



care
inspectorate

Minutes

Meeting: Public Board

Date: 30 March 2023

Time: 10.30 am to 1.00 pm

Venue: Hybrid: Room 1.12, Compass House, Dundee and by Teams

Present: Doug Moodie, Chair
Naghat Ahmed
Charlotte Armitage
Audrey Cowie
Sandra Campbell
Rona Fraser
Ronnie Johnson
Bill Maxwell
Maria McGill
Keith Redpath
Carole Wilkinson

In Attendance: Jackie Irvine, Chief Executive (CE)
Edith Macintosh, Deputy Chief Executive and Executive Director of Strategy and Improvement (DCE/EDSI)
Kevin Mitchell, Executive Director of Scrutiny and Assurance (EDSA)
Jackie Mackenzie, Executive Director of Corporate and Customer Services (EDCCS)
Gordon Mackie, Executive Director of IT and Digital Transformation (EDITDT)
Kenny McClure, Head of Legal Services (HoLS)
Fiona McKeand, Executive and Committee Support Manager (ECSM – minutes taker)
Ingrid Gilray, Intelligence and Analysis Manager (I&AM) (items 11.1 and 11.2 only)
Jacqui Duncan, Professional Adviser (item 15 only)
Craig Morris, Head of Improvement Support (item 16 only)
Lucy Finn, Head of HR (HoHR) (item 17 only)

Observers: Fiona Birkin, Joint Chair Partnership Forum (official observer)
Public Observers: Three public observers

Apologies: Paul Gray, Board member
Rosie Moore, Board member
Lisa Rooke, Head of Corporate Policy and Communications
Kenny Dick, Head of Finance and Corporate Governance

Item	Action
1.0 WELCOME	
<p>The Chair welcomed members, officers, observers and staff to the meeting. This was the last Board meeting for member, Keith Redpath, whose term of office would be ending on 15 April. His valued contribution to the work of the Board over a period of five years, and thanks on behalf of the members, were formally noted by the Chair.</p>	
2.0 APOLOGIES	
<p>Apologies were received, as noted above.</p>	
3.0 DECLARATIONS OF INTEREST	
<p>There were no declarations of interest.</p>	
4.0 MINUTES OF BOARD MEETINGS HELD ON 9 FEBRUARY 2023	
4.1 Private Session	
<p>The minutes of the Board private session held on 9 February 2023, circulated to members and senior officers, were approved by the Board as an accurate record.</p>	
4.2 Public Meeting	
<p>The minutes of the public Board meeting held on 9 February 2023 were approved by the Board as an accurate record.</p>	
5.0 ACTION RECORD OF BOARD MEETING HELD ON 9 FEBRUARY 2023	
<p>The Board noted the actions completed and received an update on the actions in respect of the Health and Safety Annual Report, presented to the meeting on 15 December 2022, as follows:</p>	ECSM
<ul style="list-style-type: none"> • The lone working policy was being reviewed by the internal Health, Safety and Wellbeing Committee. The new e-learning package for staff contained a module on home working which included lone working. • Staff awareness of stress risk assessments was considered to be the most likely cause of drop in numbers however this was being addressed as part of the new e-learning package for all staff and with an emphasis on mental health and wellbeing. The assessment form was also being revised to incorporate more non-work-related options. 	

6.0 MATTERS ARISING

There were no matters arising.

7.0 CHAIR'S REPORT - REPORT NO: B-49-2022/23

The Chair presented his report, which provided a summary of the engagements and meetings he had been involved in since the December 2022 Board meeting, and highlighted the following.

The recruitment process of two new Board members, arising from office terms coming to an end, was progressing well, with the selection panel having met recently and agreed a shortlist of candidates for interview. The interviews were due to take place in mid-April and a further update would be provided to the Board meeting on 11 May 2023.

Along with the Chief Executive, the Chair had visited some of the Care Inspectorate offices across the country and met with colleagues to discuss a range of matters that were relevant and important to staff, with a number of innovative ideas and improvement opportunities having been put forward.

