

## Summary of responses to the Coronavirus (Covid-19) outbreak from scrutiny bodies in Scotland

Scrutiny body	Date	Response -
Audit Scotland	29/7/20	<p>We have summarised the impact of Covid-19 on our annual audits and on our performance audits, overviews and briefing papers below. More detail can be found in <a href="#">Covid-19: How public audit in Scotland is responding</a>.</p> <p><b>The annual audit</b></p> <p><b>Annual audit deadlines</b></p> <ul style="list-style-type: none"> <li>• New extended audit timetables have now been agreed for NHS and local government bodies. A three-month extension applies for NHS audited accounts, which are to be published by 30 September. A two-month extension applies to local government, with accounts expected to be published by 30 November.</li> <li>• The deadline for the laying of central government bodies' accounts in the Scottish Parliament is unchanged, at the end of December. College accounts must be signed by 31 December and laid by 30 April.</li> <li>• The Scottish Government Consolidated Accounts and any Section 22 reporting are likely to be concluded and reported later than in previous years.</li> </ul> <p><b>Accounts and wider performance reporting requirements</b></p> <ul style="list-style-type: none"> <li>• The format and content of financial statements remain unchanged this year.</li> <li>• Minimum requirements have been introduced to the performance reporting and management commentary across the public sector because of Covid-19.</li> <li>• Full annual governance statements are still required this year across all sectors. This is important because they are essential accountability reports which, if anything, are even more important this year.</li> </ul> <p><b>Timing of audit work and reporting</b></p> <ul style="list-style-type: none"> <li>• We cannot guarantee that all audit deadlines will be met this year. Neither we nor audited bodies yet know the full impact of conducting an audit remotely. The early indications are that it takes longer, and there may be cases where we are unable to complete all aspects of an audit remotely. We are also facing a range of complex technical issues and decisions, and more modified audit opinions are possible this year.</li> <li>• The Auditor General and the Controller of Audit will continue to prepare statutory reports to highlight areas of significant public interest arising from auditors' reports in line with the new audit reporting timetables.</li> </ul> <p><b>Intention to extend audit appointments</b></p> <ul style="list-style-type: none"> <li>• As this year's audits will be reported later than normal, planning for and potentially reporting next year's annual audit work will also be affected.</li> <li>• The Auditor General for Scotland and Accounts Commission have agreed that they intend to extend the current five-year audit appointments for a further year. This decision reflects the need for stability and continuity given the longer-term impact of Covid-19 on audited bodies and the difficulty of running the necessary procurement exercise during the pandemic.</li> </ul>

## Performance audits, overviews and briefing papers

We are currently reviewing our work programme to reflect the changing context of Covid-19 and its implications for public finances, public services and outcomes for citizens.

We are committed to a series of Covid-19 related audits that currently includes:

- An early overview of the Scottish Government's financial response to the pandemic, to be published this summer.
- A [short paper on fraud risks associated with Covid-19](#) that public bodies should be alert to was published in July as a complement to our [report on the National Fraud Initiative](#).
- The NHS overview report, which we intend to publish early in 2021, will consider the NHS' response to Covid-19.
- The local government overview report in spring 2021 will report on how Scotland's 32 councils responded to Covid-19 and how services are changing and adapting.
- The digital progress in local government performance audit, due in late 2020, will consider how digital technology has enabled councils to respond to Covid-19; emerging good practices; and potential longer-term implications for councils and how they operate.
- The education outcomes audit, which is currently paused, will be refocused during 2021 to look at the impact on Scotland's education system.

Decisions about the paused audits in the performance audit programme which were due to be published in 2020/21 but which have not yet started will be made in September. This includes audits on social care sustainability and waste management and briefing papers on climate change and teacher workforce.

We are also reviewing the longer-term work programme in the context of Covid-19. This review will be concluded later this year. Key topics under consideration include:

- the economic and fiscal consequences of Covid-19
- collaborative leadership and joint working
- financial sustainability and delivery of strategic objectives
- public service adaptation in response to Covid-19
- the equality impact of Covid-19
- community engagement
- cyber security, digital resilience and data
- governance and accountability (including fraud, error and litigation).

Care  
Inspectorate

30/7/20

At the beginning of March 2020, like other organisations, the Care Inspectorate implemented contingency plans to continue to operate effectively during the COVID-19 pandemic. Given the evident risk that our staff could transmit or spread COVID-19 in services, we took the decision that it would have been untenable when the pandemic took hold to carry on business as usual and continue sending inspectors from care home to care home in the normal manner. At the outset, the advice from directors of public health in Scotland was unequivocal in that inspection visits would present a real risk of introducing and spreading COVID-19 in Scotland's care homes.

