

FINANCE AND CONSTITUTION COMMITTEE

HEALTH AND CARE (STAFFING) (SCOTLAND) BILL FINANCIAL MEMORANDUM

SUBMISSION FROM Care Inspectorate

Introduction

The Care Inspectorate is the official body responsible for inspecting standards of care in Scotland. That means it regulates and inspects care services to make sure they meet the right standards and helps them improve if needed. It also carries out joint inspections with other scrutiny bodies to check how well different organisations in local areas are working to support adults and children. We help ensure social work, including criminal justice social work, meets high standards.

Across all the Care Inspectorate's work, it provides independent assurance and protection for people who experience care, their families and carers and the wider public. In addition, it plays a significant role in supporting improvements in the quality of care, and reducing health and social inequalities, in Scotland. As the scrutiny and improvement body for social care and social work, it has a strong interest in this area and is happy to provide a professional perspective drawn on evidence held. It regulates, inspects and supports improvement in a wide range of care services for children, adults and older people, and also works with all local authorities, community planning partnerships, health and social care partnerships, and with community justice partners.

Questions

- 1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?**

The Care Inspectorate took part in consultations preceding the Bill, and did not comment on the financial assumptions made as that would be for others in the health and social care sectors. We have engaged with the Scottish Government on the proposal relevant to ourselves and are committed to working with relevant stakeholders and the sector as any new tool is developed.

- 2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?**

N/A

- 3. Did you have sufficient time to contribute to the consultation exercise?**

We had sufficient time to contribute to the consultation exercise.

Costs

- 4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.**

The financial assumptions in FM with regards to the Care Inspectorate are sufficiently accurate. The estimates of research, tool and method development, training and oversight reflect the financial implications of the Care Inspectorate leading and facilitating with relevant stakeholders the development of tools and methodology for care homes for adults, and the scrutiny of the use of any tool and methodology developed.

- 5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?**

As set out in the FM, there may be costs for care home providers in terms of staff training, which can only be fully quantified after the development of tools. If the legislation is enacted, the Care Inspectorate is committed to fully engage with stakeholders and providers as development of the tool and methodology progresses. We note also that while the bill strengthens the regulatory arrangements behind staffing arrangements, provides more modern and consistent approaches across Health and Social Care, and provides many advantages, the requirement to provide sufficient staffing is not in itself new. Rather, it will bring more consistency to the decision-making in this area of practice. The financial considerations need to be considered in this context.

- 6. If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?**

The FM sets out the estimates of the financial costs for the Care Inspectorate as a result of the Bill.

- 7. Does the FM accurately reflect the margins of uncertainty associated with the Bill's estimated costs and with the timescales over which they would be expected to arise?**

The Care Inspectorate's estimated costs are reflected in the FM, and these proposals align with collaborative work that is already underway to build on the iORN and to develop a national dependency tool for Care Homes for Older People, as well as the roll-out of new scrutiny models which reflect the new Health and Social Care Standards. These set out what people should experience from care, including in relation to staffing, and for service providers and commissioners to deliver care in a way which is consistent with these standards. These new scrutiny models will be able to help assess the effectiveness of staffing in care settings.

In terms of timescales, it is important that implementation of the Bill is strategically aligned to other policy drivers across the sector, including implementation of the Scottish Government's National Health and Social Care Workforce Plan, health and social care integration, the expansion of the SSSC register to new worker groups, and the reform of adult social care.

Wider Issues

- 8. Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?**

The FM reasonably captures costs associated with the Bill.

- 9. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?**

We welcome the initial focus on adult social care, and the Scottish Government's announcement that the policy intent at this time relates to care homes for older people. Very careful consideration and account of staffing expectations and policy drivers in other sectors will be required ahead of any further extension of the provisions.