



EARLY LEARNING AND CHILDCARE:
ROLE, PURPOSE AND LEARNING
DURING THE COVID-19 PANDEMIC



HAPPY TO TRANSLATE

We would like to acknowledge the following services for their help:

- Walker Childminding
- Celtic Cross Nursery
- City of Perth Early Childhood Centre
- Childminding Services – Island Communities
- Spateston Early Learning and Childcare Centre
- Stramash Outdoor Nursery (Social Enterprise)
- Scooby's After School Club
- Crazy Capers
- Action for Children Therapeutic Activity Club
- Adele's Little Cupcakes
- Early Years Team, North Lanarkshire Council
- Early Years Team, Midlothian Council
- Scots Corner Early Learning and Childcare Centre



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FOREWORD

As the independent regulator and scrutiny body for social care, the Care Inspectorate is responsible for assuring the quality of care across Scotland. We are a scrutiny body that supports and drives improvement.

People are at the heart of everything we do, and within early learning and childcare (ELC), our focus is always on the experiences, wellbeing and outcomes for children and their families. Every child has the right to experience compassionate and high-quality care and learning experiences, and to be safe and protected from harm.

When the pandemic took hold in Scotland in early March 2020, the Care Inspectorate focused its resources to support services to manage the crisis. In the early stages, we changed our routine inspection programme because of the risk of virus transmission, and this was supported by advice from public health. We intensified our oversight of services and rapidly put in place a raft of measures to monitor and support ELC across Scotland as the impact of the pandemic spread.

We significantly increased our levels of contact with those services that remained open, offering advice and support through professional dialogue with managers and providers. A key element of this contact was to support services to understand and implement national COVID-19 guidance. We also set up a national COVID-19 flexible response team within our organisation to help relay information and inform services about the emerging and rapidly developing situation. We also developed an interim registration procedure to enable services to adapt quickly to provide essential services for children and their families.

Later in the pandemic we developed a [self-evaluation resource](#), known as Key Question 5, "Operating an early learning and childcare service (including out of school care and childminders) during COVID-19". This helps services gather information and continually evaluate their service during the pandemic. It provides assurance for staff, children and families in the provision of early learning and childcare by specifically evidencing how they have implemented the national guidance for COVID-19. We refer to this resource as we resume our scrutiny activities in the form of either self-evaluation audits, virtual or onsite inspections. It helps us evaluate how well services are delivering safe, high quality services.

This report sets out how the Care Inspectorate adapted its support and monitoring of early learning and childcare services during the pandemic. We have demonstrated through the inclusion of real-life examples the ways in which our inspectors modified and developed their activities. We show how we have considered the experiences of staff in services in response to situations that arose.

We have already begun reflecting on the events of the past year. We know that COVID-19 has had a significant impact on the ELC sector in Scotland.

We will continue to support the sector as we move out of the pandemic. We know that it is our priority to do all we can to help the sector move forward. As well as our scrutiny and support role with services at individual and local area level, we have a national, strategic role.

As we progress to the national implementation of 1140 hours of ELC for all three and four year olds, and eligible two year olds, we will continue to support local authorities to implement their expansion plans. We have enhanced our registration team to support the processing of variation and registration applications and will continue to support the provision of high-quality services. We will continue to play a strategic role in the implementation and monitoring of ELC expansion by working alongside our key partners to deliver improved long-term education and life outcomes for children.

It is our intention to work closely with Scottish Government, national agencies and representative groups, childcare services and children and families to deliver the rapid, effective, cohesive and comprehensive response that Scotland requires.



Peter Macleod
Chief Executive



WHO WE ARE AND WHAT WE DO

Every person, including every child in Scotland, has the right to high-quality, safe and compassionate services that make a real and positive difference to their lives. The Care Inspectorate is the national agency responsible for regulating, inspecting and improving social care and social work services.

These include early learning and childcare, children's services, services for adults, justice social work and community justice. Our work covers registration, inspection, complaints, enforcement and improvement support. We make sure services meet the right standards.

We work in partnership with other scrutiny and improvement bodies, looking at how care and learning is provided by local authorities, community planning partnerships and health and social care partnerships. This helps all stakeholders understand how well services are working together to support positive experiences and outcomes for people.

Our job is not just to inspect care but help improve the quality of care where that is needed. This means we work with services, offering advice and guidance and sharing good practice, to support them to develop and deliver improved care. If we find that care is not good enough, we act. We identify areas for improvement and can issue requirements for change and check these are met. If we believe there is a serious and immediate risk to life, health or wellbeing, we can apply to the Sheriff court for emergency cancellation of a service's registration or apply for changes to how they operate.

We support people to raise concerns and we deal with complaints made to us about registered care services. We challenge poor-quality care and are independent, impartial and fair. We have a duty to protect people and will refer adult and child protection concerns to the relevant social work agencies or Police Scotland. We are required by the Regulatory Reform (Scotland) Act 2014 to follow the Scottish Regulators' Strategic Code, which sets out the approaches we should take in dealing with services we regulate.

We influence social care policy and development both nationally and internationally, sharing our learning with others and enabling the transformation of social care in Scotland. We contributed to developing the Health and Social Care Standards and ensure the standards are prominent in our Quality Frameworks. The standards are clearly focused on human rights and wellbeing.

Our quality frameworks for inspection of other service types ask key questions.

1. How well do we support people's wellbeing?
2. How good is our leadership?
3. How good is our staff team?
4. How good is our service?
5. How well is our care and support planned?

Our new quality framework for ELC will ask:

1. How good is our care and learning?
2. How good is our service?
3. How good is our leadership?
4. How good is our staff team?
5. How good is our care and support during the COVID-19 pandemic?

We evaluate care services when we inspect. Areas are assessed on a scale from 1 (unsatisfactory) to 6 (excellent). After every inspection, we publish an inspection report showing our findings.



THE ELC LANDSCAPE IN SCOTLAND

Getting it right for every child (GIRFEC) supports families by making sure children and young people can receive the right help, at the right time, from the right people. The aim is to help them to grow up feeling loved, safe and respected so that they can realise their full potential. GIRFEC continues to be a key approach for Scottish Government as they develop policy to meet the aspiration that Scotland is the best place in the world for children to grow up.

The ELC sector in Scotland includes a variety of services including childminders and daycare of children (playgroups, nurseries, family centres, out of school care). There are in excess of 250,560 children attending these services aged from birth to 16 years. A workforce of over 42,000 staff cares for them. Funded ELC is available to all three and four year olds, and eligible two year olds. From August 2021, the entitlement will increase to 1140 hours a year.

The main aims of the expansion in ELC are to:

- improve children's outcomes and close the poverty-related attainment gap
- increase resilience by improving the health and wellbeing of children and parents
- support parents into work, study or training.

Services eligible to provide 1140 hours of funded care and learning to children will have to meet the National Standard. The National Standard sets out what children and families should expect from their early learning experience regardless of where they access their child's funded hours.

This includes services having evaluations of good or more in key aspects of provision awarded at the Care Inspectorate inspection. Currently of those providing funded ELC, 91.8% of childminders and 88% of daycare of children services have evaluations of good or better.

Alongside the expansion of services for children under five, the Scottish Government is committed to making childcare options for school aged children more affordable, flexible and accessible. This can help provide families with the stability they need to be able to secure employment and increase their earnings in order to achieve a good standard of living. The development of a framework for out of school care will:

- set out a vision for out of school care in Scotland and consider the changes required to deliver that vision.
- consider the current picture of out of school care in Scotland.
- ask questions about what more we can do to realise that vision.

Our workforce

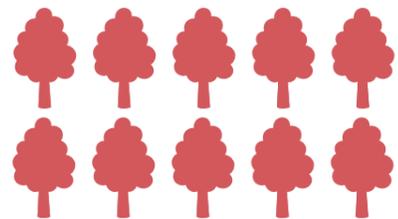


Geographical spread of scrutiny and assurance staff



IMPACT OF COVID-19 ON THE EARLY LEARNING AND CHILDCARE SECTOR

Early learning and childcare in Scotland



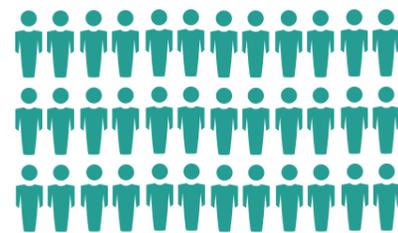
3,588
Early learning and
childcare services



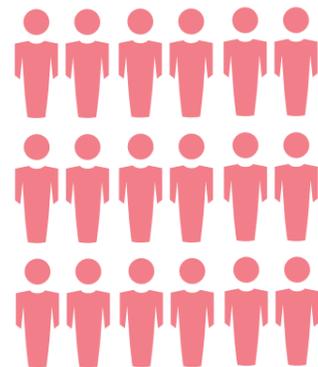
4,330
Childminding
services



18
Childcare
agencies



250,560
registered children
in early learning and
childcare services



42,180
staff (headcount)
working in
early learning
and childcare
services

The first confirmed cases of Coronavirus (COVID-19) in Scotland emerged at the beginning of March 2020, with the World Health Organisation (WHO) declaring a global pandemic on 11 March.