Instead, the Care Inspectorate significantly increased its levels of telephone contact with care homes across Scotland. We began by contacting every care home in Scotland weekly to carry out checks and sometimes daily depending on individual risk and support needs.

As agreed with Scottish Government, we put enhanced notification systems in place requiring services to tell us about both suspected and confirmed cases of COVID-19, and staffing levels affected by COVID-19. This means we were and are immediately alerted to issues and can provide scrutiny, guidance and support to services directly, also directing resources to services from other agencies such as the health and social care partnerships, Scottish Social Services Council (SSSC) recruitment hub, NHS Public Health and Health Protection Scotland where needed.

For a significant period we operated these oversight arrangements seven days a week, with inspectors working tirelessly to carry out scrutiny checks and effect swift solutions for care homes. We checked that infection prevention and control measures were being followed, that there were adequate levels of PPE and that staffing levels were appropriate. This oversight included contacts made with services or individuals by telephone and through Near Me video consultation and observation that enables us to examine services' environments, systems and practice.

We continued to encourage people to raise concerns and complaints with us and take appropriate action where needed to ensure guidance and procedures are followed and people are kept safe and their needs met. Any child or adult protection concerns are referred to police and social work services and we work closely with them taking part in any multi-disciplinary meetings that are necessary.

We are targeting on-site inspections and take robust action including enforcement where the evidence deems it necessary. We are doing this in a strictly risk-assessed way and our inspectors are rigorously following infection prevention and control guidance before, during and after visits to keep care homes safe.

The enhanced system of assurance for care homes is led by health boards and directors of public health, and we are currently required to get agreement from directors of public health before going into services because of the risks around transmission and spread.

We have been working closely with directors of public health to jointly assess circumstances within each and every care home in Scotland. We come to joint decisions on those care homes that need further intervention to provide the right support from a range of specialists including infection prevention and control experts, community nursing, GP services and inspection.

In accordance with Paragraph 22 in Part 9 of Schedule 1 to the Coronavirus (Scotland) (No.2) Act 2020, which came into force on 27 May 2020, the Care Inspectorate must lay before Parliament a report every two weeks setting out: (a) which care home services it inspected during those two weeks, and (b) the findings of those inspections. The first report was tabled on 10 June 2020. These can be accessed on the Care Inspectorate website <https://www.careinspectorate.com/index.php/low-graphics/139-publications/corporate-annual-reports-accounts/reports-to-scottish-parliament-on-care-inspectorate-inspections>

To meet the duties imposed by the Act and to comply with associated guidance, the Care Inspectorate must focus and report on infection prevention and control, PPE and staffing. Consequently, the Care Inspectorate has amended its quality framework for care homes to support this process. This enables us to focus on these areas while also considering the impact on people's wellbeing.

Such a framework supports openness and transparency and helps to ensure a fair and consistent approach, including in any evaluations we make.

To support inspections being undertaken in these circumstances, we have developed inspection tools on wellbeing, infection prevention and control and staffing that have been agreed with Health Protection Scotland and Healthcare Improvement Scotland. Some of our inspections have been undertaken with inspectors from Healthcare Improvement Scotland and public health staff. We have taken account in all inspections of the scrutiny intelligence we have, including previous inspections, complaints made to us, notifications made by the services, and information shared with us by health and social care partnerships and directors of public health for the relevant area.

We have augmented our quality framework by creating an additional key inspection question with associated quality indicators. This reflects our current inspection focus on service performance in relation to COVID-19 infection prevention and control, PPE, staffing and people's wellbeing.

We are also working with other bodies and strategic groups including Scottish Government, directors of public health, the National Contingency Planning Group, The Chief Medical Officer's clinical and professional advisory group, the care home rapid action and intelligence group, health and social care partnerships, and Scottish Care to ensure the rapid and cohesive response that Scotland requires, and we must all deliver.

Our approach to scrutiny, assurance, intervention, and support is balanced against considerable public health risk and has been replicated across all other UK regulators.

#### **CARE AT HOME**

Following discussions with Scottish Government officials and the Cabinet Secretary for Health and Sport, we proposed an enquiry into decision-making and partnership working in relation to care at home and housing support services during the COVID-19 pandemic. A report of our findings will be prepared and shared with Scottish Government. It will also be published on our website. The information we gather will be used to inform future scrutiny and assurance by the Care Inspectorate.