A meeting with the newly appointed Minister for Social Care, Mental Wellbeing and Sport, Maree Todd, would be arranged at the earliest opportunity.

The Board noted the report.

8.0 CHIEF EXECUTIVE'S REPORT - REPORT NO: B-50-2022/23

The Chief Executive presented her quarterly report, which highlighted the significant developments and new or completed activities that directly supported the Corporate Plan and its strategic outcomes.

Particular attention was drawn to the following:

- The launch of the new resource, "My Active World", which aimed to help early learning and childcare services to promote physical activity every day in early years care settings.
- The provision of evidence on 26 April 2023 to the Criminal Justice Committee in respect of the Children (Care and Justice)(Scotland) Bill.
- The Care Inspectorate's participation in the recent adult support and protection round table event at the Scottish Parliament, chaired by the Minister for Mental Wellbeing and Social Care, which had focussed on sharing and implementation of national learning from the Learning Reviews (formerly known as serious case reviews).

- The organisation's report on its activity within care homes between 1 April 2022 and 31 December 2022, which would provide information on service providers' experiences of the pandemic and the learning that could be derived from this.

In respect of the Care Inspectorate's consultation on its draft position paper on deprivation and restriction of liberty for children and young people, it was agreed to review the paper, at the request of the Board, for reference to The Promise.

EDSA

The Board welcomed the information provided in the Chief Executive's report.

STRATEGY AND POLICY

9.0 PROCUREMENT STRATEGY 2023-26 – REPORT NO: B-51-2023/23

The Executive Director of Corporate and Customer Services presented the report which outlined the purpose of the Care Inspectorate's strategy for planning and managing its procurement processes to meet its corporate aims and objectives and comply with regulatory and legislative requirements. The Board was invited to approve the strategy for the following three years, 2023-26.

The Board noted that, although the organisation was not required to publish its strategy due to its procurement contract values being below the threshold which requires a published procurement strategy as detailed in the Procurement Reform (Scotland) Act 2014, the document was published as good practice. The Board welcomed this setting of high standards.

The Board was advised that there were no significant changes to the strategy from previous years. The changes reflected the review of procurement priorities which have been updated to reflect progress in practice, and also included a statement on the organisation's approach to regulated procurement for the provision of food.

There was discussion on the climate change section within the strategy and members were advised that a separate project was currently being worked on to support the delivery of net zero plans.

In response to a question on fair work practices, members were advised that this extended to sub-contractors at the tendering stage.

The Board **approved** the Procurement Strategy for 2023-26.

10.0 DRAFT BUDGET 2023/24 AND INDICATIVE BUDGETS 2024/25 AND 2025/26 – REPORT NO: B-52-2022/23

The Executive Director of Corporate and Customer Services presented the report, which provided the Board with the draft budget

proposals for 2023/24 for approval and subsequent submission to the Sponsor Department.

The draft 2023/24 core operating budget showed a deficit of £2.507m on operating net expenditure, with the deficit to be funded in 2023/24 in part by drawing on the general reserve with the remainder being underpinned by a letter of comfort from the Sponsor Department providing a commitment to fund up to £2.050m in 2023/24 to support this position.

The Board agreed that the recurring deficit and non-recurring funding from Scottish Government remained a significant issue and that the challenge within the next two years would be to identify options to remedy this.

The Board also noted the work that had been undertaken to date by the Budget Development Member/Officer Working Group in considering further funding and savings options with a further meeting of the group being held that afternoon.

Having considered the report and accompanying documents, the Board:

- **approved** the draft budget for 2023/24;
- **approved** the draft 2023/24 Capital Plan;
- **approved** the fee rates to be charged to care service providers in 2023/24 to remain unchanged from 2022/23; and
- noted the high-level projected budget position for 2024/25 and 2025/26.

11.0 MONITORING AND GOVERNANCE

11.1 MONITORING OUR PERFORMANCE 2022/23 QUARTER 3 – REPORT NO: B-53-2022/23

The Executive Director of IT and Digital Transformation presented the Q3 report, with input from the Intelligence and Analysis Manager.

