

Observations, reflections and learning from the Covid-19 pandemic

Strategic Scrutiny Group

1. Views on the impact Covid-19 has had on the organisations and sectors scrutinised

Audit Scotland

Covid-19 has had, and continues to have, far-reaching consequences for individuals, families and communities across Scotland. As Scotland's public audit agency, we see two overarching issues; how the pandemic has affected the sustainability of public finances, and the way it is exacerbating existing inequalities. The response to the pandemic has highlighted some of the strengths of the Scottish public services, including the ability to adapt and change quickly when necessary, the way partners can pull together when presented with an urgent shared challenge and how resilient we can be. The response of local people across Scotland, supporting their communities, has been nothing short of inspirational. Provision of emergency food and essential supplies, support for rough sleepers and the construction of a new hospital in Glasgow are all great examples of this. Changes and developments previously considered almost impossible have been made in a matter of weeks with a major pivot to more digitally-delivered services, including online GP consultations, e-care, school, college and university education and virtual courts.

There have been many tremendous challenges for Scotland's public services over the last six months. And looking ahead, there are serious questions about the financial sustainability of some sectors including social care and universities; backlogs exist in many public services, for example the NHS and courts where some services had to be paused; there are threats to public service delivery associated with staff burnout; and public finances are under unprecedented pressure. We already know that the pandemic has not treated everyone equally, having a disproportionate impact on some groups, for example the BAME community, more deprived communities have experienced more acute effects in areas such as health and education. Digitally-delivered services have exacerbated, in some cases, inequalities of access to digital technology and connectivity with regard to geography and deprivation. The pandemic has had severe impact on the economy, affecting businesses, workers and households. The inevitable increase in unemployment is likely to increase demands on the social security system and any reduction in tax take will increase pressure on Scotland's public finances.

The crisis has required the Scottish and UK governments to respond quickly, providing substantial additional funding for public services and support for individuals, businesses and the economy. There have been adjustments to governance systems to enable rapid decision-making. This may have reduced scrutiny, oversight and transparency by non-executives and elected members. The rapid pace of change and changed ways of living and working have increased the risk of error and fraud. Not everything will have gone well and there will be important lessons for the future. Public audit has a key role in providing scrutiny of how well public money is being spent to support people in Scotland.

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Care Inspectorate	<p>The first confirmed cases of coronavirus (Covid -19) in Scotland emerged at the beginning of March 2020, with the World Health Organisation declaring a global pandemic on 11 March. As the month went on, initial social distancing and public health measures were introduced by the UK and Scottish Governments. Lockdown was announced on 23 March, however, many care homes had already locked down earlier. Older people, those with weak immune systems and those with long-term health conditions were identified as being at higher risk of developing severe illness with coronavirus. During this period, issues such as the supply and use of personal protective equipment (PPE), testing and staffing became prominent.</p> <p>Other care services were also significantly impacted by the pandemic. Along with schools, early learning and childcare services either closed or refocused their provision to support the children of keyworkers, while local authorities were asked to put in place appropriate arrangements to support vulnerable children. Furthermore, the Scottish Government confirmed that the expansion of early learning and childcare provision to 1140 hours a year, due to apply from August 2020, was delayed.</p> <p>The Coronavirus (Scotland) Act 2020 received Royal Assent and came into effect on 7 April 2020. The Act introduced temporary changes to the way essential public services operate and are regulated during the pandemic. Provisions included various temporary extensions to prescribed deadlines for freedom of information requests, child protection measures and placements, and guardianships and treatments in relation to adults with incapacity.</p> <p>By the end of June, with the easing of restrictions, there was a gradual scaling up of services, including ELC, and clear signs of the spread in and between care homes easing. Day care and respite services did not start to operate again until August, however and remain limited. Visiting in care homes is still severely restricted, with its attendant impact on residents and their families. Services are challenged in terms of delivery by the need to maintain physical distance and by very significant backlogs of work in key areas, including justice, addictions and family support.</p> <p>Care sector staffing remains an area for concern. While at the height of the pandemic, staff sickness rates were actually lower than before lockdown, some services reported critical shortages, often associated with the need for staff to self-isolate. This remains a particular challenge where services are providing group care and where the risk of transmission of infection are high and likely to affect an entire staff group at one and the same time. Reported sickness levels (not necessarily Covid-related) are rising again now. A high proportion of staff continue to work from home, at least part of the week, providing additional challenges in terms of reliable access to records and the provision of supervision and emotional support for staff.</p> <p>A number of third sector services providing important care and support across a wide range of client groups are still suspended or operating only partially and there are doubts about their long-term viability.</p> <p>The intention to hold a formal public enquiry into the Scottish Government's handling of the crisis was announced by the First Minister at the end of May, prompted largely by widespread concern at the death of more than 1,900 older people resident in care homes. Deaths attributed to Covid-19 were reported in 46 per cent of all care homes in Scotland. The Crown Office is leading an investigation into all deaths of care home residents during the pandemic. The ongoing programme considering reform of adult social care has been given new impetus with serious debate now taking place into radical reforms including the development of a national care service and the funding that would be required.</p>
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Education Scotland	<p>The Covid-19 pandemic has had a significant impact on the education system. Since the start of lockdown, schools and other educational establishments have been closed. Over term 4, April to June, schools have been closed and this has necessitated practitioners to provide learning activities and support for children and young people while they learn 'at home'. Over this period, during term time and over the summer break, schools and other establishments have provided support for those children and young people who are vulnerable, and those children of key workers, through a range of local 'hub' provision.</p> <p>Over the summer, local authorities worked on developing plans for the safe reopening of schools and delivery of blended learning approaches should this be required. These plans focussed on the all the measures (health and safety, transport, school meals, building capacity etc) which needed to be in place to support as many children and young people as possible to return to school in August utilising a blended learning model. Announcements at the end of July by Ministers saw all schools fully opening by 18 August. As a result, schools are ensuring that appropriate measures are in place to ensure the safety of children and staff, and reduce the likelihood of transmission of the virus whilst at the same time, planning for recovery in terms of curriculum, health and wellbeing of all, understanding the progress that individual learners have made and planning for improvement.</p> <p>Since educational establishments closed in March 2020, a significant amount of positive work has been undertaken by a wide range of professionals to help support continuity in children and young people's learning. The starting point was a clear understanding that schools were closed but learning continued.</p> <p>A national Covid-19 Education Recovery Group (CERG) was set up involving key stakeholders who are working closely to support Ministers and Scottish Government policy colleagues to ensure advice and support for learning continues during this challenging period.</p> <p>At Education Scotland we appreciate the pressure and uncertainty that local authorities and education establishments have been facing throughout Covid-19 and we recognise the effort they continue to make to support their colleagues, pupils and local community.</p> <p>It is crucial that services focus on their local business continuity plans and to protect staff levels during this time.</p>
Healthcare Improvement Scotland	<p>The major impact of the pandemic on NHS Scotland services has been well-publicised in the media and in the regular media briefings provided by Scottish Government. NHS services were initially placed on an emergency footing as a response to the pandemic, though urgent care services were maintained throughout. This was to enable services to prioritise responding to the impact of the pandemic, and ensure sufficient capacity was available for those requiring intensive care and hospitalisation.</p> <p>On 31 May 2020, the Scottish Government published Re-mobilise, Recover, Re-design: the framework for NHS Scotland. NHS Boards and Health and Social Care Partnerships have developed their own plans to ensure an appropriate local response.</p> <p>Whilst efforts to resume NHS services continue, the longer term implications of Covid-19 on NHS Scotland including the impact on patients that have experienced delays in diagnosis or treatment, cannot yet be fully known.</p> <p>Many NHS staff have required to be deployed into new roles, to significantly change the way they work, and to swiftly redesign the delivery of services.</p>