#### **REOPENING OF ELC IN THE CONTEXT OF COVID-19**

As the reopening of ELC continues through the Scottish Government route map to recovery, there are four sets of guidance specifically for the sector to support safe opening and operation of settings. It has been requested by Scottish Government that the Care Inspectorate consider how assurances can be sought that the provision of services is provided in line with the national guidance. We have agreed to issue for completion a self-evaluation tool for ELC settings including out of school care and childminders.

A Key Question and template for self-evaluation for ELC has been developed to support settings assess how well they are supporting children and families within the COVID-19 environment. Settings will not be asked to submit completed self-evaluation to the Care Inspectorate until requested. Inspectors will request the completed document on a risk and sampling basis on or after 3 August 2020. We reserve the option to undertake other scrutiny activities in settings before this date where there are concerns about the quality of the provision provided, safety or wellbeing.

We will use the completed self-evaluations to assess how well the setting is managing the situation and assess whether further scrutiny is required. An assessment of the self-evaluation if there is no further scrutiny work undertaken

		<p>will be sent to the setting and may be shared with the local authority if they are providing funded ELC. We will work to develop a system to make the assessment available on the Care Inspectorate’s website. We will not apply evaluations from our grading scale to the self-evaluation assessment.</p>
<p><b>Education Scotland</b></p>	<p>3/8/20</p>	<p><b>HM Inspectors of Education temporarily suspend inspection activity to provide support to schools (<i>News release 2 June 2020</i>)</b></p> <p>Scotland’s HM Inspectors of Education will temporarily suspend the early learning and childcare and school inspection programme to enable teachers and practitioners to concentrate on reopening schools. HM Inspectors will focus on supporting schools when they reopen in August and take forward plans for recovery and continuity of education provision, with the delivery of a blend of learning in the school and at home. They will resume inspections during the school year 2020/21 when it is safe and appropriate to do so.</p> <p>On 13 March 2020, Education Scotland took the decision to pause all inspection activity due to the Covid-19 pandemic to allow schools and education establishments to focus on providing support to their colleagues, pupils and local communities. Under the plans announced on 2 June HM Inspectors will engage with schools across Scotland from August to provide bespoke help and support, contributing to the overall recovery of the education system. This will enable schools to focus fully on recovery and delivering a blended approach to learning for children and young people.</p> <p>Gayle Gorman, HM Chief Inspector and Chief Executive of Education Scotland, said: “Schools and education authorities have faced a huge challenge in adapting during the Covid-19 crisis, and we want to minimise any additional work that might be required for inspections to allow education establishments to focus on reopening schools. Empowerment, leadership and collaboration have been key in recent weeks with everyone across the system working hard to support learning at home, as well as supporting keyworkers’ children through the childcare offer in local authority learning hubs. Covid-19 presents early learning and childcare settings and schools with previously uncharted challenges, and it is vitally important staff working in education can focus on providing support to their pupils and colleagues when schools reopen. The plans we have announced are part of a package provided by Education Scotland which aims to relieve pressure on the education system at this time, whilst providing bespoke support to schools and encouraging the overall recovery of the system as we move forward.”</p> <p>Janie McManus, Strategic Director, Scrutiny, with Education Scotland, added: “We are committed to ensuring that the work of the Inspectorate promotes improvement. HM Inspectors will have a vital role in supporting schools as they re-open and carry out their recovery planning. HM Inspectors have a wealth of skills and expertise which will be used to work with schools to help build capacity and support them as they take their priorities for recovery forward. They will hold discussions with schools and provide reassurance and encourage innovation. HM Inspectors will also share with the Scottish Government an overview of what is working, where there are challenges and what is needed for further support. We will develop further details of the support in the coming weeks which will be in collaboration with our stakeholders.”</p>
<p><b>Healthcare Improvement Scotland</b></p>	<p>27/7/20</p>	<p><a href="#"><u>Healthcare Improvement Scotland response to COVID-19</u></a></p> <ul style="list-style-type: none"> <li>• As part of our COVID-19 response, we have refocused our own activities in order to provide support to the health and care system where it was needed most. We continue to highlight compassionate care examples</li> </ul>

