

## Developing the Scrutiny and Improvement Plan for 2016/17

**Report to:** Board

**Date:** 18 December 2015

**Report by:** Gill Pritchard, Acting Head of Analysis and Business Planning  
Rami Okasha, Acting Director of Strategic Development

**Report No:** B-28-2015

**Agenda Item:** 12

### PURPOSE OF REPORT

To provide the Board with background information about the development of the scrutiny and improvement plan for 2016/17.

### RECOMMENDATIONS

That the Board:

1. Considers and supports, in principle, the Scrutiny and Improvement Plan for 2016/17, subject to further clarity about our budget position.
2. Notes the proposals for undertaking Scottish Government requests and additional improvement interventions within the proposed Plan.
3. Agrees to consider amendments to the plan in early 2016 following clarity about the budget position.
4. Agrees the approach taken to support our direction of travel towards a more risk-based, proportionate, outcomes-focused agenda for the purposes of providing public protection and assurance, and supporting improvement across care and social services.

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Version Control and Consultation Recording Form

Version	Consultation	Manager	Brief Description of Changes	Date
	Senior Management	Acting Director of Strategic Development	Information given by all individuals regarding additional thematic work and improvement interventions – all included in Plan	02.11.15
		Acting Director of Inspection & inspection directorate		09.15
		Heads of Strategic Inspections		17.9.15 18.9.15 21.10.15 and 23.10.15
		Acting Director of Inspection		19.10.15
		Acting Depute Director of Inspection		15.10.15 16.10.15 And 21.10.15
		Heads of Inspection		15.10.15 16.10.15 And 21.10.15
		Acting Head of Quality and Improvement		16.10.15
		Executive Advisor to the Board		02.11.15
		Board members		30.10.15
		Executive Team		19.11.15
	Legal Services	Head of Complaints, Registration and Legal Services		30.10.15

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	Resources Directorate	Planning Manager; Planning Co-ordinator; Intelligence Manager		21.10.15 and 23.10.15
3.0	Resources Committee			4.12.15

<b>Equality Impact Assessment</b>	
To be completed when submitting a new or updated policy (guidance, practice or procedure) for approval.	
Policy Title:	
Date of Initial Assessment:	
EIA Carried Out	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
If yes, please attach the accompanying EIA and briefly outline the equality and diversity implications of this policy.	
If no, you are confirming that this policy will have no negative impact on people with a protected characteristic and a full Equality Impact Assessment is not required.	Name: R Okasha Position: Acting Director of Strategic Development
Authorised by Director	Name: R Okasha Date: 4 December 2015

## **1.0 INTRODUCTION**

Each year, in accordance with Section 54 of the Public Services Reform (Scotland) Act 2010, the Care Inspectorate must prepare a plan for carrying out inspections in line with best regulatory practice and the agreed budget.

The plan must be approved by the Care Inspectorate's Board and Scottish Ministers. Traditionally, the Care Inspectorate has sought to align its inspection planning and budget planning closely to the scrutiny and improvement plan. The indicative plan was discussed by the Resources Committee on 4 December 2015.

This year, there are some variables which impede concluding the plan on this timescale. First, we will not have an agreed budget until at least January 2016. It is therefore impossible for the Board to agree a plan for ministerial approval without knowing what our budget will be. Second, we have begun, following the Board Strategic Event on 30 October, to radically rethinking our planning and performance reporting approaches. These are being further discussed by staff colleagues in the next few weeks, but the plan seeks to create a more flexible, risk-based approach to our likely work next year in anticipation of further changes in future months. The plan is therefore in draft and based on a series of assumptions which require clarification and testing (see section 2.0 below).

It is therefore proposed that the current plan is considered by the Board in draft, with a final plan presented in January or when our budget is known.

## **2.0 ASSUMPTIONS**

In preparing the first draft of the plan, a number of assumptions have been made:

- We will have a cash standstill budget and we will seek to prioritise our activities that provide public protection and assurance, and support improvement
- Analysis of the time recorded in the 2014/15 indicates that significant increases in planned inspection time for some already resource intensive service types will be necessary. The draft Scrutiny and Improvement plan contains the assumption that this upward pressure on Inspector numbers (and cost) can be largely offset by compensatory savings in planned inspection time through reducing frequency in identified service types, the mainstreaming of follow-up inspections, reduced intensity in highly performing services, changes to report writing and appropriate re-allocation of duties between Inspector and administrative staff. It is assumed Inspector FTE in 2016/17 will be broadly similar to 2015/16 Inspector FTE.

