

Minutes

- Meeting:** Board
- Date:** 18 March 2016
- Time:** 2.00 pm
- Venue:** Room 0.6/0.7, Compass House, Dundee
- Present:** Paul Edie, Chair
Mike Cairns
Gavin Dayer
Ian Doig
Christine Dunlop
Anne Haddow
Anne Houston
Linda Pollock
David Wiseman
- In Attendance:** Karen Reid, Chief Executive
Rami Okasha, Executive Director of Strategy and Improvement
Robert Peat, Executive Adviser to the Board
Kenny McClure, Head of Legal Services
Kenny Dick, Head of Finance and Corporate Governance
(for item 11 only)
Arvind Salwan, Strategic Communications Manager
Fiona Angus, Committee Support Officer
Alan Baird, Chief Social Work Adviser (Observer)
- Apologies:** Denise Coia
Jim McGoldrick
Cecil Meiklejohn
Gordon Weir, Director of Corporate Services
Kevin Mitchell, Executive Director of Scrutiny and Assurance

Item	Action
1.0	APOLOGIES FOR ABSENCE Apologies for absence were received, as noted above.

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2.0 DECLARATION OF INTEREST

There were no declarations of interest.

3.0 MINUTE OF MEETING HELD ON 18 DECEMBER 2015

The minute of the meeting held on 18 December 2015 was approved as an accurate record. CSO

4.0 ACTION RECORD OF MEETING HELD ON 18 DECEMBER 2015

The action record of the meeting held on 18 December 2015 was noted and updated as follows: CSO

Action from 28 June 2013

Item 1.0 - Presentation by SPSO

A number of matters had still to be resolved and discussions were ongoing with a view to reaching final agreement on the terms of the Memorandum of Understanding.

Actions from 26 June 2015

Item 10.0 – Report from Complaints Committee of 28 May

It was noted that this matter was being taken forward by the Resources Committee.

Item 13 – Involvement and Equalities Accreditation Schemes

Work was progressing and an update would be provided to the next Board meeting in June 2016

Actions from 18 December 2015

Items 10.0, 13.0 and 19.0

These were all noted as having been completed.

5.0 MATTERS ARISING

There were no matters arising.

6.0 POLICY COMMITTEE PAPERS

6.1 Report from Policy Committee of 11 March 2016 (Unapproved Draft Minute)

The Chair presented the draft minute of the Policy Committee meeting held on 11 March 2016. The Board was informed that the over-arching principles for the redeveloped National Care Standards had been signed off by the Minister. Further consultation on the next two phases, commencing with the generic standards, would take place over the coming months.

Attention was drawn to the discussions that had taken place on the Care Inspectorate's Review of the Orchid View Serious Case Review, the presentation provided to the Policy Committee on the development of the new complaints process and consideration of the revised Corporate Plan.

The Board noted the report from the Policy Committee.

7.0 RESOURCES COMMITTEE PAPERS

7.1 Report from Resources Committee of 11 March 2016 (Unapproved Draft Minute)

The Convener presented the draft minute of the Resources Committee meeting that had taken place on 11 March and drew Board members' attention to the section that had reported on his recent visit, accompanied by Care Inspectorate staff, to the Care and Social Services Inspectorate Wales (CSSIW). During the visit, the CSSIW had provided a demonstration of its systems and key lessons had been reported back to the CE and Director of Corporate Services. The CE informed members that the first stage of process mapping of our regulatory practices was an immediate priority.

The Convener explained to members the revised reporting arrangements that the Committee had agreed in respect of the People Management Policy Review Programme. The change would help to would help alleviate any unnecessary documentation having to be considered each time, allowing the Committee to prioritise its work.

At its meeting in March, the Resources Committee had also considered a confidential staff request under voluntary early retirement/redundancy (VER/R) scheme. Members were informed that the Care Inspectorate had submitted its VER/R scheme to the Scottish Government for approval and confirmation was expected within 5 working days. The CE asked Board members to note the implications of the costs of applying the VER/R schemes when considering the draft budget later in the meeting. Information on the applications for the restructure programme would be reported back regularly to the Resources Committee. However members were asked to note that it was difficult to predict how many staff would wish to access the scheme as personal circumstances were not known.

The Board noted the report from the Resources Committee.

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8.0 AUDIT COMMITTEE PAPERS

8.1 Report from Audit Committee of 11 March 2016 (Unapproved Draft Minute)

The Convener presented the draft minute of the Audit Committee meeting held on 11 March, noting that it had been a very full agenda. The Board was informed that the audit reports presented to the Committee had all been very positive.

