



Written submission for the Health, Social Care and Sport Committee – Oral evidence, 10 June 2025

Introduction

We are grateful for the invitation to give evidence to the Committee and provide this submission for consideration ahead of the oral evidence session on 10 June 2025. The submission covers our role and responsibilities, our approach to scrutiny and quality improvement and recent or ongoing developments of note. We would be delighted to provide further detail or information on any aspect of the subjects raised in this briefing to support the Committee's work now or in the future.

Who we are and what we do

The Care Inspectorate is the independent scrutiny, assurance and improvement support public body for social care and social work in Scotland. Our wide scrutiny and quality improvement remit takes in services across the life journey, including early learning and childcare (ELC), childminding and school aged childcare, services for children and young people, and services for adults and older people. We carry out our functions set out in the Public Services Reform (Scotland) Act 2010 and Public Bodies (Joint Working) (Scotland) Act 2014 and employ around 660 staff across Scotland.

We rigorously monitor services, gathering and analysing data and information, which helps to target our scrutiny and quality improvement approaches and use our resources effectively and efficiently, as well as helping to shape and influence local and national policy and practice.

We have powers of entry to services, and to require changes in service delivery of, regulated care services. We can make requirements for improvement and can take enforcement action where it is identified people are at risk. We have a complaints function for complaints against registered care services. We deal with all complaints we receive through our procedures, including where appropriate investigating complaints s people raise.

We work with other scrutiny and improvement bodies, such as Healthcare Improvement Scotland (HIS), HM Inspectorate of Constabulary in Scotland (HMICS), HM Inspectorate of Prisons for Scotland (HMIPS), HM Inspectorate of Prosecution, Education Scotland, the Mental Welfare Commission and Audit Scotland to look at how social work and social care is provided by community planning and health and social care partnerships (HSCPs).

We are an executive non-departmental public body sponsored by the Scottish Government Social Care and National Care Service Development Directorate. We are obliged by statute to act under the general guidance of the Scottish Ministers and in accordance with any formal directions given by the Scottish Ministers using the statutory power conferred by s44(2)(a) of the 2010 Act.

We are funded by a mixture of grant in aid provided by the Scottish Government and fees charged to care service providers. We also receive specific funding to take forward particular workstreams or projects, including Adult Support and Protection strategic inspections, ELC Quality Improvement, Safe Staffing and Anne's Law/Meaningful Connection, among others. These are agreed on a time limited basis but can be incorporated into our core funding where there is an ongoing need.

Governance

The Care Inspectorate is governed by its Board, currently chaired by Doug Moodie. The Chair and Board members are appointed by the Scottish Ministers. The Board is responsible for setting the strategic direction and priorities of the Care Inspectorate and for ensuring that the organisation fulfils its statutory functions.

Our senior leadership team is responsible for the management and strategic leadership of the Care Inspectorate:

- Jackie Irvine, Chief Executive
- Edith Macintosh, Executive Director of Assurance and Improvement (Adults, Registration, Complaints and Quality Improvement)
- Kevin Mitchell, Executive Director of Assurance and Improvement (Children's Regulated Care and Strategic Scrutiny)
- Jacqueline Mackenzie, Executive Director of Corporate Services
- Gordon Mackie, Executive Director of Digital and Data

We have embedded a new model of operation to reflect the growth in work the organisation has been asked to undertake in recent years, with a revised directorate structure in place to ensure we have appropriate management capacity, oversight and resilience in place over a broad range of portfolios.

As set out in our [Corporate Plan 2022-2025](#), the Care Inspectorate's vision is for world-class social care and social work in Scotland, where everyone, in every community, experiences high-quality care, support and learning, tailored to their rights, needs and wishes.

We are currently consulting on and developing a new Corporate Plan, refining our strategic outcomes and priorities, taking into account the changing landscape of health and social care.

Registration

It is a legal requirement that services providing care must register their service with the Care Inspectorate and once operational, providers must apply to the Care

Inspectorate to vary their service if they make changes that would affect the operating conditions of registration.

We progress all registration and variation applications in line with the Act, associated secondary legislation, and the Health and Social Care Standards. As such, due diligence is afforded to ensure any proposed service can, and will, meet and uphold the needs and rights of people experiencing care.

