



## Policy Committee Annual Report to the Board - 2016/17

**Report to:** Board

**Date:** 28 September 2017

**Report by:** Paul Edie, Chair

**Report No:** B-15-2017

**Agenda Item:** 8.2

### PURPOSE OF REPORT

This report represents a summary of the work of the Policy Committee from April 2016 to March 2017 and gives the Committee's opinion on the assurance that this work provides. The Report also reflects the outcome of the Committee's effectiveness session on 15 February 2017.

### RECOMMENDATIONS

That the Board:

1. Notes the work of the Policy Committee during 2016/17.

**Consultation Log**

<b>Who</b>	<b>Comment</b>	<b>Response</b>	<b>Changes Made as a Result/Action</b>
Senior Management			
Legal Services			
Corporate and Customer Services Directorate			
Committee Consultation (where appropriate)	Quality and Strategy Committee 17 May 2017		Minor amendments
Partnership Forum Consultation (where appropriate)			
<b>Equality Impact Assessment</b>			
Confirm that Involvement and Equalities Team have been informed		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
EIA Carried Out		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
If yes, please attach the accompanying EIA and appendix and briefly outline the equality and diversity implications of this policy.			
If no, you are confirming that this report has been classified as an operational report and not a new policy or change to an existing policy (guidance, practice or procedure)		Name: Paul Edie  Position: Chair and Convener of the Quality and Strategy Committee	
Authorised by Director	Name:	Date:	

## **1.0 INTRODUCTION**

Over the course of the year, the Policy Committee has undertaken an important role in monitoring and discussing key policy developments in the sectors which affect the Care Inspectorate. The Committee's business has continued to expand and mature and has enabled the sharing of information on key issues with the Care Inspectorate's other Committees and the provision of strategic direction to the Board. Across a range of wider public policy developments, the Committee has considered the implications of these for the Care Inspectorate and their impact on the delivery of care in Scotland.

## **2.0 MEMBERSHIP**

The membership has comprised all of the Conveners, which has proved beneficial for information-sharing and the decision-making process of the Committee. It has also enabled consistent reporting back to each of the Conveners' respective Committees. The membership for 2016-17 was:

Paul Edie, Chair (Convener of the Committee)  
Mike Cairns  
Anne Haddow  
Anne Houston  
David Wiseman

## **3.0 CONSIDERATION OF CARE INSPECTORATE POLICIES AND STRATEGIES**

### **3.1 Scrutiny and Improvement Plan (Feb 2017)**

The Committee has been fully engaged in the development of the Care Inspectorate's Scrutiny and Improvement Plan 2017-18. Members were consulted, and provided feedback, on the first draft which was produced after the strategic discussions between members and officers at the Board Strategic Event in October 2016. The Committee recommended the draft to proceed to the next stage for consideration by the Resources Committee.

## **4.0 CONSIDERATION OF PUBLIC POLICY ISSUES**

### **4.1 Impact of the Care Inspectorate's Responses to Consultations**

At its meeting in May 2016, the Policy Committee received a first-time assessment of the organisation's impact on policy development and influencing. It noted that, in the 12 months from April 2015 to March 2016, the Care Inspectorate had responded to 47 individual consultations or calls for evidence. The Committee has agreed that the impact of consultation responses should be reviewed on a regular basis.

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**4.2 Self-Directed Support**

The Committee has discussed the fundamental principles, core values and implementation arrangements for the Scottish Government's Self-Directed Support (SDS) Strategy. Members considered there to be three factors to be taken into account when reviewing policy on SDS, namely the description of personal assistants and their employment status; the appropriate management of finance and the interest that the Care Inspectorate had in this; and the splitting of "hotel-type" services and care services and the cost effectiveness of doing so.

**4.3 Early Learning and Childcare**

The Committee has been kept informed of the developments that have taken place in Early Learning and Childcare (ELC) - including the Scottish Government's planned expansion of the number of funded hours ELC for all three and four year olds and eligible two year olds by 2020 – and has discussed some of the issues that might arise from the expansion, including the need to ensure that services are continued to be delivered to the highest quality. Members have noted the effect that the expansion will have on the Care Inspectorate around future registrations and inspections and the resourcing of these. The Committee has considered it important that the Care Inspectorate carries out some projections on resource implications once the policy implementation is at a more advanced stage.

Discussion has also taken place regarding the roles and responsibilities of the Care Inspectorate and Education Scotland in relation to the inspection of services that will provide funded ELC. The Committee has also received information on the work that the Care Inspectorate has carried out in designing a new induction framework for child-minding services and registered childminders.

