



## Chief Executive's Report

**Report to:** Board  
**Date:** 26 June 2015  
**Report by:** Karen Reid, Chief Executive  
**Report No:** B-13-2015  
**Agenda Item:** 19

### **PURPOSE OF REPORT**

This report provides the Board with an update on key developments since the Board meeting on 6 March 2015.

### **RECOMMENDATIONS**

That the Board:

1. Notes the information contained in this report.

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| Version: 6.0 | Status: <i>Final</i> | Date: 19/06/2015 |
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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        | 06/15 |
| 1.0     | Legal Services                                     | Executive Team | Contributed to report        | 06/15 |
| 1.0     | Resources Directorate                              | Executive Team | Contributed to report        | 06/15 |
|         | 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: Karen Reid

Position: Chief Executive

Authorised by Director

Name:

Date: xxx

Version: 6.0

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## **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 2015.

## **2.0 INSPECTION PLANNING AND QUALITY ASSURANCE**

### **2.1 Inspection planning**

Work is underway to introduce the new type of “follow-up” inspection in poorly performing services which require a section inspection in any one year. These inspections will start in Q3. This new inspection methodology arises from our review of scrutiny and improvement, and is designed to ensure that improvements are embedded and sustained where the quality of care has been identified as being insufficiently good.

### **2.2 Quality**

Now that the Quality Improvement Strategy has been agreed by the Board, work is underway to implement the action plan. A management development day supported a cohort of staff to reflect on how to do this and further work in this area will be forthcoming.

## **3.0 CO-OPERATION AND JOINT WORK WITH OTHER REGULATORS**

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 supports effective communication and information sharing between the two bodies.

The early years shared inspection programme with Education Scotland has been established for almost two years, and in preparation of the Care Inspectorate’s new inspection methodology we are currently undertaking a review of our work with Education Scotland to support a smooth transition to the new methodology next year.

HM Inspector of Constabulary in Scotland has recently completed an inspection designed to assess the state, effectiveness and efficiency of the investigative arrangements for adults, children and young people reported missing in Police Scotland Aberdeen City Division. The Care Inspectorate supported this work through the deployment of our Young Inspectors. This work is highly relevant to our own work, particularly as a key focus was on vulnerable children who are reported missing from regulated care services, particularly care homes. HMICS has acknowledged the very welcome assistance of the Care Inspectorate in this work which will be formally acknowledged and highlighted within the report when it is published in due course. Linked to this is the involvement of Care Inspectorate staff with Police Scotland in developing a National Partnership Agreement on looked after children who go missing from residential and foster care.

|              |                      |                  |
|--------------|----------------------|------------------|
| Version: 5.0 | Status: <i>Final</i> | Date: 19/06/2015 |
|--------------|----------------------|------------------|

In March, under the Duty of Cooperation, the Care Inspectorate also supported Her Majesty's Inspectorate of Prisons with their inspection of Glenochil Prison, bringing the total number of prison inspections to which the Care Inspectorate has contributed over the year to four.

Two Strategic Inspectors participated in the Education Scotland-led Total Place Scrutiny pilot in partnership with Perth and Kinross Council and its community planning partners. The pilot, which was commissioned and overseen by the Joint National Scrutiny Group, aimed to explore the potential of using a multi-agency team to work alongside professional staff and community groups to take a closer look at the experiences of people of all ages and social backgrounds living in the Blairgowrie/Ratray area. The Care Inspectorate expects to be involved in a review of the pilot in the forthcoming months.

Quarter four saw the commencement of the fieldwork phase of the national inspection of Multi-agency Public Protection Arrangements (MAPPA) being conducted in conjunction with HMICS. Scrutiny work will be carried out in all community justice partnership areas in Scotland by the end of June 2015.

The Regulation and Quality Improvement Authority (RQIA) have asked the Care Inspectorate to assist them with a review of Health and Social Care Trust's Early Years Services in Northern Ireland. Two Team Managers, one from Registration and one from Inspection (Early Years) will be spending a week in Belfast from 22<sup>nd</sup> – 26<sup>th</sup> June 2015.

