



## Minutes

**Meeting:** Strategy and Performance Committee  
**Date:** 28 August 2012  
**Time:** 1.30pm  
**Venue:** Rooms 0.18 & 0.24, Compass House, Dundee

**Present:** Frank Clark, Chair (Convener of Committee)  
 Theresa Allison, Board Member  
 Anne Haddow, Board Member  
 Douglas Hutchens, Board Member  
 Cecil Meiklejohn, Board Member  
 David Wiseman, Board Member

**In Attendance:** Annette Bruton, Chief Executive  
 Karen Anderson, Director of Operations (PAPR)  
 Gill Ottley, Director of Operations (I&C)  
 Gordon Weir, Director of Resources  
 Kenny McClure, Head of Legal Services  
 Pamela Hill, Secretary

**Apologies:** David Cumming, Director of Operations (PCR)

Item	Action
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**1.0 APOLOGIES FOR ABSENCE**

Apologies for absence, as listed above, were noted.

It was noted that Item 10 would not be discussed at this committee as it required more extended consideration before the response on 12 September 2012. It would, therefore, be submitted to 6 September 2012 Board at a development session.

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**2.0 DECLARATION OF INTEREST**

No declarations of interest were made.

**3.0 MINUTE OF STRATEGY AND PERFORMANCE COMMITTEE MEETING HELD ON 9 MAY 2012**

The minute of the meeting held on 9 May 2012 was submitted and approved as a correct record.

**4.0 MATTERS ARISING**

All outstanding matters were discussed under the agenda.

**5.0 MONITORING OUR PERFORMANCE Q1 2012-13  
REPORT NO: SP-10-2012**

The Director of Operations - Planning, Assurance and Public Reporting (PAPR) presented the report which was a summary of the performance in Q1 2012-13 and reported the following updates to the committee:

- The children's services joint inspections on-site scrutiny footprint would be able to be reduced.
- Reasonable progress was being made with the structure review. The Hay Group had to do further benchmarking of the directors' posts prior to obtaining permission from Scottish Government to proceed with implementation. The existing structure was recognised as not being a good fit with purpose and the Care Inspectorate would not be able to deal as effectively with the emerging agenda without the new structure. Receiving clearance from Scottish Government was seen to be critical. The staff conference on 25 September 2012 would provide an opportunity to explore the structure changes with staff.
- The inspection recording tool was now finalised and was being tested to ensure inspectors could record follow-up visits.
- The Executive Team had asked that all inspections would be completed by 31 January 2013 with all inspection reports published by 31 March 2013. This would ensure that the new approach to inspection planning could commence from 1 April 2013.
- The rate of variation refusals had increased due to more rigorous checking of applicants and environments as a result of scrutiny being risk and intelligence led and the growing confidence and expertise of staff due to the introduction of the national registration team. Mechanisms were in place to highlight to case holding inspectors any aspects, which were

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noted during the registration process as requiring an inspection focus.

- Complaints heard by the Complaints Sub-committee would be included within the report to the 6 September 2012 Board. **Dir Ops (PAPR)**
- The KPI for complaints acknowledgements was being affected by the issue of time being calculated from the point at which a complaint was made even for those complaints, which were anonymous and, therefore, could not be acknowledged.
- An update report on the user focus investment would be presented to the 12 February 2013 Strategy and Performance Committee. **Dir Ops (PAPR)**
- Future performance monitoring reports would include: **Dir Ops (PAPR)**
  - on an exception basis, any KPIs that were well ahead of target or overdue against target so that any emerging patterns could be highlighted. By providing the year on year information for the quality indicators and KPIs comparisons would be able to be made which should provide added assurance for the Committee and Board.
  - more information on whether services complied with non-technical enforcements and improvement notices.
  - more narrative/description so that any trends and factors that may be mitigating against services getting good grades, for example, financial pressures would be highlighted. The developing QIs would assist with this.
  - an analysis of the number of services achieving grades of 3 or less for involving people broken down by the private, public and voluntary sectors.
  - any significant parliamentary questions to provide a qualitative element of the analysis.
- The QI statements noted that only 20% of services had information available about what they provided. As a result expectations of people who used the services were limited. The Director of Operations (PAPR) would update the Committee on whether the same QIs were being inspected across all service types to ensure the robustness of the analysis. **Dir Ops (PAPR)**
- Care service questionnaires were useful but structured interviews were more effective and the user focus investment would help with this.
- It was clarified that where a local authority challenged the inspection report content the report was finalised following discussion and possible receipt of additional evidence. The term “agreed” was not appropriate and should be changed.
- Who Cares? Scotland was assisting with the development of involving lay young people on inspection teams.
- The Executive Team would provide the 27 November 2012 Strategy and Performance Committee with a proposal for more ambitious lay assessor involvement in 2012-13 and even more in 2013-14. Increasing lay assessor involvement did **ET**

have a resource impact and Scottish Government support in prioritising this was required. There was a wide range of methods to recruit lay assessors. Prioritising the focus areas for lay member involvement could help to increase participation.

