

Scottish Government Response to the Health and Sport Committee Inquiry into the Regulation of the Care of Older People

Report to: Board

Date: 8 March 2012

Report by: Karen Anderson, Director of Operations, (Planning, Assurance & Public Reporting)

Report No. B-04-2012

Agenda Item: 10

PURPOSE OF REPORT

The update the Board on the Scottish Government's response to the Scottish Parliament's Health and Sport Committee Inquiry report into the regulation of the care of older people.

RECOMMENDATIONS

That the Board:

1. Notes the Scottish Government's response to the Scottish Parliament's Health and Sport Committee Inquiry report into the regulation of the care of older people.

Version Control and Consultation Recording Form

Version	Consultation	Manager	Brief Description of Changes	Date
1.0	Senior Management			
	Legal Services			
	Resources Directorate			
	Committee Consultation (where appropriate)			
	Partnership Forum Consultation (where appropriate)			
Equality Impact Assessment				
To be completed when submitting a new or updated policy (guidance, practice or procedure) for approval.				
Policy Title:			Involvement Review	
Date of Initial Assessment:			Jun – Aug 2011	
EIA Carried Out			YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
If yes, please attach the accompanying EIA and briefly outline the equality and diversity implications of this policy.			Although an EIA is not appropriate at this time, full EIA process may be required on individual work streams and actions stemming from the Inquiry.	
If no, you are confirming that this policy will have no negative impact on people with a protected characteristic and a full Equality Impact Assessment is not required.			Name: Colin McAllister Position: Corporate Planning, Communications & Involvement Manager	
Authorised by Director	Name: Karen Anderson		Date: 20 February 2012	

Version: 3.0	Status: <i>Final</i>	Date: 20/02/2012
--------------	----------------------	------------------

1.0 BACKGROUND

The Health and Sport Committee announced in June 2011 it would undertake a short inquiry into the regulation of care for older people. The inquiry focused on addressing one key question: Does the regulatory system ensure care services for older people are providing good quality and appropriate care? To inform the inquiry, the Committee also sought views on the following:

- Can we be confident that the regulatory system is picking up on care services where the quality of care is poor?
- Are there any particular weaknesses in the current system?
- Does the system adequately take into account the views of service users?
- Does the registration and regulatory system provide an appropriate basis for the regulation, inspection and enforcement of integrated social and NHS care in the community?

The Board received a paper on the inquiry and its findings at its meeting of 20 December 2011 noting that the Committee concluded that 'the current regulatory system is sufficiently rigorous to identify care services for older people which are failing to deliver high quality care.' (Inquiry Report; paragraph 14, p3).

It endorses a number of key areas of the Care Inspectorate's work, including support for the risk-based approach in determining frequency and intensity of inspections. It welcomes steps taken to engage people who use care services and their carers in inspection, referring to the importance of lay assessors.

2.0 SCOTTISH GOVERNMENT RESPONSE

The Scottish Government published a response to the inquiry report on 20 January 2012. The response:

- welcomed the inquiry report and its endorsement of a number of key areas of the Care Inspectorate's work, in particular around risk-based approach to inspections and the steps taken to engage care service users and their carers in inspection via the lay assessors system
- accepted in part or in full the majority of recommendations within the report
- rejected three recommendations:
 - the extension of the chronic medication service to care home residents;
 - the enhancement of the Care Inspectorate's role in the commissioning process; and
 - the monitoring of service providers' annual accounts by the Care Inspectorate.

Version: 3.0	Status: <i>Final</i>	Date: 20/02/2012
--------------	----------------------	------------------

3.0 DISCUSSION

The paper at Appendix 1 updates the previous Board paper presenting a short summary of the process of the Inquiry, the Care Inspectorate's engagement with it and the recommendations of the Inquiry report.

In addition, it maps the recommendations accepted in full or in part by the Scottish Government against actions underway or planned by the Care Inspectorate.

4.0 RECOMMENDATIONS

The Board is invited to note the findings of Inquiry report and the Scottish Government response.

LIST OF APPENDICES

Appendix 1 - Summary of Health and Sport Committee Inquiry and the Scottish Government Response

Version: 3.0	Status: <i>Final</i>	Date: 20/02/2012
--------------	----------------------	------------------