We also investigate illegally operating services, which means we work with services who are operational and have potentially failed to obtain the required registration. If a service requires registration and fails to comply with the process, we may refer them to the Crown Office and Procurator Fiscal Service for potential legislative action.



Inspection

The Care Inspectorate firmly believes that all scrutiny, assurance and improvement support approaches should be intelligence-led, risk-based, targeted and proportionate. From 2019 we have moved from a purely cyclical approach to inspection to a risk-based approach, whereby we use our data and information to identify high-risk services and prioritise accordingly. Balanced with the statutory inspections required in accordance with legislation, this allows us to tailor our scrutiny and improvement support, and target our resources where they will have the greatest impact on protecting people and supporting improvements in care.

From 1 April 24 to 31 March 25, we completed 4,407 service inspections and took robust action, including enforcement where we deemed it necessary to do so, based on the evidence available.

Services are evaluated using a simple six-point scale: unsatisfactory, weak, adequate, good, very good, or excellent. At 31 March 25, around 87% of all

evaluated services were found to be good, very good or excellent. However, it must be stressed that this figure covers all evaluated services and that the picture varies across sector and service type. Evaluations are recorded in the service's inspection report and on the Care Inspectorate [website](#), where all inspection reports are published in full.

When a registered care service is not operating at the standard we expect, we seek to try and support improvement, however the responsibility for making and sustaining improvement lies with the provider of the care service. Where this does not happen, we have enforcement powers. We can impose extra conditions of registration, serve formal improvement notices requiring changes within a required timescale and cancel registration if it is not complied with, subject to appeal to the sheriff. We can make an application to the sheriff for emergency cancellation of registration based on a "serious risk to life, health or wellbeing", or impose an emergency condition of registration which remains in place until removed. Closing a care service is not common and is a last resort.

Complaints

Almost uniquely among health and social care regulators, the Care Inspectorate is responsible for investigating and resolving complaints about registered care services. Complaints are an important way we can identify and support improvement in care quality quickly. A complaints investigation can result in areas for improvement and requirements, and where necessary we take enforcement action. Complaints also help us build a profile of what is happening in care services, informs our scrutiny work in terms of identifying risks, the most appropriate intervention and where we need to target resources, prioritising inspections where necessary.

As set out in [Complaints about care services in Scotland 2019/20 to 2023/24](#), we received 5,646 complaints about registered services in 2023/24, a 4% decrease on the previous year, but still reflecting a long-term trend of increasing numbers of complaints received over the past 10 years. A total of 4,467 complaints were resolved using our [four resolution pathways](#), with 73% upheld where we conducted an investigation. Figures for 2024/25 will be published in the coming months.

Strategic inspection

In addition to regulated care inspections, the Public Services Reform (Scotland) Act 2010 gives the Care Inspectorate the power to carry out joint inspections with other bodies and report to Scottish Ministers on their findings. These inspections are carried out by our strategic inspectors. Their work focuses on scrutiny of services for: children and young people; services for adults; justice services and protection in local authority areas. They also undertake thematic work, for example: [A review of social work governance and assurance across Scotland](#) (2025) and [Disabled children and young people's experiences of social work services: a thematic review](#) (2024).

We are also committed to supporting continuous improvement through self-evaluation. Our recently published [Justice Social Work: Self-evaluation of performance, quality and outcomes](#) highlighted a sector wide commitment to

engaging in structured, national self-evaluation and selected validation activities to support continuous improvement. Feedback on the approach was very positive, noting it as proportionate and transparent.

Following the national launch of a [quality improvement framework](#) in November 2023, we will shortly report on our use of a core assurance approach to supporting self-evaluation for appropriate adult services across Scotland.

In partnership with Health improvement Scotland (HIS), His Majesty's Inspectorate of Constabulary in Scotland (HMICS) and national stakeholders, we also published a [quality improvement framework](#) for adult support and protection in October 2024. We are currently working in collaboration with partnerships to carry out multi-agency self-evaluations of their Adult Support and Protection arrangements.

In relation to services for children and young people, for 2025-2026 we are planning to undertake up to four joint inspections with a focus on children looked after at home through a Promise-lens and with a rights-based focus - moving away from exclusively considering children and young people in protection processes.

We also have important responsibilities around learning reviews for children and adults, serious incident reviews (SIRs) (Justice Social Work) and reviewing the deaths of looked after children. With HIS we also jointly host the National Hub for reviewing and learning from the deaths of children and young people in Scotland.