As the month went on, initial physical distancing and public health measures were introduced by the UK and Scottish Governments. A national lockdown was announced on 23 March 2020.

Other care services, such as those for older people, were greatly affected by the pandemic. Alongside schools, all ELC services either completely closed or refocused their provision to support the children of key workers. Local authorities took on the task of planning and identifying appropriate services to offer Critical Childcare Hubs to offer support to children and families assessed as vulnerable. Furthermore, the Scottish Government confirmed that the expansion of early learning and childcare provision to 1140 hours a year, due to apply from August 2020, was delayed. It was paused in April 2020 to give local authorities the flexibility to focus on responding to COVID-19.

The Coronavirus Act received Royal Assent and came into effect on 7 April 2020. The Act introduced temporary changes to the way essential public services operate and are regulated during the pandemic. Provisions included various temporary extensions to prescribed deadlines for freedom of information requests, child protection measures and placements, and guardianships and treatments in relation to adults with incapacity.

Changes at the Care Inspectorate in the initial stages

In March, we recognised the impact of the escalating pandemic on young children, families and communities and we applied scrutiny and support systems where they were most needed. Given the evident risk that our staff could transmit or spread COVID-19 in services, we sought initial advice from Public Health and changed our routine inspection programme. We significantly increased our levels of contact with services and providers and continued our monitoring and oversight activities. We implemented virtual scrutiny approaches using 'Near Me' video consultation that enabled us to work with services to explore and assess environments' systems and practice.

Throughout we have collaborated with Scottish Government and national partners to support them to keep children, families and staff safe and well in the face of the pandemic.

This report sets out our actions on how we adapted to the challenges presented to the sector by COVID-19, put in place appropriate support and learned from it.



WHAT WE DID WHEN: EARLY LEARNING AND CHILDCARE TIMELINE DURING COVID-19

March-May
2020

- We implemented our contingency and business continuity plans
- We began working from home
- We joined key Scottish Government governance groups
- We replaced on-site inspection with use of intelligence and technology for support and monitoring
- We changed notifications to include COVID-19 data
- We published 'Early Learning and Childcare Interim Registration Guidance'
- ELC inspectors undertake Near Me (virtual tool) training
- Virtual scrutiny activity in registration begins
- 29 ELC staff deployed to support colleagues in other teams
- We published and updated COVID-19 FAQs
- We made regular contact with local authorities and providers
- We created additional contingency plans for registrations and variations
- We created ELC provider updates

- We supported the sector to apply the national reopening guidance
- We provided continuous support to the sector and local authorities in interpreting national guidance
- We participated in online support sessions for childminders with Public Health and Scottish Government
- We increased frequency of interaction with services assessed as medium/high risk
- We developed key question 5
- We increased contact with services/providers to establish reopening plans
- We worked in partnership with Inspiring Scotland to review additional out to play guidance
- We resumed ELC inspections activity paused due to COVID-19
- ELC improvement programme produced first series of bitesize sessions

June-August
2020

September -
November 2020

- We increased on site and virtual ELC scrutiny work
- We ran enhanced infection prevention and control training
- New reporting introduced for Scottish Government:
 - weekly staff absence reporting system across ELC sector
 - weekly reports on COVID outbreak data across the ELC sector
 - we enhanced notifications systems to collect additional data on COVID-19 outbreaks in services
- We worked with NHS Educational Services (NES) to support the supply of PPE
- We updated our sector FAQs on national guidance
- Registration staff continued plans for ELC expansion with local authority staff
- We evaluated completed key question 5 submissions
- We produced more 'bitesize' sessions to support understanding of key question 5

- We helped revise national guidance offering support to children of keyworkers and families/children who are vulnerable
- We issued guidance 'Supporting you to operate in a safe environment during the festive period' prior to second national lockdown
- We continued offering support to the sector, local authorities and key partners
- We continued virtual and on-site scrutiny activity
- We continued to assess key question 5 submissions in preparation for reopening of sector
- We arranged for our staff to undertake regular lateral flow COVID-19 testing
- Amended return date for annual returns - now includes specific information in relation to COVID-19 infection, prevention and control

December 2020 -
February
2021

THE CARE INSPECTORATE RESPONSE TO THE PANDEMIC

Collaborative working

The Care Inspectorate took on a national partnership role throughout the pandemic. Our managers worked with key stakeholders across Scotland to support services to operate in a safe manner while providing high quality outcomes for children and families. Managers and inspectors also continued in the key relationship manager or link inspector role for local authorities or multiple providers.

We participated in several Scottish Government governance groups which supported the development of national COVID-19 guidance and maintained an overview of the impact of the pandemic. A key role of these stakeholder groups has been to ensure, where possible, mitigations are in place to prevent further spread of the virus. There has been representation and participation at the following:

- Critical Childcare and Early Learning and Childcare Sub-Group
- ELC and Childcare Sector (SRG) Group
- Registered Childcare - Outbreak Monitoring Group
- Operational Leadership Group Meeting
- Safer Workplaces Regulatory Body Working Group.

We engaged in regular communications and meetings with Scottish Government colleagues and other stakeholders to support a consistent and supportive approach to the sector.

Events to support the sector included representation at webinars for early learning and childcare services and specific events aimed at school aged childcare providers and childminders, such as:

- Interactive online support for nursery heads and managers
- Webinars for childminders
- Webinars for all sector staff.

In addition to the work to support services through the pandemic, work continued to support the expansion. Our managers contributed to the national governance for the expansion plan. In addition to representation at the ELC Joint Delivery Board, we liaised with local authorities, Scottish Futures Trust and civil servants to monitor the expansion plans of local authorities to deliver 1140 hours of funded ELC by August 2021.

We will continue to support national and local initiatives that facilitate the safe reopening and operation of the sector. We look forward to delivery of a future where all eligible children access 1140 hours of high-quality early learning and childcare that supports and enhances outcomes for children and their families.

Deployment of ELC staff

To support the increased demands on Adult Services early in the pandemic, we allocated 29 of our inspectors to other teams, including the COVID-19 flexible response team. This occurred between April and September 2020. These staff returned to ELC duties as the sector reopened after the first national lockdown.

Early contact with ELC services and providers

In early April 2020, over a period of 48 hours, we contacted over 8,000 services to establish which were still open. This provided an opportunity for professional dialogue, providing information for those services that had opened for key workers and to care for vulnerable children. Providers told us that they appreciated the close contact as the calls helped clarify Scottish Government guidance on re-opening, and expectations around delivering high quality care during unprecedented times. This contact with services provided valuable support as normal networking opportunities were significantly reduced due to COVID-19 restrictions. We listened to providers and signposted them to good practice guidance to support children and families in their services. We developed a notification 'open or closed due to COVID-19' status during the pandemic to enable providers to notify us of their service status. This enabled us to provide an overview of the sector's operating capacity as we moved and continue to move through different stages of the pandemic.

