

Policy Committee Annual Report to the Board

Report to: Board

Date: 2 October 2015

Report by: Paul Edie, Chair and Convener of the Policy Committee

Report No: B-19-2015

Agenda Item: 6.2

PURPOSE OF REPORT

This report represents a summary of the work of the Policy Committee and gives the Committee's opinion on the assurance that this work provides.

RECOMMENDATIONS

That the Board:

1. Notes the work of the Policy Committee.

Version Control and Consultation Recording Form

Version	Consultation	Manager	Brief Description of Changes	Date
1.0 2.0	Senior Management	ET		30/07/15 24/9/15
	Legal Services			
	Resources Directorate			
1.0	Committee Consultation (where appropriate)	Policy Committee		25/08/15
	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

NO

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: Rami Okasha

Position: Acting Director of Strategic Development

Authorised by Director

Name: R Okasha

Date: 24 September 2015

Version: 2.0

Status: *Final*

Date: 25/09/2015

1.0 INTRODUCTION

Over the course of the year, the Policy Committee has developed and undertaken an important role in discussing key policy developments in the sectors which affect the Care Inspectorate. It has found the ability to reflect critically and strategically on emerging issues particularly helpful. It has also been a useful forum for Board member / officer interaction.

Because the Committee's work has coincided with major developments in public policy, its approach has been to explore the implications of this public policy in respect of how the Care Inspectorate can contribute to changing circumstances to improve outcomes for people using care services and respond to emerging public priorities. At the same time, the Committee has favoured an approach which seeks opportunities to reflect on the operations and policies of the Care Inspectorate itself, to ensure the consolidation of excellence.

The Committee has also spent time examining scrutiny findings from partner agencies, to reflect on the strategic implications of those for the Care Inspectorate.

2.0 MEMBERSHIP

The membership of the Committee has been:

Paul Edie, Chair (Convener of the Committee)
Mike Cairns
Anne Haddow
Anne Houston
David Wiseman

3.0 CONSIDERATION OF CARE INSPECTORATE POLICIES

The Committee has considered the review of scrutiny and improvement on a number of occasions, noting the need for the inspection methodology for regulated care services to be proportionate, risk-based and outcome-focused. The Committee recognised that such an approach requires a new organisational treatment of intelligence, and welcomed consideration of the intelligence review which seeks to identify both the strategies and resources necessary to enhance our intelligence approach.

At the same time as such developmental work was underway, the committee also discussed the 2015/16 scrutiny and improvement plan prior to the Board's formal consideration of it.

The board welcomed the development of a quality improvement strategy for the Care Inspectorate, centred around people, performance and partnership. A dynamic action plan associated with the strategy is now being progressed to develop key improvement projects and to embed a quality improvement approach in our work.

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The Committee considered the Care Inspectorate's Youth Employment Strategy, which is designed to support young people entering the job market by providing internships, opportunities and access. The Care Inspectorate currently has an arrangement to have a policy intern (in the form a recent graduate) in its policy team through the Adopt An Intern scheme and has offered opportunities to young people through Barnardo's Works who support disadvantaged young people to secure employment under the Get Ready for Work Scheme. The Care Inspectorate has supported over ten such placements since 2014.

4.0 CONSIDERATION OF SIGNIFICANT PUBLIC POLICY ISSUES

The Committee has considered a number of issues arising from the Children and Young People (Scotland) Act 2014 where there will be a direct role for the Care Inspectorate. Child Sexual Exploitation has already been incorporated into the joint inspections of services for children. A detailed and meaningful thematic report on this issue is planned which will look at how this issue is identified and addressed by Community Planning Partnerships across Scotland. In the meantime, the strategic inspection team are already highlighting this in each of their joint inspections. Research indicates that young people who are looked after and accommodated because of their particular circumstances are more vulnerable to exploitation. Looked after and accommodated children are over represented in reports of missing children. It was agreed that our inspections would have a particular focus to raise awareness of child sexual exploitation in care homes for children and young people, residential schools, secure units and agencies for fostering and adoption.

The Committee also noted the new responsibilities for the Care Inspectorate under Section 9 of the Children and Young People (Scotland) Act 2014, and agreed the reporting mechanisms for annual reporting on the Care Inspectorate's performance in respect of our corporate parenting responsibilities.

The Committee has considered the national care standards on a number of occasions and in Q1 of 2015/16 noted the work that had been tasked to the Care Inspectorate and Healthcare Improvement Scotland around developing the standards. Further discussion will likely be had as this issue develops.