The Board noted the report of the Audit Committee.

9.0 COMPLAINTS COMMITTEE PAPERS

9.1 Report from Complaints Committee of 1 March 2016 (Unapproved Draft Minute)

The Convener presented the report of the Complaints Committee that had taken place on 1 March 2016. Board members' attention was drawn to the discussion that had taken place on the quarterly statistical report, particularly on the very low number of complaints registered by service users. The Committee had considered ways of improving on the 9% recording rate.

The Convener also referred to the discussion that had taken place on the Care Inspectorate's role in regulating the provision of foster care services. The Board was informed that officers had recently met with the Scottish Government and an agreement had been reached on the need to review care service definitions in the legislation.

The Board noted the report of the Complaints Committee.

10.0 MONITORING OUR PERFORMANCE – QUARTER 3 2015/16 Report No: B-01-2016

The Executive Director of Strategy and Improvement (EDoS&I) presented the performance monitoring report for Quarter 3 2015/16. The report provided an account of the Care Inspectorate's performance against its six strategic objectives in the Corporate Plan 2014/18. It was noted that a revised monitoring framework was being developed and this would be considered by the Audit Committee.

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In presenting the report, the EDoS&I highlighted the following areas:

- The improvement work undertaken during inspection, which included providing advice on personal plans, guidance on supervision and training and advice on best practice using The Hub. The inclusion of case studies within the report helped to illustrate the performance in this area.
- The inclusion of information on capacity and planning work in relation to inspections, which was requested by the Board at its meeting on 18 December 2015. Under this section, the EDoS&I explained to members that, although frequency frameworks had been agreed, these could be subject to change, based on other intelligence. In response to members' concerns with vacancy and sickness levels, and their impact on capacity, the EDoS&I explained that recruitment and induction processes had become more controlled. Allowance had to be made for new employees becoming established but, through time, performance in the area of completed inspections would improve.
- Information on the numbers of enforcements issued by the Care Inspectorate across the first three Quarters, where it was noted that 119 were notices related to the quality of care (non-technical). The majority of these (94 notices) had been issued for outstanding PVG checks in childminding services. The report showed the remainder of enforcement issues broken down by type of care service.
- Under "Improvements in Involving People", it was noted that the Care Inspectorate's pilot for Inspection Volunteers with a diagnosis of dementia had been introduced in October 2015 and that four new Inspection Volunteers were recruited in December.

Board members requested actual numbers, as well as the percentages provided in the report, in respect of the Monitoring Measures under Strategic Objective 4.

EDoS&I

In response to a question from the Board on improvement activity and what steps the Care Inspectorate took to ensure that follow-up inspections were robust and objective, the EDoS&I explained that the organisation's approach was to take into account the views of users, providers and also inspection volunteers, encouraging a combined approach to improvement. The CE

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pointed out that, whilst the Care Inspectorate's role was to contribute to improvement in services, it was one of many agencies involved in supporting improvement.

It was agreed that the next Monitoring Performance report to the Board would include staff sickness absence data and would also make additional reference to young people under Quality Indicator 3 of Strategic Objective 3.

EDoS&I

The Board noted the Monitoring our Performance Report and commended the Chief Executive and Executive Team on the progress on performance.

11.0 BUDGET 2016/17

Report No: B-02-2016

The Head of Finance and Corporate Governance presented the draft budget proposals report, which had been considered by the Resources Committee on 11 March 2015. The Committee had agreed to recommend that the Board approved the report recommendations.

The Board was informed that a deficit position of £338k had been set. The budget would be brought back into balance by transferring from the general reserve the sum of £338k, which had been generated by an underspend from 2015/16, together with the £1.5m transitional funding provided by the Scottish Government. It was noted that this transitional funding would be a one-off arrangement for 2016/17.

Members were provided with details on the compilation of the draft 2016/17 budget and the options that had been presented to the Resources Committee as a means of reducing the deficit.

The Board sought clarification on the potential impact of the 3.5% staff slippage assumption, which had been increased by 0.5% from the current year. The CE explained that the Executive Team would be monitoring each post on a case by case basis, which might mean deferring the filling of a vacant post, or realignment to business needs. The CE reminded members of her earlier point that budget impact from restructuring may fluctuate depending on individual's circumstances and whether they wish to apply for VER/R and meet the criteria.

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The Board:

- Approved the draft budget for 2016/17
- Approved the draft 2016/17 Capital Plan
- Agreed that all fees charged to regulated care service providers remain unchanged from 2015/16 rates

12.0 SCRUTINY AND IMPROVEMENT PLAN 2016/17
Report No: B-03-2016

The EDoS&I presented the report in relation to the amended Scrutiny and Improvement Plan for 2016/17. The Board was asked to endorse the revised Plan to submit for ministerial approval and noted that it had previously been considered by the Resources and the Policy Committees.