Registration support

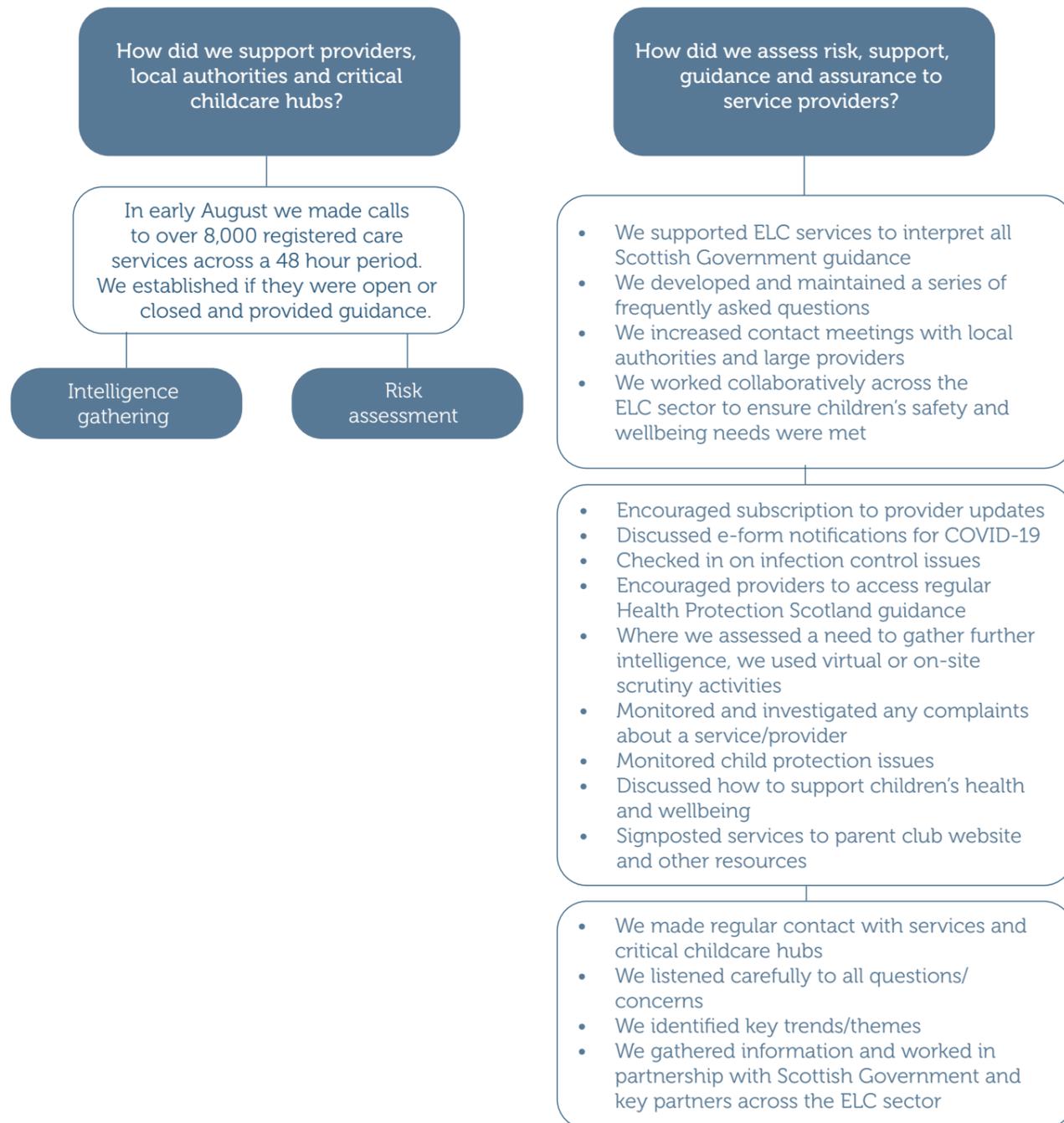
To enable the provision of safe and suitable childcare, we developed ['Intermediate Response Registration Team Guidance'](#) to support work with local authorities to register critical childcare hubs. This helped services and providers to either adapt their service type or operate from a different environment to adhere to the national guidance.

We prioritised all registration and variation applications and supported providers to implement revised plans to provide services as a result of COVID-19. Our goal was to assess applications quickly and work in close partnership with local authority critical childcare hubs. In the majority of cases we assessed and made decisions within two days.

This work resulted in urgent applications being granted for childminders to provide overnight care, take on additional childcare assistants, and increase their capacity to support the frontline work of key workers, and children who are vulnerable.

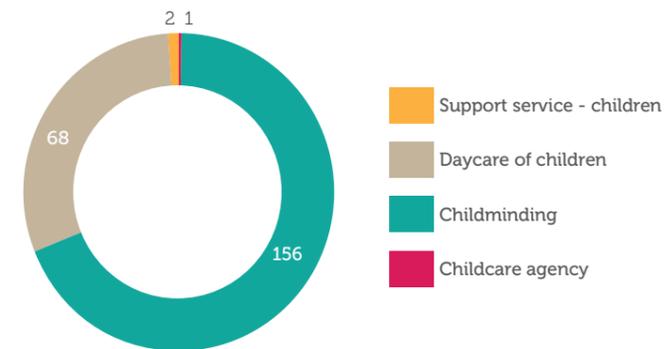


The review of registration guidance enables services to submit notifications for some aspects of service provision rather than the variation process. It helped providers to be more responsive and reactive to providing critical childcare.

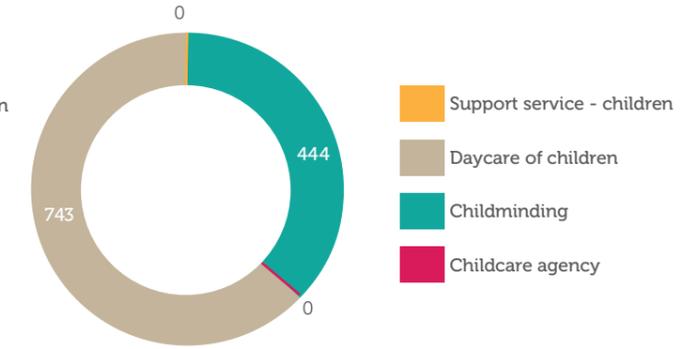


HOW WE SUPPORTED THE SAFETY AND WELLBEING OF CHILDREN, FAMILIES AND STAFF DURING COVID-19

Registrations granted 1 April to 31 December 2020

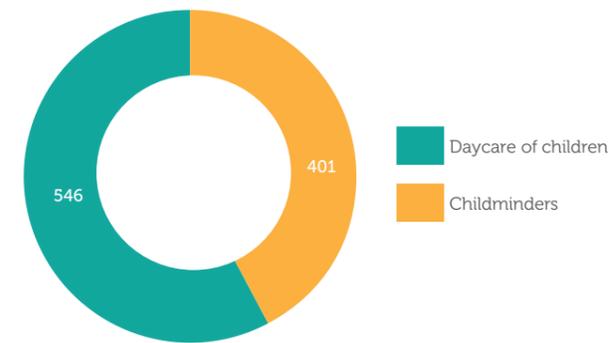


Variations granted 1 April to 31 December 2020

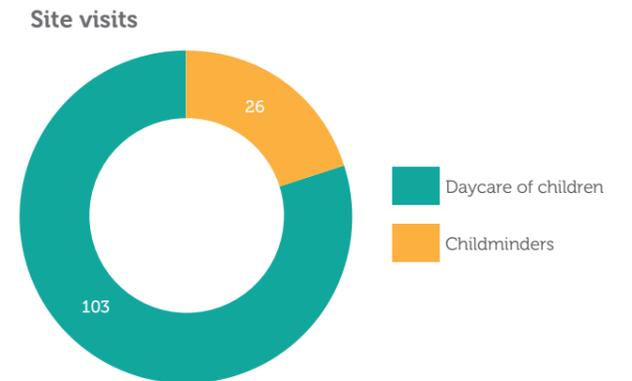


Inspections and self-evaluations completed 1 April to 16 March 2021

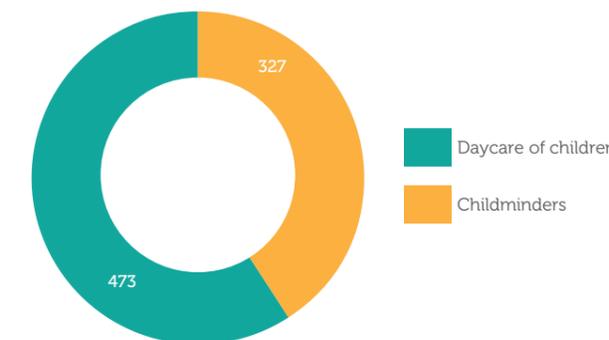
Self evaluations requested



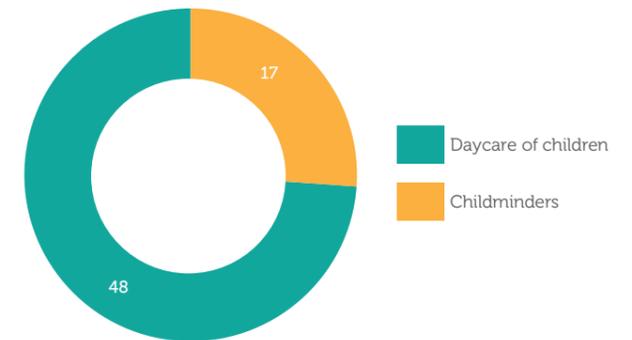
Inspections visited completed



Self evaluations received



Virtual



Safeguarding and protecting the wellbeing of children, families and staff

We knew our approaches to scrutiny and improvement needed to change during the pandemic. We were very aware that providers and services would be balancing infection prevention and control measures from the national guidance alongside meeting the needs of children and families.

