



Chief Executive's Report

Report to: Board
Date: 19 December 2014
Report by: Annette Bruton, Chief Executive
Report No: B-30-2014
Agenda Item: 15

PURPOSE OF REPORT

This report provides the Board with an update on key developments since the 24 October 2014 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: 28/11/14	

1.0 INTRODUCTION

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

2.0 INSPECTION PLANNING AND QUALITY ASSURANCE

2.1 Intelligence & Analysis

The Care Inspectorate's draft Scrutiny & Improvement Plan for 2015/16 was submitted to the Executive Team on 9 October 2014 and was considered by the Board at their development day on Friday 31 October 2014.

Draft Individual Inspection Plans 15/16 (IIPs) for Inspectors of frontline services (regulated care) were made available to Team Managers for them to review on Monday 27 October 2014. This much earlier timeframe is a direct result of dynamic inspection planning over a 4 year period which was introduced in 2013/14.

A comprehensive review of how we gather and share information/intelligence within the Care Inspectorate and with partner scrutiny bodies has been completed. Areas for improvement have been identified which will strengthen how we use intelligence to plan 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. The report was considered by ET on 20 November 2014 and by the Policy Committee on 28 November 2014.

In parallel with the scrutiny and improvement methodology review, the Head of Analysis and Business Planning is 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.

The Head of Analysis & Business Planning has been nominated to represent the Care Inspectorate on the Police Scotland - National Risk & Concern Project – Partnership Reference Group which will be chaired by the Deputy Chief Constable of Police Scotland. The group will have a strategic focus drawing on expertise and experience of frontline service providers and community organisations from across Scotland. The overall aim is to develop and embed consistent processes and staff skill sets across Scotland to identify risk of harm and ensure adherence to established child and adult protection processes at an early stage. It will also ensure that all concerns raised are assessed appropriately and where wellbeing concerns are identified, the relevant information is shared to secure the necessary additional support from universal services to encourage better outcomes for adults and children.

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3.0 CO-OPERATION AND JOINT WORK WITH OTHER REGULATORS

3.1 Social Care Partnership Forum (SCPF)

We are part of this UK-wide body which exists to promote consistency, proportionality and an integrated approach to health, safety and quality of care. The SCPF has representatives from central and local government, regulators, stakeholder bodies and Trades Unions (TUs) covering England, Scotland and Wales. The regulator participants include the Care Inspectorate (CI), the Care Quality Commission (CQC), Care and Social Services Inspectorate Wales (CSSIW) and the Health & Safety Executive (HSE). We work closely with our partners to develop well informed and authoritative answers to questions about 'what social care providers are expected to do' which will satisfy providers, regulators and commissioners of services.

3.2 NATIONAL PREVENTATIVE MECHANISM (NPM)

The Board have previously been briefed on the work of the NPM to which we are signatories. The Chief Executive and the Depute Director for Children's Services and Criminal Justice attended the strategic NPM meeting in November which was held in Wales. A key item on the agenda was finalising the Annual Report. This was laid before the UK Parliament on 4th December. The report can be found here: http://www.justiceinspectores.gov.uk/hmiprison/wp-content/uploads/sites/4/2014/07/NPM_AR2013-14_Final_021214_WEB_small.pdf

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 almost complete, with our inspection of Renfrewshire underway.

We have now published our report on the current "state of the nation" in relation to child protection, and met with the Minister for Children and Young People, Aileen Campbell to discuss the findings. This tied in with the publication of the national action plan in relation to Child Sexual Exploitation, and the Care Inspectorate are actively involved in this work.

4.2 Independent Commissions

A meeting took place between the Director of Inspection and Head of Strategic Inspection (Children's Services & Criminal Justice) with colleagues from Guernsey, who had previously asked us to work with them. Unfortunately, this work will not

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proceed at this time, due to changes of personnel and processes in Guernsey.

Similar activity is planned for the Isle of Man, and contact is awaited from their senior team as to how they wish to proceed.