The EDoS&I explained that the Plan had been developed in close correlation with the Care Inspectorate's budget drafting. It was noted that, while it retained a focus on providing assurance and protection for care services, and supported improvement, it signalled a move towards more outcomes-focussed, improvement-based and risk and intelligence-led work, for all inspections.

The report highlighted a new request from the Chief Social Work Advisor that the Care Inspectorate produce an annual letter for chief social work officers identifying Scotland-wide lessons for social work departments. The Board was informed that the Care Inspectorate would work with the Office of the Chief Social Work Advisor to consider the best way of implementing this approach, based on published evidence of findings from joint strategic inspections, other scrutiny work, and intelligence.

The Board endorsed the Scrutiny and Improvement Plan 2016/17 for ministerial approval.

**CE/
EDoS&I**

13.0 CHAIR'S REPORT
Report No: B-04-2016

The Chair presented his report which provided an update on key developments since the Board meeting held on 18 December 2015. The previous two months had been a particularly busy period, having attended meetings with, amongst others, the Cabinet Secretary (NHS Chairs meeting), Healthcare Improvement Scotland Board and NHS Scotland Senior Leaders Forum. The Chair had also been involved in the interviews for the appointment of the Care Inspectorate's new Directors and had attended the Scottish Policy Conference which had focussed on health and social care integration.

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There were no further questions and the Board noted the Chair's report.

14.0 CHIEF EXECUTIVE'S REPORT **Report No: B-05-2016**

The Chief Executive presented her report, which focussed on the four key leadership themes. The CE drew particular attention to the highly successful Promoting Continence conference held in February. The event had attracted over 300 delegates, with a similar number on a waiting list. The Board was informed that the proceedings from the conference would soon be available to view

on the Care Inspectorate website. The CE wished to formally record her thanks for the contribution made by Care Inspectorate staff to the conference and also to the Communications Team for their work on the "My World Outdoors" resource and noted the significant interest that had been generated on social media.

The CE also reported that the Head of Legal Services would be meeting with the Scottish Government in April to discuss legislative definitions of care service categories with a view to amending these and provide opportunity for more innovation in care service regulation.

Members were informed that Quality Scotland would be leading the Board Development Event on 6 May 2016 and the session would help inform the development of an action plan for continuous improvement across the whole organisation. The Chair pointed out a correction to her report with regard to the Bright Ideas Mailbox, where 160 suggestions had been received from staff.

It was noted that senior managers and Board members had all undergone health and safety training, in line with the Health and Safety Action Plan.

The Board was informed that the senior management realignment proposals had gone out to consultation with staff, with a planned conclusion date of mid-April.

The CE also provided an update on a number of other events that had taken place since the preparation of her report.

- Along with the EDoS&I, the CE had recently met with Scotland Excel, the Centre of Procurement Expertise for Scotland's local government sector, to discuss how to use and share intelligence in the care sector.

- A meeting will soon be taking place between the CE, the EDoS&I and the Chief Medical Officer to discuss the Realistic Medicine report and how this might link with the National Care Standards. Board members were also informed that the Chief Medical Officer and Chief Nursing Officer would be attending future Board meetings.
- The Scottish Government had published an update to Scotland's National Action Plan to Prevent and Tackle Child Sexual Exploitation. The update outlined the actions that would be taken forward over the next 2-3 years.

The Board noted the Chief Executive's Report.

15.0 ANY OTHER COMPETENT BUSINESS

There was no other business.

16.0 DATE OF NEXT MEETING

The date of the next meeting was noted as Friday 24 June 2016 at 10.30 am in Compass House, Dundee

Signed:



Paul Edie
Chair

CONFIDENTIAL ITEM

In private session, the Chief Executive reported to Board members on recent developments of the Integrated Improvement Resource (IIR). She advised of concern that, despite numerous representation and assurances, the statutory role of the Care Inspectorate for improvement was not included within the IIR governance terms of reference nor reflected within its project work. She also noted the key difference between the CI and other stakeholders within the IIR was that the CI had a statutory duty to support improvement in social care and social work. The CE was clear that the CI was committed to supporting the IIR work and colleagues within HIS to make this important resource successful.

After due consideration, the Board agreed that the Chair should discuss the matter further with the Chair of Healthcare Improvement Scotland and consideration be given to raising the matter at ministerial level, in the event that no resolution could be reached.

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