We rapidly put in place a range of systems to adapt our support and scrutiny. We were pro-active in planning focused support and guidance to the services who were open in the early stages of the pandemic. We took a more strategic and risk-assessed approach to inspections to ensure we targeted the right resources at the right services at the right time.

We created a new Scrutiny Assessment Tool [SAT] which examines factors such as regulatory outcomes, leadership and staff concerns and notifications sent to us by services. This tool enables us to make an assessment of potential risk factors within a service and target any required interventions and scrutiny.

We worked closely with key partners to improve communications for the sector. During the pandemic we enhanced the way we gathered, analysed, and shared data and intelligence about providers and services. This involving broadening the intelligence gathered from the scrutiny and oversight of services, and from public health and other agencies. We collaborated with local authorities and other key partners that supported us with our risk assessments.

We will continue to progress and develop our intelligence-led, risk based and proportionate approach to all that we do. Where required we have taken formal enforcement action and issued levels of serious concern. Our priority is always the health, safety and wellbeing of children and we will continue to take any actions to ensure that significant improvements are made to their outcomes and experiences.

Inspections

We commenced virtual inspections to provide public assurance and to support services during the COVID-19 pandemic.

We supported the ELC sector to understand and implement key component parts of national guidance for COVID-19 through practical information and short bitesize video clips on the Early Learning and Childcare Hub.

We prioritised on-site inspections where:

- immediate risk was identified.
- follow-up action was required to check progress on urgent improvements
- services were linked to COVID-19 outbreaks.
- services have a poor or inconsistent regulatory history.

The following real-life example describes a virtual inspection of a childminding service.

This was the first inspection of this childminding service, located in a rural village. The focus of it was to evaluate how well the childminder was supporting children during the COVID-19 pandemic.

As the childminder provided funded early learning and childcare in partnership with the local authority, he wanted to continue to provide care to a key worker family during the pandemic. It was important therefore for us to assess the quality of the service and to report publicly to provide public assurance.

One of our inspectors carried out a virtual inspection. They used Teams technology for interviews and a walk around the environment. We gathered information on policies and records.

The childminder had already completed a detailed self-evaluation. It was evident from this that the childminder was fully aware of the guidance to support effective infection prevention and control. We could see on our virtual tour that the childminder's home was clean and well organised. We saw some of the infection control measures that the childminder had implemented and identified small improvements that could be made.

On our virtual tour of the childminder's home, we were able to see one child in the service. We were reassured to see the child was absorbed in play, and very happy and settled in the childminder's home. We were able to see the resources available and that these were suitable and engaged the child's interest.

We asked the childminder to share our contact details with parents and we offered the option for them to contact us or for us to contact them. We spoke with parents by telephone. Parents told us they were aware that some play resources were now limited to aid cleaning and reduce the risk of cross infection. They also told us that thought had been given to children wanting to bring well-loved toys from home and this had been risk assessed and managed according to the individual children's needs.

We were able to gather enough evidence using remote means to give us a good overview of the service. The inspector was aware of the need to have shorter online meetings to ensure the childminder's attention was focused on the children. For this reason, more than one online meeting was held.



Handling concerns and complaints

Our complaints team handled and addressed concerns and complaints about care services, including childminding and daycare services, through our complaints process. Many of these related to the impact of COVID-19 on service delivery. The most common issues were:

Children's wellbeing

Concerns included the length of time children were being cared for outdoors and how this might impact on their health, safety and wellbeing. Not all services had updated parents and carers about the benefits of outdoor play during the pandemic and the positive impact outdoor play has on children's wellbeing.

Concerns were also raised about the lack of information received in relation to their children's care, play and learning experiences when attending a service. Not all services had reviewed how they communicated children's care, play and learning experiences to parents and carers.

Staffing training and qualifications and maintaining high-quality play and learning during a pandemic

Concerns were raised about how staff were not using their ELC expertise when supporting children and families through the pandemic. Not all services were utilising best practice ELC guidance such as [Realising the Ambition: Being Me](#), to support the development of high-quality play and learning experiences for children when operating differently during the pandemic.

Policies and procedures

We received a number of concerns about the application of COVID-19 guidance specifically in relation to staff not physically distancing, both at work and when outside of work. Parents and carers were worried about the potential spread of COVID-19 and how to keep children safe and protected from it. Not all services had reviewed their policies and procedures in context of the pandemic.



Contacting the service directly to discuss the concerns raised and what might be done to resolve them positively



Sending the information to the lead inspector to use as intelligence in their scrutiny and improvement inspection work and in discussions with services



Sharing the information with the care service provider to investigate following their own complaints policy and procedures



Allocate the complaint for investigation by the National Complaints Team

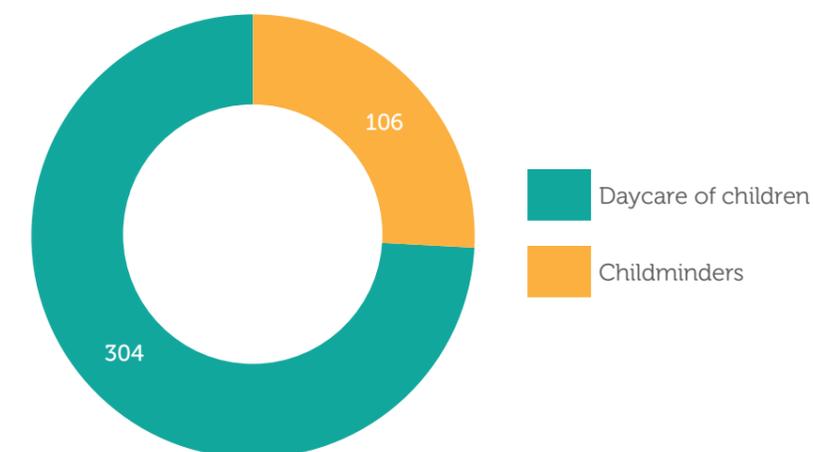
Conditions of registration

There was concern from parents and carers about how services were applying the guidance for the reopening of ELC services. This included how children were being accommodated in different parts of the service and if all COVID-19 procedures had been reviewed and put in place prior to the children's return. Not all services had reviewed the potential impact that changes to service delivery might have on wellbeing.

Communication between staff and families

Due to COVID-19 restrictions, parents and carers had concerns in relation to accessing support from their service. Some families who were previously very involved in the life of the service struggled and felt less supported. Not all services had reviewed how they would bridge the support gap to families caused by COVID-19 restrictions.

Complaints received 23 Mar-31 Dec 2020



We shared complaints data with our COVID-19 and governance groups to enable us to analyse and understand the key themes and trends. We also used this information to inform updates to our COVID-19 information page, which offers guidance to care services to support children and families.



The following real-life example highlights how we helped a nursery manager to manage their own concerns about infection control.

When one nursery reopened following the first national lockdown, COVID-19 cases in the surrounding areas had spiked.

As a result, staff were keen to ensure that their practice was robust to prevent the risk of an outbreak in the service. We supported the service through regular contact calls and the self-evaluation process. There were no confirmed COVID-19 cases in staff or children who attended the service.

We began regular contact calls with the service in July 2020 to provide an opportunity for understanding the issues facing the service and to discuss how children, families and staff were coping with the restrictions. We listened, signposting the provider to appropriate guidance and took a solution focused approach to problems.

The manager explained:

"When I received the first call from the Care Inspectorate, I was a bit panicked. I wondered what could be wrong. Since then, there has been regular contact, and I now feel totally at ease with my inspector. I receive constructive and positive feedback which helps secure improvements for children attending the nursery. I have found it a positive way of working. I now contact my inspector if I need any help and know that I will have her full support."

In September 2020 we requested that the service complete a self-evaluation process to evaluate their progress in supporting staff, children and families during the pandemic. The manager of the service told us:

"The self-evaluation supported a deep reflection of our work. We involved children and parents in assessing the quality of care and we were able to identify the future direction of our improvement."

The service made use of our bitesize learning videos available on The Hub to develop their understanding of the improvement cycle.

The manager commented:

"The videos were really good. They gave clear and concise information that was delivered in a way that even the most inexperienced members of our team could understand. We appreciated that they were short and not too demanding on our time."

The service received feedback on the quality of their self-evaluation. It concluded that the self-evaluation provided enough evidence that children's care and support needs were being met during the pandemic.

Developing our staff

Training on COVID-19 infection prevention and control, including use of personal protective equipment

During the pandemic ELC inspectors contacted services regularly to support them to implement effective infection prevention and control measures.

