



Chief Executive's Report

Report to: Board
Date: 28 March 2014
Report by: Annette Bruton, Chief Executive
Report No: B-09-2014
Agenda Item: 17

PURPOSE OF REPORT

This report provides the Board with an update on key developments since the 13 December 2013 Board meeting.

RECOMMENDATIONS

That the Board:

1. Notes the information contained in this report.

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 <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: Annette Bruton Position: Chief Executive | | |
| Authorised by Director | Name: A Bruton | Date: 21.03.2014 | | |

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1.0 INTRODUCTION

This report provides Board members with an up-date of any key developments for the Care Inspectorate since the last report in December 2013.

2.0 INSPECTION PLANNING AND QUALITY ASSURANCE

The Care Inspectorate's Inspection Plan 2014-15 was approved by Scottish Ministers on 13 February 2014.

Inspection planning for 2014-15 is on schedule and progressing well. Revised Inspection Guidance for 2014-15 was published on 8 January 2014 and draft Individual Inspection Plans (IIPs) for each inspector was provided to the Inspection Directorate on 9 January 2014 for consultation and review. Further information and guidance was delivered in a presentation to managers and staff at each of the nationalist specialist team staff events held on Wednesday 5 February 2014. As at 14 February 2014 planned inspection dates had been entered on our systems for 90% of the services due to be inspected in 2014/15 with an agreed deadline of 22 February 2014 for the remainder. All of this represents significant improvement compared to last year.

With the implementation of national specialist teams as part of the organisational re-structuring, the challenge of re-shaping the workforce to ensure that we have the right people with the right skills in right place was recognised at a very early stage. The importance of targeting our recruitment of inspectors becomes even more critical.

The Strategic Inspection Plan for the joint inspections of children's services and integrated care & health for adults was finalised by 31 December 2013 on time. This covers the areas to be inspected up to 31st March 2015 and plan was shared with partner scrutiny bodies in early January 2013. This included Audit Scotland, Healthcare Improvement Scotland (HIS), Education Scotland (ES) and Her Majesty's Inspectorate of Constabulary in Scotland (HMICS).

In June 2014 a Capacity Planning Tool was developed to support Team Managers to plan and manage the capacity of their team. The tool was refined through consultation, including workshops with staff during 2013/ 14. It is also capable of providing senior managers with dynamic information on wider workforce planning / resource management for national specialist teams.

2.1 Intelligence & Analysis

Minor revisions have been made to the Performance Framework 2014/15 and details of these are being submitted to the Audit Committee for their consideration on 5 March 2014.

A report about complaints against care services covering the period 2008-2013 has been prepared and is being forwarded for consideration by the Strategy & Performance

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Committee. A separate report on trends has been prepared for the Complaints Sub-Committee.

Performance reports have been developed to provide managers and staff at a local level with real-time information to help them monitor their performance in delivering the inspection plan. Local admin staff have been trained to enable them to support managers and staff with this.

The annual return summary tool has been developed further to support inspectors in quickly identifying key information. This development work has been complete in time for the current review of 2013/2014 annual returns.

3.0 CO-OPERATION AND JOINT WORK WITH OTHER REGULATORS

The Head of Analysis and Business Planning represents the Care Inspectorate on the Local Government Scrutiny Co-ordination Operational Group and the cross-scrutiny body planners and scheduler's meetings chaired by Audit Scotland. We work closely with partner scrutiny bodies, including Audit Scotland, Healthcare Improvement Scotland (HIS), Education Scotland (ES) and Her Majesty's Inspectorate of Constabulary in Scotland. (HMICS) on strategic inspection planning.

Work to further develop the sharing of intelligence across scrutiny bodies is on-going and being led by the Director of Strategic development /Depute Chief Executive.

