



# **Coronavirus (COVID-19) – intermediate response Guidance for the Care Inspectorate registration team**

**This guidance should be used alongside all other guidance available in relation to coronavirus COVID-19 and in particular, the Care Inspectorate Scrutiny and Assurance Directorate Coronavirus (COVID-19) Intermediate Response**

**1. Registration/variations**

The registration and variation processes are crucial to ensuring that services meet the needs of service users. The COVID-19 outbreak is an emerging situation of an unprecedented scale and requires a response that is consistent with National and UK contingency planning arrangements.

Scottish Government ministers and officials will continue to meet with senior staff within the Care Inspectorate on a regular basis to ensure all our scrutiny and assurance responses align to national priorities that support the provision of essential care services, and provide protection and safety both for people experiencing care and for our staff during this difficult and challenging period.

The consequences of the COVID-19 outbreak and the incremental implementation of contingency plans relative to the rate of infection are likely to have a very significant impact on the delivery of, and increased demand for care services. We anticipate that this will necessitate additional services and exceptional measures to care and support those affected, discharged from hospital, or accommodate those affected or impacted by the spread of the virus.

The Care Inspectorate has given the following information on the public website in relation to our registration process supporting the provision and sustainability of care services during this period:

The Care Inspectorate will continue to support the registration and variation of care services as required.

If it is a registered care service in premises already registered or a temporary service intended to be provided in a place that members of the public normally visit with a reasonable expectation of being safe, for example, a church, church hall, faith group premises, school, school hall, community centre, library, town hall, restaurant, or other licensed premises, we will issue a registration certificate with conditions for a period of up to six months provided:-

- a) The provider has completed an application form with information in relation to the service to be provided, including staffing and premises safety
- b) There are no concerns in relation to the provider or staff group

- c) The provider/applicant confirms in writing any further information we require
- d) All applications will be given immediate priority

Our registration team will prioritise the following.

- a) All registration and variation work that supports providers to implement plans to provide services as a result of COVID-19.
- b) High-risk registration and variations, for example the takeover or purchase of existing services.
- c) All other registration and variation work, including illegally operating services.

Team managers will monitor resources available within the registration team as the work of the team will be a key priority to support and sustain the provision of existing and additional care services. Where additional resources are required, these will be identified from elsewhere in the scrutiny and assurance directorate or more widely from across the organisation. This will be targeted to ensure the registration and variation work is appropriately prioritised and existing staff are adequately supported. The scrutiny and assurance directorate senior management team will be responsible for maintaining an overview of this.

## **2. Potential Scenarios**

As this is a rapidly changing and developing situation there may be circumstances, we have not yet anticipated. Therefore this guidance is not exhaustive and will be amended or supplemented over time. However, the current situation suggests that the following scenarios may be likely and implementing this guidance now will support the registration team in their work during this unprecedented period.

### **2.1 Daycare of children**

- While there may be potential closure of services in the sector, there may be a requirement to maintain some settings to enable essential staff to maintain their employment. Existing services may remain open or a satellite service may need to be added to an existing registration.
- Additional opening hours may be required for out of school care settings to provide services for essential working parents as a result of any school closure.
- Change of age range within daycare of children's services may be required, for example school-aged children being cared for alongside their siblings.
- Additional services to support essential key staff to remain in or return to the workforce.
- Add an additional service type for temporary period, for example childcare agency to a daycare of children registration.
- For a daycare provider to operate as a childminder in their own home if they cannot operate the daycare service.

## 2.2 Childminders

- Potentially increase capacity, with childminders permitted to care for more than the registered number of children or a change in age range.
- Add an existing childcare worker to a registration as a childminding assistant to increase numbers of children attending.
- Childminders offering extended or overnight provision to support shift working.
- Childminders operating from an alternative address.

## 2.3 Day care for adults – (support service)

- Some day care services for adults have already been closed. This is likely to have an impact on care at home services where additional services may need to be provided to those not attending day care services.
- There may also be services that are currently provided in the community, but as community facilities close it may be necessary to continue to offer premises-based services.

## 2.4 Care at home – (support service)

- There is likely to be an increase in demand for these services due to other services being restricted.
- A potential increase in demand due to hospital discharge or a reduction in respite services.

## 2.5 Temporary care home provision

Evidence suggests that there will be an increased demand for care home beds that will result in requests to reopen previously registered care home services or to open other community or private premises as temporary care home services. This provision would:

- support people with COVID-19 who do not need hospital admission, but are not fit enough to remain in their current home
- provide care for people where their needs cannot be met within community services
- support admission to care homes for alternative client groups, for example those aged under 65 into care home services for older people
- provide respite for people unable to receive services within the community.

### **3. Registration/variation approach**

It is important that the integrity of our registration process is maintained during this period to ensure that care services meet people's needs. However, during this extremely challenging time we will support services to be flexible and responsive. We will take a pragmatic and proportionate approach to supporting the delivery of new, additional or innovative services to ensure people get the care that they need as a result of COVID-19. We will also try as far as possible to maintain our usual registration and variation services.