Inspectors also carried out inspection visits to services to ensure they were following Scottish Government guidance on COVID-19 in ELC services and to ensure they supported children's wellbeing. To enable inspectors to carry out this work well, and to protect the safety, health and wellbeing of children, families and communities, we delivered training on infection prevention and control to all ELC inspectors.

The training was developed and facilitated by the Health Improvement Adviser, and two ELC inspectors who joined the COVID-19 flexible response team. This ensured that the training was focused on ELC services, such as childminding and daycare of children's services, and included services for school aged children and outdoor services.

The purpose of the training was to cover the basic principles of infection prevention and control, including use of PPE, to enable inspectors to confidently carry out inspection visits during the pandemic. The training acknowledged that every ELC service is different and that PPE requirements may vary depending on the risks to people from transmission of the virus, and the type of planned scrutiny activity.

Five training sessions took place and all ELC staff had to complete the training. We continue to review staff development needs to ensure staff have the skills and current knowledge to support the sector.



The development of Key Question 5 – a self-evaluation toolkit

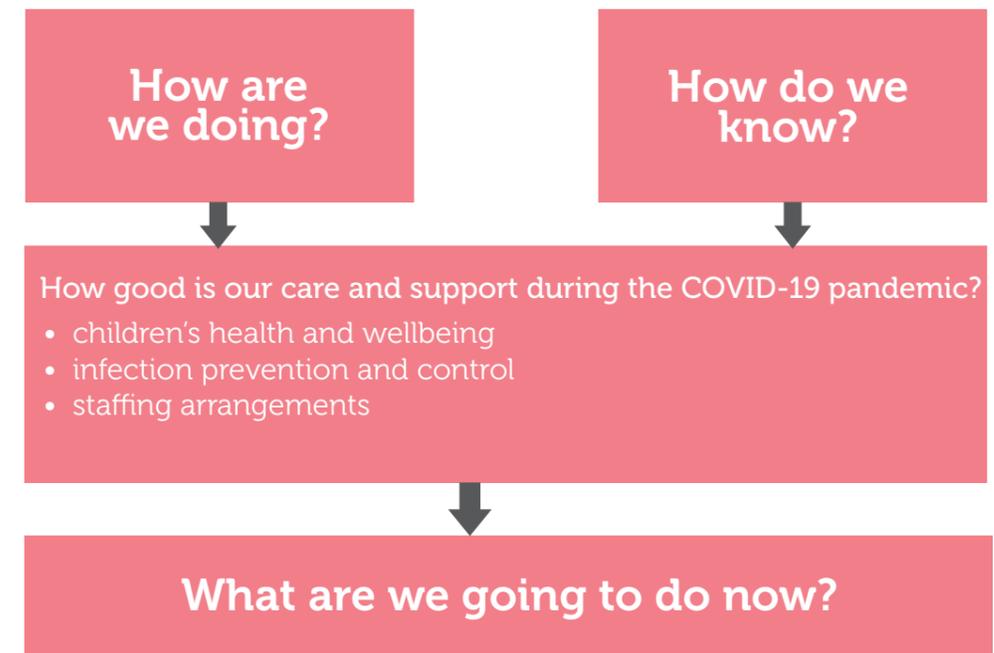
The planned reopening of ELC services in Summer 2020 required us to adapt our scrutiny and assurance response again. The Scottish Government asked us to consider how we could seek assurance that services would adhere to the national guidance after re-opening. In response to the changed landscape, we developed 'Key question 5', a self-evaluation resource and tool for all services including childminders and out of school care services.

Self-evaluation is central to continuous improvement. It enables care services to reflect on what they are doing so they can get to know what they do well and identify what they need to do better.

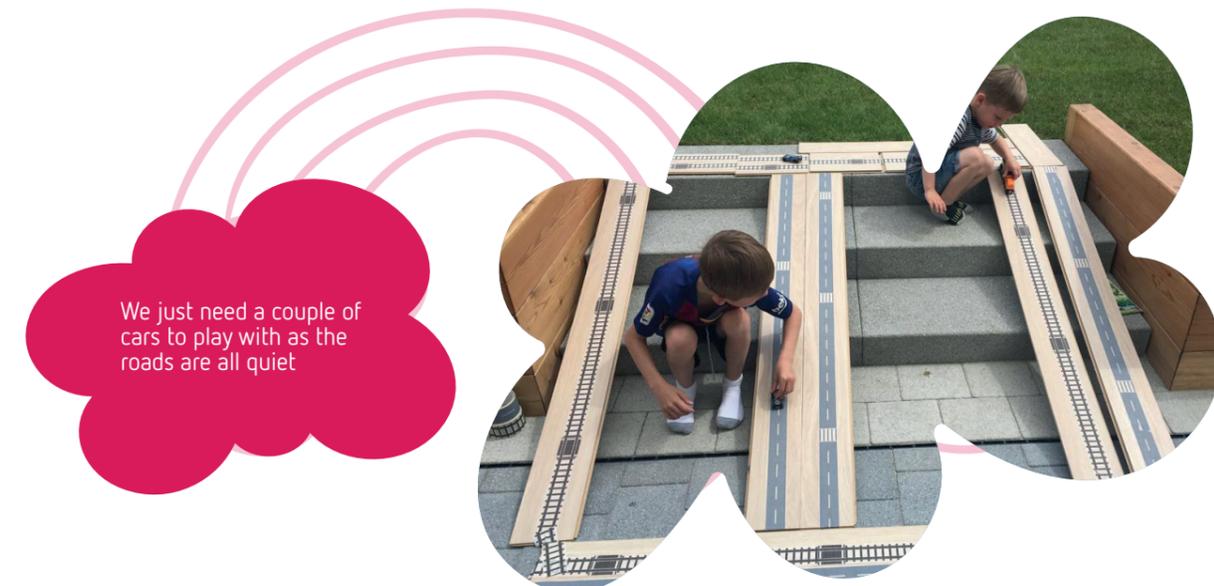
Key question 5 asks services and providers to assess how well they support children and families within the context of COVID-19. It enables services to gather information and to continually evaluate their progress in supporting children, families and staff to have confidence in the provision of ELC. It evidences how they implement 'the national guidance for COVID-19', while ensuring positive outcomes for children.

We request a completed Key question 5 on a risk and sampling basis. We use the completed self-evaluation to assess how well services are managing operations during COVID-19 and to consider whether further scrutiny activity is required. If we assess that no further scrutiny work is necessary, an assessment of the self-evaluation is sent to ELC services and providers.

This diagram shows the approach that Key Question 5 takes:



The following two practice examples demonstrate how we responded to particular challenges faced by a local authority early childhood centre and a group of childminders using Key Question 5.



Early Childhood Centre

This early childhood centre is currently registered to provide care to a maximum of 100 children at any one time. The age range of the children can be from two years to those not yet attending primary school. The staff are committed to providing high quality childcare.

Following an inspection in November 2019, we found that the service was delivering adequate quality of care and support, staffing and management and leadership. We had planned to carry out support and improvement work with the service however the pandemic forced the service to close temporarily.

In August 2020, the evening before the service was due to reopen their doors to children and families, we were informed that adverse weather conditions had resulted in their premises being flooded in over a metre of water. We immediately made contact with the manager.

They urgently required emergency premises to enable them to care and support for children and families who had been without their usual service for several months. Our registration team worked with great efficiency to ensure they were able to relocate their service to alternative premises. This created the challenge of creating a new ELC space which met the needs of the children and families using the service in a short space of time.

We successfully connected with the centre leader and the local authority through virtual tools, such as Microsoft Teams. We were able to meet quickly and maintain productive professional discussions.

Despite not being able to physically attend the service, it was vital that we were able to understand the experiences for children and families within the new premises. 'Key question 5' was sent to them as a self-evaluation resource.

The Centre Leader felt confident in their risk assessment and mitigations to keep everyone safe. They had an action plan for quality improvement and had benefitted from the in-house training sessions held during in-service days.

The local authority worked quickly to secure a change of premises and the staff team set about recovering whatever they could to create a new environment in a new space. The move to the new venue proved challenging so we assisted them to put the mitigations in place to ensure that high quality learning could continue. The self-evaluation Key question 5 document was submitted to us.

Our involvement and quick response to the flooding of the service enabled the service to maintain consistent relationships with children and families accessing the service.

One parent mirrored the importance of consistent care and told us:

"I'm glad my daughter still got to attend and keep the same worker - everything else children seem to adjust well to".

Childminding services

In the early stages of the pandemic, inspectors began contacting childminders on the island communities. There are 19 registered childminders, most of them based in one area. It became apparent that these services were working in isolated communities that often-lacked support networks. There were few opportunities to work together and this reduced the capacity to share ideas that can create positive experiences for children and families.