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	<p>HIS is responsible for the regulation of independent healthcare services. Services were suspended across a wide section of the sector. Independent hospitals supported the NHS effort where possible, and some who offered longer term treatments / care carried on as usual, though with heightened infection control awareness. Many clients experienced delays to treatments and services were keen to get back to normal operation as soon as possible. Restrictions had a significant financial impact on the sector, and there were concerns that delays in the treatment of patients were detrimental to their care. There were some differing interpretations of what 'essential care' was, in terms of implementation of national guidance.</p>
Her Majesty's Fire Service Inspectorate	<p>The SFRS, like most other organisations, already has planning arrangements in place for an Influenza Pandemic. The Service has been quick to update plans and have also developed a suit of supplementary documentation with Covid-19 specific guidance for all staff.</p> <p>The aim of the SFRS during this difficult time is to maintain high standards of Service Delivery and meet its legal responsibilities, within the challenging environment presented through Covid-19 by:</p> <ul style="list-style-type: none"> • ensuring that all areas of the Service are prepared and equipped to maintain Service Delivery safely, in the challenging conditions that may be presented • ensure that the Health and Wellbeing of all SFRS staff is a key priority (this will be achieved through key messaging and sign-posting to the most current information available from Government and public health sources • collaborating with all partners in sharing information, intelligence and preventative measures which may be taken. <p>Operational Response – the Service has good plans in place to deliver its response function with a suitable degradation of fire appliance and personnel policy in place, should it be required.</p> <p>Initially there were concerns over the ability to procure disposable PPE items such as latex gloves, disposable aprons and face masks for operational incidents but this has now been resolved.</p> <p>They have introduced a new automatic fire alarms policy, reducing the initial attendance to certain lower risk premises. For higher risk premises the attendance remained unaltered.</p> <p>Training – all non-essential training has been cancelled and that risk critical training will go ahead based on a risk/benefit analysis.</p> <p>A revised training programme has been implemented to ensure that essential core competency skills are maintained.</p> <p>Community Safety Engagement – SFRS has halted its Home Fire Safety Visit (HFSV) programme to prevent transmission of Covid-19, the Service is developing digital HFSV checklists. In addition it has developed Covid-19 specific home fire safety messaging, launching a TV advertising campaign.</p> <p>The Service has also developed awareness campaigns to target emerging issues such as the accumulation of combustible materials. This message is also expanded to duty holders in non-domestic premises concerning the storage of goods and materials safely.</p> <p>Fire Safety Enforcement – SFRS has ceased its routine fire safety audits although it still has a response to high risk issues and complaints.</p>

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	<p>HMFSI has undertaken a review which concentrated on three specific areas; Governance, Operational Service Delivery and Critical Support Functions to ensure the Service maintained its Operational effectiveness during a difficult period of uncertainty. The outcome of that review was that the Inspectorate considered that there is good evidence to support the SFRS's strategic planning assumptions and the necessary mitigation that will enable the Service to deliver its statutory duties.</p>
Her Majesty's Inspectorate of Constabulary in Scotland	<p>Police Scotland moved quickly to support the public health response to the pandemic. Emergency legislation was introduced at pace, which provided extraordinary additional powers to police officers to restrict the freedoms of their fellow citizens. The legislation provides the means to enforce public health measures aimed at saving lives. These are not powers that the police would want or seek to have under normal circumstances: the fundamental principle of policing in the UK is one of 'policing by consent', ie with the consent of the public. These emergency powers pose a risk to that precious relationship with the public if their use is not seen to be fair and proportionate.</p> <p>Elsewhere in the UK, different police forces were reported to be using the powers in various ways, and portrayed to be over zealous in some areas. Having one police service for Scotland helped to ensure the leadership direction and policy were consistent across the country. The public messages from the Chief Constable and the senior leadership team have consistently praised the willingness of the public to comply with the measures in the interests of preventing the spread of the virus and saving lives. Police Scotland followed the 'four Es' approach: Engage; Explain; Encourage, and Enforce, with the fourth 'E' being very much the last resort. This approach is consistent with the normal approach of policing in Scotland.</p> <p>The Scottish Police Authority decided at an early stage not to introduce any new governance arrangements to scrutinise Police Scotland's response to Covid-19. Rather the Authority would cover the police response through its existing committees and Board meetings. This proved to be a pragmatic and sensible decision, minimising the demands being placed on Police Scotland at a time of crisis.</p> <p>That said, Police Scotland recognised the need for independent scrutiny of the police use of the new powers, and approached John Scott QC to chair an independent review. This was announced on 9 April 2020. An independent Advisory Group was established, which reports to the Scottish Police Authority. The most immediate benefit of the group is the dynamic feedback that is provided to Police Scotland by members of the IAG, who represent a wide range of communities and interests.</p> <p>Police Scotland initially introduced a command structure in response to a critical incident, moving to a Strategic Oversight Board in July 2020 as part of a transition towards incorporation of the Covid-19 response into mainstream business. The remit of the Oversight Board includes the identification of organisational learning and good practice that has emerged from the crisis.</p> <p>Operationally, Police Scotland recognised that the conditions of 'lockdown' heighten the risks of crime that takes place in the home and online. Police Scotland launched a campaign to target offenders who groom or abuse children online. The force highlighted the Scottish Government campaign to encourage reporting of domestic abuse. The Police Scotland Quarter 4 Performance Report (2019–2020) contains a section devoted to the early impact of Covid-19 on levels of crime, and the first quarter of this year (2020–2021) continues to track changes during this period.</p>

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Her Majesty's Inspectorate of Prisons for Scotland

Prisons, Inspection and Monitoring

The Prisons and Young Offenders Institutions (Scotland) Amendment Rules 2020, which came into force in April 2020, offered the Scottish Prison Service (SPS) a level of flexibility until March 2021 to pause a number of normal processes and facilitate a temporary move to a single shift 'core day' to allow a more flexible deployment of staff. The legislation provided temporary flexibility for the SPS to curtail some activities for prisoners, such as access to fresh air for at least one hour each day, that are normally regarded as core human rights under Article 3 of the European Convention on Human Rights, where SPS judged that necessary to manage the risk of transmission of Covid-19. In the opinion of HMIPS the SPS have always acted responsibly when implementing these new powers and have always sought to impose the minimum level of restrictions to prisoner rights and normal prison regimes in line with the latest guidance from the Scottish Government and Health Protection Scotland.

The SPS has also had a highly commendable record at restricting the spread of the virus through the measures it has adopted, with only one prisoner testing positive between May and 14 September, which included a period of over three months with no positive cases at all. The number of prisoner deaths between March 2020 and September 2020 where Covid-19 has been a potential factor has also been remarkably low (probably 5 or under), particularly given the concerns expressed at the start of the pandemic that the virus might spread quickly through our prisons.

Nevertheless, although the SPS is in the process of easing the restrictions which it was obliged to impose, and seeking to gradually reintroduce a more normal prison regime for prison with increased access to fresh air, time out of cell, education, work and other purposeful activity, the restrictions have created concerns in relation to the impact on prisoners:

- Time out of cell was very limited at the height of lockdown – under two hours – and is still less than many prisoners would normally receive. The consequential increase in social isolation increased the risk of mental health issues, although the action taken by the SPS to promote family contact through the introduction of mobile phones and virtual visit technology, along with the reintroduction of on-site visiting, will undoubtedly have helped mitigate the risks.
- Access to purposeful activity – although HMIPS welcome the efforts being made by the SPS to reintroduce access to education, work sheds and other forms of purposeful activity, the reality is that the new rules on physical distancing to manage Covid-19 transmission risks will reduce the opportunities available and HMIPS were already concerned with the capacity available pre-Covid-19 to provide opportunities for all prisoners.
- Access to progression – opportunities to progress from normal closed conditions to the greater freedoms provided in the National Top End, and from there progress to the Open Estate at HMP Castle Huntly have only recently been reintroduced. More worryingly still, the SPS was not able to run any offender management programmes during the period March to September and for those prisoners assessed as requiring to undergo such programme this is likely to impact adversely on any application for Parole and allow potentially for liberations to the community where risk has not been reduced. The heavy dependence on offending behaviour programmes as the determinant to demonstrably reducing risk is an area which HMIPS believes needs addressed.

