

MINUTES

- Meeting:** Board
- Date:** 18 August 2011
- Time:** 2.00 pm
- Venue:** Boardroom, Healthcare Improvement Scotland, Elliot House, Edinburgh
- Present:** Frank Clark, Chair
Theresa Allison
Mike Cairns
Denise Coia
Anne Haddow
Douglas Hutchens
David Wiseman
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
Colin McAllister, Corporate Planning, Communications and Engagement Manager
Alexis Jay, Chief Social Work Adviser
Anne Forsyth, Executive Assistant
- Apologies:** Morag Brown, Board Member
Garry Coutts, Board Member
Cecil Meiklejohn, Board Member
Carol Paton, Board Member

Item

Action

The Chair welcomed everyone to the meeting, in particular, Colin McAllister the newly appointed Corporate Planning, Communications and Engagement Manager.

1.0 APOLOGIES FOR ABSENCE

Apologies for absence, as listed, above, were noted.

2.0 DECLARATION OF INTEREST

David Wiseman, Board Member made a declaration of interest in respect of Report Number B-11-2011, Item 6.2.

3.0 MINUTE OF PUBLIC BOARD MEETING HELD ON 16 JUNE 2011

The minute of the meeting held on 16 June 2011 was submitted and approved as a correct record.

4.0 MATTERS ARISING

Item 3.0 – The Board noted the significant work that had been undertaken to ensure that members of SCSWIS staff and authorised persons held appropriate qualifications and were appropriately registered with the SSSC. A paper setting out proposals for how to take this forward would be submitted to the Resources Committee on 27 September 2011. The Chair highlighted the importance of being able to get an early resolution of this important issue.

Item 5.0 – The Director of Operations (Planning, Assurance and Public Reporting) informed the Board that comments from Board members, SCSWIS staff, Scottish Government and the Involving People Group were being incorporated into the Corporate Plan. The Board noted that this would be submitted to the Strategy and Performance Committee on 13 September 2011.

Item 8.0 – The Chair informed the Board that following meetings with the Deputy First Minister, she had confirmed that she would be taking a personal interest in SCSWIS' activities. On a day-to-day basis SCSWIS would also relate to the Minister for Public Health and the Minister for Children and Young People. The issue of cross-cutting policy interests in Scottish Government remained a challenge. Both SCSWIS and HIS were continuing to highlight the importance of scrutiny aligning with policy priorities.

Item 9.0 – The Director of Operations (Planning, Assurance and Public Reporting) informed the Board that focus groups were still contributing to the involvement review. The Board noted the encouraging high level of response and that a formal report would be submitted to the Strategy and Performance Committee in due course.

Item 11.0 – The Director of Resources informed the Board that the SSSC Council had formally approved Shared Services Strategy.

Item 12.1 – The Chair updated the Board on SCSWIS' role in relation to continued financial viability of care providers. The paper, agreed at the Strategy and Performance Committee had been sent to Scottish Government and the recommendations put to the Management Team to implement. The Board noted that the Chair had attended a useful meeting with the Care Quality Commission on 16 August 2011 and that a meeting was being arranged to meet with Scottish Government to take forward overall national strategies to deal with concerns about financial viability in the care sector.

5.0 REPORT FROM STRATEGY AND PERFORMANCE COMMITTEE OF 12 JULY 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 the Complaints Sub Committee Convener's positive comments about the progress and impact made in developing the National Complaints Team and the continuing work for learning from complaints to inform SCSWIS intelligence.
- Noted the Complaints Sub Committee Convener's thanks for members' contribution to the complaints process.
- Noted the work undertaken in respect of the Health and Sport Committee's inquiry into the regulation of care for older people.
- Agreed that the Chair would clear the final version of SCSWIS' submission to the Health and Sport Committee Inquiry with members.
- Noted that the Chair and Interim Chief Executive were to meet with Scottish Government on 26 August 2011 when SCSWIS' input to cross-cutting policy issues would be discussed.
- Noted that the Public Reporting Plan would not be submitted to the Committee on 13 September but would be presented at a future date.
- Noted that the All Stars Nursery appeal date had been confirmed as 22 November 2011.
- Noted that the subject of the review of the National Care Standards was being kept high on SCSWIS' agenda with Scottish Government.