In recent weeks we have worked closely with Education Scotland and other statutory services, including police and social work following allegations of excessive use of restraint and other concerning child care practices at a particular nursery. We are satisfied with the local authority's response to the police investigation and continue to actively monitor this situation and work closely with the service to ensure that the safety and wellbeing of children is paramount.

#### **4.0 STRATEGIC INSPECTION**

In quarter four, fieldwork for inspections of services for children in Renfrewshire and Shetland was concluded and reports of the joint inspections in South Lanarkshire, Aberdeen City and North Lanarkshire were published. Also in this quarter engagement began with chief officers for the first inspections of 2015/16, in Aberdeenshire and the Western Isles.

Senior staff recently met with senior staff from Isle of Man (IOM) Government Department of Education and Children. This was with a view to the Care Inspectorate undertaking a follow-up inspection of services for children and young people in the IOM which was carried out between August and October 2013. The purpose of the follow up report would be to report on progress made in light of significant restructuring /redesign of services that has taken place there since the original report was published in February 2014. The original report had attracted

|              |                      |                  |
|--------------|----------------------|------------------|
| Version: 5.0 | Status: <i>Final</i> | Date: 19/06/2015 |
|--------------|----------------------|------------------|

significant political and public interest in the IOM and they are attaching a high priority to this follow up inspection, which they wanted to be completed, if possible, by 31 December 2015. However, in order to prioritise our own work, we have signalled a willingness to complete this work in March 2016 at full cost recovery. These arrangements are broadly acceptable and likely to be firmed up over the coming weeks and a formal agreement reached.

In quarter four the Care Inspectorate Code of Practice was finalised in line with Scottish Government's new Guidance for local authorities and Child Protection Committees, to implement a system for notification to the Care Inspectorate of initial and significant case reviews. The new agreements commence from 1 April 2015. From this date, the Care Inspectorate will also start to receive material relating to significant case reviews from 2012 to 2015 to allow a retrospective review and national report to be completed during the forthcoming year.

In relation to the proposal to undertake scrutiny of Alcohol and Drug Partnerships through validated self-evaluation, the Care Inspectorate has reached a firm agreement with Scottish Government and indicative funding (total of £60k over two years). This is giving new impetus to the development phase, with fieldwork to be commenced in quarter 4 with a view to reporting in autumn 2016.

#### **4.1 Joint Inspection of Services for Older People/Adults**

The scrutiny planned for 2014/2015 has been completed. Both Fife and Angus reports have been published and reports for Glasgow and Falkirk are due for publication. Feedback has been given to both partnerships. The final two reports for Shetland and Highlands are at final draft stage.

In respect of the agreed plan for 2015/2016, this has been implemented and is on schedule. File reading in Argyle and Bute and the Western Isles has either been undertaken or in the process of being undertaken. Again, like Shetland, the Western Isles is been completed simultaneously with an inspection of children's services.

There was initially an expectation that this year's inspection plan would include all adults and older people's services. This will not be the case in all inspections. The strategic team, alongside others is looking to develop a staged implementation to include all adults and older peoples services and this will be implemented within the final two inspections planned in quarter 4. Initially, recommendation 8 from the

Keys to Life strategy was to be included, however Care Inspectorate staff have been liaising closely the lead Scottish Government advisor for Keys to Life to ensure work within partnerships is not being duplicated.

Other areas in respect of gradual roll out could include work around adult support and protection.

|              |                      |                  |
|--------------|----------------------|------------------|
| Version: 5.0 | Status: <i>Final</i> | Date: 19/06/2015 |
|--------------|----------------------|------------------|

## **4.2 Link Inspectors and Contact Managers**

The Link Inspector role continues to be developed. Link Inspectors have spent time becoming familiar with the partnership in which they will be supporting improvement. Work is also being progressed to ensure that there is appropriate support from a Link Inspector with an adult background and a Link Inspector with a children's background, particularly during inspection.