The Committee

- Noted and considered the performance against the interim KPIs and was satisfied with the responses
- Welcomed the assurance that targets would be met for 2012-13.
- Agreed that future reports would progressively move towards more qualitative information explaining the figures so that issues and emerging trends were highlighted.
- Noted that the Executive Team would review the aspirations of lay assessor involvement in inspection to have a testing target in year and even further in the following year to ensure more significant involvement.
- Noted the development of the QI and KPI work by the Audit Committee would address the impact on analysis and be helpful in being able to explain the statistics and provide assurance to the Committee and the Board.
- Noted that the Care Inspectorate had received the “Cutting Carbon Emissions” award.

**6.0 EQUALITIES ACT/CEMVO BRIEFING  
REPORT NO: SP-11-2012**

The Director of Operations (PAPR) presented the report, which was a helpful summary of the Care Inspectorate’s duties under the Equalities Act 2010 and provided a summary of the progress to date and an update on future planned action.

The Committee:

- Noted the briefing paper from CEMVO.
- Noted that work had begun on assessing the Care Inspectorate’s duties under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.
- Noted that the Executive Team had agreed that a short-life project, led by the Professional Adviser (Equalities and Involvement), should be established from September 2012 to progress this work.
- Agreed that a progress report would be provided to the 27 November 2012 Strategy and Performance Committee.
- Noted that the final version of the mainstreaming report and equality outcomes would be provided to the 12 February 2013 meeting of the Strategy and Performance Committee for consideration and agreement.
- Noted that a strategic report on equalities data would be

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provided to the 12 February 2013 Strategy and Performance Committee.

- Noted that it might be useful for the Board and the Committee conveners to consider their duties under the act. Suggestions would be included within the performance monitoring report to the 6 December 2012 Board.

## 7.0 CARE INSPECTORATE PLANNING ACTIVITIES REPORT NO: SP-12-2012

The Director of Operations (PAPR) presented the report, which informed members of the current approaches to planning activities and set out the work underway to develop new planning approaches to enable more effective delivery of corporate outcomes and objectives and more efficient deployment of resources. The following points were highlighted:

- The Executive Team would map out key areas of work for the next three/four years at a planning day on 26 September 2012.
- The September 2012 meeting with Scottish Government would focus on their expectations of the Care Inspectorate, guidance on cross cutting policy interests and assisting with priority setting but since inspection was driven by risk and intelligence and a key priority was inspecting registered care services that required it. As an independent body, appropriate prioritising of these demands was required.
- The advantage of 3-year planning would allow the mapping of statutory inspection duties, fitting in where possible requests from policy leads and other organisations as well as thematic type inspections.
- The 2-day development event for the Board (to be scheduled in November/December 2012) would focus on the new corporate plan for 2013-15 and prioritising any requests.
- Early discussions had taken place with other agencies re locality based scrutiny and work was now being taken forward to develop models.

The Committee:

- Noted the progress to date on implementation of new approaches to planning.
- Provided input to the planning process.
- Agreed the approach to the revision of the Corporate Plan for implementation 2013-2016.
- Noted the September 2012 meeting with Scottish Government would deal with the above expectations etc.
- Noted the early intimation of the November/December 2012 residential development event.

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**8.0 JOINT INSPECTION OF CARE AND HEALTH FOR ADULTS  
REPORT NO: SP-13-2012**

The Chief Executive introduced this report, which set out the proposals for the development of a joint inspection of adult services to be undertaken in close cooperation with Healthcare Improvement Scotland (HIS) approved by the Executive Team on 9 August 2012.

The Project Initiation Document had been drawn up jointly with HIS and set out how the inspection of adult care and health would be planned, how what would be looked at in that plan would be prioritised and the methodology developed. If approved, the Care Inspectorate would work with HIS and follow the instructions of the Cabinet Secretary to carry out this work. There would be resource issues in the achievement of this work.

The Committee welcomed the initial focus on care at home. The stakeholder analysis in Appendix 1 noted the Partnership Forum's comment that there should be no changes to staff's terms and conditions, however, this would involve a new way of working and partnership working.