We asked the childminders if they would like to be involved in creating a new network, initially led by us, to offer support and promote collaboration. The inspector wanted to test an initiative to promote greater partnership networks and provide opportunities for similar groups to be developed with other rural groups of childminders.

Thirteen childminders responded, indicating that they would like to join, and arrangements were made for virtual meetings to take place. Initially childminders were anxious. Many said that they had no experience of them or any contact with our organisation outside of the normal scrutiny and improvement process.

At our first meeting we explored potential topics for future meetings. It became clear that the key question 5 self-evaluation document was adding to their anxieties. To ensure the group was supported to maximise the potential of the tool we decided we would focus on this at our next meeting.

The childminders came prepared with relevant questions about the document. By taking the time to go through the expectations of the document and engaging in honest and transparent conversation we were able to support each other in a way that would not have been possible out with the network group.

This work has increased childminders' confidence and reduced feelings of loneliness and isolation in the island communities. It has helped create a better understanding of how to conduct a self-evaluation and how to engage with self-improvement.

It has also created future links for the group with the Scottish Childminding Association to access information and funding opportunities.

Childminders' feedback:

"Great opportunity to build relationships with the Care Inspectorate outwith the inspection process."

"Great opportunity to get together with others working in an island community as our resources can be different to the mainland."



EARLY LEARNING AND CHILDCARE IMPROVEMENT PROGRAMME



This is a national quality improvement programme which supports services who offer funded places that are not meeting the 'quality criteria' of the National Standard for Early Learning and Childcare.

In September 2019, there were a total of **236** ELC services with funded provider status across the country that were identified as not meeting the National Standard.

Since March 2020, the improvement programme has delivered its varied work plan virtually to continue to support quality improvement within the ELC sector. We do this through collaboration with internal and national stakeholders. We continue to meet early learning and childcare leads in government, and we work closely with them in our approach to national developments.

Our improvement programme consisted of:

Quality improvement bitesize sessions:



Collaboration:

- SSSC provided dedicated and intensive quality improvement support for Scotland's largest ELC partner providers
- SSSC and Children's and Young People's Improvement Collaborative delivered Summer 2020 learning webinars focusing on a variety of themes, attended by approximately **360** individuals
- Facilitated virtual quality improvement support visits
- Developed a dedicated early learning and childcare quality improvement hub
- Improvement advisors working to achieve the Scottish Improvement Leaders and the Scottish Improvement Foundation Skills Programmes.

The average number of weekly engagements:



Self-evaluation

There were short sessions to introduce services to the key question 5 self-evaluation process and to support them to complete it.

"Can I just add how helpful the videos were, I found them really beneficial and have recommended that all staff have a look at them obviously not for completing this document but to help them with our normal self-evaluation."

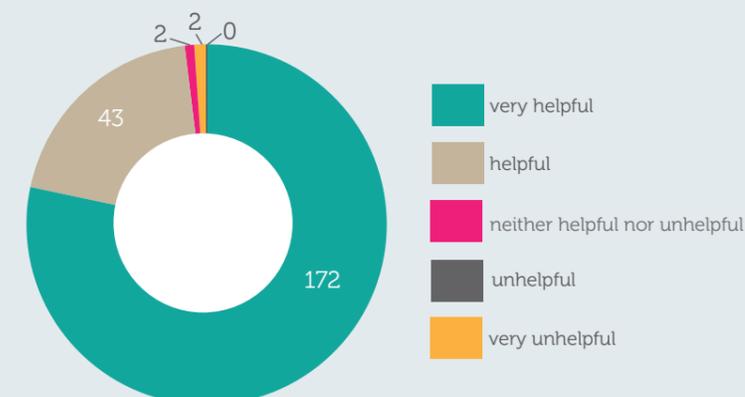
"As I am dyslexic, I find filling in forms difficult. Your bitesize sessions are clear and easy to understand. Before watching your bitesize sessions I didn't understand how to do a self-evaluation properly but now feel more confident that I will be able to do so."

"This is a fantastic resource for all settings to support completion of the key question 5 self-evaluations. Remember even if you have completed it you will always be reviewing your practice so it can help make your response even better!"

Quick wins

Quick Wins were five short sessions which helped ELC services make small and easy improvements. We released weekly sessions and practitioners were able to select the sessions that were most appropriate to them. The sessions were:

- medication
- safe recruitment
- Scottish Social Services Council registration
- notifications
- quality assurance calendars.



HOW WE SUPPORTED OUTDOOR PROVISION DURING COVID-19

Scientific evidence suggests that the risk of viral transmission is much lower in outdoor environments, as well as more easily allowing for appropriate physical distancing between children and adults. In 2020, outdoor based services provided a unique opportunity for the sector to consider re-opening and inviting some children back to services during the pandemic, when services may have had to otherwise remain closed.

The outdoors became one of the best services available in providing care and support for our most vulnerable of children. It also supported the children of keyworker or front line staff to enable them to carry on delivering critical health and social care services throughout Scotland. In Scotland, the Government enshrined children's right to play outdoors every day in its national [Health and Social Care Standards](#).

The importance of outdoor play is widely known. It supports children's physical and mental health and wellbeing, promotes emotional and social wellbeing and promotes their curiosity and active learning.

In 2016, we published ['My world outdoors'](#), to support and encourage further development of high-quality outdoor play. In support of more recent Scottish Government policy, and along with other partner organisations, local authorities, private and voluntary sector providers. We have played a significant role in promoting the ELC sector's commitment to providing high-quality outdoor play and learning experiences.

In June 2017, in partnership with the Scottish Government, Scottish Futures Trust, and following consultation with children, parents and the ELC workforce, we launched ['Space to Grow'](#) – design guidance for early learning and childcare and out of school services. The impact of this is that the meaning of free flow play is now clear and children can move seamlessly from indoor to outdoor play spaces as standard.

In continuing our role in the promotion of the benefits of the outdoors, we worked in partnership with Inspiring Scotland to develop the publication ['Space to Grow: Indoor/outdoor settings'](#) introducing and showcasing the concept, benefit and realisation of indoor/outdoor services.

We will continue to work towards the implementation date of August 2021 for the expansion of ELC in Scotland. The Scottish Government's investment in the ELC sector and our focus on the development of high quality indoor/outdoor, and fully outdoor services remains an improvement focus across all ELC services and providers.

Friedrich Froebel is a nineteenth century German educator and creator of the kindergarten, a place where children can grow and develop at their own pace, nurtured by knowledgeable and supportive adults.

Early learning and childcare centre

This early learning and childcare centre operates a day care service for children. The service includes a well-developed outdoor play area. It is registered to provide a care service to a maximum of 80 children aged 3 years to those not yet attending primary school.

Due to the Scottish Government expansion plan, the local authority agreed to a new purpose-built nursery in the grounds to provide a care service to a maximum of 124 children. Outdoor space was to be included.

All of us involved at the early design stages were keen to note that the team wanted to adopt **Froebel** as a design approach and to reflect his principles indoors and out. We used the research from documents like My World Outdoors and Space to Grow to inform and design the quality of the learning environment we were creating.

However, plans to deliver the project were delayed due to COVID-19. As our priority in the registration team remained to progress registration and complete variation work, we continued to correspond with the local authority and Head of Centre through email, phone calls and virtual meetings.

As this Early Learning and Childcare Centre was one of the Council's newly built premises, we concluded that it would be more difficult to complete the variation without a site visit. It was agreed that we would carry one out to undertake a risk assessment.

This would take into account travel and physical distancing requirements, and there would only be the Head of Centre and the Project Manager present – no other staff or children. We took all precautions to minimise any risk of COVID-19 transmission by following 'FACTS' guidance and we limited the visit duration.

The Early Learning and Childcare Centre now has direct access from the playrooms to an outdoor area where children have the opportunity for their play to flow across these areas. This offers children the choice to extend their experience indoors or out. The wider garden has varied landscaping features which provide risk, challenge and opportunity.

Our variation work has enabled this service to move into their newly built premises during the lockdown, offering a high standard of accommodation for children, both indoors and out. With these new premises an additional 44 places are now available for children within the area.

We prioritised this registration during COVID-19 to work in partnership with the council's plans to meet Scottish Government's ELC expansion agenda.



Outdoor nursery (social enterprise)

This outdoor nursery is open 50 weeks of the year. The nursery provides both funded and non-funded places during school term time for up to 32 children who are aged between three and five years old.

Their mixed woodland and open field site provide a variety of areas for the children to play, explore and learn. At the start of the first lockdown, the manager became aware that two families had younger siblings, aged two, who were currently with childminders. Both childminders had decided they could not continue operating during the lockdown. This left the families, all NHS keyworkers, without childcare.