4.0 STRATEGIC INSPECTION

4.1 Joint inspections of services for children and young people

Seven inspections will have been completed in 2013/14 with two reports now published for East Dunbartonshire and Midlothian community planning partnership areas. A further two reports for East Lothian and Highland will be published by April 2014. Joint inspections of Dumfries & Galloway, Stirling and Clackmannanshire are also entering the final stages of reporting. It should be noted that the original plan to conduct a single inspection across Clackmannanshire and Stirling, will now result in two inspection reports. This is because there are two distinct community planning partnerships and separate arrangements for planning integrated children's services plans. This will mean that we will report on 7 joint inspections of services for children instead of the original plan for 6 in 2013/14.

The first two inspections for 2014/15 have been announced in East Renfrewshire and South Lanarkshire.

An internal Quality and Consistency Panel has been chaired by the Director of Inspection as part of the quality assurance processes established for publishing our reports.

The inspection "footprint" for 2014/15 has been reviewed and updated to take account of experience and to provide additional resource to the reporting phase of the inspection in order to improve the quality of our meetings to share findings and in preparing reports.

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Young Inspectors have been involved in all of these inspections and this has been a particularly successful approach. A film is being made to exhibit their role and contribution within the inspection. The Care Inspectorate is taking forward plans to build on this successful approach across other aspects of our activities and this is the subject of proposals for engaging Volunteer Inspectors more widely.

4.2 Joint inspections of Adult Services

We are in the final stages of preparing the reports of the joint inspections of adult's services in Moray and Aberdeenshire. The first two inspections for 2014/15 have been announced in Angus and Fife.

4.3 Independent Commissions

An independently commissioned inspection of services for children and young people in the Isle of Man was carried out in between July and October 2013. At the request of the Isle of Man Chief Officers this mirrored our model for the joint inspection of services for children and young people and was based around the self evaluation document "How well are we improving the lives of children and young people?" Our findings have been share with senior officers and Ministers of the Tynwald and the final report was issued in February 2014. This will not be published formally by the Care Inspectorate.

4.4 Supported Self Evaluation in Criminal Justice Social Work Services

A major piece of supported self-evaluation across all 32 local authority social work services has been carried out with a specific focus on the implementation of a national assessment tool for working with offenders and rolled out by the Risk Management Authority. A Steering Group has representation from the Care Inspectorate, ADSW and the Risk Management Authority. This work has involved close partnership working between Strategic Inspectors and local authority managers in criminal justice social work services to conduct joint reviews of practice, peer challenge and learning events based around the 8 Community Justice Authorities. We are now in the final stages of preparing individual reports for each local authority to underpin a national report due to be published in May 2014.

4.5 Staffing

A pool of Associate Assessors is being formed which comprises a number of experience professionals from across a range of relevant disciplines to take part in strategic inspections. This aims to bring the perspective of current practice into all our strategic inspections. This will also build capacity across Community Planning Partnerships for joint self evaluation and improvement and help to meet our commitment to having a multi-agency focus, being partnership-orientated and transparent in our methodology. Two induction events were held in March 2014 with Associate Assessors joining strategic inspection teams from April 2014.

4.6 Link Inspectors

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We have enhanced and improved the way in which we link with Local Authorities and Community Planning Partnerships. A Strategic Inspector has been identified to link with each CPP area for the purposes of:

- Monitoring the performance and quality of social work services and encouraging and supporting improvement;
- Working with strategic partnerships – with a focus on Integrated Children’s Services Planning and integrated working in Adult Health and Social Care services; and
- Representing the Care Inspectorate at Local Area Network meetings led by Audit Scotland and contributing fully to the shared risk assessment process.

These Link Inspectors are currently establishing contacts and our initial engagement will have a focus on adult and child protection as requested by ministers with the aim of reporting on the effectiveness of these arrangements by the end April 2014.

5.0 INSPECTION OF OTHER REGULATED SERVICES

5.1 Strategic activity within Children’s Services and Criminal Justice

We are actively participating in a number of key events nationally regarding children’s issues. These include:

- Attending the ministerial summit on the online protection of children and young people
- Contributing to the ministerial working group on child sexual exploitation
- Working with the child protection committee chairs on key issues
- Contributing to the Looked After Children’s Health Service Improvement Group
- Contributing to “Staying Put” – guidance outlining best practice in care-planning for and working with care leavers.
- Being officially designated as a member of the UK NPM body, with representatives on the children and young people’s subgroup.