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6.0 REPORT FROM RESOURCES COMMITTEE OF 26 JULY 2011 (UNCONFIRMED MINUTE)

In the absence of the Convener of the Resources Committee, the Chair presented the draft minute to the Board for consideration and discussion of the recommendations made by the Committee.

The Board:

- Noted the Director of Resources update of the efficiencies programme and 2012-13 savings, in particular SCSWIS':
 - Financial objective 2012-13;
 - Cash budget/targets;
 - Gross expenditure 2011-12;
 - Staffing numbers;
 - Cost pressures;
 - Potential savings;
 - Budget development for years 3 and 4.
- Strongly supported the underlying message that SCSWIS would maintain momentum with the efficiencies programme irrespective of the budget agreed in the spending review.
- Agreed that the Resources Committee would constitute the Project Board for the efficiencies programme.

7.0 REPORT FROM AUDIT COMMITTEE OF 26 JULY 2011 (UNCONFIRMED MINUTE)

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

The Board:

- Noted the Internal Auditor's lead on the discussion for the compilation of SCSWIS' key strategic risks and that material gained would be brought back to the Audit Committee for its meeting on 27 September 2011.
- Noted that the Internal Auditor had been asked to provide an evaluation of the risk review session for members to feedback.
- Noted that the Internal Auditor had provided an initial output from the risk review session which would be considered by the Executive Team.
- Noted that the Audit Committee had met on 9 August 2011 to develop the Key Performance Indicators (KPIs). There had been a further meeting arranged for 6 September 2011 to conclude this work which would then be presented to members.

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8.0 INTERIM CHIEF EXECUTIVE'S REPORT REPORT NO: B-11-2011

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

- The multi-agency child protection inspections had indicated that all four Local Authorities inspected had improved or maintained their grades since the last inspection.
- Following completion of the ISLAs and follow-up scrutiny, a review of the methodology as part of an overall review and development of integrated SCSWIS scrutiny methods would be undertaken.
- Unannounced inspection of all high risk services had been completed which had found that while some services had improved, some were continuing to perform poorly. For these, either enforcements had been taken or improvement plans demanded. Early dates for re-inspections had been planned.
- The decision to serve a Notice of Proposal to Cancel Registration for one of the services provided by Castlebeck Care (Teesdale) Limited.
- The Director of Operations would be submitting a Risk and Intelligence report to the Strategy and Performance Committee on 13 September 2011.
- A plan was in place to establish a Programme Board to progress children's services inspection methodologies.
- Scottish Government had agreed that there should be continued involvement from SCSWIS in respect of the Adult Protection Committees (APCs) and that the Interim Chief Executive had attended a meeting of the Chairs of the APCs on 3 August 2011 which discussed developing a joint strategic approach. The purpose of SCSWIS involvement at APCs required clarification.
- Scottish Government had asked for suggestions on where legislation could help promote the joined-up delivery of early years services and Getting it Right for Every Child (GIRFEC).
- That the Sheriff's Determination of the current Fatal Accident Inquiry (FAI) into the deaths of two teenage girls who fell to their deaths from the Erskine Bridge was not expected before the beginning of 2012.
- Significant progress had been made in respect of Memoranda of Understanding (MOUs) and Information Sharing Protocols (ISPs).

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- Work was still continuing with the Fire and Rescue Service and Scottish Government to discuss how best to move forward the recommendations arising from the Rosepark FAI.
- The Pay Remit for 2011-12 would be considered by the Remuneration Committee at its meeting on 24 August 2011.
- That members would be updated at a later date on communications and public reporting following the current high volume of media interest for older people's services.
- The Chair, along with the Minister for Public Health had attended the launch of the resource pack 'Managing Falls and Fractures in Care Homes for Older People' on 28 June 2011. Part of SCSWIS' responsibility was to observe whether or not the good practice was continuing and as such, the Nurse Consultant would be attending the next meeting of the NHS Chairs' Group to update them.
- Scottish Government had published Standards of Care for Dementia to support the national Dementia Strategy.
- The Minister for Public Health was booked to attend SCSWIS HQ for a general information session.

The Board:

- Noted and took assurance from the range of areas SCSWIS was involved in and the connections with Scottish Government's policy developments.
- Noted the information contained in the report.