In March 2020, we had published a Registration Contingency Plan which would allow us to respond quickly and work flexibly with services as they adapted to the impact of the pandemic. With no local hub facility for children aged under three, the service offered to step in and support the family. This involved lowering the age range of children who can use the service to include children aged two to three years old.

Our Registration Contingency Plan helped the service do this by means of an e-form notification.

We were able to offer a quick flexible response to this request to support two parents who were NHS key workers working during COVID-19, this intervention for one family demonstrated the critical importance of our frontline work to find the best solutions to support children and families during COVID-19.

Both children settled in well. By the time the first lockdown had eased, and services reopened, one of the siblings had turned three and continued to attend the service. The other child had not turned three and the family again faced the prospect of trying to find alternative childcare.

The manager approached us and asked if we would consider varying the service's conditions of registration for a further six months to enable the child to continue to attend. In the best interests of the child we approved a time limited variation to the service's conditions of registration enabling the child to remain at the service.

Feedback from the manager:

"It was noted this child had been in lockdown for over a third of their life and couldn't remember their time with the childminder. To go back to the childminder for six months would have meant resettling the child and upset to the family's current routine.

Both us and the parents were delighted at the outcome and the child has thrived here. To be able to meet a family's needs like this is the core essence of what GIRFEC is all about".



MORE REAL-LIFE STORIES FROM THE EARLY LEARNING AND CHILDCARE SECTOR

The national lockdown in March 2020 resulted in great uncertainty for a range of other ELC providers across Scotland. Local authorities had to close a number of their schools and premises and identify suitable locations for critical childcare hubs.

These additional stories illustrate real-life situations of how we collaborated with local authorities, providers and a range of services during challenging times to find solutions to problems. Many services required immediate guidance to support them. We needed to put in place robust but rapid responses to emergency situations. We adjusted quickly and took a creative approach to ensuring clear communication channels were established and maintained.

Feedback statements from our partnership and provider colleagues highlight how our role and actions made a difference to the outcomes for children, families and communities across Scotland during COVID-19.

Our responses ensured that our scrutiny and improvement activity was targeted to where it would have greatest impact. We prioritised applications that supported the Scottish Government's national guidelines or met criteria to provide childcare for children of keyworkers as well as children who were assessed as vulnerable.

These real-life stories demonstrate a true partnership network with local authorities, services and providers working together to drive forward the Scottish Government expansion agenda.



This is our café but no one is allowed to sit in – it is takeaway only

After school club

This after school club operates from the community room within a rural primary school. They use a dedicated room with furnishings and play resources. The children are normally able to run around and play games outside and in the school hall, which supports their emotional well-being and physical health. A small number of children regularly attend the group which has a welcoming and caring ethos.

In October 2020, a representative of the parent committee contacted the Care Inspectorate because they had been asked by the school to change their premises at short notice due to the introduction of new COVID-19 guidelines. The committee contacted us as they sought to keep the club within the school.

We contacted the local authority who agreed that both the children and their families would benefit if the club remained in their current premises. We undertook an onsite and virtual inspection in November 2020 to ensure the new restrictions on the group did not impact negatively on the children's experiences.

We spoke with the manager who advised they were struggling to provide children with the care and provision they had previously had at the club. Staff were no longer able to access the room 30 minutes prior to the children attending which meant they were not able to organise or set up the room for the children arriving.

We gathered feedback from the manager and staff and this indicated they found our inspection process to be a positive experience. Positive relationships were built with the service staff prior to and during lockdown. We were able to speak with children during the onsite visit to find out how they were feeling. The manager appreciated the unrushed nature of the inspection and our continued support.

Our intervention and support meant that the after school club was able to return to familiar, safe and comfortable surroundings. Parents who relied on the service were very relieved it was able to continue and the children were happy to return to some normality after the stress of the first lockdown.



Out of school care service

This out of school care service is registered to care for up to 40 school aged children. During the pandemic, we carried out a virtual inspection at this service. As part of the exercise, we considered how we could gather children's views as service users so a small pilot project to test out ways to consult with children during an inspection was set up.

The virtual nature of the inspection created a challenge from the start. The service provider told us that the staff team felt uncomfortable about using video technology. To reassure them, the inspector met the staff team to help them feel more comfortable and to explain the process beforehand and secure the necessary permissions to speak to the children directly.

We found that children were comfortable about talking on camera. They were at ease speaking with the inspector and keen to share their experiences. The provider said, "We really admire the inspector for the attention that she gave each child and her commitment to ensuring that every child felt comfortable participating in this experience".

Children openly spoke of their experiences at the service, adding real value to the inspection process. They told us what they enjoyed and what they wanted to change - information that could only be gathered by speaking to the children. Their views were fed back to the service enabling them to build on a child-centred approach.

The impact of this was that staff appreciated the children's views and as a result an action plan has been completed taking on board children's comments to make improvements within the service.

The provider commented "We feel more at ease contacting our inspector for advice or guidance when required. All members of staff have been given the inspector's telephone number if they feel that they have any concerns or wish any advice or guidance from the Care Inspectorate".

Many children attending the service were consulted during the inspection, but time constraints and availability meant that we could not consult with all children. The provider told us that one child commented that he wished he had been involved, saying "it sounded like all views would be listened to, and it would make a difference". Moving forward, we will now consider how we include all children in the consultation process.

Therapeutic activity club

This therapeutic activity club provides a care service for children and young people between the age of 5 to 18 years old who have significant additional needs, disabilities or challenging behaviour. Children attending this service access activities and care in an appropriate environment that is suited to their needs.

When lockdown began, it brought great uncertainty to many care providers. Local authority school closures had a significant impact on them as many operate from school premises. This provider found their usual premises were unavailable, and they were at risk of closure if they did not find alternative accommodation quickly.

The manager contacted us as soon as he realised there was a problem. We were able to offer immediate support to help the service keep operating.

We arranged virtual meetings through Microsoft Teams with the service manager to discuss his application and undertake a virtual tour of the proposed new premises. He was very responsive to our requests for information and ensured we had access to all the information we needed. The process was not without some challenge. When the internet connection in certain parts of the building proved to be less than reliable, we asked the manager to provide a video of the area instead.

Despite the many challenges facing the organisation since the first lockdown in March 2020, the service reports they have since successfully managed to continue their service and support to children, young people and their families. The process also had a positive impact on the staff group who reported how the work in response to the crisis had brought the staff team together.

"This was only possible because of teamwork and collaboration within the staff team, local authorities and the registration inspector. I was contacted promptly by the inspector on the phone. They responded within a day and MS Teams, video calls and other IT resources reduced the barriers for any delays".



Parents acknowledged the success too:

"In an unpredictable time, with everything that is going on, this club has been a welcome focus and given my child a form of routine which is essential for her. This has had a positive effect on behaviour and given her something to look forward to every week".

"Countless parents out there would be lost without this group of people who help out the club. I know what other parents are going through and it is hard when one minute they have after school clubs and other clubs then there is nothing due to COVID-19. When I tell my child that it is your club day, the happiness in her face - she is so happy as it means that she gets to see her friends."



Childminding service

This childminding service was first registered in April 2020, during the critical childcare period of the pandemic, to care for a maximum of six children.

As part of our role in supporting services, our inspection teams introduced fortnightly contact calls with services who remained open to care for the children of key workers. When this service opened, care was being provided to three children from one family as both parents were keyworkers. We had discussions with the childminder and signposted them to guidance about key workers and infection prevention and control. This initial engagement helped us to build a relationship and provide advice and support as the service was being developed.

"Once I had informed the care inspector that my service was open and that I had a family of key workers' children to look after I received very welcome phone calls of support on a regular basis. This was to ensure that I wasn't overwhelmed by all the new government guidance and was always signposted to where I could find this regularly updated guidance. This was reassuring as I knew if I had any questions or uncertainties then help and support was just at the end of the phone."

In September 2020, we requested that the childminder submit the 'How good is our care and support during the COVID-19 pandemic?' self-evaluation tool. Although the childminder was initially wary of our scrutiny activity, we focused on how this should be a supportive process that allows us to ensure outcomes for children are protected during a difficult time. The childminder completed the self-evaluation to a very good standard. As a result, we were satisfied that the service was taking account of all best practice guidance and that children were being cared for in a safe environment. We decided that no further scrutiny work would be required.



Provider feedback:

"Initially, I had begun the application process before COVID-19 was presumed as a worldwide pandemic so never truly anticipated what would follow.