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- Disproportionate impact on some prisoners – while the SPS are clearly taking action to address the issues raised above in trying to increase access to purposeful activity and time out of cell, HMIPS are concerned that some groups of prisoners may be more affected:
 - Remand prisoners – there has been a very significant rise in the number of prisoners held on remand and for legislative and cultural reasons there is much less requirement on the SPS to provide opportunities for this group. Accordingly their regime is often particularly impoverished (even though they are innocent until convicted)
 - Protection prisoners – it is logically more difficult for the SPS to provide opportunities for prisoners who require protection from other prisoners, and this cohort often also suffer a more limited regime
 - Prisoners being isolated for Covid-19 related reasons – inevitably prisoners who have to be isolated from other prisoners as a result of testing positive or showing symptoms endure a more restricted regime where even access to the basic human rights of fresh air every day is not always guaranteed
- Impact of rising prison population – HMIPS welcomed the efforts made by the Scottish Government and SPS to reduce the prison population as part of the response to the pandemic, which helped bring the population down from over 8,200 in February 2020 to a low point of 6,887 in June 2020, but the population is now back at over 7,450 and modelling suggests it could rise to as much as 8,900 in 2021 against a current design capacity of approximately 7,800. Even a rise back to 2019 levels of overcrowding would be deeply disturbing in terms of the impact on human rights, including the inevitable use of single cells as doubles, and the ability of both the SPS and NHS prison health care teams to provide appropriate care, support and opportunities for rehabilitative activity. The continued risk of Covid-19 transmission is also exacerbated by overcrowding.
- Access to health assessment for late admissions – the resumption of court activity as the courts work through their own backlog, and the continuation of a core day for prison healthcare staff, created a situation where some prisoners were not being properly assessed by NHS prison healthcare teams if they were admitted late in the evening. This has been addressed by NHS prison healthcare staff now staying late to assess new admissions, but HMIPS and Health Improvement Scotland (HIS) seek reassurances on the robustness of the solutions put in place.

Court Custody Unit (CCU) and prisoner transport

CCU and prisoner transport inspections have moved from full inspections to a more frequent short liaison visit following an adapted methodology. HMIPS have been impressed with the rapid response by the prisoner transport provider and the response of the Scottish Courts and Tribunal Service (SCTS) to the pandemic and to our recommendations. HMIPS welcomes the introduction of a greater capacity in the virtual courts availability to address the issue, reduce prisoner transport usage and provide greater efficacy in court time. The initial curtailing of court activity led to a welcome reduction in the prison population. However HMIPS remains concerned that the impact of the pandemic has now resulted in:

- a backlog of cases awaiting trial which sees prisoners on remand experiencing longer remand periods
- late admissions to prisons rising particularly in the busier courts
- prisoners experiencing long waits in CCUs and at times in prison vans, often for very short appearances in courts.

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Her Majesty's Inspectorate of Prosecution in Scotland

HM Inspectorate of Prosecution in Scotland (IPS) inspects the operation of the Crown Office and Procurator Fiscal Service (COPFS). As with other organisations, the Covid-19 pandemic has had a significant impact on the work of COPFS.

In terms of the organisation itself, there was a massive shift to working from home which had not previously been the norm or part of the culture of COPFS. Prior to Covid-19, COPFS operated in a traditional office-based way. Fortunately, COPFS had received additional capital funding in late 2019-20 that had allowed it to order laptops for all staff. These were delivered around the time lockdown began, and the focus in the early days of lockdown was on the IT team configuring and distributing almost 2,000 laptops as well as mobile phones to facilitate home working. Microsoft Teams was also rolled out in a phased basis to all staff.

The decision by the Scottish Courts and Tribunals Service to suspend jury trials and other non-urgent court business in March 2020 effectively blocked the criminal justice pipeline, significantly affecting COPFS business and its ability to conclude many cases. Our Follow-up review of the investigation and prosecution of sexual crime (published August 2020) includes a chapter setting out the impact of the suspension of jury trials on High Court sexual crime cases. The pausing of cases that are ready for trial and consequent delays will affect victims witnesses and accused persons. It also creates additional demand for COPFS to continue to update and support victims and witnesses until the trial (potentially months or even years away) and risks the organisation being able to maintain standards in victim communication without additional resources.

COPFS has also had to deal with significant legal and policy changes in response to the Covid-19 pandemic and has had to operationalise these changes in quick-time – this has included drafting guidance, re-engineering processes and procedures etc. The pace and the scale of change cannot be underestimated. Throughout this time, collaboration with criminal justice partners (including Police Scotland, SCTS etc) was essential – one challenge is that all the organisations can only move as fast as the slowest partner.

As well as reconfiguring itself and its business in an immediate response to the pandemic, COPFS has been working with partners for some time now to plan for the recovery of the criminal justice system and to address the backlog of cases – thought is also being given to a future business as usual state post-pandemic and what lessons have been learned that may be worth retaining.

More information about some of the work done by COPFS and its criminal justice partners was highlighted in our report on the use of emergency criminal justice provisions (published September 2020). It is worth noting that many adaptations to working practices are those which had been considered for a long time but the pandemic has either acted as a catalyst or accelerated the work, including in relation to digitalisation of criminal justice processes – as one respondent to a survey we did in support of our inspection said, 'It shouldn't take a global pandemic to force the criminal justice into the 21st century'. Some recent developments and innovations have been long overdue.

There will be further significant demand on the resources of COPFS in relation to its role investigating deaths in Scotland given the number of deaths related to Covid-19. There will also be huge public interest in the outcome of these investigations.

This is just a brief snapshot of some of the issues COPFS has been dealing with.

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Scottish Housing Regulator	<p>Social landlords, including local authorities, were amongst the first on to the frontline in local communities to support people through the challenges of the early days of lockdown. During the pandemic we have seen landlords adapt quickly, using their knowledge of their tenants and local communities, to respond to their most urgent needs. We have seen social landlords working hard over the last six months to mitigate the impact of the pandemic on their tenants, people who are homeless and other service users.</p> <p>Our monthly monitoring of the impact of the pandemic on landlords, is showing an increase in arrears of rent. This is an early indicator of the economic impact on tenants and their families.</p> <p>Social landlords' finances remain robust: sector-wide cash balances have increased since the beginning of the pandemic and there are no signs of distress at individual level as yet. We know that there are ongoing risks to this position, including from the wider economic downturn that is a consequence of the impact of the pandemic. We will continue to monitor closely the financial health of the sector.</p> <p>Social landlords are now restarting the delivery of the full range of activity and services for their customers. They are having to manage significant backlogs in repair work, planned maintenance, statutory safety inspections, letting of empty homes, and construction of new homes.</p> <p>Agility, responsiveness and effective communication are likely to be increasingly important as landlords work to return to full services and as they adapt to the world that emerges from this pandemic. And the impact of Covid-19 has shown clearly that building and testing organisational resilience and capacity to handle unexpected events will be even more critical elements of business planning and risk management.</p>
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2. The ways Covid-19 has affected the way scrutiny bodies go about their business

Audit Scotland

Our priority first and foremost has been, and still is, the safety and wellbeing of our people. This has been at the heart of all the decisions we have made about changes to the way we work over the last six months. All members of our staff moved to working at home, literally overnight, and the majority of auditing since then has been done remotely. This was made possible, and was remarkably straightforward, due to the previous investment we had made in our digital capacity alongside an excellent team to support the move. We have been successful in putting in place a range of support for homeworking including IT and office equipment. Like public servants across Scotland, our colleagues have responded brilliantly to new ways of working.

We have been in constant communication with the Scottish Government and Directors of Finance about the expectations of audit in what have been really difficult times for public bodies. We adopted a flexible and pragmatic approach and have worked together with public bodies on the challenges of auditing remotely. Through the use of technology we have found we can complete practically all aspects of the annual audit remotely. For example, we can access relevant papers and test audited bodies' systems remotely and use videoconferencing to discuss audit issues with the relevant people. However, we have found this can take longer due to auditors facing a range of complex technical issues and decisions. We have already extended audit timetables for NHS and local government. Our focus is on maintaining the quality of the audit and so if making audit judgements and reaching conclusions takes longer than initially estimated we will change timescales without hesitation.

In March we paused the majority of our performance audit work, deciding to move out of the way to allow public bodies to use all their resources to respond to Covid-19. Working with the Auditor General for Scotland and the Accounts Commission over spring and summer we focused on publishing those audits that were either completed or very close to completion. In June the Accounts Commission agreed a revised schedule to consider the remaining Best Value assurance reports scheduled for 2020. In the short-term we have committed to a series of Covid-19 related pieces of work such as the recent briefing paper, Covid-19 – Implications for Public Finances in Scotland. We plan to produce shorter, sharper pieces of work, including thematic briefing papers, round table discussions and blogs, mixed in with traditional audit work to respond to what is a fast-moving situation.