Additionally, senior colleagues regularly speak at major conferences, including:

- Keeping Children Safe Conference
- Foster Care Annual Conference
- Children in Scotland 25th Anniversary Conference

5.2 Early Years Inspection

The direction of travel for early year’s inspection practice is to develop an approach that assesses the experience of children attending a service rather than measuring the provider’s compliance with input standards. We are currently piloting this new methodology for child minder inspections and intend to commence new reporting approaches on our findings from April 2014.

Early year’s team’s managers will continue to support the joint strategic inspections of children’s services and act as contact managers for key national providers working closely

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with link inspectors to ensure a seamless and holistic approach to scrutiny and supported improvement.

Early years managers continue to represent the Care Inspectorate on Early Years Collaborative and additionally carry out focused activity and training with colleagues in Education Scotland. Currently work is underway to redesign our model of collaborative inspections. Early year's inspectors and managers will also continue to be involved in the planning and rolling out of extended provision of pre-school care and additional support for looked after two year olds. Any resource implications arising from these developments will be reported to committee.

5.3 Criminal Justice & Young People

A piece of collaborative work with the Mental Welfare Commission is reaching completion, where inspections have been carried out of the six secure services making up Scotland's secure estate.

5.4 Adults and Older People

Poorly performing care homes for older people continue to require significant resources to support inspection, enforcement and improvement activity, as well as significant media activity. This year we will be reviewing what resource and approach is required to effectively inspect high risk and large care services using a more structured 'team' approach.

6.0 DEVELOPING METHODOLOGY FOR JOINT INSPECTIONS OF SERVICES FOR ADULTS

We are currently working to progress the key areas for development identified from the consultation exercise and the evaluation report. All related tasks have been scheduled for completion by the end of March 2014, for example an exemplar inspection report is being developed.

An independent audit of the process of developing the inspection methodology has been undertaken and we are awaiting formal feedback.

A strategic inspection development day is planned for the end of March to review and evaluate the work undertaken during the past twelve months. This will be a joint event with Healthcare Improvement Scotland

7.0 DUTY OF USER FOCUS

We have agreed to change the name 'lay assessors' to 'inspection volunteers', which is a term which will be better understood by the public. We are currently supporting 63 inspection volunteers with an additional 21 new recruits going through our training and shadowing process. The Minister for Public Health Michael Mathieson launched our recruitment drive to strengthen our pool of inspection volunteers at a care home for older people in Stirling on 19 February. During Qtr 3, inspection volunteers have supported 98

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inspections, speaking with 594 people receiving a service and 186 family carers/friends.

Our inspection volunteers spent 622 hours supporting 98 inspections in Quarter 3 making an average of around 6.3 hours in total for each inspection including preparation time, travel, inspection time and report write up. Our inspection volunteer coordinators have been maintaining regular contact to support them in their work.

8.0 EQUALITIES

Work on progressing the equalities action plan got underway with the first quarterly meeting of the Equalities Implementation Group. This has representation from across the organisation and will take responsibility for fulfilling the aims in the equality action plan. Margaret Paterson, Equalities & Engagement Adviser will take an equality & diversity training for all staff, for which planning and development work is already underway.

8.1 Involvement

The team welcomed Gemma Watson, Involvement Adviser (Children & young people) along with Margaret Paterson, Equalities & Engagement Adviser in November 2013.

The return to work of our Involvement Adviser (Adults) means we can now make progress on a number of agreed projects, including the development of handbook to support more effective co-working between inspectors and inspection volunteers and revision of our training programme for involved people.

We published our latest *Involve* newsletter giving details of our December Involving People Group meeting as well as a Scottish Government focus group on the Reshaping Care for Older People project and an external presentation around our involvement work at Threshold Day Service in Glasgow. Involved people will be contributing to the Care Inspectorate's response to consultation on proposed new legislation in respect of support for carers.