Once the registration process had progressed onto the second stage this is when the pandemic was at its peak and the country was in full lockdown. This, for obvious reasons, had an impact on my registration process. Fortunately for me the Care Inspectorate were focused on prioritising applications involving provision to help with childcare for key workers. I had consistent communication from them which kept me informed."



Our relationship role with local authorities

Across Scotland, the pandemic impacted local authorities' ability to deliver the Scottish Government's ELC expansion programme by August 2021. One local authority had planned several new build services, in addition to work extending existing premises.

However, as the pandemic continued, the authority had to introduce a contingency plan identifying potential temporary sites in which to provide childcare in local communities. Working with colleagues from our ELC team, we provided support and advice to enable these temporary services to be registered, enabling parents and carers in a population dense area to access childcare services within their community.

The local authority wished to expand their family hub model by increasing capacity and including children aged under two and children with additional support needs in existing registered day care of children services. Overall, this resulted in a high volume of applications being submitted for processing.

Normally, meetings and site visits would have been carried out regularly and in person. However, due to the pandemic, inspectors and the local authority used digital platforms to share information as they were committed to delivering their ELC expansion programme as planned. They identified some local community facilities as potential temporary childcare premises.

Through virtual consultation, inspectors gave advice and support on how the facilities could be upgraded to a suitable standard for young children. In addition to working collaboratively with the early years team, the expertise of a variety of partner agencies was also required so had to be considered in the planning stages.

Some on-site visits were undertaken when safe to do so. These were dependent on the restrictions applied by the Scottish Government. Inspectors were required to undertake mandatory training relating to COVID-19 to minimise any risk of spread. Each on-site visit was carefully planned and risk assessed.

Collectively, inspectors worked hard to ensure each of the proposed services were registered within set timescales. This required working flexibly and responsively to meet demand. As a result inspectors acquired a deeper understanding of roles and learned from one another.



MOVING FORWARD: OUR IMPROVEMENT JOURNEY

Feedback from provider:

"The pandemic has brought many challenges to families across Scotland and to authorities in their plans to expand early learning and childcare. We were very keen to continue with plans to deliver 1140hrs as soon as possible. High quality was at the heart of our plans and we recognised the importance of providing the flexibility parents needed to work, train or study.

Due to the delay in the building works we had to look at our other options. We were allocated a link officer from the Care Inspectorate to work with us and through a professional, respectful relationship we registered temporary accommodation in time for children to start at the beginning of term.

We identified seven spaces that we thought could be used on a temporary basis. The registrations were progressed quickly and effectively, and professional discussions supported the creation of very good spaces for children and families. This meant that all children across the authority received the same service and no community was disadvantaged."

COVID-19 has required extraordinary effort and work on the part of Scotland's childcare sector to maintain critical childcare during the COVID-19 pandemic and to a high standard. The reopening of the sector during the of the worst public health crises in living memory was unprecedented and challenging for many.

The focus of early learning and childcare is to support children to form a secure and emotionally resilient attachment base. Nurturing and attached relationships are essential to creating the conditions for children to flourish. We recognise that as a result of the pandemic many children were not able to access the care and learning opportunities these services provide.

All children have a right to play, to learn and to access experiences that meet their physical, social, emotional and cultural needs, and they have a right to associate with their peers. In line with Scotland's commitment to [Getting It Right For Every Child](#), children also have the right to the best possible health, with their best interests a top priority in all decisions and actions that affect them.

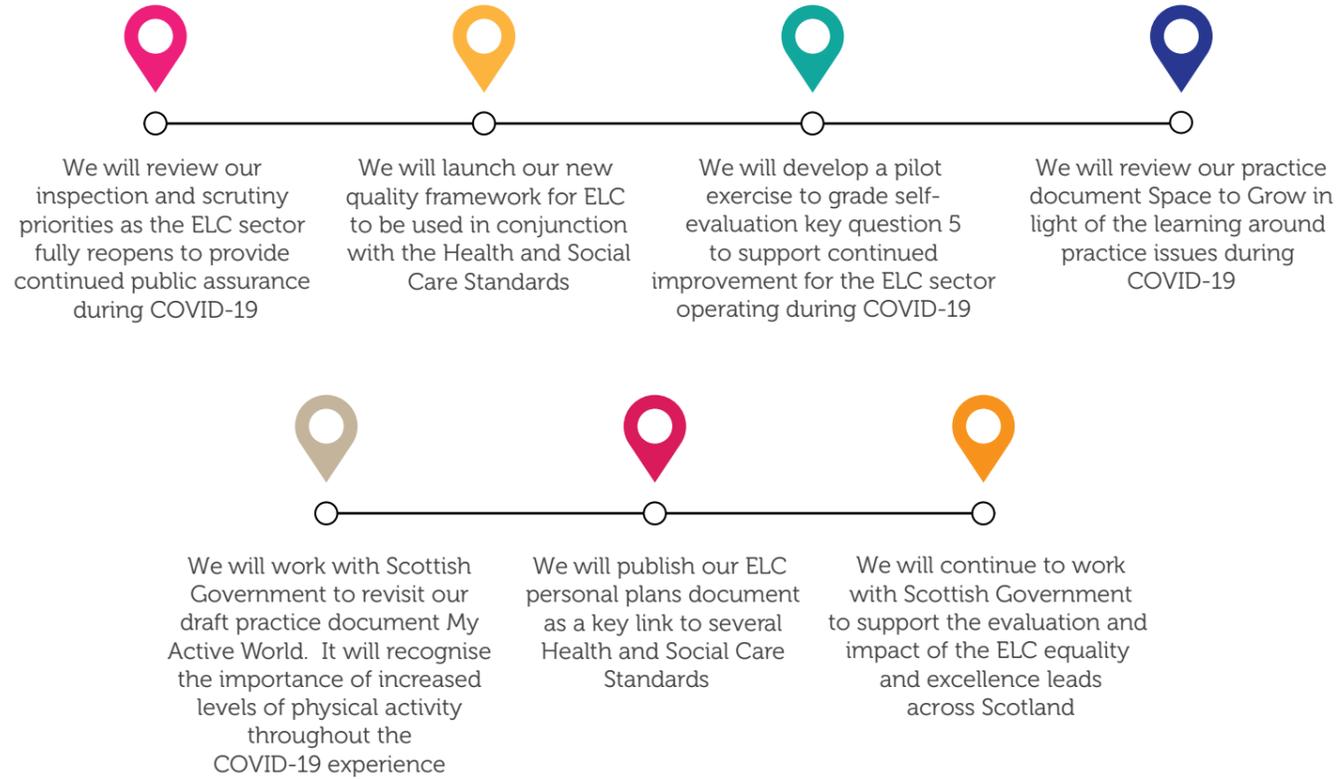
There have been a number of key reflections.

- Keeping children safe and offering stimulating care and learning experiences is a delicate balance to achieve, made more challenging by the pandemic.
- It is important that staff in services have the right support and guidance to ensure they have the skills and tools to confidently provide care and learning.
- Close collaboration with all stakeholders is essential to identify key aspects to support the development of high-quality and supportive COVID-19 guidance.
- There are benefits to working with a range of stakeholders to share experiences and learn from each other.
- It is important to collect high-quality information from notifications and services to have a national picture of how the pandemic impacted on services and localities.
- Effective regulation needs to be responsive to the needs of the sector and help providers meet the needs of children and families.
- It is important that as an organisation we continue to adapt our approach and models of support and scrutiny.

Across the sector, we will now reflect on our experiences and learnings from COVID-19 and take account of the impact of working under these different circumstances. We will gather evidence and evaluate how the sector have implemented national guidance for COVID-19 to support the delivery of safe childcare for children and families. We will ensure that positive outcomes for children and families continue to be our priority as we move through the next stages of the pandemic.



We have learned lessons from the impact of the pandemic on the ELC sector and have planned the following actions.



We will revisit our inspection, scrutiny and improvement priorities and continue to provide assurance to the public and wider ELC sector. We have listened carefully to the feedback from providers and services about the range of scrutiny and improvement approaches that supported them.



Moving forwards, we commit to working with Scottish Government, key partners and the wider sector to support the full implementation to expand funded ELC provision from 600 hours to 1140 hours for all three and four year olds, and eligible two year olds, by August 2021. The Scottish Government's ambition is for every single one of Scotland's children to grow up in a country where they feel loved, safe and respected, and able to reach their full potential.

In developing new approaches to scrutiny, we want to make sure our inspections and other scrutiny work focuses strongly on assessing the extent to which children experience wellbeing and understand the difference care and learning makes to their lives.

We will review how we can engage with children and families through our scrutiny work and keep the quality of the child's experience at the heart of everything we do.

As we emerge from the pandemic, we are committed to continuing this improvement journey.



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