



## Changes to the 2018/19 annual return

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Each year we ask you to complete an annual return to help us plan, inform and carry out our inspections. We also use the information you give us to get a national picture, which can help us and others in a number of ways as we share some of the information with other organisations, such as the Scottish Social Services Council and the Scottish Government.

We ask for a great deal of information about your service and the people who use it so it's important that we review the questions to keep them current and to ensure that we are collecting the correct information. On this basis we have made some changes to this year's annual return.

1. We have added a new question in the capacity section of the annual return for fostering services on exceeding the maximum limit of three unrelated children.
2. We have made changes to the SSSC questions about total staffing and staff recruitment (these affect all services, except childminders).
3. We have added a data protection statement and edited the existing declaration statement (this affects all services).
4. We have removed the date of birth and gender fields from the volunteers (this affects most services).
5. We have removed date of birth and gender fields from the section about childminders' assistants and we have removed gender from the section about childminders' family members.
6. We have added a set of questions about unplanned endings to the annual returns for secure care, school care accommodation (special), and care homes for children and young people.
7. We have revised the question about the number of looked after children who are using school care and secure care services.

**You can read the detail of each of the changes below.**

- 1. We have added a new question in the capacity section of the annual return for fostering services on exceeding the maximum limit of three unrelated children.**

The Scottish Government laid in Parliament an amendment to The Looked after Children (Scotland) Regulations to introduce a maximum foster care placement limit of three unrelated children, with exemptions for sibling groups and emergency placements. The amendment Regulations came into force on 29 December 2014.

To ensure compliance with this standard, the Final Report of the Scottish Government's Foster Carer Review recommends that all exemptions from the maximum limit that are granted by fostering panels, and all emergency placements made above the maximum limited, be recorded in the annual return

submitted to the Care Inspectorate. Therefore, the following questions have been added into the section about capacity in the annual return for fostering services.

Question: How many placements have been made above the maximum limit of three unrelated children?

Question: How many times has this happened through a decision made by the Panel?

Question: How many times has this happened on an emergency basis?

## **2. We have made changes to the SSSC questions about total staffing and staff recruitment (these affect all services, except childminders).**

The annual return includes a number of questions which relate to the SSSC. These identify whether providers are meeting their responsibilities around SSSC registration, training and qualifications. On 1 November 2016, the SSSC changed its model of regulation from a focus on misconduct to a focus on fitness to practise. As part of this change, the SSSC also reviewed and amended its thresholds for case referrals.

The move to fitness to practise and the new referral thresholds mean that some of the SSSC questions (and related guidance) in the annual returns were out of date and did not reflect the current model of regulation.

### Previous question set

A person employed in providing care, or managing the provision of care within your service is a social service worker. You must inform the SSSC of the following:

#### Worker registered with the SSSC

- any misconduct that might call into question a worker's registration
- if you have dismissed a worker on the grounds of misconduct
- if a worker has resigned or left, but had they not done so, you would have dismissed them (or considered doing so) on the grounds of misconduct.
- there are serious matters that indicate a risk to service users or members of the public, e.g. dishonesty, violence or any case involving detriment or harm to vulnerable people
- you decide to suspend a registered worker
- a worker has been charged with committing a criminal offence

#### Worker not registered with the SSSC

- if you have dismissed a worker on the grounds of misconduct
- if a worker has resigned or left, but had they not done so, you would have dismissed them (or considered doing so) on the grounds of misconduct.

Please see <http://www.sssc.uk.com/> for more detailed information

How many social service workers did these circumstances apply to between 1 January and 31 December?

0 \*

Enter 0 if none

### New question set

**A person employed in providing care, or managing the provision of care within your service is a social service worker. You must inform the SSSC of the following:**

#### **Worker registered with the SSSC**

Employers must refer workers to the SSSC in the following circumstances:

- a. Where a worker has been suspended, dismissed, or downgraded.
- b. Where a worker resigns during a disciplinary investigation and the employer would have dismissed.
- c. Where the employer is aware of a matter which would be referred to Disclosure Scotland.
- d. Where a worker has been charged or convicted of a criminal offence
- e. Any other circumstances where the behaviour or actions of a worker raise a concern about their fitness to practise – see list A of referral guidance at <http://www.sssc.uk.com/fitness-to-practise/employers/making-a-referral-about-a-worker>

