

Involvement – Duty of User Focus (Audit recommendation follow-up)

Report to: Board

Date: 27 June 2014

Report by: Helen Happer, Head of Quality and Improvement

Report No: B-13-2014

Agenda Item: 6.5

PURPOSE OF REPORT

To provide the Board with options for remuneration of involved people. The term involved people in this report means people with direct experience of social care and social work services as recipients or carers.

RECOMMENDATIONS

That the Board:

1. Notes the work being proposed to widen the incentives and rewards for young inspectors through a youth employment strategy and to refresh the involvement strategy to strengthen our approach to involving children and young people across the Care Inspectorate's work.
2. Discusses and debates the officer recommendation Option 2 and makes proposals.

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Version Control and Consultation Recording Form

Version	Consultation	Manager	Brief Description of Changes	Date
	Senior Management	Deputy CE, Depute Director; Children, young people and criminal justice and heads of inspection (strategic, adults and young people).	Strategy regarding planned expansion of inspection volunteer activity; assessment of risks to strategic inspection programme; strategy regarding involvement of people who use services in strategic inspection activity.	
	Legal Services			
	Resources Directorate	Head of Finance; Head of OD	Confirmation of resource implications; Clarification regarding contractual arrangements for young inspectors and progress of youth employment strategy.	
	Committee Consultation (where appropriate)			
	Partnership Forum Consultation (where appropriate)			

Equality Impact Assessment

To be completed when submitting a new or updated policy (guidance, practice or procedure) for approval.

Policy Title:		
Date of Initial Assessment:		
EIA Carried Out	YES <input type="checkbox"/>	NO <input type="checkbox"/>
If yes, please attach the accompanying EIA and briefly outline the equality and diversity implications of this policy.		
If no, you are confirming that this policy will have no negative impact on people with a protected characteristic and a full Equality Impact Assessment is not required.		Name: Position:
Authorised by Director	Name: Karen Anderson	Date:

1.0 INTRODUCTION

On 1 April 2011, the newly formed Care Inspectorate inherited from its predecessor organisations different traditions and practices associated with the involvement of people who use care services, and carers, in scrutiny and improvement activities. We made a commitment to involving people who have experience of using social care and social work services in various aspects of our work. Additionally, we have a legal duty under the Public Service Reform (Scotland) Act 2010 to involve people who use services in our work. It was acknowledged that, going forward, we would need to develop a coherent Care Inspectorate policy in respect of remuneration for involved people which covered all activities. However, it was agreed that, in the interim, we would retain the different previous practices and honour pre-existing commitments made to specific groups of involved people.

Since that time, there have been a number of developments which have a particular impact on our involving people work and which now make it the appropriate time to agree a new approach:

- our involvement activities are now co-ordinated under a single involvement team;
- we are steadily growing the number of involved people who support us in inspection activity, our inspection volunteers, and broadening the range of people involved;
- young inspectors are now firmly established within our teams for joint strategic inspections of services for children and young people and we are seeking to develop a youth employment strategy and provide modern apprenticeships and accredited training for young people; and
- we are developing a model for joint strategic inspections of services for adults which requires us to work in very close partnership with Healthcare Improvement Scotland and, where possible, share resources to demonstrate an integrated approach to scrutiny.

2.0 THE WORK OF INVOLVED PEOPLE IN THE CARE INSPECTORATE

The Care Inspectorate has made a very clear commitment to ensuring that all of our work is underpinned by a sound understanding of the views and experiences of people who use services. Meaningful engagement with people who use services and with carers needs to be at the heart of our inspection methodology and is central to the work we are doing to modernise our approaches. There are three main strands of involvement activity within the Care Inspectorate.

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2.1 Involved people in organisational developmental and other ad hoc activities

Involved people contribute to a number of activities, including recruitment and selection; responding to external consultations; development of policy and materials, (for example reports) and engagement with people who use services, their carers and the public. Our involved people group currently has 128 members with a core membership of 30 attending regular meetings and contributing to specific tasks and working groups. We reimburse involved people for any travel and subsistence expenses incurred.

2.2 Involved people in inspections of registered care services

Inspection volunteers have direct experience of care services, for themselves or as significant carers. They contribute to inspection findings by interviewing people who use the service being inspected, and carers, usually in person but occasionally by telephone. In some inspections, inspection volunteers have supported the inspector in giving feedback to the provider, a very effective way of helping providers to appreciate how their services are experienced by the people who use them. Inspection volunteers are reimbursed for all travel and subsistence costs. Where required to allow the involved person to volunteer their services, we make a payment to compensate for additional costs incurred for personal assistants or substitute carers.

