



care
inspectorate

Minutes

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| Meeting: | Public Board |
| Date: | 8 February 2024 |
| Time: | 10.30 am to 1.00 pm |
| Venue: | Hybrid: Tay Meeting Room, Ground Floor, Compass House, Dundee and by Teams |
| Board members present: | Naghat Ahmed Sandra Campbell (by Teams) Audrey Cowie, Vice-Chair (and Acting Chair for this meeting) Rona Fraser Ronnie Johnson Maria McGill Ed McGrachan Bill Maxwell Rosie Moore Carole Wilkinson Jennifer Trott |
| In Attendance: | Jackie Irvine, Chief Executive (CE) Edith Macintosh, Deputy Chief Executive and Executive Director of Strategy and Improvement (DCE/EDSI) Jackie Mackenzie, Executive Director of Corporate and Customer Services (EDCCS) Kevin Mitchell, Executive Director of Scrutiny and Assurance (EDSA) Gordon Mackie, Executive Director of IT, Transformation and Digital (EDITTD) Kenny McClure, Head of Legal Services (HoLS) Lisa Rooke, Head of Corporate Policy and Communications (HoCPC) Fiona McKeand, Executive and Committee, and Corporate Support Manager (ECCSM – minutes taker) Ingrid Gilray, Intelligence and Analysis Manager (I&AM) (item 9) Craig Morris, Head of Quality Improvement and Participation (HoQIP) (item 13) |
| Observers: | Donna Laing, Joint Chair, Partnership Forum (official observer) Aidan McCrory |
| Public Observers: | Two public observers |

Apologies: Doug Moodie, Chair
 Charlotte Armitage, Board member
 Paul Gray, Board member
 Kenny Dick, Head of Finance and Corporate Governance
 Lucy Finn, Head of HR (HoHR) (item 14)

| Item | Action |
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| 1.0 WELCOME | |
| The Chair welcomed members, officers, observers and staff to the meeting. | |
| 2.0 APOLOGIES | |
| Apologies were received, as noted above. | |
| 3.0 DECLARATIONS OF INTEREST | |
| There were no declarations of interest not already noted but the Vice-Chair reminded the meeting of her registration with the Nursing and Midwifery Council, in case this became relevant to any discussion on paragraph 2.6 of the Chief Executive's report. | |
| 4.0 MINUTES OF BOARD MEETING HELD ON 9 NOVEMBER 2023 | |
| The Board approved the minutes of the meeting held on 9 November 2023 as an accurate record. | |
| 5.0 ACTION RECORD OF BOARD MEETING HELD ON 9 NOVEMBER 2023 | |
| Under item 8 of the meeting held on 9 February 2023, in relation to the report "The Promise – an Overview of Activity", where the Chair and Chief Executive would consider options for impact evaluation for onward reporting to Board, it was agreed that this could be added as a potential Board Development Event topic for the 2024/25 cycle, following an update of the Promise action plan. | ECCSM |
| 6.0 MATTERS ARISING | |
| There were no matters arising. | |
| 7.0 CHAIR'S REPORT – REPORT NO: B-31-2023/24 | |
| On behalf of the Chair, who had given apologies for the meeting, the Vice-Chair presented the report, which provided a summary of the Chair's engagements and meetings since the November 2024 Board meeting. The members noted the information contained in the report and, in addition, congratulated Board member Maria McGill on her recent appointment to the Board of NHS National Services Scotland. | |

8.0 CHIEF EXECUTIVE'S REPORT - REPORT NO: B-32-2023/24

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.

There was discussion on specific areas within the report as follows:

- Operation Koper – where discussions had been held with the sponsor department at Scottish Government to describe the intensity of the work and its impact on inspection activity. The matter was being regularly monitored by the Strategic Management Group, with extensive time being allocated at each meeting to consider the processes involved in the work of Operation Koper. The Board was advised that several hundred requests were being handled involving resources from across directorates, including a significant input from business support.
- The adult services review and report on future regulation of technology enabled care, carried out at the request of Scottish Government, and covering a 12 month review period. The focus of the review had been on 'alarm receiving and alarm responding' centres for care at home services and the report made a recommendation that such services providing care and support at home should be registered. It was noted that this would require legislative change

The Board welcomed and noted the detailed information contained in the Chief Executive's report.