In the longer term we are revisiting what our priorities should be and have identified some key topics to consider, for example, financial sustainability and the delivery of strategic objectives, the economic and fiscal consequences of Covid-19 and inequalities. We intend to stagger the remaining Best Value assurance reports over the next two years. We will be engaging with stakeholders over the autumn and the dynamic and unfolding nature of the Covid-19 pandemic means that we will need to remain flexible and agile. This means that our work programme may continue to change at short notice as new issues emerge, or current risks reduce or increase in significance.

Care Inspectorate

We recently published a document laying out [*the Care Inspectorate's role, purpose and learning during the Covid-19 pandemic*](#) . This focused largely on our work in respect of care homes for older people and was written to supplement our engagement with the Health and Sport Committee on 25 August.

At lockdown, we suspended implementation of our agreed inspection plan in favour of a monitoring and support approach, prioritising those services where we recognised people were at highest risk ie care homes provided 24/7 care and care at home services.

On-site inspection was replaced by extensive use of intelligence and technology for support and monitoring. We adapted systems for gathering information, assessing risk and establishing assurances of quality of care.

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2. The ways Covid-19 has affected the way scrutiny bodies go about their business

We extended our contact centre to support the response to enquiries from five to seven days a week. We set up Coronavirus areas on both our public and staff websites and issued a daily provider update signposting services to guidance, support and good practice.

As the pandemic progressed and knowledge of coronavirus transmission increased, we revised our risk assessment process for services to take into account a number of factors which were recognised as critical to managing outbreaks. Working as part of the system of enhanced assurance led by Directors of Public Health, we undertook unannounced inspections in homes for adults, often in partnership with colleagues from public health and Healthcare Improvement Scotland. We enhanced our quality improvement framework to include a specific focus on Covid-19, examining residents' wellbeing, infection prevention and control and management oversight and we have been reporting fortnightly to Parliament as required by the emergency legislation.

Over the summer, we have steadily increased the number of inspections undertaken on this basis, still targeting services where risks are suspected to be highest. A high proportion of these inspections have necessitated follow-up visits to check that identified improvements have been made.

In addition we have trained a large number of staff to use Near Me technology and are using it to support enhanced engagement and 'virtual visits' to services where this is the most appropriate mechanism to carry out activity, such as investigating a complaint or following up a requirement. We are currently poised to implement a plan to provide support for and assurance that services are prepared for winter and a potential resurgence of the virus, along with restarting inspections of services where Covid-related risks are lower, such as residential and family based care for children and young people. Support for services will include information via our website and webinars provided by our improvement team and inspectors. We have been developing support for self-evaluation for the high volume of early years services.

Joint inspections, which involve groups of inspectors moving around the country engaging with groups of staff, are a particular challenge in a time where there are restrictions on movement. We are working with our scrutiny partners and a health and care partnership to develop a model for accessing case records without the need to travel. If this is successful, it should allow us to restart at least some joint inspection activity, with the intention to prioritise scrutiny of adult and child protection.

We will shortly publish the findings of an enquiry into decision-making by HSCPs around the country during the pandemic about the provision of care at home and a report on the findings of the first two years of the programme of joint inspections of services for children and young people in need of care and protection.

We are also currently devoting significant resources to supporting Police Scotland in investigating deaths of people in care homes through the provision of information in respect of notifications and other intelligence.

Education Scotland

HM Inspectors of Education announced that they would suspend the early learning and childcare and school inspection programme to enable teachers and practitioners to concentrate on reopening schools.

Since the onset of Covid-19, Education Scotland has, and will continue to have, a substantial national advisory role in relation to education recovery. Our staff have a crucial role in providing professional advice, and monitoring and synthesising local intelligence, which directly inform the decisions that Ministers take.

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2. The ways Covid-19 has affected the way scrutiny bodies go about their business

School closures have necessitated a change in approach for Education Scotland. Support since school closures and through Term 4 has included the following:

- Some of our staff volunteered to work with and in the local authority hubs, directly supporting frontline early learning and childcare practitioners, teachers and local authority officers, to support learning and teaching.
- Glow is already being used to great effect in schools and local authorities. We have been continuing to support the platform to ensure that teachers and learners are able to get the most out of learning at home. Directors of Education are now able to opt in to switching on the video conferencing facilities within Glow. Glow usage for week 1–5 June 2020 was just over 203,000 unique users.
- In the wake of school closures, we very promptly launched an extended website on 24 March 2020 with resources to provide teachers and practitioners with easy access to high quality support materials. These have been shared online through DigiLearn in Wakelets and cover the 8 curriculum areas and sector areas. As of 4 June 2020, over 100,000 users have visited DigiLearn.
- Regional colleagues have been gathering intelligence to inform and support the emerging policy and have been providing individual support to authorities to ensure a strong focus on equity.
- On 14 May 2020, we launched Scotland Learns; a resource bank of straightforward, open-ended learning activities which are challenging, and that develop children's and young people's independence in learning.
- A series of webinars have been organised and continue to run, supporting professional learning for remote learning and cover topics such as digital literacy skills, evidencing learning using iPads and getting the most out of Glow. Over 6000 users have registered for the webinars since 23 March 2020. A further series of senior phase webinars started on 5 June 2020 to support planning and pedagogical approaches to blended learning.

The Deputy First Minister asked Her Majesty's Inspectors of Education (HMIE) to undertake a review of the local authorities' Local Phasing Delivery Plans for re-opening of schools and early learning and childcare provision. Gayle Gorman, Her Majesty's Chief Inspector and Chief Executive of Education Scotland, issued a letter to local authorities requesting they submit their plans by the 24 June 2020.

Following submission of the plans, HMIE carried out a desk top review of the Local Phasing Delivery Plans using the criteria outlined in the National Strategic Recovery Plan and supporting guidance. A summary report of findings for each authority was produced. This report outlined aspects which were set out clearly in the plan and areas where it would be helpful to include or provide signposting as the plan developed. Each local authority had the opportunity to discuss the findings of the review of its plan with an HM Inspector.

Education Scotland provided the Scottish Government with a national overview report based on the local authority summary reports. This provides a national overview of the local response to the national education recovery plan.

The impact of Covid-19 on our educators and learners will continue for a considerable period of time.

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2. The ways Covid-19 has affected the way scrutiny bodies go about their business

As a result, we have re-focused our work over the course of this year. To support this we have reviewed the priorities and planned activity set out in our Corporate Plan. This document sets out our refreshed aim, outcomes, priorities and activities for the 2020/21 academic year. It focuses on how we will work alongside the education system to support recovery. In re-focusing our work, we have drawn on our experience of responding to the impact of Covid-19 since March 2020, and the intelligence we have gathered from across the system – including our stakeholders' needs.

We have set out how we will lead and support the system during a 'recovery year' up to June 2021, with a key focus on people and place. The focus is to ensure that Education Scotland supports individual practitioners wherever they are, working flexibly and collaboratively with them to support recovery, quality and improvement in Scottish education.

To deliver on the priority themes set out in the previous section, we will organise our work for 2020/21 into two broad areas: People and Place.

Our focus on people involves a strong national support and improvement offer that is accessible for individual practitioners. Although school buildings have now re-opened, we will continue to develop support for remote learning – including through Glow, Scotland Learns and e-Sgoil. We will continue to offer professional learning and leadership opportunities. Reflecting current ways of working, our professional learning will be largely delivered online, including through our well-received 'Blethers', however we will be ready to re-introduce some face-to-face learning when it is safe to do so. Our national offer will be flexible and responsive to the kinds of support that individual practitioners need as we progress through the recovery year. Having a national focus for support to the system allows for faster dissemination of good practice and enables practitioners from across Scotland to benefit from the best of practice at this time.

Through our focus on place, we will provide direct support that is responsive and targeted at school, community, local authority and regional level. Our teams will work with other education specialists across the Regional Improvement Collaboratives to provide the right blend of expertise which schools and services need at this crucial time. We want to build on the relationships we already have with local authorities to ensure that we are responsive to their circumstances and needs. We will work directly with schools and services, as we have always done, but we will use these experiences to influence and lead the national challenge at this time. By focusing on place during 2020/21, we believe we can make flexible and effective use of our people to support a recovering system, whilst still leading and contributing to national programmes and priorities such as the Scottish Attainment Challenge, National Improvement Framework and the Curriculum Review.