	<p><b>Worker not registered with the SSSC</b></p> <ul style="list-style-type: none"><li>- if you have dismissed a worker on the grounds of misconduct</li><li>- if a worker has resigned or left, but had they not done so, you would have dismissed them (or considered doing so) on the grounds of misconduct.</li></ul> <p><b>How many social service workers did these circumstances apply to between 1 January and 31 December? Do not include any workers who are registered with another professional body, such as the NMC. (enter 0 if none)</b></p> <p><b>How many of them did you refer to the SSSC (enter 0 if none)?</b></p> <p><b>If you did not refer them to the SSSC, why not?</b></p>
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<p>Tell us how many of your staff at 31 December:</p> <p>Were required to be registered with the SSSC?</p> <p>Were registered with the SSSC?</p> <p>Had applications for registration with the SSSC pending?</p> <p>Had qualification conditions imposed by the SSSC in respect of their registration?</p> <p>Had met the qualification conditions imposed by the SSSC within the required timescales?</p>	<p>Between 1 January and 31 December, how many of your staff:</p> <p>Were required to be registered with the SSSC</p> <p>Were registered with the SSSC</p> <p>Had applied for registration with the SSSC, but it had not yet been granted?</p> <p>Did not complete qualification conditions that were due to be completed during that period?</p> <p>Successfully completed qualification conditions that were due to be completed during that period?</p>
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### **These questions have been removed:**

- How many referrals did you make to Disclosure Scotland, for them to consider listing under the Protection of Vulnerable Groups (Scotland) Act 2007 between 1 January and 31 December?
- How many of your staff who are social service workers have you taken disciplinary action against between 1 January and 31 December?
- How many staff, who you have taken disciplinary action against, have you reported to the Scottish Social Services Council between 1 January and 31 December?
- Between 1 January and 31 December how many new staff did you engage who:
  - were required to register with the SSSC but were not registered when they started working for you?
  - made applications to the SSSC registration?
  - completed their registration with SSSC?

### **3. We have added a data protection statement and edited the existing declaration statement (this affects all services).**

We have added the following statement and declaration to the Data Protection Statement page of the annual return.

#### **Data Protection**

The Care Inspectorate processes personal information electronically and within paper based files under the statutory power conferred upon us under the Public Services Reform (Scotland) Act 2010. We are committed to protecting the privacy of the people whose personal information we hold and to meeting our data protection obligations under the General Data Protection Regulation and UK Data Protection Act 2018. Our Privacy Notice explains how we meet those commitments in practice and can be found on our website at:

<http://www.careinspectorate.com/index.php/core-privacy-notice>

#### **Declaration**

I understand the Care Inspectorate's lawful basis for processing this information, having read and understood their Privacy Notice.

I declare that the information provided to the best of my knowledge is accurate and complete.

### **4. We have removed the date of birth and gender fields from the section about volunteers (this affects most services)**

This information is no longer required. First and last name, job function, typical working pattern, typical hours worked each week, and whether or not the volunteer completed induction training all remain.

- 5. We have removed the date of birth and gender fields from the section about childminders' assistants and we have removed gender from the section about childminders' family members.**

This information is no longer required.

- 6. We have added a set of questions about unplanned endings to the annual returns for secure care, school care accommodation (special), and care homes for children and young people.**

There is more and more research and political priority being given to the importance of love and continuity of relationships in good outcomes for children and young people. However, we know anecdotally that services are coming under pressure due to the more complex needs of young people and lack of resources, so young people are being moved repeatedly from placement to placement. We want to be able to quantify how often this is happening nationally.

Therefore, we have added the following question sets to the annual return for children and young people services.

For care homes for children and young people:

Excluding respite/short breaks how many children and young people used your service between 1 January and 31 December?

How many placements of these children and young people ended on an unplanned basis?

An unplanned ending is when a decision is made by the service that it can no longer meet the needs of the child or young person. As a result, the child or young person moves from the service.

Where a placement was a sibling group count each young person separately.

For secure care services and school care accommodation services:

How many children and young people used your service between 1 January and 31 December?

How many placements of these children and young people ended on an unplanned basis?

An unplanned ending is when a decision is made by the service that it can no longer meet the needs of the child or young person. As a result, the child or young person moves from the service.

Where a placement was a sibling group count each young person separately.

**7. We have revised the question about the number of looked after children who are using school care and secure care services.**

For school care accommodation (special) services, school care accommodation (mainstream) and secure care accommodation services we removed the following questions:

What is total number of children who have been looked after at home during the last 12 months?

How many children have been looked after away from home during the last 12 months?

For school care accommodation (mainstream) services we replaced them with:

What is the total number of 'looked after' children, i.e. those in the care of their local authority, who boarded at the service, between 1 January and 31 December?

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