STRATEGY AND POLICY

There were no items for this meeting.

MONITORING AND GOVERNANCE

9.0 MONITORING OUR PERFORMANCE 2022/23 QUARTER 3 – REPORT NO: B-33-2023/24

The Executive Director of IT, Transformation and Digital presented the quarter 3 report, which provided a statistical account of the Care Inspectorate's performance against its key performance indicators and key outcome indicators, noting for the Board any remedial action where performance was below target.

There was some discussion under KPI 5 about the percentage of staff having completed core learning, with the Board expressing concern with the drop in number since the previous quarter. The report outlined that completion rates had been impacted to some

extent due to a large number of staff being focussed on Operation Koper and national Covid-19 inquiries, making it challenging for training courses to be completed within target timelines. The introduction of a new dashboard during quarter 4 would enable managers to monitor compliance across their teams and offer support to staff.

Regarding KPI 2 - the percentage of scrutiny hours spent in high and medium risk services – it was noted that, although there had been a dip during quarter 2, performance remained within target range and normal limits, and that the beginning of the year would see a higher proportion of time in high-risk services, as these were prioritised for inspection first.

The Board was pleased to note that performance in relation to KOI 4 remained high during Q3 with 96.8% of services getting expected grades or better. Members agreed this was a good indication of the organisation’s risk-based activity, providing hard evidence of the Care Inspectorate’s positive assessment, taking account of all available intelligence, including complaints.

The Board noted the report.

10.0 BUDGET MONITORING AND STAFFING UPDATE - REPORT NO: B-34-2023/24

The Executive Director of Corporate and Customer Services introduced the quarter 3 report, which provided the Board with details of the projected 2023/24 financial position and an update on the staffing position. The report also outlined the significant risks to the projections in the report.

The Board discussed various aspects of the report, including the digital transformation programme funding and the specific areas of underspend realised through savings in training and development, travel and subsistence and vacancy slippage. Members also noted the confirmation from the sponsor department that the amount the organisation would be able to draw down against the letter of comfort should be matched to the 2023/24 net expenditure requirements.

Having discussed the report in full, the Board noted:

- the projected financial position for 2023/24 and the risks that may affect the position;
- the movement in projected financial position from that previously reported to the Board; and
- the financial position on the Stage 2 Digital Transformation project; and
- that work would continue with the sponsor department on monitoring and optimising the Care Inspectorate’s financial position.

11.0 AUDIT AND RISK COMMITTEE MEETING HELD 14 DECEMBER 2023 – REPORT NO: B-35-2023/24

The Committee Convener presented the report of the meeting held on 14 December 2023. The Board noted the following key points:

- the three very positive internal audit reports, covering Financial Sustainability, Debtors/Income and Enforcement Action;
- the provision of an annual report on Enforcement Activity, the first of which would be submitted to the Committee meeting on 30 May 2024;
- the Committee's agreement, that a new Digital Assurance and Advisory Group for Stage 2 of the digital project should be established for a period of 36 months, and its terms of reference to be submitted to the Board Chair for approval; and
- the Committee's approval of two new risks to be added to the Strategic Risk Register, one relating to Capacity Diverted to Inquiries and Operation Koper and the other relating to Modern Day Slavery.

The Board welcomed and noted the detailed update from the Audit and Risk Committee.

12.0 EQUALITY DUTY REPORTING: ANNUAL EQUALITIES REPORT – REPORT NO: B-36-2023/24

The Executive Director of Strategy and Improvement introduced the report, with more detailed input from the Equalities Professional Adviser.

The purpose of the report was to provide the Board with an annual update on the progress made to deliver the Care Inspectorate's three equality outcomes actions, which had originally been published in its Equalities Outcomes Mainstreaming Report in 2021. The Board was invited to note the positive actions and achievements outlined and the plans to progress this work further.

Members welcomed the very comprehensive report and the work that had been done to embed equality, diversity and inclusion into all of the work of the organisation.

A couple of editing points were raised by the Board and these were noted by the Equalities Professional Adviser.

