



Minutes

Meeting:	Public Board
Date:	9 May 2024
Time:	11.00 am to 1.00 pm
Venue:	Rooms 1.02/1.03, First Floor, Compass House, Dundee (with Teams link available)
Board members present:	Doug Moodie, Chair Naghat Ahmed Charlotte Armitage Audrey Cowie Rona Fraser (by Teams) Ronnie Johnson Maria McGill (by Teams) 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) Gordon Mackie, Executive Director of IT and Digital Transformation Kenny Dick, Head of Finance and Corporate Governance (HoFCG) Lisa Rooke, Head of Corporate Policy and Communications (HoCPC) (by Teams) Kenny McClure, Head of Legal Services (HoLS) Fiona McKeand, Executive and Committee, and Corporate Support Manager (EC&CSM – minutes taker)
Observers:	Donna Laing - Joint Chair, Partnership Forum (official observer) Fiona Lowry - Regulation Improvement and Integration Support Division, Directorate for Social Care and National Care Service, Scottish Government
Public Observers:	None

Apologies: Paul Gray, Board member
Sandra Campbell, Board member
Kevin Mitchell, Executive Director of Scrutiny and Assurance

Item	Action
1.0 WELCOME	
The Chair welcomed everyone to the meeting, and thanked Fiona Lowry of the Sponsor Department at Scottish Government for joining to observe the Board business.	
2.0 APOLOGIES	
Apologies were received, as noted above.	
3.0 DECLARATIONS OF INTEREST	
There were no declarations of interest for this meeting.	
4.0 MINUTES OF BOARD MEETING HELD ON 28 MARCH 2024	
The Board agreed to an amendment being made to section 9.0 and, with this change, approved the minutes as an accurate record of the meeting held on 28 March 2024.	EC&CSM
5.0 ACTION RECORD OF BOARD MEETING HELD ON 28 MARCH 2024	
The Board reviewed and agreed the action record, subject to an update to reflect the agreed amendment to the minutes.	EC&CSM
6.0 MATTERS ARISING	
The Board asked for an update on the Care Inspectorate's recruitment freeze and was advised that this had recently been lifted. The Chief Executive explained that a robust vacancy management process remained in place whereby each post was being reviewed from a business critical angle. Inspector recruitment was underway, although it was recognised that the full recruitment process, including induction, could take up to six months. The Board welcomed the lifting of the recruitment freeze and the implementation of the vacancy management process.	
7.0 CHAIR'S QUARTERLY REPORT – REPORT NO: B-02-2024/25	
The Chair presented his quarterly report and drew the Board's attention to some key areas of activity, which included:	
<ul style="list-style-type: none"> The Board's own discussions on governance and oversight of the organisation, explaining that this was partly driven by 	

the budget challenges but also aiming for the Board to be proactive and “ahead of the curve”. The Board’s discussions had honed in on the need for a group to review resource and finance, and the Chair intended to discuss this matter later in the meeting under item 21.

- The Chair’s draft letter to Scottish Government and the minister outlining Board concerns around the budget allocation, where the Chair planned to complete the correspondence for issue the following week.
- The current round of Board members’ appraisals would be completed that day.
- The meeting attended by the Chairs of each of the Scotland, England, Wales and Northern Ireland regulators, all of whom considered this an important forum for respective Boards as far as peer review and areas of collaboration were concerned. The Chair would keep the Board and Chief Executive informed of these discussions.

The Board noted the report.

8.0 CHIEF EXECUTIVE’S REPORT – REPORT NO: B-03-2024/25

The Chief Executive presented her detailed report which provided the Board with an update on significant developments and new or completed activities that directly supported the corporate plan and its strategic outcomes. In agreement with the Chair, the comprehensive report was presented to the Board for noting and members were invited to contact the Chief Executive’s office directly with any questions on specific matters within the report.