Our new Involvement Adviser (children & young people) worked with staff from the inspection directorate and our finance team to complete a tender for our young inspection volunteer scheme. This will look at expanding the previous work and involving young people in our care service inspections as well as strategic inspections. In addition, planning work is underway to develop our Involvement Strategy for children & young people.

9.0 HEALTH IMPROVEMENT TEAM

Our professional health advisors continue to play a critical role in supporting inspection colleagues in evaluating the quality of care through providing advice and guidance about good practice in relation to key areas of health and wellbeing, including tissue viability and wound management, continence, management of medications, nutrition and infection prevention and control. The contribution of the health advisors has been particularly important over the last few months where the quality of care has been so concerning that enforcement action has been required. Here, their input has both identified unacceptable

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practice and supported improvements, where the advisors' detailed knowledge and experience of the care environment has usefully complemented structured input from NHS staff more used to working in acute or primary health care settings.

Our advisors also continue to support colleagues in the investigation of complaints where these have a specific, often complex, health dimension.

Our health specialists contribute to the development of national guidance through participation in national task groups and ensure inspectors know about, and understand, recommended practice to update expectations. This is critical to supporting continuous improvement in the quality of care services. Included in recent months is guidance on choking, foot care, nappy changing, end of life care and the use of monitored dosage systems and compliance aids for medication.

The team has undertaken a series of structured improvement sessions with large care service providers, outlining good practice and promoting self-evaluation. These have included BUPA, Balhousie, Thistle Healthcare, Dundee City Council with NHS Tayside and East and Midlothian Councils with NHS Lothian.

The Care Inspectorate, through our rehabilitation consultant, is promoting physical activity through involvement in the development of a resource pack "Care...about physical activity", designed to provide care homes with guidance and tools to help them assess their own practice and make improvements in encouraging active lives. A swimming pilot involving residents of care homes in Perth and Kinross, West Lothian and Fife was a very successful part of the Go For Gold Challenge Scotland Programme. December saw the start of Up and About in Care Homes, a Scottish Government-sponsored project for care homes in 3 areas (West Dunbartonshire, North Highland and Dumfries and Galloway) focused on falls prevention and management.

Along with our dementia leads, our consultant in the continued implementation of the dementia strategy. We have now delivered dementia informed sessions across almost all of the workforce. Inspectors in older people's teams and some staff from registration and complaints teams have completed training at skilled and enhanced levels. Our consultant and professional advisor (continence) have started work developing a resource for front line staff to promote continence for people living with dementia in care homes, care at home and housing support services.

10.0 METHODOLOGY DEVELOPMENT (REGULATED CARE SERVICES)

We have now developed a new format of reports for child minders which supports the revised inspection methodology, focusing on the SHANARRI* indicators. The reports have been piloted to date and will be used from 1 April 2014. The new reports are shorter, clearer, and designed to provide parents of child minders with the information they need to make informed choices.

* Safe, healthy, active, nurtured, achieving, respected, responsible and included are the outcomes for Scotland's children.

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In quarter 3, staff were provided with training to support them in taking forward a pilot testing out a new approach to inspections of child minding services due to take place between January and March. Preparing for the pilot involved working together with ITC colleagues to develop an alternative report template. The approach is more clearly focused on the experience of the child and the contribution of the service to achieving positive outcomes using nationally recognised GIRFEC well-being indicators.

Quarter 3 also saw us contracting with *Red Circle* to carry out 11 focus groups across the country with providers/staff in services to solicit views about our developing methodology and preparing a survey to gather the views of our own staff. Both consultations will take place between January and March, as will meetings with people who use services and carers.

11.0 IMPROVING QUALITY AND CONSISTENCY

Our quality improvement project lead, Dave Adams, took up post in December and has quickly established close links with our methodology review project lead to ensure that quality measures are built in to our new approaches. Attention has been given to developing the quality improvement action plan to ensure each action has a designated lead and a defined timescale and that priorities are agreed.

