

Healthcare Improvement Scotland

Social Care and Social Work Improvement Scotland

The new scrutiny and improvement bodies for social care, social work, child protection and healthcare services

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Staff Issues

The project team continues to have regular discussions with the trades unions and the minutes of those meetings are available on the website. The trades unions are also represented on the HR Working Group which has been convened to consider a range of HR issues, including matching criteria, draft policies and procedures for SCSWIS and HIS etc, in readiness for people joining the new organisations in April 2011. The HR Group's membership is based on that of the former **Terms and Conditions Group** and will meet on 28 April and agree its remit.

Pensions work will be led by the project team and HR colleagues in the Scottish Government rather than the HR Working Group. A seminar presented by the Government Actuaries Department is being arranged for later in the year to provide a general overview for staff in PCSPS about the effects of the changes.

Dates to watch

HR Working Group – 28 April
 SCSWIS Gov Group – 29 April
 Programme Board – 4 May
 Trades Unions Meeting – 5 May
 HIS Gov Group – 10 May
 ADSW Conference – 13 May
 SCSWIS Implementation Group - 20 May

Countdown to April 2011

It is now less than a year until the launch of HIS and SCSWIS on 1 April 2011.

Continuity and transition planning is now underway and some of you will be involved in taking forward the priority tasks identified by the Governance Groups. This should help to ensure that the transition is as smooth as it can be and that people are well placed to take forward the proportionate, risk based scrutiny of the health, social care and social work sector. As part of preparation for doing things differently in the new organisations we will be holding a series of events to help develop a new approach and culture.

Professor Malcolm Sparrow of Harvard University's Kennedy School of Government met recently with people from all the existing organisations and the event was appreciated by all those who attended. Professor Sparrow is a leading expert in regulatory enforcement and practice and his ideas on a problem-orientated approach has considerable relevance to the risk based and proportionate approaches envisaged in HIS and SCSWIS.

The discussions at the seminar showed that the business models for HIS and SCSWIS reflect research evidence on best regulatory practice, including:

- the greater role for statistical data analysis in decisions around inspection, regulation and improvement;
- the need to control risks while achieving quality improvement/management;
- focusing on improving standards overall and a realisation that a lack of improvement in itself will highlight risks over time;
- utilising public interest and concern and communicating effectively about the steps being taken to improve services; and
- the need to anticipate future risks and act promptly to prevent harm.

At the seminar it was noted that major adverse events have often led to a particular focus on regulatory practice and enforcement to tackle that problem, and then new problems are sometimes not spotted. There is a need to pick up problems before they become major issues. Methodologies and protocols to spot risks and address them are needed. It will be important that these approaches are in place and resourced in the new bodies along with the ability to move to long term monitoring of risks. Of course there will need to be a message for stakeholders about why there is less of a focus on a particular area with less risks, when residual risks still exist.

Countdown to April 2011 continued

It is valuable that the proportionate, risk based approach that the new bodies will take in their scrutiny programmes is backed by academic thinking which provides a solid rationale for the new bodies' new ways of working.

The **slides** from both sessions and the **summary** of the session on 25 March are available on our website. More details of other events for all the people who will be part of the new organisations will follow once the programme has been firmed up. Watch this space!

Update from HIS Governance Group

– the Group met on 12 April to discuss the **critical path** and **priority tasks** for the next six months. These priorities include the preparation of operational, resource and inspection plans, joint inspection methodologies and performance assessment regimes and scoping infrastructure support systems, such as ICT.

Update from SCSWIS Governance Group

– at its last meeting in March the group agreed the final list of priority tasks to be taken forward over the next 6 months. The Group gave responsibility for these priority tasks to different working groups made up of individuals from each of the current bodies. A list of the priority tasks and who is responsible can be found on our **website**.

Some of the main areas of work being prioritised are: inspection and resource plans; scoping exercise on ICT systems; business cases for financial and payroll systems; strategy for the effective transfer of knowledge; competency and skills analysis of current posts; and designing and running staff events looking at inspiring a new approach and culture for both HIS and SCSWIS.

Progress on these tasks and all other tasks relating to the transition are updated to the Governance Group each month. An update will be included in future bulletins outlining our progress so far against our priority tasks.

