



## Minutes

**Meeting:** Board

**Date:** 20 December 2011

**Time:** 2.00 pm

**Venue:** Rooms 6, 7 and 8 Compass House, Dundee

**Present:** Frank Clark, Chair  
Theresa Allison  
Mike Cairns  
Douglas Hutchens  
Cecil Meiklejohn  
Carol Paton  
Sally Witcher

**In Attendance:** Jacquie Roberts, Interim Chief Executive  
Karen Anderson, Director of Operations  
David Cumming, Director of Operations  
Gill Ottley, Director of Operations  
Gordon Weir, Director of Resources  
Kenny McClure, Head of Legal Services  
Alexis Jay, Chief Social Work Adviser (from 2.30 pm)  
Colin McAllister, Corporate Planning, Communications and Engagement Manager  
Carol Walker, Corporate Admin Manager (Minute)

**Apologies:** Morag Brown, Board Member  
David Wiseman, Board Member  
Garry Coutts, Board Member  
Anne Haddow, Board Member  
Denise Coia, Board Member

<b>Item</b>	<b>Action</b>
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The Chair welcomed everyone to the meeting.

### 1.0 APOLOGIES FOR ABSENCE

Apologies for absence, as listed above, were noted.

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**2.0 DECLARATION OF INTEREST**

There were no declarations of interest.

**3.0 MINUTE OF PUBLIC BOARD MEETING HELD ON 20 OCTOBER 2011**

The minute of the meeting held on 20 October 2011 was submitted and approved as a correct record.

**4.0 MATTERS ARISING**

The Board noted that almost all of the funding required for significant investment in ICT infrastructure had been agreed by Scottish Government. This had also been reported to the Resources Committee on 29 November 2011. The Chair praised the Director of Resources and his team on providing the full information to achieve the positive outcome.

**5.0 REPORT FROM STRATEGY AND PERFORMANCE COMMITTEE OF 15 NOVEMBER 2011 (UNCONFIRMED MINUTE)**

The Chair presented the minute to the Board for consideration and discussion of the recommendations made by the Committee.

The Board:

- Noted that members of the Strategy and Performance Committee had expressed disappointment in relation to the lack of progress relating to inspection planning for 2012-13.
- Acknowledged that there were challenges around inspection planning given that three organisations had come together but sought reassurance that progress in this area was being made.
- Further noted that significant progress had been made since 15 November 2011 and looked forward to the final report being presented to the Strategy and Performance Committee on 17 January 2012.
- Noted the paper and covering report on the Oversight of the Social Care Market and discussed the implications this could have on the Care Inspectorate as a regulator. Agreed that the covering report was clear and well written and requested a copy of the Care Inspectorate's final submission to Scottish Government. This would be circulated to all members.

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**6.0 REPORT FROM RESOURCES COMMITTEE OF 29 NOVEMBER 2011 (UNCONFIRMED MINUTE)**

The Convener presented the minute to the Board for consideration and discussion of the recommendations made by the Committee.

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The Board noted:

- The updated position in regard to this year's out-turn budget and that a significant element of the underspend would be used to deliver the added requirements placed on the organisation by Scottish Government. The Board was assured in terms of the year end position and agreed that the overall financial situation had been extremely well managed.
- The first draft of the 2012/13 budget which would be substantially informed by the inspection planning work which was currently underway.
- That a widely communicated, web based recruitment exercise for inspection staff had been initiated with a view to new inspectors being in post before 1 April 2012. In parallel with this an exercise to review the current skills and experience of staff was under way and this would assist with the shaping of the recruitment drive.
- Approved the proposals with regard to the organisational structure review and agreed that external objectivity of the exercise would be extremely beneficial.
- Noted the two additional analyst posts to support the additional function of producing official statistics. It was agreed that this new function had potential benefits to the organisation in terms of quality control.

**7.0 REPORT FROM AUDIT COMMITTEE OF 29 NOVEMBER 2011 (UNCONFIRMED MINUTE)**

The Convener presented the minute to the Board for consideration and discussion of the recommendations made by the Committee.

The Board:

- Strongly supported the Committee's proposal that an internal audit be undertaken to review the Board's governance arrangements in relation to ICT the development proposals. The audit would be progressed as a matter of priority by the Director of Resources.
- Noted that two Committee members had been interviewed by Audit Scotland on 30 November 2011 as part of the audit of mergers of public bodies.

**Director of Resources**

**8.0 INTERIM CHIEF EXECUTIVE'S REPORT  
REPORT NO: B-15-2011**

The Interim Chief Executive presented the report which provided the Board with an update on key developments since the October 2011 Board meeting. In particular the following points were noted:

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### Agenda item 3

- The complaints procedure consultation had commenced on 3 October 2011 and at that time the majority of responses agreed with the recommendations that had been put forward. There was a high level of support for two particular recommendations - one in respect of producing outcomes for each element of a complaint rather than one single outcome and the other in relation to reducing the timescales for resolution.
- As of 14 December 2011 all Southern Cross services had been newly registered with alternative providers.
- The re-registration of Argus Care services was progressing and, although the situation was constantly changing, the latest advice from liquidators indicated that there were no intentions to close services. Members were to be kept apprised of the situation and a briefing note would be provided by 23 December 2011.
- A review of the standards for infection control for adult care homes was underway and recommendations had been made to the Healthcare Associated Infection Task Force. In particular it was recommended that current standards be withdrawn and consideration given to including critical prevention and control of infection elements in all National Care Standards.
- That there were scrutiny, risk and intelligence development events planned for all staff in January 2012.
- Work in relation to the new arrangements for scrutiny of children's services was progressing and there would be an update and presentation at a Board development event following the Strategy and Performance Committee on 17 January.
- That eight interim memoranda of understanding with Fire and Rescue Services had been signed by the Interim Chief Executive. However, it was agreed that a more developed memorandum of understanding was required in order to provide the desired level of assurance in relation to fire safety monitoring arrangements in all registered care services. Work on this would progress in the New Year.
- The position with regard to legal and enforcement issues and in particular that the Erskine Bridge fatal accident inquiry had concluded on 19 December 2012.
- That a report in relation to estates and the property review options for the West of Scotland was being prepared for the Resources Committee meeting on 31 January.

Director of  
Operations  
(PC and Reg)

Director of  
Operations  
(PA and PR)

Interim Chief  
Executive

In addition the Board:

- Considered and discussed the Partnership Agreement with SSSC and agreed to endorse the framework subject to the paper being fully proof read.

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**9.0 MONITORING OUR PERFORMANCE Q2 2011/12  
REPORT NO: B-16-2011**

The Director of Operations (Planning, Assurance and Public Reporting) presented the report which provided the Board with a summary report on performance for Q2 of 2011-12.

The Board:

- Noted the key performance indicators that were currently being used were interim and would be replaced by new ones in the next inspection year.
- Noted the statistics in relation to registration and the introduction of a target that meant variation requests would be completed within three months.
- Expressed disappointment that there had been no improvement of the performance of acknowledging all complaints within 3 days and agreed that staff should be advised that this was unacceptable and that improvement would be expected by the time of the next report.. Noted the completion rates for care service inspections, initial scrutiny level assessments, follow up scrutiny and child protection inspections.
- Was assured by the improvement in the performance for the production of draft care service inspection reports and noted that the introduction of national teams may have contributed to this improved performance.
- Noted that CSQ data would be used to inform two new KPIs in relation to service users' level of awareness of care standards and percentage of service users reporting quality of care as high or very high.
- Noted the intention to recruit more lay assessors and strengthen and increase their involvement in the inspection process.
- Raised and discussed the figures in relation to absence reporting and was assured that this measure would be monitored by the Resources Committee.
- Requested that information in relation to the response by providers to enforcement notices be included within future performance monitoring reports.

Director of Operations  
(PA and PR)

Director of Ops and PR

The Board was assured by the information contained within the report and agreed that improvements had been made over the last quarter in relation to performance. The Chair congratulated the Executive Team and staff on these improvements.

**10.0 NATIONAL HEALTH AND SAFETY PLAN 2011/12  
REPORT NO: B-17-2011**

The Director of Resources presented the report which provided the Board with details of the Health and Safety Plan for 2011/2012.

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The Board:

- Sought clarification on whether an Equality Impact Assessment should have been conducted on the Plan. The Director of Resources agreed to follow this up.
- Agreed that where the word “ongoing “was used this should be replaced with a time indicator.
- Noted and approved the Health and Safety Plan on the basis that the Board be updated as appropriate by means of exception reporting.

Director of  
Resources

**11.0 INVOLVING PEOPLE WHO USE CARE SERVICES AND THEIR CARERS IN OUR ACTIVITIES  
REPORT NO: B-18-2011**

The Corporate Planning, Communications and Involvement Manager presented the report which made a number of recommendations to the Board.

The Board noted:

- There had been a review of involvement activities across the three previous regulatory bodies in order to progress bringing all activities into one directorate with a cohesive approach.
- The risks associated with the current ways of operating.
- The benefits of having one dedicated team with a single budget and action plan to progress a coherent and consistent approach to involvement activities.
- That the current key deliverables did not constitute a strategy but that this would be worked on and would be available in April 2012.

The Board discussed the report, noted the findings of the Involvement Review and agreed the development of a new Involvement Strategy based on the review’s findings subject to:

- Taking into account working with others in terms of our duty of co-operation and linking this to our user focus.
- Reflecting the “co-production” agenda adequately in the work that was being carried out.
- Producing a definition of “involvement” that reflected the different levels of engagement, including co-production
- Providing the Board with evidence that extended user carer involvement had been part of the strategic development process.
- Ensuring there was a consistent approach which supported involving people as opposed to restricting it.

The Board further agreed that resource modelling work be carried out to develop a unified involvement team.

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**12.0 AOCB**

**The following item was discussed in private**

The Chair presented the Board with a minute of the Remuneration Committee.

The Committee had considered and agreed the recommendations of a report which outlined the arrangements for the termination of the fixed term contract of employment of the Interim Chief Executive.

The Board approved the arrangements.

**14.0 DATE OF NEXT MEETING**

The date of the next Public Board meeting was noted as 16 February 2012 at 2.00 pm, Compass House, Dundee.

Signed:

Professor Frank Clark CBE  
Chair