To deliver our focus on supporting the education system as it recovers and changes, we have paused several of our activities to ensure the system has as much capacity to respond as possible. Notably, our Early Learning and Childcare and School inspection programme is on hold, which will enable our team of HM Inspectors to support the system in different ways during this period. However, we will undertake targeted and risk based inspections as required. We will also publish a scrutiny plan outlining the planned range of activity which we will undertake when we resume our programme of inspection.

Education Scotland is a key member of the Covid 19 Education Recovery Group (CERG) and are working closely to support Ministers and Scottish Government policy colleagues to ensure advice and support for learning continues during this challenging period. We are co-chairing some of the work streams and our staff have been involved in supporting the responsibilities of these workstreams.

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2. The ways Covid-19 has affected the way scrutiny bodies go about their business

Healthcare Improvement Scotland	<p>HIS took a range of steps in its initial response to the pandemic, including:</p> <ul style="list-style-type: none"> paused a range of activities across our work programme – for a period of three months we suspended all our work that required engagement with front line healthcare professionals, including routine reviews and inspections focused our own activities on providing support to the system where it is needed – we refocused HIS work to provide national support for Covid-19 preparation and response released both clinical and non-clinical staff to deployment across system response to support patient care – we released registered clinical professionals on secondment with us to allow them to return to their substantive boards and integration authorities. We also deployed many HIS clinical and non-clinical staff to support front-line efforts. <p>HIS subsequently began a phased recommencement of work programmes, on a prioritised basis, which were adapted to take account of the pandemic context. This included the redesign of inspection of NHS hospitals, informed by relevant intelligence</p> <p>HIS has also undertaken new work, in collaboration with the Care Inspectorate, to support the inspection of care homes, bringing particular expertise in the inspection of infection control.</p> <p>HIS is also responsible for delivery of the Death Certification Review Service (DCRS). DCRS has a statutory obligation to review a random selection of medical certificates of cause of death (MCCD). The percentage of reviews was adjusted between March and August to help support doctors working on the front line and allow families to register deaths without delay.</p>
Her Majesty's Fire Service Inspectorate	<p>During the current pandemic we have been unable to carry out normal fieldwork activity in the form of face-to-face interviews, which form a large part of our work. Prior to the commencement of 'lockdown' and the introduction of home working, HMFSI had already carried out fieldwork for two inspections, completing the reports of which has been concluded during this time. Inspectors have also been preparing inspection outline plans and data requests for future inspections, along with follow-ups on previous inspection work and an inspection carried out utilising desktop analysis and skype interviews</p> <p>On-Line interviews and 'Face to face' fieldwork inspections have now recommenced under strict control measures, for two Local Areas Inspections involving Local Authority Members & Officials, Partner Organisations, Scottish Fire & Rescue Department and Fire Station personnel, together with the commencement of an in-depth Thematic Review within a specific Function of the Service.</p>
Her Majesty's Inspectorate of Constabulary in Scotland	<p>At an early stage, HMICS recognised the urgent and vital nature of the work being carried out by Police Scotland officers and staff to support the public health response to the pandemic, and suspended all routine inspection activity. Serving police officers on secondment to HMICS were returned to Police Scotland to assist with the national response, while the rest of the team started working from home. This was announced on the HMICS website on 19 March 2020. HMICS continued to fulfil its statutory duty to assess the state, effectiveness and efficiency of both Police Scotland and the SPA, but in a way that minimised the impact on police resources during the public health emergency.</p> <p>The pandemic presented an unprecedented challenge, not only to public health but also to Scotland's public services as they contributed to the national effort to contain the spread of the outbreak and save lives. Police Scotland had to continue to provide a policing service to the public at that same time as adapting to the new measures brought in to reduce the transmission of infection.</p>

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2. The ways Covid-19 has affected the way scrutiny bodies go about their business

The temporary increased powers provided to the police by legislation in response to Covid-19 provide the means to enforce the public health measures aimed at saving lives. Whilst being mindful of the demands placed on Police Scotland, HMICS also recognised that sound scrutiny and effective governance were more important than ever. As such, the HMICS welcomed the independent review of Police Scotland's use of the increased powers, which was announced on 9 April 2020, and was pleased to form part of the Independent Advisory Group (IAG) established to support the review.

As well as looking at the impact of the new police powers on the public, the IAG also need to understand the perspective of police officers and staff who were using the new powers. HMICS supported the work of the IAG by carrying out interviews with frontline police officers, supervisors and call handlers from different parts of Scotland. HMICS carried out 54 telephone interviews in the first week of June 2020, the results of which were published on 6 July 2020.

Throughout the response to the pandemic, HMICS has received regular verbal and written updates from Police Scotland, and has observed the way in which the SPA has discharged its scrutiny function. The SPA has used its existing governance procedures to good effect, and members have received weekly updates from Police Scotland. The SPA has asserted appropriate and proportionate scrutiny of Police Scotland's response, as well as offering public support and thanks to police officers and staff for their continued efforts during a challenging time.

The priorities for inspection during 2020-2021 were revised taking into account the terms of reference of the independent review of the use of police powers, and the oversight being applied by others, notably the SPA. The new scrutiny plan, published at the start of August 2020, includes inspections of specific operational police functions, incorporating an examination of the adjustments that have been made in response to the pandemic, and a consideration of those that represent sustainable service improvements.

One of the areas that has been most affected by the restrictions imposed by the pandemic is criminal justice. HMICS worked with HM Inspectorate of Prosecutions on a joint inspection of emergency criminal justice provisions, including virtual courts and the electronic transmission of documents. The inspection included onsite visits to locations where virtual trials and custody court cases were being carried out, as well as observations of meetings, an online survey, and 60 interviews. The joint report was published on 30 September 2020. Another area of policing that has seen significant change due to coronavirus is the way in which Police Scotland manages requests for assistance made by members of the public. The national roll out of the Contact Assessment Model was accelerated in order to manage the deployment of resources. HMICS will be looking at the working practices that have been introduced and to assess the effectiveness and efficiency of these measures.

The 2020 Crime Audit was delayed but started in August. During late August and September, HMICS conducted six weeks of onsite activity to interrogate Police Scotland systems. We had to adapt our methodology in week five to take account of new restrictions.

During the pandemic, HMICS has had more frequent meetings with the policing inspectorates for England, Wales, Northern Ireland and the Republic of Ireland, where information on the impact of Covid-19 has been shared. An operational group has been established to examine different ways of working. HMICS has produced internal guidance for staff about how to work safely during coronavirus, which includes alternatives to traditional fieldwork tools, for example online surveys instead of focus groups, and telephone/online meetings instead of face-to-face interviews. This guidance incorporates all relevant Health and Safety Executive and Scottish Government Public Health information, including an occupational risk assessment tool.