9.0 MONITORING OUR PERFORMANCE IN THE FIRST QUARTER OF 2011/12 REPORT NO: B-12-2011

The Director of Operations (Planning, Assurance and Public Reporting) presented the report which provided a summary on SCSWIS' performance in the first quarter of 2011/12. The following points were noted:

- During August 2011, in-year targets for the interim KPIs would be set and during the course of 2011/12 a Year 1 baseline would be set and a more refined set of KPIs would be developed to reflect the outcome focus of the Corporate Plan.
- The successful introduction of the National Complaints and Registration Teams.
- The particular focus on poorly performing services during this first quarter.
- That 1,707 care services had been inspected which constituted 20% of the annual target.

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- The increased attention that had been given in particular to Southern Cross, Peacock Medicare Limited and Castlebeck (Teesdale) Limited.
- The completion of the four scheduled Child Protection inspections.
- The completion of 20 Initial Scrutiny Level Assessments (ISLAs) in Local Authorities. No areas of urgent concern had been identified in any Councils to date.
- The inspection of services for looked after children which had been carried out by SCSWIS inspectors seconded to the States of Jersey had been completed. Discussion with Jersey was underway to finalise arrangements for the publication of the report.
- The Involving People Review was underway and was due for completion in late September 2011.
- The national Enquiry line (NEL) was well established and staffed by a dedicated team of administrative who had dealt with around 2,000 calls per month.
- A core group had been established to consider the efficiencies project.
- Plans for a diary exercise to provide good information had been put in place.
- An Employee Development Plan had been created which had delivered development events for the new Registration and Complaints Teams.
- A review of SCSWIS' estates in the West of Scotland was underway.
- A significant range of staff transfer issues had been dealt with.
- The Corporate Plan had been drafted.
- A change project for children's services inspections and the development of a risk assessment framework had been established.
- There had been a number of meetings held with Scottish Government both over specific issues and to set out future working arrangements.
- Thirty eight Freedom of Information (FOI) requests had been received and 33 responses had been made.

The Board:

- Noted and considered the performance according to interim outline KPIs for SCSWIS.
- Noted the management commentary on the performance.
- Noted that there were plans to review the Care Standards Questionnaires and that members could be involved.
- Agreed that an addition be made to Outcome 3 to reflect the establishment of the Board and the early induction and governance training which had taken place.

**DoO
(PA&PR)**

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- Agreed that intelligence gained from the Complaints Sub Committee would be used to identify lessons learned and emerging themes.
- Agreed that the report would be submitted to the Sponsor Branch for information.

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(PA&PR)

**10.0 SOUTHERN CROSS CARE SERVICES
REPORT NO: B-13-2011**

The Chair confirmed that Board members had been updated on Southern Cross and Choices previously and asked members to take assurance that SCSWIS was a full contributor to the National Contingency planning activity co-ordinated by COSLA and Scottish Government.,

The Director of Operations (Programming, Co-operation and Registration) presented the report and the following points in particular were noted:

- The current inspectors and inspector managers had focussed on the higher risks in these services and stepped up the intensity of monitoring where it was required.
- Southern Cross had been required to supply weekly information that focussed on any changes in individual services.
- The national contact manager was maintaining regular contact with the senior Southern Cross managers. Senior inspectors with knowledge and experience were linked into specific Local Authorities to assist with any major issues should the Council have to become the provider of last resort, in conjunction with the appropriate NHS Board.
- The External Relations Manager was maintaining weekly contact with the other UK regulators and the contingency planning group.
- The national registration team has been set up to respond to the unusual demand of a large number of applications and could maintain links with the UK regulators.

The Board:

- Commended the significant monitoring and assurance role played by SCSWIS in response to the decision by Southern Cross Healthcare Group to cease operating care services across the UK.
- Noted the focus on the importance of quality control of new providers and also the focus on the quality of care extended to current residents.

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11.0 AOCB

11.1 Board Strategic Session: 29/30 September 2011

The Chair informed the Board that the output from this session would be the updated Corporate Plan.

The Board:

- Agreed that the Chair and Interim Chief Executive would put together a short starter paper with intentions and circulate to Board members.

**Chair/
ICE**

12.0 DATE OF NEXT MEETING

The date of the next Public Board meeting was noted as 20 October 2011, at 2.00 pm, Compass House, Dundee.

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