5.0 INSPECTION OF OTHER REGULATED SERVICES

5.1 Strategic activity within Children's Services and Criminal Justice

As mentioned above, 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. The Depute Director of Inspection (Children's Services & Criminal Justice) attended a Ministerial summit to discuss this in October. We have identified key actions for our staff to take forward as a result.

5.2 Early Years Inspection

Our Nutrition Adviser is a member of NHS Health Scotland Nutrition guidance early years working group and was involved in the development of the revised guidance called Setting the Table -Nutritional guidance and food standards for early years childcare provider in Scotland 2014.

5.3 Criminal Justice & Young People

Managers and senior managers remain continuing to monitor capacity with the Children Services and Criminal Justice Teams. In recent weeks we have lost several staff to other posts and positions elsewhere 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.

6.0 DEVELOPING METHODOLOGY FOR JOINT INSPECTIONS OF SERVICES FOR ADULTS

6.1 Reporting on joint inspection findings

We are working closely with Healthcare Improvement Scotland to further align and improve the way we report on joint children and adult inspections.

7.0 DUTY OF USER FOCUS

Involvement

We held a development day for our involved people and inspection volunteers in Glasgow. This was to discuss the development and revision of the Involvement Plan which runs until 2015. The day was facilitated by staff from Quarriers and work on a new, co-produced action plan is now in had. We are continuing to recruit inspection volunteers and are piloting the involvement of inspection volunteers in children's services. A training day for new Inspectors was held on 19/20 November and a new handbook for inspection volunteers, and staff working with them, is being produced.

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8.0 HEALTH IMPROVEMENT TEAM

We are working with Dundee University and the University West of Scotland and a care home in NHS Fife on a pain management project with a care home in Fife. An initial application to the Health Foundation was successful and partners are now looking at a full application to the Health Foundation for full funding.

We are working with NES on the update of the Pressure Ulcer Workbook, for staff in health and social care settings. There is also work progressing re developing a new NES resource for managing skin tears and minor trauma injuries based on new best practice guidance. This will be particularly useful to care home staff who manage minor incidents and skin tears as a result of falls and there will also be a series of road shows for NHS and care sector to make staff aware of this initiative and good practice.

We have participated in our first NHS Board visit as a clinical expert with the HIS OPAH inspection team, offering support in the areas of tissue viability.

We are now considering the implications of the NMC proposals for nurse re-validation. NHS Tayside is a pilot site and discussions are progressing about whether relevant Care Inspectorate staff who are registered with NMC can participate in the pilot.

9.0 METHODOLOGY DEVELOPMENT (REGULATED CARE SERVICES)

The Programme Board has discussed the programme initiation document for the review of methodology and the Executive Team have agreed some tests of change for 2015/16. This will examine the feasibility of thematic inspections (in care homes for adults with learning disabilities) and more scrutiny of how requirements have been followed up (in care homes for older people). Further tests of change will be carried out in the way complaints are handled in care homes for older people where there is a suggestion of a systemic failure, and in two poorly-performing care homes to see whether an improvement focus can bring about more rapid change than a traditional regulatory approach. The High Level Advisory Group of Care Scrutiny has met for the first time. It brings together senior providers and managers of care services, and people who use care services, to advise on the methodology review.

The Executive Team has also agreed new policies on re-evaluation of care services (formerly grading) following certain events, policies on the use of self-assessments, and new policies on making requirements.

10.0 IMPROVING QUALITY AND CONSISTENCY

10.1 Enforcement

Interim Desk Top Instructions for enforcement in regulated care services have now been issued to all staff. A series of seminars across the organisation have begun to raise awareness and understanding of the use of these instructions. The

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instructions will support consistency in practice, information gathering and publication.

10.2 Expert Groups

Implementation of expert groups has begun. An early years expert group and an Adults with Incapacity expert group have been testing out how the model works in practice and the model will now be rolled out to other areas - Older People, Learning Disability, Criminal Justice and Young People and so on. The Heads of Inspection will lead on the development of new groups and staff from all functions will be involved. Expert group members will have similar knowledge, background and experience with a remit to provide a specialist service to the organisation, build capacity and improve knowledge and expertise. Expert groups may be used as a 'one-stop shop' for expert advice, to support consultation responses, to represent the Care Inspectorate on external policy groups and so on. They will be mostly 'virtual', coming together when given specific tasks to complete by the Programme Board.