There followed a wider discussion on various aspects of the report, which included:

- the description of "care experienced" as a protected characteristic, where the Board was advised that, although not

a legal requirement, the organisation built this into its equality impact assessments. The Board supported this approach and recommended this be made clear in a published report, as well as information explaining the role that the Care Inspectorate carried out in promoting equality and diversity across all of the sectors it regulated.

- The feedback from a staff survey of experience of neuro-divergence, which had helped the organisation to identify what it was doing well and provided ideas of what it could do better. A working group had been established which met every 12 weeks.
- Details of how the equalities work was also integral to delivering corporate parenting and Keeping The Promise to Scotland's Children, including the regular meetings between the organisation's The Promise team and Who Cares? Scotland.

The Board welcomed and noted the very positive report.

13.0 CORPORATE PARENTING TRIENNIAL REPORT 2021-2023 – REPORT NO: B-37-2023/24

The Executive Director of Strategy and Improvement introduced the triennial report, with input from the Head of Quality Improvement and Participation. The report provided the Board with an update on the progress, main achievements and areas for development in respect of the organisational 2021-2023 Corporate Parenting Plan. The Board was invited to approve the report for publication.

The Board welcomed the report and was particularly pleased to note the work that the organisation was undertaking with young volunteers and the positive impact this was having across a range of the Care Inspectorate's activities.

With an agreed recommendation that the reference to research undertaken in 2020 be removed (on page 18 of the report), the Board **approved** the Corporate Parenting Triennial Report for publication.

HoQIP

14.0 ANNUAL REVIEW OF THE CARE INSPECTORATE'S FINANCIAL REGULATIONS – REPORT NO: B-38-2023/24

The Executive Director of Corporate and Customer Services introduced the report which outlined the very minor changes made to the Care Inspectorate's Financial Regulations, as part of the annual review. A tracked version of the regulations had been provided to enable members to see where the changes had been made.

There were no further questions and the Board **approved** the changes to the Financial Regulations.

OPERATIONAL ITEMS

15.0 HR REPORT – Q3 2023/2024 - REPORT NO: B-39-2023/24

The Executive Director of Corporate and Customer Services presented the quarterly report, which provided the Board with data on staff absence and turnover as well as an overview of recruitment during the period October to December 2023, and other relevant HR updates.

As requested by the Board at its November meeting, this quarter 3 report also contained information on staff exit interviews. Members were advised that these were not mandatory and, at this stage, there were no emerging themes but the responses would be monitored.

The Board was pleased to note the positive change in the number of inspectors, including the talent pool of 10 successful candidates that were ready to backfill any vacancies going forward.

The Board suggested and discussed the possibility of inspectors being cross-trained, where there were areas of specialism and sharing of expertise. Members were assured that expertise and experience was shared across inspection activities, whilst maintaining national specialist teams for adults and children's services.

The Board made no suggestions for any additional information for the next quarterly report.

STANDING ITEMS

16.0 STRATEGIC RISK REGISTER – REPORT NO: B-40-2023/24

The Executive Director of Corporate and Customer Services presented the report which invited the Board to consider the current risk monitoring position. The Board was also invited to agree the proposed addition to "consequences" for strategic risk 3 and to agree the addition of two new strategic risks covering Capacity Diverted to Inquiries and Operation Koper, and also Modern Day Slavery. Both of these had been discussed in full by the Audit and Risk Committee, and had agreed to seek Board approval.

Having noted the information outlined in the report, the Board **agreed** the additional wording to strategic risk 3, and **agreed** that the two new risks should be added to the Strategic Risk Register. These would be discussed further at the Board's annual review of the risk register.

HoFCG

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| Version: 1_0 | Status: Approved 28.03.2024 | Date: 18.03.2024 |
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17.0 BOARD SCHEDULE OF BUSINESS 2023/24

The Board reviewed and agreed the schedule of business for the remainder of the 2023/24 cycle.

18.0 ANY OTHER COMPETENT BUSINESS

There was no other competent business.

19.0 CLOSE OF PUBLIC MEETING AND DATE OF NEXT MEETING

The date of the next meeting was noted as 28 March 2024 at 10.30 am. This would be an extra meeting, with no requirement for quarterly reporting.

Signed:



Doug Moodie, Chair