2.3 Involved people in joint strategic inspections

Involved people in joint inspections undertake a wider range of activities than inspection volunteers during inspections of registered care services. To date, we have involved a small number of existing inspection volunteers in strategic inspection of services for adults and are currently exploring ways of strengthening our resources for these inspections, including a shared pool of involved people with Healthcare Improvement Scotland. Young people acting as 'young inspectors' contribute to all joint inspections of services for children and young people and to the ongoing development of methodology. In line with the practice adopted by SWIA prior to April 2011, involved people and young people involved in joint strategic inspections have been paid a fee of £112.60 per day, excluding National Insurance, in addition to reimbursement for travel and subsistence.

3.0 OUR VALUES IN OPERATION

The Care Inspectorate's range of involvement activities is a tangible demonstration of our organisational values, putting people at the heart of everything we do. Involving people with direct experience of care services in our inspections of care and social work services is an effective and efficient way of providing the best quality and public value from our work. We demonstrate our respect for our involved people and their contribution by

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strengthening our resources for involvement to ensure we are providing effective support and development opportunities, including appropriate support for our young inspectors. We need to ensure we are act fairly and in a transparent manner by implementing a coherent policy across our involvement activity.

The available literature (see appendix 1) notes significant differences in motivation, expectations and accountability than those for professional staff. Payment is not a significant motivation for most people who wish to volunteer their time to make a difference for people with whom they feel empathy or to a cause about which they feel passionately. This accords strongly with what our involved people tell us about why they are so committed to working with the Care Inspectorate. The literature also describes complications when payment becomes the primary attraction for individuals rather than commitment to the involvement activities themselves. There is the risk that this encourages the development of a 'professionalised' pseudo-workforce where involved people become incorporated stakeholders as opposed to critical friends. Our involved people are passionate about their role as people whose interest is solely to speak on behalf of those who use services and their carers, without other concerns and pressures.

The case has been made that payment acts as an important incentive to people to offer their time and therefore supports recruitment, particularly of people which may be otherwise hard to attract. However, there are many complications and practicalities where people are in receipt of state benefits and tax implications for those already in employment. These mean that payment has the potential to exclude as many people from volunteering opportunities as it includes. A significant number of our involved people have concerns about complications which may arise for them as the result of the introduction of payments.

The relationship which the Care Inspectorate has with our young inspectors is undoubtedly more complex than our relationship with our adult involved people. While young inspectors play a crucial role in our work, we also have responsibilities towards them to contribute to their development, help them develop skills and confidence for work and support improvement in their life chances. As many of the young people we recruit have themselves been looked after, the experiences we provide is a very important contribution to fulfilling our corporate parenting responsibilities which will be strengthened on implementation of the new Children and Young People (Scotland) Act.

It is difficult to find examples of successful involvement of young people in scrutiny activities on a consistent and on-going basis, other than in the Care Inspectorate and in one aspect of Education Scotland's activity, the college sector. However, stakeholder organisations with experience of young people's participation and consultation all agree that young people, particularly disadvantaged young people, require more tangible forms of remuneration to

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reward them for their work and sustain their commitment than adults. Remuneration need not always be only financial. There is significant value in providing positive and enjoyable experiences, accredited training and development opportunities which have a clear link to employment or further education. However, for young people aged 18 – 25yrs who are unlikely to have alternative sources of income, financial remuneration becomes of more critical importance, particularly where involvement activities require commitment during a working day.

We are now moving towards widening the range of opportunities for young people to be involved in our work. In addition we have made a commitment to developing a youth employment strategy and offering modern apprenticeships for young people. The opportunity for routine involvement in the Care Inspectorate's core business, inspections at both care service and strategic level, is an essential part of a youth employment strategy. In this context, paying young inspectors makes sense, therefore we are not proposing that we make any changes to our current arrangements for young people at this time. We are already strengthening the participation of our young inspectors in the organisation and fostering a greater sense of belonging through inclusion in development events, supporting more frequent access to Care Inspectorate premises and the use of PULSE to claim expenses. We propose to consider more fully our relationship with our young inspectors and our existing contractual obligations to them through the development of the youth employment strategy. In addition, we currently contract additional support for young people from an external organisation which is a recognised training provider which will be able to support the provision of accredited training for our young inspectors. Our senior advisor (involvement and equalities) and our involvement advisor for young people are working with colleagues from organisational development and the inspection directorate to take this forward.

