November 2014.

Registration applications are now all being submitted on line and the new two-stage registration process is working well.

A new complaint about care services procedure has been drafted and this will go out for consultation, both internally and externally, during the period 1 October to 31 December 2014.

12.0 POLICY DEVELOPMENT

Work continues to update and develop The Hub, in order to provide innovation and practice guidance to the services with whom we work.

We have responded to a number of consultations in recent months, including on the draft regulations associated with the Public Bodies (Joint Working) (Scotland) Act 2014, the Community Empowerment (Scotland) Bill, draft HIS [Standards for Food, Fluid and Nutritional Care](#) and draft HIS standards for infection prevention and control and the NMC consultation on the draft revised code. A full list of all consultations responded to since the last Board meeting is attached at Appendix 1.

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13.0 COMMUNICATIONS

During the referendum period we were limited in what we could, and could not, publish. We have published an analysis of changes made to our joint inspection methodology for children's services arising from the pilot inspections and the review of the pilots.

In the coming months, we will publish reports to ministers on adult and child protection in Scotland, using information from our link inspectors and joint inspections. Work continues on the triennial review showing what the Care Inspectorate has found about care in the first three years of operation.

We continue to work with an external supplier to support improvements to our website, including a complete refresh and some technical changes to improve its usability on mobile devices and using screen readers. Work is also being scoped to allow for an enhanced online registration capability.

13.1 Significant Publications

The Intelligence Team have completed a significant piece of work in producing the childcare statistics for 2013 which will be published during the week commencing Monday 6 October 2014. The document will be re-titled 'Early Education and Childcare Statistics 2013' to reflect better the scope of the data. It is worth noting that since it was published in October 2013, Childcare Statistics 2012 has been downloaded 3,797 times and the previous report has now been downloaded 6,088 times.

13.2 Media Engagement

We continue to receive a large number of requests from the media for information about our regulatory activity. Work is now being undertaken to report on the first six months of our proactive media approach to highly-performing and poorly-performing care services.

14.0 LEGAL AND ENFORCEMENT ISSUES

Please see appendices 2 and 3.

15.0 LIAISON WITH SCOTTISH GOVERNMENT AND PARLIAMENT

The Chair and officers hosted an exhibition stand in the Scottish Parliament in June 2014, which allowed us to meet a large number of MSPs and discuss both policy matters and casework. We continue to respond to a large quantity of parliamentary correspondence and meet with MPs, MSPs and their constituents as necessary.

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16.0 CORPORATE SERVICES

16.1 Organisational Development

16.1.1 Healthy Working Lives

The Healthy Working Lives programme has been launched and the first meeting of the group was held in August. A survey was conducted to understand the current position and the results will be used to develop an action plan which will aim to achieve the Bronze Award by the end of March 2015.

16.1.2 Staff Conference

A successful all staff conference was delivered on 9 September 2014.

16.1.3 Development Week

A successful development week for all 305 Inspection, Registration and Complaints staff was delivered during the second week in September. The evaluations for the week and the staff conference will be used to improve the next events.

16.1.4 People Management Policies

Five key policies: Maximising Attendance, Equality and Diversity Policy, Social Media Guidance, Whistleblowing Guidance and Time off for Trade Union Duties and Activities Agreement, which were submitted to the Partnership Forum on 14 July 2014 were considered by the Resources Committee on 23 September 2014. The policies for Time off for Trade Union Duties and Activities Agreement and the Social Media Guidance were approved. The policies in respect of Maximising Attendance, Equality and Diversity and Whistleblowing Guidance were considered at the Partnership Forum on 6 October 2014 and would be represented to the Resources Committee at its November meeting for approval.

A further 13 policies have been reviewed and refreshed and will be discussed and consulted on in Quarter 3.

16.1.5 Employee Survey

The employee survey was launched on 15 September 2014 and ran for four weeks. The survey was jointly commissioned with the Partnership Forum and has had 81% uptake. The results are due in late October and will be shared with the Partnership Forum and Board members and communicated to all staff. Thereafter, staff will be invited to work with the Organisational Development team to create solutions to the feedback arising from the results.

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16.2 Finance

16.2.1 Annual Report and Accounts 2013/14

The Annual Report and Accounts was considered by the Audit Committee at its meeting on 23 September 2014. The Committee was content and approved the Annual Report and Accounts for onward consideration by the Board.

16.3 Information and Communications Technology (ICT)

16.3.1 iPads

The roll-out of iPads to Inspectors is progressing well. Feedback received is that the Inspectors have found the project to be highly beneficial and productive.

16.3.2 ICT Survey

The ICT Survey is currently out for consultation and will be used as the basis for preparing a revised ICT strategy which will be considered by the Resources Committee later this year.