Public Services Reform (Scotland) Bill update

The Stage 3 debate and the Bill being passed was a significant milestone in the setting up HIS and SCSWIS. Thanks must be given to everyone who played their part in ensuring that the legislation covering HIS and SCSWIS was so well supported by so many stakeholders. The proceedings of the Stage 3 debate are available **here**. The Bill is expected to be granted Royal Assent in early May.

Developing the new regulatory framework is a priority task and work is underway to consider what changes are required to the current system. There will be consultation on the draft regulations over the Summer.

Issue No 09 of the Staff Bulletin provided a brief update of the changes made at Stage 2 of the Bill. The changes made to Parts 4 and 5 at Stage 3 were very minor and mostly technical. There was one amendment to Section 53A(1) - Emergency Cancellation of Registration - to make it clear that cancellation of registration only applies to those services registered under Part 4 Chapter 3 of the Bill (Care Services).

It has been brought to our attention that the note about the changes to Section 53A in the last bulletin might be misread. The new emergency cancellation of registration provisions allow SCSWIS to make an application to the sheriff for an order cancelling a care service's registration. If the sheriff approves the application the cancellation will come into effect on the date specified in the order. Whereas, emergency condition notices will take effect immediately when made by SCSWIS.

Section 90 10Z10 was also amended to require HIS to establish the Scottish Health Council (SHC) while giving Scottish Ministers a new order-making power to remove the requirement on HIS to delegate specific functions to SHC and then to dissolve the SHC at some future time. Any order dissolving SHC may be reversed at some future date.

Once the Bill has received Royal Assent (and so become an act) a print of the new Act will be produced, probably in early May. A final updated version of the Explanatory Notes for the Act will also be made available.

Comments or questions

If you have any comments or questions on the project or you would like briefing on anything in future bulletins you can submit these to:

- The project team by email to **NSB2011@scotland.gsi.gov.uk**
- Through your organisations' discussion forums
- Through informal feedback to members of your team involved in different aspects of the project (see **Who's Who**)
- Through your communication representatives:
 - Care Commission, **Karen Anderson**
 - HMIE, **Ian Ronald**
 - NHS QIS, **Ken Miller**
 - SWIA, **Andrew Wilkinson**

Getting to know you ...

This section is where colleagues from all the bodies are introduced. Working together better is one of the outcomes that it is hoped will be achieved from the changes, which is a great reason for finding out a little more about one another in bulletins.



Joan Lafferty – Her Majesty’s Inspectorate of Education, Directorate 6 – Child Protection

What do you do in HMIE?

Joan – I inspect services to protect children in all local authority areas across Scotland. The services I inspect are police, health, social work, education and the Children’s Reporter. I am a permanent member of staff in Directorate 6 in HMIE. My own professional background is in social work. I previously worked in local authority social work departments and also the Care Commission. My colleagues in Directorate 6 come from social work, health, police, education and the Children’s Reporter service backgrounds. We are a third of the way through a second round of child protection inspections. We have a new proportionate model for this round of inspections and Care Commission and SWIA inspectors are joining us for these inspections.

What do you think about the new scrutiny bodies – what challenges do you think there might be?

Joan – I think the new scrutiny bodies have the potential to be extremely positive developments. They could bring about real improvement to services not just through scrutiny but through helping services use self evaluation effectively to enhance what they provide for their service users. It’s a great opportunity for all people who work in the separate bodies to come together and learn from each other. Of course this could also be very challenging. People have their own ways of doing things and ideas of how they should be done. Bringing these groups together in the new body to develop new working practices will be the biggest test for the new organisations.

What are you hoping to see from the changes?

Joan – A new inspection and regulatory regime where the focus will be different. In SCSWIS for example there will effectively be three bodies’ functions rolled into one new body. It would be nice to think that we will take the best from all of our ways of working and end up with a really good service and organisation. I am particularly pleased that there will be more emphasis on user focus and it being so central to the work of the new bodies is positive. I am hoping that one of the first things to happen will be the development of the vision and values because when they are in place everything will be able to flow from there. I appreciate a lot of work can’t get started until the Chair and Chief Executive are appointed. I am looking forward to the new shadow body starting work, and learning how the process will develop in the run up to April 2011.