**4.4 Outcome of the EU Referendum**

In August 2016, the Committee had the opportunity to consider the policy consequences arising from the outcome of the EU referendum and the potential impact on health and social care sectors. The key areas for discussion included workforce, the impact on the economy, human rights, employment and business regulation and regulation of medicines.

**4.5 Unaccompanied Asylum-seeking children and young people**

Scottish local authorities' acceptance of unaccompanied asylum seeking and refugee children and young people under the national transfer scheme (NTS) was a topic that the Committee considered at its meeting in November. Members received details of the Care Inspectorate's proposed response to the plans for implementing the NTS in Scotland. One of the areas the Committee considered a priority was the use of interpreting services during visits to registered care services, so that the experiences of those children and young people could be properly gauged.

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#### **4.6 National Care Standards**

Regular updates have been given to the Committee on the development of the new National Care Standards and members have provided comments to help inform the Care Inspectorate's response, as part of the consultation process.

### **5.0 CONSIDERATION OF LEGISLATION**

A new initiative was presented to the Committee at its first meeting of 2016-17 in order to keep members updated on key legislative and non-legislative developments. The horizon-scanning work, led by the Policy team, has highlighted new legislation under the Carers (Scotland) Act 2016 and the Community Justice (Scotland) Act 2016; the ongoing implementation of previously passed legislation, including the Children and Young People (Scotland) Act 2014; and actions taking forward new and existing national policy developments, including the National Action Plan to Prevent and Tackle Child Sexual Exploitation.

The initiative has been welcomed by the Committee and has developed into the quarterly Parliamentary and Policy Tracker which has proved a valuable monitoring tool. On a quarterly basis, the Committee has received updates on developments in the Scottish Parliament, as well as Scottish Government publications and consultations. The Tracker has highlighted announcements, motions, oral and written parliamentary questions, debates, petitions, publications and consultations. Where possible, the Tracker has also highlighted to the Committee the potential implications for the Care Inspectorate and the services it regulates and inspects.

### **6.0 POLICY COMMITTEE EFFECTIVENESS**

The Committee has reviewed the way in which it operates and has agreed that it has done so effectively and has fulfilled its remit under its terms of reference. However, in reviewing the terms of reference, the Committee also concluded that there was scope to improve the effectiveness of the Care inspectorate's committee structures. Consequently, a proposal was submitted to the Board in March 2017 that the Complaints and Policy Committees should cease and be replaced by a new Quality and Strategy Committee. The Board approved this proposal and the work of the Policy Committee in monitoring internal and external environments and making recommendations to the Board on strategic direction will be taken forward by the new Committee.

### **7.0 OTHER COMMITTEE BUSINESS**

#### **7.1 Care Inspectorate Engagement with Members of the Scottish Parliament**

The Committee has received details of the Care Inspectorate's continuing engagement with MSPs and the means of promoting and raising the profile of the Care Inspectorate through ministerial engagements and visits, events, media engagement and working with cross-party groups. The Committee has agreed it is

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particularly important that newly elected MSPs gain a clear understanding of the organisation's role, and how the Care Inspectorate might be able to assist them in the exercise of their parliamentary duties.

## **7.2 Overview of UK Regulators**

As part of the regular information provided to the Committee, a quarterly report has given members an overview of the activities of the other regulatory bodies in the UK and Northern Ireland, namely Ofsted, Care Quality Commission, Care and Social Services Inspectorate Wales and the Regulation and Quality Improvement Authority. The Committee has found this to be a very useful source of information in relation to the regulators' roles and responsibilities, recent reports and strategies and proposals for future change. The overview has also provided details of any analysis or criticism of those proposals or action, which the Committee has considered to be beneficial from a learning perspective.

## **7.3 Review of Care Inspectorate Involvement Activities**

The Committee has received detailed information on the progress of the Care Inspectorate's Involvement Action Plan 2015-19, including a review of involvement activities during the previous year, 2015-16. Members have noted the increased opportunities for people who use care services to get involved in, and influence, the Care Inspectorate's work. At its meeting in February this year, the Committee was joined by one of the Care Inspectorate's Inspection Volunteers who described their positive learning experiences through taking part in the inspection process.

## **8.0 RESOURCE IMPLICATIONS**

The work of the Committee is serviced by the Executive Director of Strategy and Improvement, the Committee Support Officer, with significant input from the Care Inspectorate's Policy team, and other teams also.

## **9.0 BENEFITS FOR PEOPLE WHO EXPERIENCE CARE**

The Policy Committee has been a key element of the Care Inspectorate's governance arrangements and system of internal control. The Committee has had a significant role in considering internal and external developments which may influence the Care Inspectorate's work and its strategic operating environment. This means that people who experience care can have confidence that the Care Inspectorate's work will remain strategically relevant and capable of evolving and changing as the ways in which care is delivered change.

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