Link Inspectors, alongside Contact Managers and other colleagues in the Improvement Hubs, have developed dynamic reports.

Where issues have been identified at inspection, Link Inspector activity in some areas has been increased to progress the improvement agenda and further develop positive relationships. Additional support has been provided in Dumfries & Galloway, Shetland and the Western Isles.

## **5.0 INSPECTION OF REGULATED CARE SERVICES**

Taking account of capacity issues within the Children's Directorate arising from staff leaving, internal transfers and sickness absence, Inspectors are prioritising inspections on a risk basis and are being supported in the work by line managers. A recruitment process is on-going that will hopefully address this.

Implementation of Children and Young Person (Scotland) Act 2015 has had some implications for the inspection of early years services. The Act has brought back into focus the Scottish Government's key policy driver of Getting it Right for Every Child (GIRFEC) which overarches all other policy for children across Scotland and has provided a definition for the SHANARRI well-being indicators. The well-being indicators are a key element of the new childminding inspection methodology implemented last year and this has influenced how the Care Inspectorate undertake current inspections of Daycare of Children's services. To support the inspection process an evidence gathering tool has been developed which supports all inspections focusing on outcomes for children within the framework of the wellbeing indicators. The Act also made provision for an increase in hours for funded places for children aged three and four years and for the first time also 600 hours provision for eligible children aged two to three years. In order that the impact of the increased and new provision can be considered, Inspectors will be collating key information on the impact of these developments across Scotland.

This data will inform national reports reviewing the implementation of the expansion of early learning and childcare, which the Care Inspectorate will publish.

In quarter 4, an application was made to Linlithgow Sheriff Court for an emergency cancellation of a childminder's registration following social work involvement with the family. The Sheriff agreed to suspend the registration pending a full hearing, after which the childminder voluntarily cancelled her registration. This case involved a considerable amount of work for the early years team and legal team,

but demonstrates the organisations commitment to providing the strongest possible assurance and protection when children are at significant risk of abuse or neglect and the willingness to use the relevant legislative powers to the full to do that.

### **5.1 Learning Disability Inspection Focus Area**

In the final quarter it was agreed that the Inspection Focus Area to be carried out this year would be to look at how key regulated services for adults with a learning disability have implemented the recommendations of 'Keys to Life' and or the enquiry into 'Winterbourne View'. This has involved developing inspection resources in partnership with Inspectors and providers, publishing these on 'The Hub' and engaging with Community Care Providers in Scotland and Social Work Scotland to inform our development work and advise them of our intended approach and expected outcomes.

### **5.2 Care Inspectorate Supporting the Delayed Discharge Agenda**

The Care Inspectorate has responded to requests of support from three partnerships in relation to the challenges that they are experiencing in addressing delayed discharge in their areas. Building on the work that we began with the City of Edinburgh Council and NHS Lothian we are now working with NHS Highland, Aberdeen City Health and Social Care Partnership and Fife. Our focus here is to support improvement in care services that may be embargoed, to proactively share intelligence, to co-ordinate improvement activity, to respond to requests to vary registration or fast-track new registrations, and to explore further opportunities for more effective joint working.

### **5.3 Adults and Older People Inspection**

The Inspection teams continue to progress the inspection plan. There has been a high level of long term absence in OP teams which has had a significantly negative impact on the number of inspections completed. For example, OP Teams in the East alone have lost 760 days/5,320 hours of inspection time to sickness.

A range of contingency plans have been put in place to try to address the inspection plan shortfall, including prioritisation of statutory inspections to be completed, overtime, additional hours, movement of 'smoothed' inspections to year end, carry forward of some annual leave, cancelled development activity and reduced team meetings and one to one meetings. Any capacity in adult teams is being utilised in OP inspections.