10.3 Care at Home/Housing Support Expert Group:

The Care at Home/Housing Support Service expert group has now been established. The group will act as the expert body regarding these services within the Care Inspectorate and will support the Care Inspectorate's review of methodology as it relates to Care at Home and Housing Support services; it will position itself, alongside the support of short life working groups, as the expert Care Inspectorate group in relation to these services, offering consultation, advice and guidance as requested; contribute to internal and external activity (as identified by Directors and Senior Managers) in relation to promoting best practice in scrutiny and regulation of these services and ensure dissemination of this work through the organisation.

10.4 Public Protection Policy and Procedure:

Work is now being undertaken to review a Public Protection Policy and Procedure. Two Heads of Inspection, redeployed to the Strategic Development Directorate, are undertaking this work. A procedure will shortly be issued for consultation, with a view to this being finalised and agreed prior to the Christmas and New Year holidays. This work will build on previous work undertaken but will be a comprehensive policy and procedure on public protection, rather than the separate elements of child and adult support and protection.

A Memorandum of Understanding and protocol for data sharing has been agreed with the SSSC. The large amount and sensitive quality of the information being shared between the two organisations is now supported by a formal and comprehensive agreement that staff of both organisations can refer to, as well as being publicly available. While some data sharing with the SSSC has been running smoothly for some time, such as staffing details from our annual returns and provider compliance with ensuring their staff are registered with the SSSC, an agreement and protocol for sharing information regarding the conduct of SSSC registrants in registered services has required development. Although primary

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responsibility lies with the employer for reporting staff to the SSSC, the Care Inspectorate works in partnership with the SSSC to ensure that providers are compliant. The redeployed Head of Inspection for early years has led on this development work and will be issuing further guidance and training for staff. The Care Inspectorate has continued to enhance its impact and influence on early years policy on a national strategic level. For example, we worked closely with Scottish Government in producing the statutory guidance to local authorities and the 'Building the Ambition' quality guidance on the expansion of early learning and childcare under the Children and Young People (Scotland) Act 2014. We now need to ensure that our comprehensive oversight of the whole early learning and childcare system and our expertise on providing quality care for young children will enable us to make a significant contribution to ensuring that the increase in funded provision to 600 hours per year and the lowering of the age range to 2 -3 year olds meets the needs of children and parents. Similarly, we have played an influential role with the Scottish Government's Independent Review of Early Learning and Childcare Workforce and Out of School Care Workforce, which is being chaired by Professor Siraj. In our written submission and subsequent focus group discussion, we were able to combine our intelligence from the Childcare Statistics and annual returns with our expert knowledge of the range of different settings in which early learning and childcare is currently provided. We have also hosted a joint focus group with Education Scotland colleagues to inform Children in Scotland's Commission on Childcare Reform, which will recommend to the Scottish Government on changing the current system.

Partnership working with key early years umbrella organisations has continued to improve through the Early Years Forum and giving presentations at the annual conferences of the Scottish Childminding Association, Scottish Out of School Care Network and the National Day Nurseries Association.

11.0 REGISTRATION AND COMPLAINTS

A report has been submitted to the Resources Committee setting out proposals for a formalised line management structure within the Registration and Complaints functions to ensure the Care Inspectorate meets its strategic objectives relevant to these functions and supports business efficiency and accountability.

A draft complaints procedure about registered care services will go out for external and internal consultation over the period end of November 2014 to the end of February 2015.

Registration has been actively working with colleagues from the Inspection Directorate to assist the City of Edinburgh Council and NHS Lothian resolve challenges of finding extra capacity for elderly people requiring residential care provision who are currently within hospital wards.

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12.0 COMMUNICATIONS

12.1 Significant Publications

We have published *Improving Care in Scotland: what the Care Inspectorate did in 2013/14*. This document provides an illustrative account of the Care Inspectorate's work in the last year and accompanies our Annual Report and Accounts, to be laid before the Scottish Parliament in December 2014.