The Committee considered the lessons for the Care Inspectorate following the Vale of Level Hospital Inquiry and also reflected on effective ways of working strategically with other scrutiny partners in the context of public service reform.

5.0 IMPLICATIONS ARISING FROM WORK WITH OTHER SCRUTINY PARTNERS

The Committee examined the Mental Welfare Commission's Report into the Death of Mr JL and considered implications for the Care Inspectorate. Although the Care Inspectorate was not criticised for its actions in the report, the Committee considered 10 recommendations for changing regulatory practice. These issues are of importance in the development of inspections of care at home services, in particular

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the way in which risk assessments of how services are undertaken, the need for unannounced inspections, the length of time that care services should remain on one caseload, the importance of specialist inspection teams, and the role that inspection volunteers with a knowledge of mental health issues can play.

The Committee explored ways in which the Care Inspectorate, Healthcare Improvement Scotland and Audit Scotland will provide scrutiny of the process of health and social care implications. This involves an arrangement to baseline integration arrangements in year one, make evaluative judgements from year two onwards, and report on outcomes in later years. The Committee heard from Audit Scotland staff about their lead work in the fieldwork. The Committee also explored the broader approaches to strategic scrutiny arrangements in Scotland in a post-Crerar landscape, and paid particular attention to gaps in scrutiny rather than perceived, and limited, overlaps.

The Committee has reviewed the way in which it operates and has made the assessment that it operates effectively as noted above and believes even though it is in the early stages of development, business is helping to inform strategic policy, practice and quality improvement whilst upholding the Care Inspectorate's values.

6.0 CONSIDERATION OF LEGISLATION

A large number of Acts, Bills, and regulations have impacted on the work of the Care Inspectorate. The Children and Young People (Scotland) Act 2014 and the Public Bodies (Joint Working) (Scotland) Act 2014 were major pieces of legislation and influenced the work plan of the Committee.

The Committee also considered the Community Justice (Scotland) Bill which, if enacted, would have significant impact on the delivery of community justice in Scotland through the creation on Community Justice Scotland. The Care Inspectorate responded to the Justice Committee's consultation on the Bill, highlighting the need for clarity about the respective roles of the new body and the Care Inspectorate, and highlighting a number of important areas where we could offer to assist in delivering the Bill's objectives.

The Committee had an important discussion about the Scottish Regulators Strategic Code of Practice and the need to ensure that our regulatory approaches are proportionate, transparent and effective, but do not deviate from the important objective of protecting vulnerable people.

The Committee welcomed the receipt of a policy tracker, which shows the development of legislation which the Board should be aware of. Through this policy tracker, the Committee has taken cognisance of the:

- Education (Scotland) Bill
- Assisted Suicide (Scotland) Bill
- Mental Health (Scotland) Bill

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- Community Empowerment (Scotland) Bill
- British Sign Language (Scotland) Bill
- Carers (Scotland) Bill
- Human Trafficking and Exploitation (Scotland) Bill
- Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Bill
- Health (Tobacco, Nicotine etc and Care) (Scotland) Bill.

7.0 CONSIDERATION OF SCRUTINY FINDINGS

The Committee considered the Review of the Year: Improving Care in Scotland. This document complements the annual report and accounts, and showcases the work of the Care Inspectorate in a broader, more illustrative, context.

The Committee also considered the Triennial Review and had a verbal update from the authors. This review shows that the quality of care in Scotland has generally improved in the last three years, although there are small pockets of care which are not operating at an acceptable level and require to improve if they are to remain registered.

8.0 POLICY COMMITTEE EFFECTIVENESS

The Committee has reviewed the way in which it operates and has made the assessment that it operates effectively as noted above and believes that although it is in the early stages of development, business is helping to inform strategic policy, practice and quality improvement whilst upholding the Care Inspectorate's values. The Committee felt that the terms of reference were relevant, but noted that the committee was in an early stage of its work. Information received from policy briefings was good externally, but the committee felt that more internal briefings would be of benefit.

9.0 RESOURCE IMPLICATIONS

The work of the Committee is serviced by the Director of Strategic Development, with significant input from the Care Inspectorate's policy team, and other teams also.

10.0 BENEFITS FOR PEOPLE WHO USE SERVICES AND THEIR CARERS

The Policy Committee is a key element of the Care Inspectorate's governance arrangements and system of internal control. The Policy Committee has a significant role to play in exploring internal and external developments which may influence the Care Inspectorate's work and its strategic operating environment. This means that people who use care services can have confidence that the Care Inspectorate's work will remain strategically relevant and capable of evolving and changing as the ways in which care is delivered change.

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