The Board agreed that it would be helpful for meeting agendas to make clear the purpose of each item, ie for noting, assurance, discussion, decision, to reflect what was outlined on the cover sheets for reports. The Chair agreed this would be completed for all future meetings, and advised members that he had been in discussion with the Chief Executive on the administration and format of Board meetings, to ensure the correct balance of strategic and operational matters. It was acknowledged that a number of reports were for noting and, although this might minimise the need for detailed discussion, it did not preclude questions being submitted outwith the meeting where relevant.

EC&CSM

The Board noted the information within the Chief Executive’s report.

STRATEGY AND POLICY

9.0 DRAFT UPDATED SCRUTINY AND ASSURANCE PLAN 2024/25 - REPORT NO: B-04-2024/25

The Chief Executive presented the report, referring to the Board’s earlier discussion in private session which had included detailed

supplementary papers to help inform the Board's decision-making on the plan. It had been necessary to hold the earlier session in private due to the matter involving issues of financial sensitivity or confidentiality, as well as relating to Care Inspectorate business which was still subject to discussion with the Scottish Government.

The Board had previously reviewed the 2024/25 plan in February 2024 and had agreed to defer its approval pending clarification of the Care Inspectorate's budget position for the coming year and the impact on resources to deliver the plan.

During the private session, the supplementary information outlined the impact of the Care Inspectorate's shift in 2019 from a cyclical frequency framework to inspect regulated care services to one based on risk and intelligence and following up requirements to secure sustained improvement more quickly. The information included a summary of the extensive work that had been undertaken by staff in the development and updating of resource models to identify the resources required to support inspection, complaints and registration activity.

The Board **approved** the scrutiny and assurance plan 2024/25, and **agreed** that the supplementary report and appendices should be shared with Scottish Government to raise their awareness of current inspection capacity and impact of historical underfunding and any budget cut.

10.0 STRATEGIC WORKFORCE PLAN 2023-2026: YEAR 1 PROGRESS REPORT – REPORT NO: B-05-2024/25

The Executive Director of Corporate and Customer Services introduced the report and explained that the organisation and workforce development team had been relocated to sit within the Corporate and Customer and Services Directorate temporarily, pending discussions on the wider restructure.

This was the first annual progress report on delivery of the three workforce priorities outlined defined in the strategy's action plan, which the Board was invited to note. The Head of Organisation and Workforce Development outlined in more detail specific areas within the report and invited questions from members.

There was a suggestion from the Board in terms of living the organisation's values and the role modelling of values by leaders for other staff and ways in which this might address any perceptions of the Board being "distanced" from the workforce. The Board was advised that this was an area of work that was being looked at in more detail by the internal engagement team, specifically a communications plan for enhancing visibility of Board members.

The Chair asked about the timescales for the staff pulse survey and was advised by the Chief Executive that the next full staff survey was due in September, working with the Partnership Forum. It was intended that the survey would focus on some of the issues already being addressed in the action plan.

Members welcomed the work being done to develop staff and were particularly keen to know more about the support to staff with disabilities. The Head of OWD agreed to liaise with the Head of HR on the provision of information on this area of work.

HoHR/HoOWD

The Board was also pleased to note the guaranteed interview scheme that the Care Inspectorate operated, which related to care experienced applicants. It was agreed that the Head of OWD would find out more from colleagues in HR about the collaboration with external agencies in this area.

HoHR

The Board was interested to know more about the results of the intermediate pulse surveys, ahead of the full staff survey and asked if there were any metrics available for the Board's consideration. It was acknowledged that output from staff surveys in general, not only within the Care Inspectorate, could be largely cultural and could take some time for staff's approaches and attitudes to change. Sustainable change was what was expected by staff at all levels across the organisation. It was agreed that the Board would be kept sighted on the "mood" of the workforce, particularly in the present financial climate, so that members could be assured that staff were being supported at work.