A specific area for quality improvement has been set up on *Yammer* to support discussion and the sharing of ideas and good practice across the organisation.

A draft quality improvement framework has been written and will be further developed through quarter 4. An internal audit was undertaken of our quality assurance function which has endorsed the direction of travel and commends the progress made in strengthening our approaches to quality assurance and improvement.

We have identified our enforcement processes as a key area for review and development, to strengthen them and ensure we bring greater consistency to our decision-making. This work is being taken forward by a task group led by one of our heads of inspection working alongside the methodology/quality team.

We have undertaken review of a sample of inspection reports and report writing processes to help develop a proposal for a new approach to quality assurance which makes best use of administrative colleagues' time to support inspectors and team managers. We will test out the new arrangement on a small scale before implementing to ensure it is effective and efficient.

We have now established a quality assurance process for our strategic inspections for services for children which includes a quality and consistency panel to review inspection reports. We plan to develop a similar panel system for our adult joint inspections, in partnership with Healthcare Improvement Scotland.

12.0 REGISTRATION AND COMPLAINTS

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As has been previously reported Phase 1 of a programme of work, namely the review of Registration & Complaints, has been completed and a series of post review actions identified. Phase 2 of the work programme is 'Action & Change' and is targeted for completion by the end of November 2014. Phase 3 of the work programme is called 'Steady State' and the target for completion is 31 March 2015.

12.1 Registration

A selection process has taken place to fill two permanent Registration Team Manager vacancies.

On 23 February 2014 the National Registration Team are to collectively participate in a one day event that amongst other things will consider how best to move forward the Phase 2 work.

13.0 DEVELOPMENT WORK AND OTHER CARE INSPECTORATE INVOLVEMENT

A review by the Head of Analysis and Business Planning of how we gather, share and use information and intelligence within the Care inspectorate is on going and linked to the a similar review across scrutiny bodies led by the Director of Strategic Development / Depute Chief Executive.

14.0 POLICY DEVELOPMENT

In February 2014, we launched *The Hub*, the Care Inspectorate's knowledge based hub focusing on innovation, knowledge and research within the care sector. This extensive website signposts care service staff to good practice and key information for them. It is designed to be used on mobile devices which inspectors can take to a care service and demonstrate examples of effective practice to services where improvement is required or where it would be beneficial. This has been widely welcomed by partners in the sector.

15.0 COMMUNICATIONS

15.1 Significant Publications

The Care at Home national report is in final draft and will be completed by the end of March 2014 and published following final review by the Editorial Panel.

We published *Improving Care in Scotland: What the Care Inspectorate did in 2012/13* in January 2014. It is a standards and quality report showing performance against various KPIs, and also presents the work of the Care Inspectorate to the non-technical reader. The document was also produced in an online interactive format.

We published a statistical bulletin on complaints about care services from 2008 – 2013. This showed a rise in the number of complaints received, which corresponded with efforts to raise awareness about our powers of complaint investigation.

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15.2 Media Engagement

We continue to raise awareness about our role and respond to media queries. There have been a large number of enquiries about a small number of high-profile care services where we are undertaking regulatory activity.

In February, we implemented the Board's decision to proactively alert the media to care services which are repeatedly poorly performing and to those which are consistently performing well. This has resulted in a rise in press coverage about the Care Inspectorate.

There has been a significant and sustained media interest in The Hamilton School Nursery and the provision of early years care in the North East.

16.0 LEGAL AND ENFORCEMENT ISSUES

16.1 RDS Healthcare Ltd. – v – SCSWIS

This appeal under s75 of the Public Services Reform (Scotland) Act 2010, in Inverness Sheriff Court related to the Care Inspectorate's decision to cancel the registration of the "Clachnaharry" Care Home. Having raised the appeal, the provider did not proceed with it.

16.2 SCSWIS – v – The Hamilton School (Aberdeen) Ltd.

This application for cancellation of registration of a day care of children service was lodged at Aberdeen Sheriff Court on 21 February 2014. The provider company almost immediately confirmed its intention to cease operating and cancel registration. The application was therefore dismissed.