## **6.0 DEVELOPING METHODOLOGY FOR REGULATED CARE SERVICES**

### **6.1 Co-operation with other regulators**

Work has continued with Healthcare Improvement Scotland in the development of their Quality of Care Reviews. This has included advising on the scope, methodology and design of the approach. We have also begun engagement on

|              |                      |                  |
|--------------|----------------------|------------------|
| Version: 5.0 | Status: <i>Final</i> | Date: 19/06/2015 |
|--------------|----------------------|------------------|

the Scottish Government's proposed consolidation of the Joint Improvement Team and Quest in HIS and offered opinions about the appropriate governance arrangements.

## **6.2 Methodology**

A new Project Lead – Methodology has taken up post and continues to develop the programme approach to the Review of Scrutiny and Improvement. Significant changes were made on 1 May to introduce new responsive regulation policies, and these are now operational. Staff have taken part in bite-size sessions to develop practice and reflected on the approaches at staff development days. A new approach to thematic inspections in a small number of care homes for adults with a learning disability has started, plans are underway to introduce follow-up inspections from quarter 2 onwards. Developmental work is taking place around the concept of a more proportionate form of scrutiny in highly performing services later in the year.

Engagement with the sector continues at the High Level Advisory Group around the methodology changes.

Joint working has begun with NES to develop research-based improvement tools for use in early years and care at home settings. These tools will be based around NES' Knowledge into Action approach and the development will closely involve inspection colleagues.

## **7.0 DUTY OF USER FOCUS**

A new guidance handbook for Inspectors and Inspection Volunteers on the Inspection Volunteer scheme has been distributed widely. This will support high-quality engagement between Inspectors and Inspection Volunteers in planning and undertaking inspections. Inspection Volunteers supported some 600 inspections in 2014/15. We held training in early May for an additional 8 inspection volunteers. In 2014/15 we undertook 6 training sessions and added approximately 30 inspection volunteers to our pool.

A successful joint involvement conference was held with Health Improvement Scotland for Inspection Volunteers and HIS Public Partners in February 2014 at Beardmore Hotel, with input from Paul Gray, Director General – Health and Social Care.

The Involving People Group continues to discuss and advise on the progress of the NCS project, dementia work, and we also consulted on the new Involvement Outcomes and Strategy. Consultation events with and questionnaires for involved people have supported us in formulating the new involvement strategy.

A guidance handbook for Strategic Inspectors on the Young Inspector Scheme was published in April. Five new young Inspection Volunteers were recruited, each of them received five days of training in March. Two of our experienced young

Inspection Volunteers took part in inspections alongside the HMICS. A development session was held for young Inspection Volunteers on corporate parenting, delivered by Who Cares? Scotland and on youth participation, delivered by Youth Scotland.

Eleven adult Inspection Volunteers were trained to become involved with our joint inspections of adult services, and three have already participated.

The equality mainstreaming report/action plan 2015 -17 and review of our equality work 2013 - 15 were considered by Board members in March 2015 and published in April 2015. Final equality & diversity sessions were held for staff in the early part of the calendar year, and an online equality training course is being developed. Additional equality training for SSSC staff has been provided as part of the shared service agreement. A new draft equality impact assessment tool and guidance is currently being developed.

## **8.0 HEALTH IMPROVEMENT TEAM**

A new continence resource pack designed to improve person-centred continence care in care services for people living with dementia and long term conditions has been produced. Funding of £15k was obtained from the Scottish Government to produce the pack, which is available online and in hard copy. It draws on research evidence and has been produced in conjunction with colleagues from the Scottish Dementia Working Group and other people using care services, and their carers. Colleagues have been invited to present early findings from the use of the pack at the Alzheimer Europe conference in Slovenia in September. Further funding is being sought to support roll-out and training across the sector during the year. The Caring about Continence resource was to be launched by the Minister for Sport, Health Improvement and Mental Health at Scottish Care's Care at Home Conference on 5 June 2015.

One of our professional advisors has been awarded the Dorothy Mandlestam prize, awarded annually in the field of continence care. This reflects her work, with other Care Inspectorate colleagues, in supporting excellent person-centred care.