4.0 THE VIEWS OF OUR INVOLVED PEOPLE

The views of our involved people on the matter of remuneration have been sought formally on two occasions. Both consultations showed a wide spread of views. In neither was there a strong appetite for a payment scheme to be introduced. In both, less than a quarter of involved people advocated for payment for all activities although in the second consultation a higher proportion (34%) felt that consideration should be given to payments for involvement in inspection activity alone. Twenty per cent felt that introduction of a payment scheme might deter them from continuing their involvement with the Care Inspectorate, either because of complications relating to the impact on benefits claimed or due to fears of their independence being compromised.

The number of involved young people is much smaller, making it difficult to draw firm conclusions, but it is clear that they feel strongly about the need for tangible recognition of their work. Payment was a clear incentive, although they also valued having opportunities for practical experience which they hope

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would be recognised as part of a CV. Young people would greatly welcome the development of accredited training and development opportunities provided as an agreed work placement which would help them improve their prospects of permanent employment or entry to further education.

5.0 POLICY AND PRACTICE IN OTHER SCRUTINY BODIES

In respect of participation in organisational development, consultation and other ad hoc activities, and the inspection of registered care services, the Care Inspectorate's approach is in line with our closest scrutiny partners in Scotland. Members of the public contribute to scrutiny of health services through Healthcare Improvement Scotland's Associate Patient Inspectors scheme. Lay people contribute to inspections of education services, working alongside Her Majesty's Inspectors from Education Scotland. Neither organisation makes financial remuneration other than reimbursement of travel and subsistence expenses.

South of the border, the Care Quality Commission also involves recipients of care services in their inspections. Unlike the Care Inspectorate, where staff from our involvement team recruit and provide support as required, the Care Quality Commission contracts with a number of third sector organisations to find, train and support these "experts by experience". The Care Quality Commission provides funding for the reimbursement of expenses but again, makes no payment.

Colleagues in the Care and Social Services Inspectorate Wales do not currently involve people with direct experience of care services in inspections. They are exploring how to strengthen involvement of people with direct experience of services in developing the organisation and are planning this on a reimbursement of expenses-only basis.

Of the above organisations, only Education Scotland has experience of involving young people in scrutiny. It routinely involves students in peer review of further education establishments, making no payment other than

6.0 OPTIONS

Honoraria

We have considered the appropriateness of making honorarium payments to some or all of our involved people. This might have been a way of recognising the commitment of our involved people, particularly those contributing to inspection activity on a regular basis. An honorarium is a one-off 'thank you', an unexpected payment. There are no clear legal rules on what is or what is not an honorarium but their use is complicated. While Her Majesty's Customs and Revenue does accept genuine one-off payments as non-taxable gifts, such payments are likely to affect benefits. If the honorarium is in any way

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expected, hinted at or given regularly, which it would need to be to fulfil our purposes, it may also be regarded as a payment for services, affecting the legal status of volunteers, and as taxable income. Organisations supporting volunteers strongly advise against the use of honoraria unless under exceptional and unique circumstances. For this reason, we have discounted the use of honoraria.

We have identified two options for the Care Inspectorate to develop a more coherent policy and reduce the anomalies in our current arrangements. The strengths and risks of each are outlined in the following table.

Option 1: Pay all involved people for their work, regardless of type of activity, using an hourly rate, in addition to expenses incurred as a result of work undertaken.

A single hourly rate for all activities has some advantages in being manageable to administer and would avoid the need for sensitive judgements about the relative values of different involvement activities. However, determining an appropriate rate would be difficult. Applying the Scottish Living Wage rate of £7.45 an hour would provide an estimated cost of £34.8k for those involved people contributing to inspections in 2014/15. This is calculated using the planned growth in volunteer inspector involvement of 25% for 2014/15. Planned growth for 2015/16 and 2016/17 is similarly 25% per year. The costs in 2015/16 are therefore estimated at £42.8k and £52.8k for 2015/16 and 2016/17 respectively.

The ad hoc nature and changing membership in other involvement activities makes it very difficult to project additional costs involved in the same hourly rate being applied to all involved people for all activities. Calculating on the basis of four involvement 'events' (such as consultations or focus groups) per year for a proportion of our total number of involved people, plus a small allowance for involvement in recruitment activities, this totals 264 hours, providing total costs of £36.8k, £44.9k and £54.8k for 2014/15, 2015/16 and 2016/17.

