



# Our approach to scrutiny and improvement

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HAPPY TO TRANSLATE

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## Our approach to scrutiny and improvement

These principles apply to all our scrutiny and improvement staff, however we recognise that some of the details mentioned in this document may not be applicable across all activities we undertake.

We will endeavour to work collaboratively to promote positive scrutiny and improvement experiences for all. We will build constructive relationships with people to support quality improvement, without compromising the integrity of our scrutiny activities.

To ensure that our scrutiny and improvement activities are of high quality and are responsive to the needs of people using services, you will:

- be respectful in your approach and assure people that you are there to work collaboratively, identify achievements and support improvement to help deliver positive outcomes
- build and maintain constructive relationships throughout the process to support high-quality scrutiny and improvement activities, including involving people in and being clear about the purpose of our scrutiny and improvement work
- use the intelligence you have as the starting point for scrutiny and improvement activities and to identify key issues to explore
- gain the perspective of people using services
- treat people with dignity and respect, engaging them in professional dialogue, recognising their efforts and the context they are operating in
- provide constructive feedback throughout the process or at agreed points, to support improvement, including identifying strengths, celebrating achievements as well as being clear about any risks, areas for improvement and requirements
- use your professional judgement to make sure time is spent wisely to get the best possible evidence
- ensure that evaluations are valid, proportionate, evidence based and triangulated where possible
- report confidently on the quality of care and support and the experience of people.

You should take a [trauma-informed](#) approach to all scrutiny activity and be mindful of the wider context that organisations may find themselves in (you can find out more here [Organisational window of tolerance](#)).

Trauma-informed regulatory practice is founded on the principles of safety, trustworthiness, transparency, choice, collaboration, and empowerment. Trauma-informed practice involves an understanding of the nature of trauma and its potential adverse effects. You can read more about trauma informed regulation [here](#)

## **Adapting our approach**

For a range of reasons, managers and staff may still find the experience of being involved in scrutiny activities stressful and overwhelming. You need to be mindful of this in your interactions and be alert to signs of distress and anxiety.

These may include:

- avoiding inspectors
- appearing unsure or nervous when speaking with inspectors
- forgetting information or repeating themselves
- showing closed body language, being withdrawn, or appearing anxious
- being defensive or abrupt during communication
- appearing restless, speaking quickly or being in a rush to leave
- physical signs of stress such as appearing flushed or perspiring
- shaking or trembling
- speaking more loudly or quietly
- using language or phrases that are not respectful or professional
- self-soothing actions such as rubbing or holding their head
- crying.

## **Our regulated services inspections**

At the start of the inspection, you should:

- let the manager or senior member of staff in charge know that you are in the service
- introduce yourself and explain your role
- agree the key contacts for the day, establishing who is the most senior person available in the service
- ask about the structure of the organisation and ask if the person in charge needs to contact anyone more senior for support
- enquire about any persons who have any significant health and wellbeing concerns which we may need to be sensitive around or which may be exacerbated or adversely affected by the inspection
- have a tour or walk around of the premises/area support is provided (if it is a premises-based or outdoor service), this will enable you to introduce yourself to everyone
- not disrupt the plans of the day and be mindful of people's routines (discuss with the manager that the inspection should not disrupt the service and encourage them to highlight anywhere that the inspection is impacting on people's experiences)
- have a brief discussion with the manager or the senior member of staff in charge to outline what the inspection will involve, including which quality indicators/key questions are being evaluated
- explain the process in more detail and check the manager/seniors understanding if they have not experienced an inspection before
- ask the manager/senior to tell you about the service, their achievements since the last inspection and their priorities going forward

- ask the manager/senior for contact details of key stakeholders/visiting professionals and the best way to contact people using the service
- talk through the evidence you would like the manager/senior to collate for the inspection. (You should be proportionate and only ask for the information you need at that time. Encourage the provider to email any evidence that is stored electronically. If information is not readily available, agree how and when this can be accessed.)
- explain the feedback process and talk about who should attend the formal feedback meeting as well as identifying who you can give feedback to each day
- encourage the manager/senior to approach inspectors at any time and ask them to share this message with people, staff and visitors.

### **Throughout the inspection you should:**

- be approachable, kind, and open in your communications to help put people at ease
- be visible and introduce yourself to people, explaining your role and the purpose of your visit
- speak with staff informally to help them feel more relaxed. Ask open questions about their role and the people they support
- maintain an awareness of how staff are feeling and the impact of the inspection. Aim to minimise additional stress and undue anxiety for everyone involved
- provide ongoing feedback, ensuring you explain any immediate risks and the actions needed to keep people safe
- thank managers, staff and people for their support and hospitality during the inspection.

### **Responding to signs of distress**

An individual may appear distressed or there may be signs that this is more widely spread across the staff team.

We may need to share feedback during or after the inspection that is difficult for managers and staff to hear or accept. You should be aware of how the inspection is being received by the manager/provider and if you identify signs of distress, you must address this sensitively.

It is important to have strategies for responding to a range of emotions that may be triggered by the inspection or feedback process. This may include:

- engaging in an informal conversation to gain an understanding of the manager's experience
- rephrasing questions or explaining things differently
- asking how the manager/provider would like to proceed
- asking how you can support the person and their wellbeing
- agreeing how to move forward positively.

If the manager is raising concerns about the way the inspection is being undertaken, you should discuss this further to try and resolve the concerns raised. If the manager is still unhappy, you should offer the contact details of your team manager.