The enhanced dementia resource for regulators is now complete and is about to be agreed by SSSC and NES. This has been written with a great deal of input from Care Inspectorate staff and will be an online learning resource for colleagues to work through. All of our regional dementia events have now been completed and final touches are being made to put filmed clips and resources discussed at the events on the Hub.

Work is underway to support the current pilot of the Nursing and Midwifery Council's revalidation programme, whereby all nurses will require to undergo revalidation every three years to maintain their registration. Sixteen Care Inspectorate staff entered into the pilot, and participated in an information workshop with NHS Tayside (responsible for supporting our pilot). The Care Inspectorate is part of the Scottish Government communication network around

revalidation and will be supporting them to engage with the social care sector as the revalidation programme develops.

We have begun discussions with Health Protection Scotland and the Scottish Government about supporting work around infection prevention and control in the care sector. If agreed, this will allow the Care Inspectorate to access improvement support, capacity building, surveillance advice and intelligence sources to support our scrutiny and improvement plan.

## **9.0 IMPROVING QUALITY AND CONSISTENCY**

Following a Parliamentary Question on first aid and the introduction of 'Millie's Law' in England, the Care Inspectorate held a meeting with Scottish Government and other relevant agencies. At this meeting it was agreed that in Scotland there would be awareness raising about the new specialist courses in paediatric first aid rather than this becoming mandatory for early years staff. This agenda will be taken forward with the SSSC.

We have begun to develop our relationship with Care Opinion and exercise our undertakings as one of their designated public interest bodies. This involves being provided with information about stories left by members of the public when their publication has been restricted by a provider; the first such restricted story was received in June 2015 and a process for future ones is being developed.

## **10.0 COMMUNICATIONS**

Significant communication work with providers was undertaken ahead of methodological changes on 1 April 2015, under the banner of "Excellence in Care". This included a suite of short films, staff briefings, stakeholder events, a new booklet, online and social media activity, corporate publications and direct correspondence to services and stakeholders.

Support is being given to Care Home Open Day on 19 June 2015, including supporting ministerial visits to care services. Work has been underway to plan for the publication of the triennial review in June.

## **11.0 LEGAL AND ENFORCEMENT ISSUES**

See appendices.

## **12.0 CORPORATE SERVICES**

### **12.1 Partnership Working**

The revised Service Level Agreements with the SSSC have been signed off and the Partnership Agreement with the Partnership Forum was finalised in November 2014.

|              |                      |                  |
|--------------|----------------------|------------------|
| Version: 5.0 | Status: <i>Final</i> | Date: 19/06/2015 |
|--------------|----------------------|------------------|

## **12.2 HR Policy Programme**

Progress against the HR policy programme during quarter 4 proceeded to plan.

The following progress was achieved during quarter 4;

- The new Maximising Attendance Policy was approved by Resources Committee and Partnership Forum. The new policy was implemented on 5 January 2015 and a programme of training and briefings for managers and employees is currently being scheduled.
- A new draft Capability Policy was considered by Resources Committee and Partnership Forum.
- The suite of family friendly policies were approved following Resources Committee in February 2015 and are now implemented these include: Maternity Leave, Special Leave, Annual Leave, Paternity Leave, Parental Leave, Adoption Leave and Fostering Leave.
- The Homeworking Paper was discussed and approved at ET in March 2015. The report included key findings from the review, improvement recommendations and a new draft policy. The new policy was considered by the Resources Committee in June 2015.
- The new Smoking Policy was also approved by the Resources Committee and Partnership Forum.

## **12.3 Financial Performance**

Indicative budgets for 2016/17 and 2017/18 were prepared for consideration by the Resources Committee at its June meeting. The indicative budgets highlighted that there was likely to be significant budget deficits of £1.4m in 2016/17 and £2.1m in 2017/18. Plans to address this need to be progressed as a matter of urgency.

## **12.4 Annual Report and Accounts**

Planning and preparatory work for the production of the 2014/15 Annual Report and Accounts has commenced.