There was further discussion on:

- KPI 1 - where the percentage target had been achieved but work was underway to identify ways of improving the rate of responses. It was noted we also receive feedback from the quality conversations events and form direct engagement with services and partnerships.
- KPI 5 – the percentage of staff completing core learning had been impacted by the introduction of additional mandatory learning modules and the migration of health and safety learning data to the new e-learning system. Work was ongoing with OWD colleagues to ensure that robust data was in place to ensure accurate reporting of the KPI.

- KOI 3 – table to be expanded to show the number of services that have grades less than adequate and their service type, with some narrative around the current status of those services with regard to improvement measures. There was a need to be clear, however, that the Care Inspectorate had no control over the pressures and challenges facing some services, for example staffing levels and withdrawal of public/private sector funding.
- KPI 3 – regarding the number of registrations completed, it was agreed to look at trends in this area and any information to be provided to the Board following the meeting.

I&AM

The Board noted the quarterly performance report.

11.2 REVIEW OF PERFORMANCE MEASURES AND REPORTING – REPORT NO: B-54-2022/23

The Intelligence and Analysis Manager presented to the Board a report which set out proposals for revised targets for several performance measures to ensure the measures remained relevant and focussed on delivering corporate plan objectives.

The report also set out a proposal to simplify the quarterly performance reports for the Board, focussing these reports on performance measures and removing the duplication with the content of the Chief Executive's report. This change would enable the shorter deadlines for preparing the reports for the Board meetings this year to be met.

The Board was invited to approve the revised targets and the changes to the format of the report.

There was some discussion on the revised target for KPI 1 and the Board's recommendation that this be an evolving target, given the work that was being undertaken to improve the response rate. It was agreed that this change should be incorporated as part of the revised targets in order to reflect the expected incremental changes to the process over time.

There were also suggestions for two potential new performance measures around professional development plans for staff and also complaints against the Care Inspectorate. It was agreed to look at the development of any new performance measures in the autumn.

The Board **approved** the revised targets and **approved** the change in the content of the quarterly performance reports.

I&AM

12.0 BUDGET MONITORING AND STAFFING UPDATE – REPORT NO: B-55-2022/23

The Board received the quarterly update on budget monitoring and staffing, presented by the Executive Director of Corporate and

Customer Services, and was invited to consider the projected financial position for 2022/23 and the risks that may affect that position, and also to note the movement in projected financial position from that previously reported.

Having considered and noted all of the information outlined in the report and accompanying appendix, the Board had no further questions.

13.0 AUDIT AND RISK COMMITTEE – REPORT OF MEETING HELD 9 MARCH 2023

The Committee Convener presented the summary report and draft minutes of the meeting held on 9 March 2023. There were no items that required Board decision and members' attention was drawn to the key issues covered at the meeting. These included the two positive internal audit reviews on Payroll and Partnership Working, the Committee's approval of the annual internal audit plan, and the update to the Committee in respect of a fraud investigation being led by NHS NSS Counter Fraud Services.

The Board had no further questions and noted the report.

14.0 ANNUAL REVIEW OF THE CARE INSPECTORATE'S FINANCIAL REGULATIONS – REPORT NO: B-56-2022/23

The Executive Director of Corporate and Customer Services presented the report which informed the Board of the requirement to review the financial regulations to ensure they remained fit for purpose in accordance with corporate governance best practice. The changes were outlined in the report and also made clear to members in a tracked version of the regulations, which the Board welcomed and thanked the work of the finance team.

The Board **approved** the changes to the Financial Regulations.

15.0 EQUALITIES MAINSTREAMING PROGRESS REPORT APRIL 2021-MARCH 2023 – REPORT NO: B-57-2022/23

The Executive Director of Strategy and Improvement introduced the report, with input from the Equalities Professional Adviser. The Board was invited to note the positive actions and achievements in the Equalities Mainstreaming Progress Report April 2021- March 2023 since April 2021 and the plans to continue making progress with the equality outcomes. The Board was also invited to approve the report so that it could be sent to Sponsor Branch and published on the Care Inspectorate intranet and website no later than 30 April 2023.