If, at any point in the inspection process, those involved feel overwhelmed, distressed or overly anxious, a request can be made for the inspection to be paused. A request to pause can be made by either the inspector or the manager/senior staff member. This request can mean different things depending on the situation and needs of the individuals involved. It may be a call to stop, acknowledge some of the difficulties being presented/experienced, discuss these and agree the best way forward. This may be:

- agreeing to a short break before resuming the inspection
- agreeing the need to involve other people to support the manager
- pausing the inspection until the following day
- discussing the need to reschedule aspects of the inspection and/or the feedback meeting to ensure appropriate support is available (for the inspector or the service).

In very exceptional circumstances an inspection may be paused for up to a maximum of five working days. Any decision to pause inspection activities must be taken in consultation with your service manager. The lead inspector should seek the views of the provider when considering a decision to pause. Depending on the circumstances, the provider may wish to make alternative arrangements to enable the inspection to continue and/or provide additional leadership.

Pausing would not be appropriate where we are concerned for the safety and wellbeing of those using the service.

You should be mindful that pausing an inspection or feedback may also cause additional stress and anxiety. You should make arrangements with the provider to resume the inspection at the earliest possible opportunity.

Where an agreement to pause an inspection is made, this should be detailed in your inspection notebook and an email sent to the manager and provider through the registration app (further guidance on this process can be found in the methodology library)

## **Safety and wellbeing**

Our [Zero tolerance policy](#) supports managers and employees to manage and minimise risk for any event where they may face unacceptable behaviours, including violent, aggressive or abusive behaviour. This policy should be followed at all times and contains further information on respectful challenge, line manager and employee responsibilities.

Employers have legal duties around mental health and wellbeing under two Acts of Parliament.

- Health and Safety at Work etc Act 1974
- Equality Act 2010

Together the responsibilities under these two Acts mean they must take action to protect mental health at work and support people with mental health conditions.

If you have concerns for the safety or wellbeing of a manager/staff member you should engage with them sensitively regarding this and ask for their consent for you to share your concerns with a line manager/the provider. If they do not give consent, or do not have a manager (for example lone/small independent providers, childminders etc) then you should encourage them to make contact with their line manager, a friend/family member or crisis support service.

If you have significant concerns for the immediate safety and wellbeing of someone you should call NHS 24 on 111 or the police.

You should also contact your team manager who will advise you on whether any further action is required.

If someone is feeling overwhelmed or needs support, you can advise them to call NHS 24 on 111. The Mental Health Hub is open 24/7. Find out more on the [NHS Inform website](#).

If you feel unsafe at any point whilst undertaking any scrutiny and improvement activities, make your way to a safe area and contact a manager for support. If you are working out of hours and no manager support is available, you should ensure you are removed from the situation. If you remain concerned for your own safety or that of others, you should contact the relevant authorities (police, social work or NHS24).

### **Providing feedback**

A positive relationship based on openness and transparency can be a powerful tool in promoting professional dialogue and effecting change and improvement.

Feedback must:

- be clear and constructive and given with the aim of supporting improvement
- focus on strengths and areas for improvement and the factors that contribute to them. It is critical you take this opportunity to clearly explain the impact that areas of poor performance are having, or may have, on the quality of life and outcomes for people using services
- include the evaluations being awarded by referring to the grading framework. You should listen to any points the provider raises and consider any additional evidence they offer at this time (not applicable to strategic inspections).

You should encourage feedback to be a two way process, asking for managers views on the information shared, listening to the managers response to feedback and taking actions as appropriate.

You should maintain a high level of awareness of the context in which staff are operating and share findings in a constructive way to encourage ownership and learning to take place.

Be mindful of the language you use during the inspection process. While it is important to share positives you have found in the service, the areas for improvement should be clear and consistent with the messages you will share at feedback. Remember to focus on the outcomes for people.

If you are providing feedback that might be upsetting or challenging, using polite or overly pleasant words and expressions as a way of 'sanitising' a potentially uncomfortable situation could be misleading. Where evaluations are being given, you should use the language of the evaluation guidance as this clearly describes the parameters of each evaluation.

How you communicate is key and you should ensure you use the right tone of voice, actively listen to concerns, avoid direct or personal criticism, and confirm a shared understanding. Ask open and reflective questions (appreciative inquiry) to support discussion rather than judgemental and critical questions that could exacerbate the situation.

The language you use should be sensitive, honest, and truthful and reflect your final evaluation.

As you will have had ongoing professional dialogue and discussed your emerging findings with senior staff/leaders throughout the inspection, your feedback and conclusions on inspection findings should not be unexpected.

If you have identified areas of concern and are making requirements or considering enforcement action (in regulated services), you should engage sensitively and supportively with the management team/provider. You should work in the spirit of collaboration to clarify and agree the actions required to support improvement and keep people safe. Where there is disagreement about inspection findings or actions to be taken, this should be escalated to team managers.

Encourage managers to have organisational support at feedback to help them feel more at ease.

It should be advised during feedback, that all inspection findings and evaluations are provisional and subject to internal quality assurance processes. In addition, they can use the error response form to raise issues from the draft report, this also includes any concerns they have with the evaluations made or outcome of the inspection.



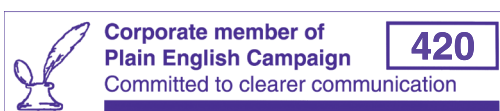
If you have concerns about a vulnerable adult or child, you should follow our [Protection policy](#). For strategic inspection, follow the process for [addressing matters of serious concern](#).

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