2. The ways Covid-19 has affected the way scrutiny bodies go about their business

	<p>HMICS has also had regular liaison meetings with other 'justice' inspectorates, namely HM Inspectorate of Prisons in Scotland, HM Inspectorate of Prosecution in Scotland, the Police Investigations and Review Commissioner, and HM Fire Service Inspectorate in Scotland, using this forum to share information about the sector and scrutiny approaches.</p>
Her Majesty's Inspectorate of Prisons for Scotland	<p>HMIPS is still primarily focused on providing assurance through external scrutiny. However we have adjusted our approach to scrutiny, moving to more regular one day COVID-focused prison and court custody unit liaison visits with a small team, rather than a smaller number of more intensive 5 day inspections with a full team of partner inspection bodies, partly in recognition that the latter might be difficult for both SPS and partner organisations to accommodate. We are now moving to two day liaison visits, and hope that partner organisations like Education Scotland, the Care Inspectorate and the Scottish Human Rights Commission will be able to join us again shortly as we gradually transition back towards full 5 day inspections.</p> <p>We do not have any new powers, but we have introduced a risk based algorithm-led system for guiding decisions on how to prioritise our programme of prison and court custody liaison visits, which we will continue when resuming full inspections.</p> <p>Similarly we were obliged to withdraw our team of independent prison monitors (IPMs) from on-site monitoring activity during the height of lockdown, introducing a new system of remote monitoring through phone calls to Governors, other prison managers and prisoners to gather information on the situation in each prison. We are in the process of returning to full on-site monitoring, but we are dependent on the judgement of individual IPMs on whether they feel it is safe for them to resume monitoring activities. At present we have a blended model of some on-site visits every month in all prisons, alongside the continuation of phone calls to prisoners and SPS staff in the weeks when no on-site monitoring is possible. We believe the new blended model provides reasonable assurance, while respecting the potential health concerns of our volunteer IPMs.</p>
Her Majesty's Inspectorate of Prosecution in Scotland	<p>We developed a contingency workplan that was in place from 16 March 2020. The initial plan was designed to see the team through three months of home working (the plan was revised as new information about the pandemic and its impact became available). IPS began working from home on 17 March 2020 – one member of staff was not able to work from home until the following week when a laptop was delivered. We had two COPFS staff seconded to us and an offer was made to return them to service if demand required it, but this was ultimately not necessary. A general point worth making here is the time invested in supporting staff with their emotional and mental wellbeing. A focus on each individual has been essential as their concerns, resilience etc are so much influenced by their personal circumstances at home (child care, where they live, who they live with etc). We have some concerns about the sustainability of current arrangements and the continued resilience of staff as they face a winter of working from home. This applies not only to our own staff but also those of the organisations we inspect.</p> <p>Key issues have been:</p> <ul style="list-style-type: none"> • ensuring we continue to fulfil our statutory duty to inspect the operation of COPFS • balancing our duty with the need to carefully manage our scrutiny footprint at a time when COPFS is under significant pressure • reviewing our programme to take account of issues of public interest and where we can best add value during pandemic • adapting our methodology to take account of public health guidelines.

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2. The ways Covid-19 has affected the way scrutiny bodies go about their business

In March 2020, IPS was carrying out a follow-up inspection to assess progress made against 12 recommendations made in 2017 regarding the investigation and prosecution of serious sexual crime. As part of this inspection, we had carried out a case review of 50 High Court sexual crime cases and were about to commence qualitative fieldwork (interviews, focus groups etc) to support the work. We chose to suspend what would have been face-to-face fieldwork and complete our inspection using only document review, the results of our case review and by following up a small number of queries via telephone and video conference (we are fortunate to have direct access to COPFS systems and were able to revisit our case review to assess the impact of Covid-19 on the cases in our sample). This was done to adhere to public health guidelines and to minimise our scrutiny footprint at a time when COPFS was dealing with significant changes and its immediate response to the pandemic.

In April, we began a review of the inspection programme for 2020-21. The key consideration was how we can best fulfil our statutory role in the circumstances in a way that is meaningful and that adds value, while also taking account of the considerable pressures on COPFS and its staff. We developed new proposals for scrutiny activity which we discussed with the Lord Advocate and COPFS. It was essential to have them on board and to know that proposed scrutiny activity could be facilitated by them and would not place an undue burden upon them, and that we focused our attention on areas that would be most beneficial. This process resulted in us carrying out a joint inspection of emergency criminal justice provisions in response to Covid-19. To maximise the value of this inspection, we agreed with HMICS that it would be done jointly, from both a prosecution and policing perspective.

This joint inspection was carried out over summer 2020 – we relied heavily on video and telephone conferencing to carry out interviews and focus groups (although have also carried out on-site visits to courts and police custody centres when necessary). There have been IT challenges from time to time (sometimes linked to the variety of video conferencing platforms used by difference agencies) but generally it has worked well.

We anticipate keeping our inspection programme under review and being flexible and adaptable to any emerging issues or areas of risk that would benefit from scrutiny in the current situation.

Scottish Housing Regulator

Since March we have focused on monitoring the impact of Covid-19 on social landlords. We initiated a monthly return for all social landlords to provide us with key information on the impact of the pandemic on social landlords, tenants, people who are homeless and others who use the services of social landlords. We have now published four months of information in a monthly dashboard and in open data format. We are using the information from the monthly returns to identify emerging issues and serious risks to tenants, people who are homeless and other service users. We are providing the Scottish Government and the Social Housing Resilience Group with updates to help in their coordination of the national response to the pandemic. We will continue to collect and publish the information each month until at least March next year.

At the beginning of the lockdown we suspended all but the most critical regulatory engagements to allow landlords and us to focus on the most serious existing risks or those that emerge from the current pandemic. We are now starting to recommence full regulation, although we are doing this taking full cognisance of the current operational context for those we regulate. We have just completed a consultation with our stakeholders to help us understand the issues, risks and challenges that they face and to set ourselves for the coming months to regulate effectively and to support landlords to manage these risks and challenges. As a result we're giving landlords more time this year to complete their Annual Assurance Statement and to report to their tenants on their performance against the Scottish Social Housing Charter. And we have published new advice for landlords on completing Annual Assurance Statements and on Business Planning.

3. Aspects of current ways of working by scrutiny bodies that may be retained going forward

Audit Scotland

As an organisation we have found out a lot about ourselves as a result of the Covid-19 pandemic. In some ways it confirmed what we knew already; that our colleagues can be flexible and operate incredibly well in a rapidly changing environment. We have learned to audit remotely, and although at times we have found this hard and it generally takes longer than usual, we are looking for ways to improve this. It has confirmed the importance of showing empathy with the bodies we audit, maintaining a flexible approach as well as realising there are complex knock-on effects if we have to change timescales for annual audits. Our colleagues have embraced new ways of working and have been keen to share what they've learnt. A good example of this is the digital sign-off of accounts which enabled secure signing of the accounts and removed the need for multiple paper copies.

We have shown that we can produce good quality pieces of work at pace. We have produced five papers relating to Covid-19, including a guide for audit and risk committees and briefing papers on the impact of public finances in Scotland and emerging fraud risks over the last few months. These papers have been produced much more quickly than would normally be the case. This is helping us to streamline processes to maintain quality but increase flexibility and agility.

Care Inspectorate

Covid-19 has significantly impacted the social care sector in Scotland and in particular, care homes for older people. For many people experiencing care, their loved ones, care staff and local communities, the situation has been devastating.

The elements that enable people to enjoy a good quality of life are articulated in Scotland's Health and Social Care Standards, which are for everyone who experiences care. They were developed to make sure that people's wellbeing, rights, and choices are at the heart of care. We will continue to support the sector to embed the Standards in how they work in tandem with keeping people safe from Covid-19. Covid-19 has focused attention on the importance of relationships, communities, and families, both for living a good life and at the end of life. The pain and trauma of being separated from loved ones for any amount of time, and particularly at the end of life, cannot be measured. We will continue to be part of the conversations to influence and support a whole-system approach, with people empowered and at the heart, to helping people, services and communities stay connected and stay safe.

The impact of Covid-19 on the social care workforce has been significant and for many, traumatic. Covid-19 affects people in varying ways, and we know there has been a disproportionate impact on BAME health and social care workers. We will take account of evidence and published reports on the impact on people working in care. There must be support to recover and build on the many skills and strengths shown by care workers during this pandemic. We will listen to what they tell us by carrying out interviews using appreciative enquiry and other engagement methods. We are also working to enhance our methods of engagement with people experiencing care and their families, including people in receipt of care in their own homes.

We are currently undertaking a learning exercise with all of our staff to solicit their views about any revisions we need to make as a result of the experience of the last few months. To date we have:

- augmented our inspection frameworks to increase the focus on infection prevention and control and related measures
- broadened and enhanced the way we gather intelligence about services, particularly through gathering information from public health and other agencies in order to more accurately assess the quality of care and improvements required
- used Near Me to enhance our monitoring support and guidance to services
- considered how we share the information that we gather about the sector and worked with Scottish Government, National Records for Scotland and others to improve it.