16.3 SCSWIS – v – Hannah Chibanga

This application to cancel registration of a childminder remains on going at Glasgow Sherriff Court. An evidential hearing is scheduled for 14 and 20 March 2014.

16.4 Fatal Accident Inquiry – Death of Declan Hainey

It has been formally confirmed that a Fatal Accident Inquiry will take place into the death of Declan Hainey. It is unlikely that the Care Inspectorate will be required to be involved in that Inquiry.

17.0 LIAISON WITH SCOTTISH GOVERNMENT AND PARLIAMENT

We gave evidence to the Health and Sport Committee in February 2014, along with Healthcare Improvement Scotland, the Health and Safety Executive, and the Scottish Public Services Ombudsman. The Committee wished to speak with a variety of regulators to take stock of issues affecting regulated care services. Questions focused around our role as a regulator, inspection methodology, complaints, and the integration of health and social care.

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We published a leaflet for MSPs explaining our enforcement powers and how we use them.

The Children and Young Person's (Scotland) Bill and the Public Bodies (Joint Working) (Scotland) Bill were passed by the Scottish Parliament. A Forward diary of parliamentary activity is attached at Appendix 1.

18.0 CORPORATE SERVICES

18.1 ICT and Information Governance

The ICT and Information Governance Team have successfully undertaken a major upgrade of the Care Inspectorate/Scottish Social Services Council network and all users' computers to the Windows 7 operating system. This was an essential upgrade because Microsoft is withdrawing support for earlier versions of their operating system software which means that the security of the network could be compromised. The update has been completed without disruption to the network or users. This is a significant achievement given the difficulties that many organisations have had with this upgrade.

18.2 Staff Development

Our strong commitment to investing in developing our workforce continued through the delivery of February Development Week held 3rd to 7th February. This offered 800 places over 18 events for our Inspection, Registration and Complaints workforce. Sessions included refreshed training on public protection, falls prevention, dementia and infection control. The outcomes of the week are being evaluated however initial feedback has been positive. The next development week is planned for September 2014 and this will incorporate the Staff Conference. We are agreeing the future timings or learning weeks with the Partnership Forum.

18.3 PULSE

The PULSE system continues to be rolled out, enabling self-service opportunities to all for key organisational development and payroll activities. Staff are able to book annual leave, sickness absence, and make expenses requests online already. Further functionality will come online in the next 3-6 months including recording time/flexi sheets, booking training, arranging and recording PDRS meetings and online recruitment. We will also improve the workforce profile reports which will give better intelligence about patterns and trends across the workforce. This will help the organisational development team implement early interventions.

18.4 Partnership Working

Positive Partnership working continues with the Partnership Forum through the introduction of quarterly Development Forums to double the existing quarterly National Partnership Forum meetings. The development forum allows more opportunity to discuss key policy areas to allow the trade unions a chance to shape thinking and provide an employee

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perspective from the intelligence that they are gathering. Work is continuing to work jointly on key areas such as reviewing trade union facility time, developing a jointly written refreshed partnership agreement, establishing joint short life working groups to work on addressing the outcomes from the Partnership Forum's union member consultation in September 2013.

18.5 People Management Policies

Key people management policies continue to be refreshed as part of the wider programme to update all key policies by December 2014. The current policies under review include the staff code of conduct, whistleblowing, attendance management, managing performance, social media, dignity at work and homeworking arrangements. These policies will be reported to the Executive Team, Resources Committee and Partnership Forum.

18.6 Restructure

Organisational restructuring is coming to a close which will allow a period of stability amongst the workforce as new arrangements and staff embed into their roles. The majority of the new administration restructure was completed during January and new arrangements are now being implemented. We have invested in improving recruitment practices to ensure we are attracting high calibre candidates as we move forward. As part of the restructuring arrangements it was agreed that a job evaluation exercise would be carried out within 12 months for Heads of Service and Strategic Inspectors. The exercise is now underway and the results will be reported to the Resources Committee at its June meeting.

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