The Committee:

- Noted and approved the project initiation document for the development of a multi agency approach to the joint inspection of adult services.
- Noted the initial focus on services to support older people to remain living in the community.
- Noted the governance of the project through the project sponsors.
- Noted that the proposal and attached project initiation document (subject to any amendment) would be passed to Healthcare Improvement Scotland for agreement.

**9.0 CHILDREN'S SERVICES INSPECTION**

The Director of Operations (PAPR) provided a verbal update on the children's services inspections. The Programme Board for Children's Services had an advisory group, which assisted with developing the new model of integrated children's services and a reference group to test different aspects of the methodology as it was developing. An information sharing protocol had been further developed with the advisory board at the request of the Minister. The Communication Strategy contained events to brief the community planning partnerships.

Angus Council had agreed to be the test site for the methodology and QI framework. The framework would go out for wider consultation to stakeholders. Lessons learned from the test site

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were in relation to file reading, report writing, on-site footprint reduction to 13 days, information sharing from and to the local authority networks and other scrutiny bodies, closer alignment to the Resources directorate. There were five pilots scheduled, planned and staff had been allocated. There would be implications arising from the Children and Young People's Bill but the model would be flexible enough to address this.

The Committee:

- Acknowledged the good progress which was being made and agreed that the Director of Operations (PAPR) should provide a one page summary of the verbal update including the child and family dimensions with the draft minute Dir Ops (PAPR)

**10.0 CONSULTATION ON THE PROPOSALS FOR THE INTEGRATION OF HEALTH AND SOCIAL CARE REPORT NO: SP-14-2012**

This item was deferred to the 6 September 2012 Board.

**11.0 MEETING WITH THE CABINET SECRETARY FOR HEALTH, WELLBEING AND CITIES STRATEGY SP-15-2012**

The Chief Executive introduced the report which updated the Committee on the very positive and supportive meeting held with the Cabinet Secretary for Health, Wellbeing and Cities Strategy and to report on progress with actions agreed.

The Director of Operations - Intelligence and Complaints (I&C) was working with colleagues to bring forward the Care Inspectorate's approach to criminal justice. This would be brought to a future Strategy and Performance Committee.

The Committee:

- Noted the points agreed for progress at the meeting with the Cabinet Secretary.
- Noted the progress made on each area for action.

**12.0 REPORT FROM COMPLAINTS SUB-COMMITTEE OF 29 MAY 2012**

The Deputy Convenor of the Complaints Sub-committee noted that one of the lessons learned by the review was that handwriting needed to be legible. Clear English training had also been tendered for. It was recognised that there were challenges recording interviews to ensure accuracy, speed and neatness. The Director of Operations (I&C) would consider remedies to address this issue.

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The Committee:

- Noted concern that there continued to be difficulties with illegible handwriting in key documentation.
- Requested that the Director of Operations (I&C) report to the Complaints Sub-committee on remedies to address this issue.

Dir Ops  
(C&I)

**13.0 REPORT FROM COMPLAINTS SUB-COMMITTEE OF 12 JUNE 2012**

The Deputy Convenor of the Complaints Sub-committee noted that there was a possibility of a conflation of issues where elements of a complaint were not properly separated and that when complaints were being taken, they should be broken down into their separate elements to avoid the possibility of any confusion in the outcomes.

The Committee:

- Noted that staff should be reminded that complaints could only be upheld or not upheld as a partially upheld decision was no longer applicable.
- Noted that all complaints papers should be received by Complaints Sub-committee members to make efficient use of their time.

Dir Ops  
(C&I)

**14.0 AOCB**

**14.1 Consultation on the Inquiry into Decision Making on Whether Children Should be Taken into Care  
Report No: SP-16-2012**

The Chair introduced this report, which provided members with the Care Inspectorate's response to the Scottish Parliament's consultation on the inquiry into decision making on whether children should be taken into care.

The response was very useful as an internal document but it was an important document, which contained very strong views that needed appropriate evidence if challenged at committee. A late submission to the consultation was to be requested to allow time to gather the evidence to back up those views.

For all future consultations, the Chair and the Chief Executive would decide whether the consultation related to operational or strategic matters and reach a conclusion on which consultations should be referred to the Committee or full Board for consideration. This would impact on the timescales for response and a decision would be made on whether an exceptional meeting would require to be convened for members to discuss the proposed response.

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The Committee:

- Agreed that in view of the timescale involved the Chair be delegated with the approval of the revised consultation response.

**15.0 DATE OF NEXT MEETING**

The date of next meeting was confirmed as 27 November 2012 at 10.30am.