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- Writing strategic reports based on our scrutiny findings as asked for by the Scottish Government and identified in the plan will be undertaken by non-frontline inspection staff (eg sessional inspectors, heads of inspection)
- anticipated increases in complaints will not result in an increased staff complement, but will be absorbed by new approaches to complaint handling, including more joined-up work with inspection colleagues.

### **3.0 CONTINGENCY PLANNING**

It may be that the Care Inspectorate will need to make significant real-term reductions when our budget position is known. There may be a need to make even more significant changes for April 2016 around our scrutiny and improvement plan. We will not know that position until January 2016 at the earliest and this late knowledge may well have an impact on the planning and preparation for inspections.

Frequency rules could be changed further, if this is needed to meet a presently-unknown budget cut. It is therefore proposed that further work is undertaken to allow consideration of where frequency could be adjusted further to make savings if necessary. This planning, if not required for 2016/17, will be carried forward and used as a basis for contingency planning and risk management scenarios for 2017/18.

This paper will not make recommendations as to the desirability of such an approach for 2016/17 or 2017/18, but illustrate areas that could be looked at if necessary in the context of budget setting in the period between the Board on 18 December 2015 and when our budget is known.

### **4.0 MOVING FROM A FREQUENCY FRAMEWORK TO FREQUENCY GUIDELINES**

Significant consideration has been undertaken as to whether or not a frequency framework in the commonly-understood sense is required. A planning approach based on frequency has driven some of the issues around performance reporting and capacity underestimation in the past. We want to have a much more risk-based approach but we cannot move to a completely self-managed caseload for April 2016, if at all. (This would be where the inspector, with their team manager, takes primary responsibility for the prioritisation of inspections within a defined caseload, but it requires significant further consideration and a better way of gathering, storing and analysing intelligence.) In the absence of another fully-formed approach, some type of frequency guidelines remain an essential articulation of the organisation's risk tolerances by service type. This is presented in the appendices.

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A total number of inspections has not been presented in the Scrutiny and Improvement Plan *per-se*. Instead, an estimated number of scrutiny and improvement interventions (12,000 – 14,000) has been presented, comprising:

- Full inspections
- Follow-up inspections
- Validation inspections
- Shared inspections with another agency
- Improvement interventions
- Advice to case services
- Enforcement activity
- Complaint investigations
- Variation activity
- Joint strategic inspections
- Link inspector and contact manager activities.

The 2016/17 frequency framework has been recast as broad frequency guidance. This presents clarity on the statutory inspections we require to undertake, and an indication of what additional non-statutory interventions (either scrutiny or improvement ones) we might take where such services are underperforming. This means that a care home requires one inspection in the year, and may have additional scrutiny and improvement interventions in the same year if thought necessary. This is, in some ways, the opposite approach from previous years where the likely upper number of inspections (2) was, in fact, presented as the minimum needed, with no reference to improvement interventions.

Based on registrations as at October 2015, 2379 statutorily-required inspections will be undertaken. (These will be undertaken in 1,455 care homes, 5 secure care services, and 919 care at home support services.) The type of inspection to be undertaken will be appropriate to the identified risk and performance of the service, focusing rather than just the individual service type.

A similar approach is taken for non-statutory inspections, but the plan and frequency guidance makes clear that it is a tool for prioritisation by inspectors and team managers. The frequency guidance suggests some 4000-6000 additional inspections will be undertaken, of various types and based on risk and intelligence.

We anticipate receiving some 4400 complaints, approximately 2000 of which will be completed through investigation. We are anticipating progressing in the region of 1000 new registrations and undertaking approximately 3000 variation interventions where services are seeking to change aspects of their delivery.

Further work will be undertaken to plan KPIs, QIs and MMs around such an approach and be considered by the Audit Committee at a future date. We are

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currently consulting with staff and external stakeholders to ascertain their views on key issues for how we plan and report on inspections next year and in future.

## **5.0 BUDGET IMPLICATIONS**

The detailed budget implications will be set out in the final plan, which will be presented when the budget for 2016-17 is known.

## **6.0 BENEFITS FOR PEOPLE WHO USE CARE SERVICES AND THEIR CARERS**

The plan presents a risk-based, proportionate approach to scrutiny which will focus our work around public protection and assurance, and supporting improvement in care services. Delivered effectively, this will play a major role in improving the quality of care in Scotland.

## **LIST OF APPENDICES**

- Appendix 1 -** Draft scrutiny and improvement plan
- Appendix 2 -** Broad frequency guidelines