Quality Improvement

We have a duty to further improvement and, as such, Quality Improvement is integral to our core purpose and key activities. As a scrutiny and quality improvement organisation, we believe a whole system, collaborative approach to supporting quality improvement is critical. Through all our work whether scrutiny or quality improvement interventions, our aim is to improve the quality of care that people experience.

We recently published a [Quality Improvement Plan for 2025-26](#), setting out a continued focus on targeted quality improvement programmes and supporting clusters of services to make the improvements needed based on key themes from our scrutiny work, including complaints.

Examples of programmes include:

- [Care Home Improvement Programme](#): The Care Inspectorate (supported by the Scottish Social Services Council) worked with adult care homes to undertake an improvement programme in an area identified in their most recent inspection report. The programme runs on a cohort basis. In April 2024, the first cohort focused on NHS Greater Glasgow and Clyde and NHS Forth Valley health board areas. The flash report from Cohort 1 can be viewed [here](#). From October 2024, we have been supporting adult care homes in the NHS Tayside and NHS Fife areas as part of Cohort 2.
- [Early Learning and Childcare Improvement Programme](#): The overarching aim of our ELC improvement programme is to support funded settings across

Scotland to improve the quality of ELC and meet the National Standard. The programme, grant funded by the Scottish Government, focuses on providing targeted support for those settings currently, or at risk of, not meeting the National Standard through a programme of sessions and peer support opportunities. In November 2024 we published our yearly [evaluation](#) of the programme.

- [Psychoactive Medicines Improvement Programme](#): Our Senior Improvement Adviser (Pharmacy) and colleagues at a large national care home provider, have collaborated on a project to improve dementia care and reduce inappropriate psychoactive medication for people living with dementia.
- [Practical Dementia Resources](#): Using the Scottish Approach to Service Design, this project aims to codesign and develop a platform for shared learning for care staff taking a non-pharmacological approach to improving dementia care.
- [Reducing stress and distress improvement programme](#): This programme (a collaboration between the Care Inspectorate, Healthcare Improvement Scotland and NHS Education for Scotland) is working with teams in around 30 registered care homes to support improvement in the prevention and management of stress and distress for people living with dementia.

Involvement

The Duty of User Focus requires us to put people who experience care services and their carers at the heart of our work. Aligned to our Corporate Plan, our [Involvement and Equalities Charter](#) and the [Equalities, Diversity and Inclusion Strategy 2021-2025](#) set out how we put people who experience care at the heart of our work and focus on how we can help strengthen communities and reduce inequalities.

Our [quality frameworks](#), for use in self-evaluation, scrutiny and improvement support, all place a strong emphasis on involving both people who experience or have experienced care and those who provide care and support. We use a range of methods in this regard, including speaking to people directly, observation, questionnaires and the short observational framework for inspection (SOFI). SOFI was developed by Bradford University and, alongside other information ascertained during an inspection, is used to gather additional evidence of the quality of services, specifically exploring the experience of people who are unable to communicate their views, through speech, signing or alternative tools or technologies.

We also have an [inspection volunteer programme](#), which includes adult volunteers as well as a number of young inspection volunteers. Through the programme people with experience of using care services join our inspectors to review the quality of care in services together. The volunteers also provide valuable input into other aspects of our work such as developing policies, frameworks and strategies.

Recent developments

Digital transformation

The Care Inspectorate began its transformation journey several years ago to modernise our legacy systems and improve how we deliver scrutiny and support improvement across social care. We are now in Stage 2 of this journey, replacing outdated platforms with a modern digital solution that will better support our regulatory and improvement work. This new digital platform will help us capture and consolidate data, focus on areas of highest risk, and respond more flexibly to changing demands. The transformation supports our strategic goal of delivering high-quality care and better outcomes for all. It will improve collaboration across the Care Inspectorate, the wider social care sector, and with people who experience care.

By leveraging modern digital technologies, we can focus on value-adding activities instead of manual processes and cumbersome systems. This enables us to target resources and help us to better support struggling services, improve collaboration, and provide faster, more accurate insights to guide decision-making. We'll also be better placed to meet inspection targets and provide public assurance.

For care providers, digital solutions will make our systems more accessible and easier to use, minimising the data burden for care providers and services. We will be able to offer more tailored improvement support and ensure follow-up on key actions. Improved data sharing with partners and more timely statistics will further support service delivery and planning.