An alternative would be to apply a rate of £8.24 per hour, which is equivalent to point 1 on the salary scale (junior members of staff). In this case, total costs would be £40.8k, £49.6k and £60.7k for 2014/15, 2015/16 and 2016/17.

Strengths	Risks
Tangible recognition of the equal contribution involved people are making to the work of the Care Inspectorate across the range of its activities.	Against the spirit and ethos of volunteering. Fundamentally changes the nature of our relationship with our involved people. Potential to encourage a pseudo-professional culture, which may compromise our

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<p>May facilitate recruitment of involved people among seldom heard groups.</p>	<p>involved people's independent perspective and the public's and providers' views of their role.</p> <p>Risks of involved people feeling 'bound' to the organisation for payment, inhibiting their ability to be critical of the organisation. This is a significant risk where involvement is focused on organisational development and quality assurance, rather than on scrutiny of services.</p> <p>Presents the risk of losing some of our current involved people who are uncomfortable with any proposal to introduce payment.</p> <p>Out of line with scrutiny partners. Will create a significant barrier to joint working with organisations whose policy is reimbursement of expenses only, including Healthcare Improvement Scotland.</p> <p>While may attract some new recruits, equally likely to act as a disincentive to people claiming benefits or where there are tax implications.</p> <p>Resource implications will necessitate savings elsewhere.</p>
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Option 2: Not paying any group but building in alternative ways of rewarding involvement.

Strengths	Risks
<p>Volunteering offers a personal commitment to the tasks/involvement activities. Provides important opportunities for people with a wide range of experiences to make a unique and personal contribution to improving the quality of care services.</p>	<p>Involves a change in the status quo in respect of strategic inspections of services for adults only. Given the very limited activity to date in this inspection programme, there would be minimal impact on individuals.</p>

<p>Reduces the risk of excluding people who are on benefits or for whom there are disadvantageous tax implications.</p> <p>Removes potential barriers to involved people being constructively critical of the organisation – supportive of ‘critical friend’ ethos.</p> <p>Removes barriers to developing shared resources with scrutiny partners.</p> <p>Allows freer movement for involved people between different scrutiny activities, thereby extending development opportunities for individuals and making best use of skills and experience.</p> <p>Removes need for savings to be made elsewhere.</p>	
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Recommendation

Option 2 provides the greatest potential benefits and least number of risks. It is a practical way forward which addresses the unsatisfactory anomalies in our current arrangements. It is a coherent approach to involving people who use services which embraces the spirit and best traditions of volunteering, recognising and valuing volunteers’ motivations. By recognising the different relationship with, and responsibilities to, young people, we can support the development of the youth employment strategy to which we are already committed and avoid any risk to the programme of joint strategic inspections of services for children and young people. Option 2 does place responsibility on the organisation to continue to strengthen ways in which we can ensure volunteers have a positive and meaningful experience and a significant impact on our work, a challenge which we are well placed to meet.

7.0 RESOURCE IMPLICATIONS

Option 1

Paying all involved people would entail additional costs which are not included in the draft 2014/15 budget. These costs are in the range £36.8k to £40.8k depending on which of the 2 hourly rates proposed are used. The additional cost of paying volunteer inspectors would require to be funded by efficiencies or cost reductions elsewhere in the budget.

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Option 2

Is in line with the assumptions built in to the 2014/15 budget recently approved by the Board.

8.0 BENEFITS FOR PEOPLE WHO USE SERVICES AND THEIR CARERS

There are very significant benefits for people who use services from an increased focus on impact and outcomes. Involving people who use services in scrutiny activity supports the organisation to have a much better understanding of how services are experienced by the people who use them and on the difference those services are making to their lives. Involved people challenge and support us to improve all aspects of our operation, to make us more effective and to better reflect the experiences of people who use services in our public reporting. A commitment to work in partnership with people who use services and their carers is a central part of the Care Inspectorate's purpose.

9.0 CONCLUSION

People with direct experience of care services have a central role to play in the work of the Care Inspectorate. Involving them in meaningful ways will do much to help us improve our own organisation and support us in improving the quality of care services in Scotland. In our scrutiny work, our involved people provide a unique perspective which complements the professional judgement of our staff and supports our commitment to strengthening the focus on the experience of, and outcomes for, people using care services. We want our involved people to have positive and meaningful experiences with us and we can best do this by using our resources wisely, working hard to support them, helping them to develop skills and confidence and ensuring their contribution is openly valued. We have additional responsibilities to make a contribution to helping young people develop life and employment skills, particularly those young people who have had a difficult start in life.

LIST OF APPENDICES

Appendix 1 - Literature review

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