The limitation on travel and site visits will mean our registration team gathers information in other ways. This does not mean that there will be no site visits, but these will only occur when absolutely necessary and if our decision-making tool identifies the work cannot be carried out in any other way. Any such visit must be approved by a team manager. These temporary processes are being put in place to support the delivery of care services, but also for the health, safety and wellbeing of our workforce.

#### **3.1 Temporary care provision**

Temporary care provision is likely be provided by known providers, and likely to be requested by local authorities. Applications from any provider requesting this to support the delivery of care as a result of COVID-19, irrespective of whether it is from the public, private or voluntary sector, will be processed in the same way. Applications for these additional services will be progressed through emergency variations and therefore added to an existing registration with a condition for a period up to six months for the service to be provided.

Where the existing provider already has a registered service of the same or similar category of registration, a condition of registration may be applied through the variation process to enable the temporary satellite location or additional places to be provided as part of the existing service.

We will undertake this interim process for services graded adequate or above and where there are no serious concerns about the existing provision. (Please note: this will not exclude all services where evaluation are weak or unsatisfactory or have a high risk assessment. In these cases there should be an individual discussion in relation to the application between the service manager for registration and the adults' services manager before processing the application.)

The manager of the existing service would have the overall management responsibility for the whole service (or would delegate this to an appropriate other person in the event of their absence). In larger services, a depute manager may be deployed to support the overseeing of the satellite provision.

Providers would confirm that any building used is safe, (including proper provision for infection control) and fit to provide food (or that arrangements are in place for the

provision of food from an external location). Other usual building and environment, requirements would be relaxed, for example en-suite requirements, number of toilets and space standards.

We will provide information on our website and to chief officers advising them of what the applicant would need to consider if they were to apply for a variation. Inspectors would be able to provide telephone consultations to support providers complete their variation application.

The applicant will provide a declaration and/or photographic evidence where required as part of the variation request, and confirm that the minimum requirements are in place. A list of the minimum requirements is included within of this guidance.

### **3.2 Minimum requirements**

The minimum information we would require applicants to confirm would include the following.

- The maximum number of people the service is to be provided to.
- The address the service is to be provided from.
- The date the service will start.
- Staffing: we expect the staffing numbers and skills and experience of staff to reflect the needs of people who use services. At this extremely challenging time, the Care Inspectorate will support all services in their need to apply flexibility and judgement around staffing to ensure the safety and wellbeing of people using the service. As part of this process we will ask providers to confirm their staffing arrangements.
- Management arrangements.

The following aspects will simply need to be confirmed in writing by the provider that the measures are in place (there will be no requirement to submit any other supporting documentation).

- Protection procedures.
- Infection control (Including disposal of waste and cleaning).
- Management of medication (including appropriate storage and pharmacy arrangements).
- Care planning – as a minimum this would include next of kin contact details, medical information, for example allergies and dietary requirements.
- Arrangements for the provision of food.
- Essential furniture, equipment and supplies required to meet the needs of the client group are available.
- Appropriate insurance cover is in place.
- Confirmation that the Fire Risk assessment has been submitted to SFRS electronically using the contact details which can be found here

<https://www.firescotland.gov.uk/your-safety/for-businesses/contact-your-local-fire-safety-enforcement-office.aspx>.

- Confirmation from Scottish Fire and Rescue (SFRS) that they are comfortable with the content of the fire safety checklist.

The Fire Risk assessment can be downloaded:

- here, for services other than childminding  
<https://www.careinspectorate.com/index.php/register-a-care-service/register-a-care-service-other-than-childminding>
- here, for childminding services  
<https://www.careinspectorate.com/index.php/register-a-care-service/register-a-childminding-service>

## 4. Other service type variations

### 4.1 Exceptional circumstances

The Care Inspectorate has taken the position that during this period there will be no requirement for providers to submit a variation for any care service type where:

- a care home for older people is caring for younger adults
- a daycare of children's service will care for alternative age ranges, for example school-aged children cared for in a nursery setting
- care at home services care for clients with different care needs
- change of operational hours.

In these circumstances, there is no requirement to submit a variation form. Instead, the provider should simply confirm in writing through eforms, using the notification "Changes to service delivery Coronavirus (COVID-19)".

Within the notification, the provider should note the change to the service provision and confirm the service can meet the care and welfare needs of the individuals that they are providing care for.

### 4.2 General variations to access care as a result of COVID-19

Variations to support additional capacity, for example additional capacity in existing care services including 24-hour services and childminders, should be processed in line with the guidance section 2.1, with the assessment being undertaken by the inspector requesting only relevant information to the particular variation request. For example:

- staffing arrangements for an increase in service users
- care homes for children and young people - confirmation of sleeping arrangements
- childminders' ability to care for additional or change of age range of children.

## 5. Business as usual

During this period, we will undertake to process all other registration and variation work as usual except for site visits. Site visits should only be undertaken in

exceptional circumstances when a risk assessment has been agreed by a team manager.

## **6. Gathering of evidence**

We acknowledge that during this period of exceptional challenge and uncertainty, the gathering of information and evidence in many pieces of work will have a different focus. The use of video, photographic or submitted declarations will be our main source of information to undertake registration and variation assessments. In addition, we have the technology to meet with providers remotely through Teams or Skype and we should use this wherever possible.

30 July 2020