		<p>through our ihub website, and work with the Scottish Government Clinical Cell to develop COVID-19 guidance for health and care professionals.</p> <ul style="list-style-type: none"> <li>• We released both clinical and non-clinical staff to deployment across the health and care system to support patient care, including registered clinical professionals currently on secondment with us to allow them to return to their substantive boards and integration authorities. Most of these staff have now been recalled.</li> <li>• We continued to meet our statutory obligations in terms of assuring the quality of healthcare services, whilst pausing routine inspections and reviews.</li> <li>• We have now begun carrying out care home inspections in collaboration with the Care Inspectorate in order to provide our expertise in the inspection of infection control. We're similarly working with HMIPS to carry out prison liaison visits in place of routine prison inspections. In addition, we have recommenced NHS inspections using a methodology adapted to take account of COVID-19. We are also considering the recommencement of our other inspection programmes, including independent healthcare.</li> <li>• After a period of suspension of random reviews, we resumed our process for reviewing a sample of death certificates to ensure accuracy, although on a reduced basis. We plan to further increase the percentage we review, in order to return to the standard level of service.</li> </ul>
<p><b>Her Majesty's Fire Service Inspectorate</b></p>	<p>30/7/20</p>	<p>Her Majesty's Fire Service Inspectorate in Scotland has suspended routine inspection fieldwork activity at this current time, but is working towards reinstating this fieldwork across Scotland with specific Thematic Reviews and Local Area Inspections in September. Work has continued to conclude inspections where the fieldwork has already been completed, such as the local area inspection of the City of Edinburgh and the Thematic Inspection of Command and Control which is due to be laid in Parliament in August. The most recently completed Thematic Inspection on the Training of Retained Duty System Personnel was laid in Parliament on 31 March 2020.</p> <p>In order to minimise the impact of our inspection role we have implemented the following:</p> <ul style="list-style-type: none"> <li>• Currently all 'face to face' contact within our inspection regime and our observations within Board Meetings etc. has been suspended, with scrutiny is being undertaken through observation of Meeting minutes and documents.</li> <li>• The full 2020/21 programme of Thematic Reviews and Local Area Inspections is being revised, so that work can currently be undertaken on all of the three Thematic Reviews through a desktop study of data and documents, which will enable us to be prepared and 'starburst' our fieldwork when conditions become more relaxed.</li> </ul> <p>HMFSI are working closely with the Scottish Fire &amp; Rescue Service to give independent assurance on the suitability and effectiveness of their Emergency Plans and Policies during this challenging time.</p> <p>The Inspectorate is keeping in close contact with the SFRS to offer its assistance in any form that they might require, to ensure that they can fulfil their roles and responsibilities for the safety of their communities.</p> <p>Although HM Fire Service Inspectorate in Scotland has a statutory duty to provide independent assurance to the Scottish public and Scottish Ministers, on the efficient and effectiveness of the Scottish Fire and Rescue Service, it is mindful that currently these are unusual times. We are therefore undertaking a</p>

		<p>sympathetic view for the immediate future and are keeping the line of scrutiny within our inspection regime flexible.</p>
<p>Her Majesty's Inspectorate of Constabulary in Scotland</p>	<p>28/7/20</p>	<p><u>HMICS continues to monitor Police Scotland and the Scottish Police Authority</u></p> <p>Her Majesty's Inspectorate of Constabulary in Scotland suspended routine inspection activity mid-March 2020. Joint inspection work, which we carry out with the Care Inspectorate and others, is also on hold.</p> <p>We will continue to fulfil our statutory duties but do so in a way that minimises the impact on police resources when they are carrying out crucial work during this challenging time.</p> <p>An independent review of use of police powers, with a focus on compliance with human rights principles and the impact on different groups of society, was announced in April. HMICS is a member of the Independent Advisory Group, which will be reporting to the Scottish Police Authority.</p> <p>We continue to liaise with Police Scotland, the Scottish Police Authority, and the Scottish Government about the ways in which HMICS can add value through independent scrutiny and advice.</p> <p>An <a href="#">updated position regarding HMICS inspections</a> was published on 2 June 2020 and can be found on our website. The revised version of this year's scrutiny plan is due to be published shortly and will include 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. For example:</p> <ul style="list-style-type: none"> <li>• Criminal Justice process and procedures. Significant operational changes have been made to adapt to the current situation, which could be more effective and efficient ways of working in the long term. This inspection is underway and being carried out jointly with HM Inspectorate for Prosecutions.</li> <li>• Call handling, specifically the national roll out of the contact assessment model. The needs of the caller are assessed to ensure the most appropriate and proportionate response, which might not be to deploy police officers to attend.</li> </ul> <p>The delayed Crime Audit 2020 is now underway, the <a href="#">terms of reference</a> having been published on 6 July 2020. We have revised our procedures to take account of the public health guidance.</p> <p>HMICS has continued to contribute to the work of the Independent Advisory Group, specifically carrying out interviews with officers and staff who have been using the temporary increased police powers to enforce coronavirus regulations. <a href="#">A report of our findings</a> was published on our website on 6 July 2020.</p>
<p>Her Majesty's Inspectorate of Prisons for Scotland</p>	<p>28/7/20</p>	<p>In line with many other scrutiny bodies, in March HMIPS suspended inspection and monitoring activities and introduced Liaison Visits and Remote Monitoring Frameworks from the 27<sup>th</sup> of April. The adapted methodologies provide:</p> <ul style="list-style-type: none"> <li>• A series of abbreviated inspections where prisons or Court Custody Units are visited for one day with a small team, to confirm the treatment and conditions for prisoners. The selection of the site to visit is established through a risk analysis based on data and intelligence gathered. Liaison visits are conducted jointly with scrutiny partners, Healthcare Improvement Scotland. We will only consider conducting a longer liaison visit when we believe the urgency to visit outweighs our</li> </ul>