## **12.5 ICT Strategy**

- An early draft of the ICT strategy has been prepared for consideration by the Resources Committee.
- The second phase of the iPad roll out is continuing and further training is being arranged for all staff with iPads

|              |                      |                  |
|--------------|----------------------|------------------|
| Version: 5.0 | Status: <i>Final</i> | Date: 19/06/2015 |
|--------------|----------------------|------------------|

- The network has been upgraded to improve performance and to enable the CI to move towards using MS Exchange and Outlook for calendars and email. However, this is a major project which will be completed during 2015/16.

## 12.6 Business Continuity

- Joint CI/SSSC business continuity arrangements have been subject to internal and external audit. The plans were audited as satisfactory and a programme of user training and testing of the plans has commenced. The first training session took place in March and a further all day training session to test the plans took place in May.

## 12.7 Estates

Work is progressing on assessing the options for the Irvine office and a report detailing the options and recommendations will be considered by the Resources Committee.

Planning and analysis is underway to prepare for the upcoming significant work required to deal with the lease breaks and terminations due in 2016/17 and 2017/18 in relation to several of our larger offices.

## 12.8 Staff Experience

The Care Inspectorate was awarded with the Healthy Working Lives Bronze award in March 2015. Work is well underway to achieve the silver award.

Positive feedback from new starts was received in relation to the new corporate induction which launched in Q3. Two further induction programmes were delivered during Q4 to ensure all new staff and returners are up to speed with the organisational values, goals and approaches.

## 13.0 POLICY AND PARLIAMENTARY ENGAGEMENT

Between 1 February and 31 May 2015 the organisation responded to the following formal consultations:

- Call for evidence on the Carers (Scotland) Bill - **Scottish Parliament's Health & Sport Committee**
- Draft Statutory Guidance on Parts 18, Section 96 (Wellbeing) 4 (Named Person), and 5 (Child's Plan) of the Children and Young People (Scotland) Act 2014 and draft Orders made under Parts 4 and 5.- **Scottish Government**
- Draft statutory guidance on the Children and Young People Act (Part 9) - **Scottish Government**

## Agenda item 19

### Report Number

B-13-2015

- Call for evidence on a British Sign Language Bill - **Scottish Parliament's Education Committee**
- Advanced Dementia - Developing the 8 Pillars Model of Community Support - **Alzheimer Scotland**
- Regulatory Review Group of Fire (Scotland) Act 2005 - **Scottish Government**
- Draft Scottish Fire and Rescue Service Ageing Safely, Living Well Framework for Older People - **Scottish Fire and Rescue Service**
- Public Health Review Engagement Paper - **Scottish Government**
- Inquiry into Historical Child Abuse - **Scottish Government**
- Consultations on proposals to introduce supplementary prescribing by paramedics, dieticians, and radiographers, and proposals to allow orthopists to sell, supply and administer medicines under exemptions within the Human Medicines Regulations (2012) across the United Kingdom - **NHS England**

In the coming months we also plan to respond to:

- Scotland's Adoption Regulations 2016 - closing date 22 June 2015
- Justice Committee call for evidence - Community Justice (Scotland) Bill - closing date 12 August 2015

In addition to the above formal consultations, during this period information has also been provided to the following parliamentary committees:

- Public Petitions Committee - Petition 1551: Mandatory reporting of Child Abuse
- Public Petitions Committee - Petition 1548: National Guidance on Restraint and Seclusion in Schools
- Local Government and Regeneration Committee - Complaints procedure following integration of health and social care

An invite has been received to give oral evidence to two Scottish Parliament committees, about palliative care and about complaints in an integrated landscape.

## LIST OF APPENDICES

### Appendix 1 - Legal and Enforcement Issues

|              |                      |                  |
|--------------|----------------------|------------------|
| Version: 5.0 | Status: <i>Final</i> | Date: 19/06/2015 |
|--------------|----------------------|------------------|