

<b>Title of report</b>	Independent Review of Inspection, Scrutiny and Regulation of Social Care in Scotland (IRISR)
<b>Public/Confidential</b>	Public
<b>Summary/purpose of report</b>	To provide Council Members with an update on the Ministerial response to the IRISR and the work the SSSC is doing to support the recommendations.
<b>Recommendations</b>	The Council is asked to note this update on the IRISR and our activities.
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<b>Responsible Officer</b>	Maree Allison, Interim Chief Executive
<b>Link to Strategic Plan</b>	<p>The information in this report links to:</p> <p>Outcome 1: <b>Trusted</b> People who use services are protected by a workforce that is fit to practise.</p> <p>Outcome 2: <b>Skilled</b> Our work supports the workforce to deliver high standards of professional practice.</p> <p>Outcome 3: <b>Confident</b> Our work enhances the confidence, competence and wellbeing of the workforce.</p> <p>Outcome 4: <b>Valued</b> The social work, social care and children and young people workforce is valued for the difference it makes to people’s lives.</p>
<b>Link to Risk Register</b>	<p>Risk 1: We fail to ensure that our system of regulation meets the needs of people who use services and workers.</p> <p>Risk 2: We fail to ensure that our workforce development function supports the workforce and employers to achieve the rights standards and qualifications to gain and maintain registration.</p> <p>Risk 3: We fail to meet corporate governance, external scrutiny and legal obligations.</p>

	Risk 4: We fail to provide value to stakeholders and demonstrate our impact.
<b>Impact assessments</b>	No impact assessments were required.
<b>Documents attached</b>	Appendix 1: IRISR Recommendations and SSSC Activity, March 2024

## **INTRODUCTION**

1. On 23 September 2022 the Scottish Government announced its intention to carry out an independent review of inspection, scrutiny and regulation (IRISR). The review was published on 27 September 2023. The SSSC supported and informed the review. We also provided written evidence. The final report explores five key themes.
  - Theme 1 – A person centred approach
  - Theme 2 – What need to be inspected, scrutinised and regulated?
  - Theme 3 – How should inspection, scrutiny and regulation be carried out?
  - Theme 4 – How will we know systems are working?
  - Theme 5 – How will systems of inspection, scrutiny and regulation support the workforce?

On 6 March 2024 the Scottish Government formally responded to the IRISR. The Scottish Government has accepted all 38 recommendations.

2. This report highlights our current and planned activity in relation to relevant recommendations. The work we deliver under the recommendations support the delivery of improved outcomes under the Scottish Government Public Services Reform agenda. We are working to deliver an improved streamlined regulatory process, involve people in our work and deliver improvements with our partners across Scotland.

## **RECOMMENDATIONS**

3. The IRISR identified an implementation gap between the intention of regulation and the experience of those who use and work in social care support services and set out 38 recommendations to close that gap. The appendix summarises our current and planned activity on relevant recommendations.
4. The response recognises that there is already significant work underway to address many of these recommendations. The Scottish Government's response focused on three of the recommendations, all of which are relevant to the SSSC.
  - Recommendation eight explores a bespoke scheme of registration for Personal Assistants (PAs). It confirms that the Scottish Government will not consider further actions on this recommendation under the current work to implement the Disclosure (Scotland) Act 2020 and the PA Programme Board Work activities have progressed. The appendix provides a summary of our contribution to this activity.
  - Recommendation 15 is a review of the care service types and corresponding definitions as set out in set out in schedule 12 of the Public

Services Reform (Scotland) Act 2010. This work has implications for our legislation.

- Recommendation 33 is a review of the Health and Social Care Standards. We contributed to the previous review of the Standards in 2017 and would expect to be involved in this review. The Care Inspectorate has the same statutory duty to take into account the Health and Social Care Standards when carrying out its statutory functions as it does in relation to the Employer Code of Practice.

## **SUMMARY OF PROGRESS**

5. Many of our activities relate to more than one of the IRISR recommendations. These include the following. Recommendation numbers in brackets:
  - Our review of the Codes of Practice for Social Services and Workers and Employers contributes to the drive to put trust, respect, relationships, ethos and culture (2) and to be better at taking account of people's experiences of service delivery (16).
  - Our work on the development of a Continuous Professional Learning Model contributes to the focus on outcomes (20) and can inform the recommendation that Scottish Ministers review the sufficiency, quality and availability of resources for training, development and improvement (37).
  - Our work on developing robust workforce data contributes to recommendations on sharing data for service planning (28) and ensuring that regulators collect the right data (30).
6. We are particularly pleased to see recommendation 15 on the review of the care service types and definitions. The previous work on this was paused during lockdown in 2020. This work will support several priorities and will make it easier for people to work across different services.

## **REGULATING NEW GROUPS**

7. Recommendation nine is that there 'should be a universal requirement to obtain registration with a regulatory body for all social care support staff appropriate to their role and setting and that this should be a condition upon joining the social care workforce.'
  - We have recently submitted a proposal to Scottish Government covering groups such as social work assistants and workers in adult day care services.

- The IRISR notes that agency staff currently need to be registered with the SSSC but the services do not. It also notes that there are no routine inspection, scrutiny or regulatory arrangements in place for drug and alcohol services. We will explore these areas with our Scottish Government Sponsor, the Office of the Chief Social Work Adviser (OCSWA)

## **CONSULTATION**

8. No specific consultation has taken place as this report brings together our current and planned activity in relation to the IRISR recommendations. Consultation and involving stakeholders is planned for individual projects.

## **RISKS**

9. The Scottish Government is committed to implementing the IRISR recommendations. We have a cautious approach to policy changes that impact on regulation of the workforce. However, we have an open appetite for areas of our work that create opportunities to support workforce development, initiatives and policies designed to improve the delivery of social work, social care and children and young people services.

## **RESOURCING**

10. This report does not identify any new resource implications, although there may be some from implementing some of the recommendations.

## **COMPLIANCE**

11. This report does not identify any new legal or relevant matters.

## **IMPACT ASSESSMENTS**

12. Impact Assessments were not required for this report. Many of the actions identified in our summary of the recommendations have or will require an EQIA or other impact assessments.

## **CONCLUSION**

13. The Council is asked to note this update on the IRISR and our current and planned activities.