For people who experience care, this work means we will be quicker to identify and address poor-quality care and more proactive in how we engage with care users—digitally and in person. Feedback will be easier to share, strengthening the voice of people in care.

Anne's Law / Meaningful Connection

While we await the enactment of Anne's Law, we continue to support and promote the importance of all types of meaningful connection for people who live in adult and older people's care homes. The [Meaningful Connection, Visiting and Anne's Law Project](#) was set up by the Care Inspectorate, with funding from Scottish Government, based on the core principle that experiencing connection which is valued, meaningful and person-centred, is essential to everyone's health, wellbeing and personhood, and fundamental to human rights.

We will soon be publishing Supporting Meaningful Connection: Good Practice Guidance for Care Homes and continue to uphold the Health and Social Care Standards through inspection, supporting visiting and meaningful connections through these. We have also worked with Scottish Social Services Council to develop Open Badges on Meaningful Connections to support staff induction and development, and recently published a [factsheet](#) which includes practical ideas and

strategies for care staff and anyone else involved in caring for someone living with dementia.

Integrated inspection of care at home services

In 2025/26 the Care Inspectorate will undertake an integrated inspection of care at home services in one selected health and social care partnership (HSCP) area. This work involves combining and integrating strategic and regulatory approaches to inspection, helping to identify how commissioning processes in the selected HSCP area are supporting positive outcomes for people who experience care and their carers. We will publish an inspection report in Autumn 2025. Following the inspection we will evaluate the approach to inform future work.

Early Learning and Childcare (ELC)

A [quality improvement framework](#) for the early learning and childcare sectors was released in January this year. We continue to engage with and support services, including those involved in the pilot phase, as they become familiar with its content and structure before it is formally launched in September 2025. The framework contains quality indicators that support self-evaluation and will be used by the Care Inspectorate and Education Scotland in inspections from September 2025.

For our inspections from April 2025, we are undertaking a focus area to help us understand more about how early learning and childcare and school-aged childcare services support children's safety, wellbeing and engagement in their play and learning.

The Promise

We remain committed to keeping the Promise to Scotland's children and young people and continue to deploy a strategic inspector to lead and coordinate our organisation's Promise work, taking account of the Plan 24 – 30 and the recent Promise Oversight Board report. We contributed to the recent consultations on the definition of care experience and the future of foster care respectively, and will carefully consider the outcome of these.

There are several workstreams underway in relation to our work in relation to The Promise and would be happy to provide further detail on this in writing or in oral evidence.

We are committed to our responsibilities as a Corporate Parenting and our role in supporting the Scottish Government to promote, uphold and fulfil children's rights and wellbeing across policy and practice for all children and young people. Our [Children's rights, care experience and corporate parenting Plan 2024-27](#) details our commitments and recognises that all staff at the Care Inspectorate are Corporate Parents.

Recent publications

The following is a list of recent publications, reflecting the breadth of our work. We also produce quality frameworks, which guide our inspection activity, and a range of guidance and practice notes to support the sectors that we regulate.

- [Justice Social Work: Self-evaluation of performance, quality and outcomes \(2025\)](#)
- [A review of social work governance and assurance across Scotland \(2025\)](#)
- [Staff vacancies in care services 2023 \(2025\)](#)
- [Annual report on significant case reviews and learning reviews for adults 2022-2023 \(2024\)](#)
- [Complaints about care services in Scotland, 2019/20 to 2023/24 \(2024\)](#)
- [Cross border thematic review \(2024\)](#)
- [Disabled children and young people's experiences of social work services: a thematic review \(2024\)](#)
- [Early learning and childcare statistics 2023 \(2024\)](#)
- [Fostering and adoption statistics 2019 – 2024 \(2024\)](#)
- [Joint inspection of adult support and protection: overview of progress in partnerships where inspections were undertaken in 2017-18 \(2024\)](#)
- [Justice Social Work Serious Incident Reviews \(2024\)](#)
- [Learning reviews for children in Scotland 2023-2024 \(2024\)](#)
- [Prison-based social work: thematic review \(2024\)](#)
- [Space to Grow and Thrive: Design guidance for early learning and childcare and school age childcare settings \(2024\)](#)
- [Transitions for care experienced young people: A thematic review \(2024\)](#)