The Deputy Chief Executive/Executive Director of Strategy and Improvement explained that the action plan was organisation-wide, having previously been categorised by directorate. This enabled shared ownership and was on the agenda for all directorate and team meetings.

The Chief Executive also explained that a recent staff live session in April had clarified the budget position and the plans for restructuring. Improvements had been made in the speed and clarity of information being provided to staff and regular updates were circulated immediately following each meeting of the Strategic Management Group (SMG).

Members were also advised that the Head of Corporate Policy and Communications was leading work around Employee Voice across the organisation. This would involve developing an understanding of and mapping the staff "voice" and build on and improve the positive work and initiatives that were being done. The SMG believed this to be a priority area of work so that staff would know how they could make their voice heard. There were currently a number of communications channels and the important role that managers had in assisting their teams to express their views.

The Board noted the many “voice” channels in place and expressed interest in outputs from the staff survey resulting in a strategic level action plan applying across the organisation, as well as cultural issues. In terms of the action plan, the Board noted the delivery timescale had been extended and it was explained to members that a proposal had been agreed with the SMG around a phased approach to leadership and management development, so that there was clear definition of levels of roles, skills and behaviours. A skills matrix was the first stage, followed by a development programme and support and learning tools. Further down the line this would help to develop a talent pool and capacity for the future.

It was agreed that it would be helpful to have a mid-year update on the action plan following the staff survey in September.

HoOWD

The Executive Director of IT, Transformation and Digital also advised the Board of the full engagement strategy that was in place for communication of the transformation programme, including time and space for staff to engage in the project stages updates. Board members also had involvement through the digital assurance and advisory group.

Members noted the report and agreed that details of the indicators, measures and tracking process were important to provide the Board with assurance of the success of the plan.

11.0 CORPORATE PLAN 2025 ONWARDS – REPORT NO: B-06-2024/25

The Deputy Chief Executive/Executive Director of Strategy and Improvement introduced the report which set out the proposal to extend the current corporate plan for an additional year. The Board was invited to approve the proposal, noting that the rationale for the extension was to enable robust engagement with staff on the organisational structure to take place and clarity on the budget to be sought. There were also plans to hold significant consultation on the digital transformation work during 2024/25. Moreover, there were several external policy factors which the Care Inspectorate was engaged in, many of which had the potential to impact its activities and required to be considered in the context of developing a new corporate plan.

The Board expressed disappointment that a fourth, inward-facing, strategic outcome, which had been suggested at the Board strategic event the previous year, would not be included. The Chief Executive acknowledged this point and there was further discussion around the balance of the plan, which would be impacted by the budget and capacity issues where it was important not to place excessive pressure on staff.

In response to a question from the Board about clarity of the budget and whether this might be any clearer next year than it was at present, members were advised that a meeting with the Scottish Government Directorate of Health Finance was scheduled for August specifically to consider the funding gap in year 2024/25. However, it was anticipated that the next few years would also be challenging. Subsequently, the Care Inspectorate might need to constrain the commitments in the plan and then be clear about priorities, including the suggested fourth inward-facing strategic outcome.

Although the Board was disappointed to note the proposal to extend the current corporate plan for an additional year, the members acknowledged the reasons for this and **approved** the extension.

MONITORING AND GOVERNANCE

12.0 MONITORING OUR PERFORMANCE 2023/24 – QUARTER 4 REPORT – REPORT NO: B-07-2024/25

The Executive Director of IT, Transformation and Digital presented the quarterly performance monitoring report, which the Board was invited to note.

There was discussion in particular around KPI 5, which covered core learning where the Board noted that performance was down and also that cyber security was falling. Members expressed concern with this, particularly as it featured in the strategic risk register. The Executive Director of IT, Transformation and Digital explained that the training programme had moved from one year into another, meaning that staff had to re-set their training. Reminders had been issued to staff in general and targeted alerts sent to those who had not yet completed.

Dashboards were also being developed and tested with the aim of helping managers identify at a glance, monitor and follow up with staff who had not completed.