		<p>precautions related to the coronavirus. A copy of our Framework is on our website. Liaison visit reports are published on our website. From August we will be inviting all our inspection partners to join us on an abbreviated visit to extend the scope of the scrutiny.</p> <ul style="list-style-type: none"> <li>• The Remote Monitoring Framework includes a series of calls to establishments' management, staff and prisoners by our volunteer IPMs and the Regional Monitoring Coordinators, dip sampling of records, analysis of data, and triangulation of evidence with user voice surveys. From August we will be implementing a blended model of on-site monitoring whilst continuing the remote monitoring.</li> <li>• We continue weekly video calls between the HQ team, publish regular updates and hold video calls with our IPM volunteers reiterating these messages.</li> <li>• We will continue to report on our findings from the two frameworks on our website.</li> <li>• Thematic reviews have been of necessity delayed but will continue with literature and document reviews.</li> <li>• Our Recovery Plan detailing our route map to return to full duties and our Pandemic Health and Safety Plan will be published on our website.</li> </ul>
<p><b>Her Majesty's Inspectorate of Prosecution in Scotland</b></p>	<p>4/8/20</p>	<p>While HM Inspectorate of Prosecution in Scotland paused face-to-face inspection fieldwork in March 2020, we continued to work remotely on assessing the implementation by COPFS of the recommendations made in our 2017 inspection of the investigation and prosecution of sexual crime. Our follow-up report is due for publication shortly. We have also commenced a joint inspection, with HMICS, of the implementation and impact of emergency criminal justice provisions in response to Covid-19. The terms of reference for this work are available <a href="#">online</a>. A key line of enquiry will be whether any of the emergency measures, such as remote appearance at court, should be retained in the longer term. Fieldwork will take place during August 2020, with a report being published at the end of September.</p>
<p><b>Scottish Housing Regulator</b></p>	<p>10/8/20</p>	<p>We recognise the unprecedented circumstances that social landlords are facing as a consequence of the pandemic and that they have been working hard to manage and mitigate the impact on their operations and to safeguard their tenants, people who are homeless and other service users. We appreciate that this means that landlords are prioritising that work over other more routine activity, while at the same time beginning to reintroduce a fuller range of services. We have aligned our regulatory approach to these circumstances.</p> <p><b>Reporting the impact of Coronavirus (COVID-19)</b></p> <p>Since March our focus has been to monitor the impact of Coronavirus (COVID-19) on social landlords. We initiated a monthly return from 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 data in a monthly dashboard format 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, and we are providing the Scottish Government and the Social Housing Resilience Group with appropriate updates to help in their coordination of the national response to the pandemic.</p> <p><b>Changes to our regulatory approach</b></p> <p>We postponed the publication of updated Engagement Plans planned for 31 March 2020 for all landlords other than for the most critical cases, and we have postponed 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 extended the timescales for all landlords to submit the</p>



Annual Return on the Charter and for RSLs to submit the Five Year Financial Projections and the Loan Portfolio Return to the end of July. We are now consulting with stakeholders on the steps we will take to recommence routine regulation while taking account of the impact of the pandemic. We continue to work closely with the Scottish Government and landlord representative bodies to coordinate our response to the current situation.