12.2 Triennial Review

Work on the triennial review continues to identify themes that have emerged from our scrutiny and improvement activities over the last two years. This will cover the period April 2011 – April 2014 and will be published within the 2014/15 inspection year. Two Strategic Inspectors have been leading on the authoring of this work, part seconded from their joint inspection activity. The first chapter to be written is on early years provision and inspection, and this has been considered by the Editorial Panel already. Further chapters will follow the same pattern of identifying what we think, what we know and what we can evidence about the state of care in Scotland. It will also highlight, where possible, areas where policymakers will require to pay particular attention. Communication plans are also being developed to ensure that our findings are well-publicised and well-understood.

13.0 LEGAL AND ENFORCEMENT ISSUES

Please see appendix 1.

14.0 LIAISON WITH SCOTTISH GOVERNMENT AND PARLIAMENT

We have been actively involved in a number of high level ministerial groups specifically around integration of health and social care and GIRFEC. The Integration Implementation Group chaired by the Cabinet Secretary for Health and Well-being commended work undertaken by the Care Inspectorate to support new health and social care partnerships in their self evaluation of how they evidence delivering upon the nine national outcomes within the Public Bodies (Joint Working) (Scotland) Act 2014.

15.0 INTERNATIONAL BENCHMARKING

The Chief Executive met with Katja Anger from the OECD when she was in Edinburgh. They discussed the early years and childhood development. The OECD are hoping to run a five year international study among participating OECD countries looking into childhood development, education and care. They were interested in the way we collect data and evaluate quality of early years provision in Scotland. We hope to be able to support this work and learn from the comparator study that will emerge.

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16.0 PRESENTATIONS AT CONFERENCES

Name	Conference	Date
Chief Executive	Scottish Care Conference	November 2014
Head of Quality and Improvement	RCN Scrutiny & Regulation Executive Nurse Leadership Event	November 2014
Head of Quality and Improvement	CCPs – Housing Support Conference	November 2014
Head of Quality and Improvement	Chinese Delegation	November 2014
Head of Inspection	Highland Home: Carer Conference	October 2014
Head of Inspection	Scottish Childminding Association Annual Conference	November 2014

17.0 CORPORATE SERVICES

17.1 Organisational Development

People Management policies continue to be drafted and consulted on with Trade Unions and staff. A total of nine policies have been reviewed and drafted during this quarter;

- maximising attendance
- capability policy
- special leave
- annual leave
- parental leave
- fostering leave
- adoption leave
- maternity leave
- TU time off for TU duties policy

We have also concluded the online employee survey and are waiting on the results from our external provider BMG. The survey was jointly commissioned by the organisation and Partnership Forum and 83% of our staff completed the survey. Results are due to be announced in December 2014 and a joint work plan with the Partnership Forum will be put in place so we are focusing on address priority issues arising from the survey.

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17.2 Finance and Corporate Governance

Work is underway on developing the 2015-16 budget and indicative financial plans for 2016-17 and 2017-18.

The Annual Report and Accounts received an unqualified report from Audit Scotland and will shortly be laid before Parliament.

A number of property leases have break options in 2017 and work has started on the option appraisal process. This will be reported through the Resources Committee.

17.3 Information and Communications Technology (ICT)/Information Governance

Having overcome some technical challenges, we have successfully rolled out iPads to all our staff who inspect regulated services and the roll out to Inspectors in Registration and Complaints teams is underway.

We have successfully upgraded hardware which enables our staff to log on to the network remotely. This was a difficult project from a technical viewpoint and we have been able to do this with the least impact on our staff.

Software development is underway to greatly improve our online registration and variation forms for regulated services which will be of benefit to services and improve business efficiency internally. A new variation form, which will allow a service to update their variation will be available shortly.

Our Records Management plan was approved by the Keeper of the Records of Scotland. There will be a substantial amount of work to be undertaken to ensure that our records and business policies and procedures comply with the approved plan.

17.4 Staff Survey

The first analysis of the survey results will be available in early December. The Chief Executive will update members at the Board Meeting.

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