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3. Aspects of current ways of working by scrutiny bodies that may be retained going forward

	<p>We are currently reviewing our guidance for the registration of services further to the trends recognised in relation to Covid-19 spread and the need to consider differently designed care services.</p>
Education Scotland	<p>Whilst the Covid-19 pandemic has brought a range of challenges, it has also brought about a number of opportunities:</p> <ul style="list-style-type: none"> Increased experience of remote working and using technology to engage with each other and stakeholders. This also means there is the potential to reduce travel for attendance at meetings and make better use of technology. The use of technology will also enable a greater reach to practitioners from different locations across Scotland without them travelling. Challenges in relation to all staff working at home has increased and enhanced our approaches to supporting wellbeing. <p>Education Scotland has changed the way it is working to provide tailored support to local authorities, schools and pupils and are well placed to continue supporting them in a variety of ways which suit local needs. We have demonstrated the ability to be more flexible and dynamic in responding to the needs of the system and adapting / changing our priorities as required. It will be important that we build on this as we move out of recovery.</p> <p>Education Scotland has committed to support children and young people's learning experiences during the period of ELC and school closures and through the Covid-19 recovery period.</p> <p>We have been sharing examples of effective approaches taking place across Scotland to supporting learning at home. Education Scotland staff have engaged with ELC, schools and local authority staff across Scotland to sample and share effective practice. This has included highlighting approaches to assessment, adapting the curriculum and providing motivating learning activities for children and young people. The examples of effective practice are signposted in each weekly issue of Scotland Learns newsletter with links to the Education Scotland National Improvement Hub.</p>
Healthcare Improvement Scotland	<p>HIS staff, and colleagues in partner organisations, have developed greater expertise and confidence in remote working and use of technology to support scrutiny work, enabling a significant reduction in on-site activity, as well as gaining experience in the use of PPE and implementation of heightened infection control measures. This provides a foundation for scrutiny work to continue in the event of further local and national lockdown.</p> <p>Changes in the delivery of work programmes, and default home-based working, have created practical challenges, such as information governance in respect of storage and disposal of confidential inspection paperwork. This has required identification of an interim solution and a longer term digital solution.</p> <p>The systems and processes we developed in responding to the pandemic have allowed us to be more flexible and dynamic in changing our priorities. This was also apparent in the response of our staff, who have shown great professionalism, adaptability and commitment to deliver on our priorities, working in a different ways, continuing to deliver essential statutory work, and also volunteering to be deployed to front-line roles.</p> <p>HIS is now scoping the potential longer term implications for continued home-based working after Covid-19. The introduction of MS teams was hugely beneficial, and the implementation of O365 will also be valuable, in supporting remote working.</p>

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3. Aspects of current ways of working by scrutiny bodies that may be retained going forward

There are also a number of areas relating to how the organisation works which we will continue to develop and invest in, alongside key enablers including our workforce:

- Capitalising on digital advances that have been made, learning from our experience in response to Covid-19, for example through Near Me
- Identifying and spreading innovation and supporting the swift and reliable implementation of good practice
- Provide data and intelligence to inform policy and decision making
- Community engagement, ensuring that there is meaningful and inclusive engagement with people and communities across Scotland, to understand the impact of changes made to health and care services during the initial emergency response for different population groups and ensure that people's views inform and shape future service design and delivery.

We are developing contingency plans for our inspection programmes, which will take account of potential winter pressures in services, and also the potential for a further wave in respect of Covid-19 infection. This will build on our experience, including robust risk assessment and the refocusing of our inspections, since lockdown restrictions were imposed in March 2020. It will also take account of the availability of relevant data and intelligence.

Her Majesty's Fire Service Inspectorate

The Inspectorate, recognises the need and the benefit of face to face interviews to obtain the quality of information and buy-in from those interviews. Although some remote on-line interviews have been undertaken they have not achieved the best outcomes.

It is anticipated at this time that fieldwork activity will continue, encompassing a blend of physical distancing face-to-face and remote interviews where necessary. More generally going forward HMFSI will operate a blend of office based and remote working.

Her Majesty's Inspectorate of Constabulary in Scotland

HMICS has endeavoured to strike the correct balance between scrutiny and support for Police Scotland and the Scottish Police Authority. The motivation for all of our inspection activity is to help improve policing for the benefit of the public, and this remained relevant during the response to the pandemic.

HMICS relies heavily on the strength and quality of its professional relationships with Police Scotland, the SPA, Scottish Government, and others. Fortunately, our network was well established when we started working from home, and relationships could be maintained through telephone contact and meetings on Skype or Microsoft Teams. There are undoubtedly efficiencies in working remotely, not least in terms of time spent travelling to meetings and commuting to the office. Having said that, meetings in person are important to preserve those strong working relationships both internally and externally.

In recognition of the potential drawbacks of working remotely, we introduced a daily morning call for the team so that we could keep in touch. Once a week there was an open invitation to all of our associate inspectors to join the team meeting. We found this worked well, and would definitely want to retain this more inclusive approach going forward.

The more regular meetings HMICS has had with other scrutiny bodies during this time is also something we would want to retain in the future.

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3. Aspects of current ways of working by scrutiny bodies that may be retained going forward

Her Majesty's Inspectorate of Prisons for Scotland

HMIPS has welcomed the creativity shown by the Scottish Government, SCTS and SPS in responding to the pandemic and in particular the way it has proved a catalyst for bringing in developments that HMIPS have long advocated, such as the introduction of virtual courts, mobile phones for prisoners, and use of virtual video visits to facilitate family contact. HMIPS believes there is scope for the SPS to build further on this new foundation and introduce in-cell computers for prisoners to continue studies and self learning after cells are locked in the evening.

Internally we anticipate continuing the process of phone calls to prisoners, which have yielded useful information, as a helpful addition to our on-site monitoring and continued use of the risk based algorithm to guide decisions on where to target future inspections.

In addition we have regular meetings with other scrutiny bodies and will retain that interoperability and information sharing in the future.

Her Majesty's Inspectorate of Prosecution in Scotland

Adaptability re inspection programme and increased consultation/negotiation with inspected bodies to ensure they can logically cope with scrutiny and scrutiny doesn't divert them from essential service delivery.

Increased frequency of contact with closest scrutiny partners – things are moving so fast, meetings every two weeks with HMICS, HMIPS, PIRC and HMFSI have been really useful in sharing information and moral support.

We can change our methods, eg using video and teleconferencing and it's 'good enough' – there is a question over whether we think it would fully replace face to face fieldwork; for some people and for some issues, being in the room, building rapport, reading body language is best. However, the new methods used do offer opportunities in future eg to minimise travel (though we also find that for those working in island and remote areas, when you make the effort to visit them, it can generate better results). It's important to recognise that for some of the bodies we inspect, their staff have continued to serve at front line and haven't been working at home at all – we need to acknowledge the risks and challenges for them, and ask whether they might question our credibility if we continued to work safely from home beyond when it is no longer essential.

Inequalities highlighted by pandemic have been really brought to the forefront – scrutiny bodies knew about them and were already doing some work on them in many cases, but hopefully the pandemic will accelerate our efforts.

Human rights – having a human rights-based approach to service delivery and decision making could have avoided some of the pitfalls and poor responses we've seen across agencies – hopefully there may be greater acceptance in future that embedding human rights based approaches is the right thing to do and results in better outcomes for all (and isn't a tick box exercise that scrutiny bodies insist on but gets put to one side because of other pressing issues).

There are lessons around opportunities for more flexible working in future eg hybrid of office and home working (some staff love it, some hate it, but think all agree there will be a mix in future).

Importance of communication when we're all separately located – what might be considered over-communication in 'normal times' (and the importance of video conferencing over telephone so we can still see each other).

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3. Aspects of current ways of working by scrutiny bodies that may be retained going forward**Scottish
Housing
Regulator**

We have had the capacity to work remotely for the last few years. This was an important part of our business continuity plan. The last six months has shown us that we can work effectively for a range of our activities in this way for a sustained period of time. Given this, we are likely to operate in the future with a greater emphasis on flexible and remote working. However, a key lesson from the last six months is the importance of being able to engage directly and in person with social landlords, particularly in the most critical of regulatory engagements. As things stand, we are not able to have such engagements with those we regulate. Video conferencing will go some way to mitigate the impact of the restrictions we are having to operate within, but the longer the current situation continues the greater the potential that it will impact on our effectiveness in regulating social landlords. We will be considering further this potential impact as we develop our thinking on the conduct of, and outputs from, the upcoming annual risk assessment.

4. Increased opportunities for sharing learning and collaborating with scrutiny partners in the future

Audit Scotland

Structures already in place for scrutiny bodies in Scotland and for audit organisations across the United Kingdom to meet and share learning have worked well and have been used regularly during the pandemic.