The Board welcomed the very positive and detailed report and asked what benchmarking activity was carried out as part of its preparation. Members were advised that the Care Inspectorate participated in the

NDPB Equality Forum which met quarterly. The forum was a means of ensuring consistency in reporting and quality data across public bodies.

The Board noted the good progress made and **approved** the report for publication.

OPERATIONAL ITEMS

16.0 CORPORATE PARENTING ANNUAL UPDATE - REPORT NO: B-58-2022/23

The Executive Director of Strategy and Improvement presented the report, which provided the Board with the annual update and progress made against the Care Inspectorate's corporate parenting plan 2012-2023. The report also highlighted the planned development of a 'care experience and children's rights group, recognising the connectivity between corporate parenting, the United Nations Convention on the Rights of the Child and The Promise work streams.

The Board welcomed the report and was pleased to note that the plan supported opportunities for access to volunteering and employment across the organisation for care-experienced young people.

Board welcomed and noted the good progress outlined in the report.

17.0 HR QUARTERLY REPORT - REPORT NO: B-59-2022/23

The Head of HR presented the quarterly report which provided the Board with information on staff absence and turnover, an overview of recruitment and an update on HR progress. The Board was invited to consider any other information that might be relevant for future reports.

The Board was pleased to note the additional information it had requested from its previous meeting in December had been included.

The Board was also pleased to note the reduction in time taken to complete the recruitment process, noting that timescales were dependent also on notice periods together with the timely return of pre-employment checks and references.

With regard to staff leavers, in particular voluntary resignations, it was agreed to revisit exit interviews to determine whether there might be any recurring themes or trends, recognising that exit interviews were not mandatory and numbers were small.

It was agreed to look at a breakdown of ethnic minority figures and how this linked in with the work being done on equalities.

HoHR

There was also some discussion on the inspector opportunities for young people and creating a career pathway route for these.

The Board noted the report, with the recommendation for additional information, where possible, as noted above, and also under item 19 below.

STANDING ITEMS

18.0 IDENTIFICATION OF RISK

There were no additional risks identified by the Board.

19.0 NEW BOARD SCHEDULE OF BUSINESS 2023/24

The Board reviewed the new schedule of business for 2023/24 and it was agreed to review the reporting of employee relations appeals by including it within the HR quarterly report.

**ECSM/
HoHR**

There was some discussion on the approval process for the organisation's internal people management policies. With regard to the Whistle Blowing policy, it was noted that member Naghat Ahmed was the Whistle Blowing Champion and sat on the internal working group whose work was to raise awareness amongst staff. It was agreed that she and the Chair would liaise on a potential future Board Development session on whistle-blowing.

**Chair/
N Ahmed**

The Board asked how people management policies were monitored and was advised that a schedule of these was being reviewed by the new internal policy review group. The Board considered it would be helpful to have a summary of these within the HR report.

HoHR

20.0 ANY OTHER COMPETENT BUSINESS

The Chair thanked Fiona Birkin, the joint Chair of the Partnership Forum for her regular attendance over the previous three years as official observer at the Board meetings and noted that Donna Laing would be taking on this role with effect from 1 April 2023.

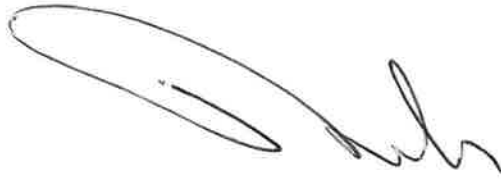
The Chair conveyed an email he had received from an external organisation which had praised the work done by the Care Inspectorate and its inspection teams.

The Chair also thanked the public observers for having taken an interest in the work of the organisation.

21.0 CLOSE OF PUBLIC MEETING AND DATE OF NEXT MEETING

The Board noted the date of the next Board meeting as Thursday
11 May 2023 at 10.30 am in Compass House, Dundee

Signed:

A handwritten signature in black ink, appearing to be 'DM', written over a large, light-colored oval shape.

Doug Moodie, Chair