There was further discussion around core and mandatory learning and the staff ability to undertake these as a priority with the time commitment required. It was explained to the members that “core learning” had been benchmarked with other organisations and it was found in some areas that the numbers of modules that other organisations set for the same topics as the Care Inspectorate, for example equalities training, varied significantly, where the Care Inspectorate appeared to have a higher number. As far as mandatory requirements were concerned, the lower number of modules covered this. Consideration needed to be given, therefore, as to whether the organisation was asking staff to undertake too many modules. The Board had no further questions and noted the report.

13.0 ANNUAL REPORT AND ACCOUNTS AND FINANCIAL POSITION UPDATE – REPORT NO: B-08-2024/25

The Head of Finance and Corporate Governance presented the report which provided the Board with an update on the progress of the 2023/24 Annual Report and Accounts and the projected financial position for the year to 31 March 2024. The Board was invited to note the information contained within the report, including the associated risks.

Members noted that good progress was being made with the preparation of the 2023/24 Annual Report and Accounts, and that the organisation was on track to submit to external auditors in accordance with the agreed timescales. The report also included the annual update on the Care Inspectorate's income collection debt position, where the Board noted that collection rates remained good and debt management continued to be effective. The Head of Finance and Corporate Governance recorded thanks to his team for the work done in this area.

The Board also thanked the finance team and noted the report.

14.0 REPORT OF AUDIT AND RISK COMMITTEE MEETING HELD 7 MARCH 2024 – REPORT NO: B-09-2024/25

The Committee Convener presented the Board with an update of the key points discussed at the meeting held on 7 March 2024, along with a copy of the draft minutes of that meeting.

There was one recommendation from the Committee to the Board that strategic risks 1-4 should be reviewed by the Board in the near future to take account of anticipated developments in the operating environment and that specific consideration should be given to the status of risks that are being successfully maintained at target level.

The Board noted the recommendation and fuller discussion on this would take place that afternoon at the review of the strategic risk register.

15.0 COMPLAINTS ABOUT THE CARE INSPECTORATE: ANNUAL PERFORMANCE REPORT 2023/24 - REPORT NO: B-10-2024/25

The Executive Director of Corporate and Customer Services introduced the report, which included the draft Complaints Annual Performance Report, which outlined how the Care Inspectorate had managed complaints during the year 2022/23. The report was structured to include content that met the Scottish Public Services Ombudsman reporting requirements.

The Board was invited to note the report and there followed some discussion on the types of complaints and where these were coming from. The Board agreed that it would be helpful to have this information, and particularly if recurring issues were identified and the actions being taken to address these. It was **agreed** to include this in the next annual report, but with the Board having oversight of data on a six-monthly basis. This would be followed up by the Head of Organisation and Workforce Development.

HoOWD

16.0 HEALTH AND SAFETY ANNUAL REPORT 2023/24 – REPORT NO: B-11-2024/25

The Executive Director of Corporate and Customer Services presented the report which reviewed the organisation's health and safety performance for 2023/24 and provided comparative information to previous years. The report also summarised Health and Safety plans for 2024/25. This was presented to the Board for noting, and assured members that there were no areas of concern.

The Board's attention was drawn to two areas, namely to confirm that in the "incidents with injury" table under section 4.1.2, the incidents shown did not happen at work premises. The other point was in relation to verbal aggression, which was considered in detail at the quarterly meetings of the Health, Safety and Wellbeing Committee, looking at the process to highlight the organisation's zero tolerance. The Board noted and welcomed the report.

OPERATIONAL ITEMS

17.0 HR REPORT: QUARTER 4 2023/24 – REPORT NO: B-12-2024/25

The Executive Director of Corporate and Customer Services presented the report which provided the Board with an update on the activities of the HR team during quarter 4, covering January to March 2024. Members were advised that the full annual report would be presented to the August Board meeting. The report also included data on staff absence rate, staff turnover and an overview of recruitment during the period and other relevant HR updates.