We gathered information on Scottish scrutiny bodies' responses to Covid-19 in March, May and August of this year on behalf of the Strategic Scrutiny Group (SSG) to share approaches and learn from each other. The collated responses were published on our website. The Operational Scrutiny Group, which reports to the SSG, has met three times since March to share experiences and challenges of changed working practices as a result of the pandemic. It is evident that more joint-working is taking place between scrutiny bodies in the justice and health sectors in particular since the beginning of the pandemic. There is an obvious willingness in the group to learn from each other's experiences to inform their own organisation's work. This report is useful in drawing out common themes in how scrutiny has changed. The SSG recently discussed future ways of working and possible themes for collaboration work included inequality, digital, community resilience, organisational resilience.

We are a member of the UK Public Audit Forum, made up of all the UK audit agencies (National Audit Office, Audit Wales, Audit Scotland and the Northern Ireland Audit Office and working closely with the Office of the Comptroller and Auditor General in the Republic of Ireland). It has issued a joint statement setting out our shared commitment to co-ordination, collaboration and shared learning in our collective audit response to Covid-19. There is a coordinating group, currently meeting every couple of months, which brings together the individuals responsible for coordinating and managing the Covid-19 audit response within each of the UK audit agencies. All members of the group have a common purpose to scrutinise how well public money is spent, so we are exploring how we could effectively cooperate on common issues important to all of us, to add most value. Also, we are looking at potential areas where we would collaborate on audit work in relation to personal protective equipment (PPE) procurement and distribution, and on the governance and oversight of key UK, Scottish Government and Welsh Government spending announcements made in response to Covid-19.

Covid-19 has had and will continue to have a major impact on all our lives. The world has already changed in response to the global pandemic in ways that none of us would have thought possible even six months ago. High-quality, independent and evidence-based audit supports accountability and learning about how the government and public bodies have responded to the crisis. Public audit, and indeed all scrutiny, has an important contribution to the recovery and renewal of public services.

Care Inspectorate

We work in collaboration with scrutiny partners to deliver a great deal of our activity. All strategic level inspections are carried out by the Care Inspectorate in partnership with at least one other scrutiny body. During the Covid pandemic however we have established new ways of working and new partnerships, for example with staff from Public Health and carried out inspections at service level jointly. We intend to build further on this positive development.

We have shared information successfully and recognise the need for further development of our intelligence model so that we are well informed about where the biggest risks lie and so we can be as efficient and effective as possible in directing improvements.

The national vulnerable children's leadership group has identified serious concern about the economic impact on families and children of the pandemic and the disproportionate impact on the poorest and most vulnerable. How local authorities and health and social care partnerships are addressing inequalities in the context of Covid-19 would be a helpful topic for future collaboration between scrutiny partners.

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4. Increased opportunities for sharing learning and collaborating with scrutiny partners in the future

Education Scotland	<p>The response to Covid-19 has indicated a much greater need to look at multi-agency approaches and responses. The necessity for independent external evaluation of the quality of education provision has had and will continue to play a key role in assessing recovery of the education system. The need for scrutiny bodies to work collaboratively will be important to this work moving forward.</p> <p>Our engagement with other UK wide inspectorates has increased. Initially meeting every two weeks and now on a monthly basis. It is clear that we will need to consider our current approaches to scrutiny of education as a result of COVID -19 and our continued engagement with other inspectorates will be a key focus of this work.</p>
Healthcare Improvement Scotland	<p>This has already been apparent in the ways in which the partners Sharing Intelligence for Health and Care Group have worked together to respond and adapt to the pandemic.</p> <p>HIS has also worked closely with scrutiny partners such as the Care Inspectorate and Her Majesty's Inspectorate of Prisons for Scotland in responding to the pandemic in the joint delivery of particular work programmes, and we anticipate building these relationships further as we move through and beyond the pandemic.</p> <p>To ensure effective implementation of the changes to the death certification review process, clear guidance was required from the Scottish Government. The Scottish Government managed this through collaboration with DCRS, National Records of Scotland, Procurator Fiscal and the Funeral and Cremations Inspectorate. We anticipate this valuable collaboration will continue.</p> <p>Additionally, the National Boards recognise there is an opportunity to collaborate and play a lead role in two important areas of recovery and renewal: the primary care reform agenda; and improved public health through shared data and improved intelligence. HIS will join with our National Board partners to further develop the plan over the next month and to determine respective roles and responsibilities.</p>
Her Majesty's Fire Service Inspectorate	<p>HMFSL will continue to take opportunities to co-operate and collaborate with scrutiny partners when appropriate and is always willing to learn from practises of other partners.</p>
Her Majesty's Inspectorate of Constabulary in Scotland	<p>HMICS has benefitted from regular meetings with the heads of other policing scrutiny bodies: HM Inspectorate of Constabulary and Fire & Rescue Service (England and Wales); the Criminal Justice Inspectorate for Northern Ireland, and the Garda Inspectorate for the Republic of Ireland. This 'Five Nations Inspectorate' forum previously met once a year, with ad hoc communication in between. During the pandemic we have met every three to four weeks, and have developed stronger relationships and improved information sharing.</p> <p>Similarly, the loosely described 'Heads of Justice Inspectorates' (HMICS, HMIPS, IPS, HMFSL and PIRC) used to meet on a quarterly basis. During this time, we have met as frequently as every two weeks, leading to good sharing of information about the justice sector.</p> <p>The changes brought about by the pandemic reinforce the view that existed long before Covid-19, namely that there are too many scrutiny bodies in Scotland. As far back as the Crerar review in 2007 it was recognised that efficiencies could be made from reforming the scrutiny landscape. Since that time, more emphasis has been placed on the experience of public services from the perspective of the citizen, for example victim centred and patient centred approaches. Consequently, scrutiny of the quality of those services should be applied by an overarching inspectorate, not individual scrutiny bodies inspecting one strand of the service delivery.</p>

Cont.

4. Increased opportunities for sharing learning and collaborating with scrutiny partners in the future

HMICS is currently working with HM Inspectorate of Prosecution in Scotland on examining the emergency criminal justice measures introduced in response to the pandemic. HMICS already worked with the Care Inspectorate, Healthcare Improvement Scotland, and Education Scotland on joint inspections of services for children and young people, and with the Care Inspectorate and Healthcare Improvement Scotland on joint inspections of adult support and protection arrangements. Work is underway to resume these joint inspection programmes.

During the pandemic, the professional relationships with other scrutiny bodies have been strengthened, bringing improvements in sharing of learning and information. This includes exploring ways in which secure digital platforms can be used effectively especially in relation to joint working with other inspectorates where file reading is involved. Whilst there are challenges to overcome there are opportunities to make this part of any inspection process more efficient.

Her Majesty's Inspectorate of Prisons for Scotland

We share the concerns that other members of the Strategic Scrutiny Group have raised about some of the impacts of the pandemic on society, notably the risk that it has intensified existing inequalities in society and further weakened some of the support systems in place in the community for the more vulnerable in society including those on release from prisons. We are concerned, for example, about the impact on services designed to support those with addiction issues, mental health problems, assistance with securing benefits, accommodation and employment and that the impact of the pandemic on the economy will only make the challenge of finding a job harder and the risks of a return to offending behaviour greater.

We are keen to conduct a thematic review in 2021 on progression including looking at the support available to prisoners before and post release into the community. We would be delighted to work with other scrutiny bodies to explore the challenges associated with providing effective support pre and post liberation, particularly in light of the temporary suspension of the Through Care Support service which the SPS used to run.

Her Majesty's Inspectorate of Prosecution in Scotland

HM Inspectorate of Prosecution has been keen to do joint inspection work with other criminal justice inspectorates to look at system wide issues. The pandemic has been a helpful catalyst for this – there has been more frequent communication between us generally, but the pandemic has led to joint inspection of emergency criminal justice measures by IPS and HMICS. Hopefully there will be more joint work in future. We're asking the agencies we scrutinise to work together, so we should do likewise.

The pandemic should act as catalyst for work that has been talked about but which hasn't quite come to fruition yet eg more system wide work on digital justice for example. Lack of progress on this has meant justice system not been as resilient as could have been.

Scottish Housing Regulator

I believe there will be opportunities to collaborate and share learning, and I think it is essential that we take these. In particular, I think we must work together to enhance our collective resilience and to focus on key risks for those we regulate that will be to the fore in the next few years as a result of this pandemic and its wider consequences. An early focus on developing common approaches to restarting on-site activities and associated risk assessments for our staff would be welcome.