The Board was invited to note the information and to consider if any other information would be relevant to receive in future reports.

There was some discussion on the sickness absence figures, particularly where mental health was cited as a reason. The Chief Executive advised members that the HR team was giving support to managers to help them to support staff in these instances, including referrals to occupational health professionals for additional help where necessary.

The Board had no further comments or questions and agreed it was a very good report.

18.0 ESTATES UPDATE REPORT - REPORT NO: B-13-2024/25

The Executive Director of Corporate and Customer Services presented the report, which the Board was asked to note. It was the first of the annual updates on the implementation of the Estates Strategy 2023-2029, following the Board's approval of the strategy on 15 December 2022.

It was noted that the past year had been a very busy one for the Estates team, which was also experiencing reduced capacity. The year had seen the closure of some of the organisation's offices in Dunfermline, Elgin and Lerwick. Headquarters in Dundee had agreed a reduced working space and upgraded the remaining space to better suit hybrid working.

The accommodation review process would continue in 2024/25 including three of our larger offices: Hamilton, Paisley and Stirling and identification of main "hubs" would then help to inform where best to locate satellite offices.

The Board agreed that the report was very helpful and provided assurance on the direction of travel with the approved strategy.

STANDING ITEMS

19.0 STRATEGIC RISK REGISTER MONITORING - REPORT NO: B-14-2024/25

The quarterly Strategic Risk Register monitoring position was presented for the Board's consideration, noting that the Audit and Risk Committee had reviewed the position at its meeting of 7 March 2024. The Board noted that the Committee had not proposed any changes to the current risk position but had raised some points that would be considered at the annual review of risk that would take place at the Board Development Event immediately following the Board meeting on 9 May 2024.

The Board had no further questions and would review in greater detail that afternoon.

20.0 BOARD SCHEDULE OF BUSINESS 2024/25

The Board noted the schedule of business.

21.0 ANY OTHER COMPETENT BUSINESS

The Chair raised two items of other business.

- Firstly, on behalf of the Board, he thanked Fiona Lowry and her team in the Sponsor department at Scottish Government for the support and advice given to the Care Inspectorate, particularly

around finance and resources. Ms Lowry welcomed the opportunity to attend the Board meeting indicating how helpful it had been to hear first-hand the Board's concerns about budget and resources. The sponsor team had been working collaboratively with the Executive Team in establishing with the minister what the next couple of years might look like, and the associated risks. She confirmed that there was a commitment to continue this collaboration.

In response to a question from the Board on policy developments and how best this information might be provided, the Head of Corporate Policy and Communications confirmed that the policy team was looking at options, following feedback from the recent questionnaire sent to all members about the type of policy support and information provision. Initial proposals would be discussed with the Chair with a view to presenting at a Board Development Event (BDE). It was agreed that this would be added to the BDE programme.

EC&CSM

- The Chair then raised the matter of establishing a new committee, which Board members had had some discussion on in private forum. The Board believed this to be a requirement in light of the current financial climate, so that the committee had oversight of financial and staffing issues. The Chair stated that members would like ongoing assurance that these areas were being tracked well. During their informal discussions, the Board had therefore reached a decision to set up a new committee to cover finance and people and would meet to discuss further with the Chief Executive and Executive Directors.

The Board asked for timescales and the Chair confirmed that, as the Board had undertaken some scoping work, there was a requirement for the first meeting to be set up before the end of June at the latest.

The Convener of the Audit and Risk Committee stated that there was a need to avoid duplication between the role and responsibilities of a new committee and that of the Audit and Risk Committee. The Chair also stated that the Board wished for a representative of staff-side to have access through this new committee.

22.0 CLOSE OF PUBLIC MEETING AND DATE OF NEXT MEETING

The date of the next meeting was noted as 15 August 2024 at 10.30 am.

Signed:



Doug Moodie, Chair