

GUIDE TO PERFORMANCE INSPECTIONS

Working together to improve social work services

Preface

We hope you will find this guide a useful guide to performance inspections. It is intended to provide an accessible introduction to the overall framework for performance inspections, starting in 2005. Inspections require considerable effort and resources. This guide will make it easier for all stakeholders to prepare for a performance inspection, manage the process and benefit from the outcome. It sets out the rationale behind the performance inspection programme and the structure of the inspection process.

A summary guide has been produced for elected members.

For ease of reference, more detailed material is included in the *Performance Inspection Handbook*. The Handbook guides you through the different phases of the performance inspection process and the activities associated with them. It contains information such as templates, forms, protocols and briefing materials. It is used for more detailed information than can be given in this guide.

Information leaflets about performance inspections for the general public (including people, who use services, and carers) and for other stakeholders (including staff in social work services and partner agencies) are available.

This guide and the leaflets are available on the SWIA website and can be made available in other formats upon request.

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Foreword

Local authorities have a key role in protecting the most vulnerable members of the community and in helping to meet their social care needs. This involves providing services to many people including children and young people, older people, people who have mental health problems, people who have learning disabilities and people who have physical disabilities or sensory impairments. It means working with some people through criminal justice services. It means also making help available to those who take on a caring role for others, including young carers.

The Social Work Inspection Agency (SWIA) is working with local authorities to help improve these vital public services and through them, the quality of life of people who rely upon social work services.

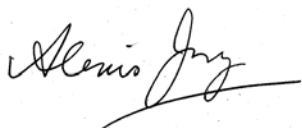
The programme of performance inspections provides a key opportunity for us to join with a wide range of other stakeholders in achieving these common goals. It is a crucial mechanism for:

- ensuring public accountability;
- assisting local authorities and the Scottish Executive to drive up standards of social work services;
- helping local authorities to deliver their statutory responsibilities and their own improvement agendas for social work services;
- supporting people who use services, and their carers; and
- achieving a better understanding of which services are effective and how they can be provided most efficiently.

In delivering the first round of performance inspections, SWIA will strive to achieve maximum impact upon the programmes for improvement that all local authorities need to pursue. We anticipate significant gains in the effectiveness of performance inspections from:

- working closely with other regulatory and inspection bodies and
- closer alignment with the distinctive Scottish agenda in areas such as social policy, local government and other public services.

We will be developing our performance inspections in the light of our experiences in the coming years.



Alexis Jay
Chief Inspector

Summary

This summary provides a brief description of the role of performance inspections in improving social work services in Scotland. The other sections of the guide contain more detailed material about performance inspections and set out in full the way performance inspections are carried out.

What is the purpose of performance inspections?

By law, the thirty-two local authorities in Scotland have considerable responsibilities for:

- planning social work services and
- making arrangements for the delivery of social work services.

Local authorities thus have a key role in protecting the most vulnerable members of the community. This includes children and young people, older people, people who have mental health problems, people who have learning disabilities, people who have physical disabilities or sensory impairments, and carers, including young carers.

These are vital services. It is important that that they are delivered efficiently and effectively. They should operate to the highest possible standards in being responsive to individual circumstances, meeting very diverse needs and helping people to achieve their full potential in respect of independence and social inclusion.

The Scottish Executive believes that external review, independent of the local authorities, has a part to play in:

- providing assurance to the public about the safe and proper delivery of social work services and
- contributing to the improvement of those services.

The purpose of performance inspections is to:

- provide an objective, evidence-based assessment of how well people are being served by their social work services;
- make a constructive contribution towards the further improvement of the services provided;
- help safeguard the interests of people, who use services, and carers; and
- work with local authorities to develop their own approach to improving services.

What is a performance inspection?

A performance inspection is a planned examination of all the local authority's social work services functions. It will take place every three years. After analysing a wide selection of material about the local authority and the services it provides, the performance inspection team will spend about two weeks in the area to carry out further enquiries.

A variety of methods will be used to judge how well people are served by social work services and how well the local authority has organised itself to maintain and improve services. These include:

- interviews with people who use services, and their carers;
- interviews with people who are responsible for arranging or delivering services;
- surveys and other methods of involving people who use services, carers and staff in social work services;
- staff surveys;
- analysis of case files;
- meetings with representatives from a range of organisations and groups; and
- visits to places where social work services are provided.

At the end of each inspection, SWIA will publish a report. This describes what is good about social work services locally and where improvement is most needed to achieve good outcomes for people who use services, and carers. In response to the report, the local authority will produce an action plan, saying how it intends to make the necessary changes. There will be an agreed programme for monitoring how this plan is put into effect.

Each local authority will be the subject of a performance inspection in the first cycle, 2005-8.

Who is responsible for performance inspections?

SWIA is responsible for inspecting local authority social work services, promoting good practice and service development, and for providing professional advice to Ministers. It is committed to best practice for public services inspection.

The underlying principles for this are that inspections should:

- pursue the purpose of improvement;
- focus on outcomes;
- take the perspective of people who use services, and their carers;
- be proportionate to risk;

- encourage self-assessment by managers;
- use impartial evidence, wherever possible;
- disclose the criteria used for judgement;
- be open about the processes involved; and
- continually learn from experience.

The legislative basis for performance inspections

The statutory basis for performance inspections is contained in section 6 of the Social Work (Scotland) Act 1968 and the National Health Service and Community Care Act 1990.

These powers provide the basis for inspecting the whole range of social work services provided by local authorities, voluntary organisations or other agencies.

There is a right of entry and powers to require information or explanation attached to SWIA's functions.

The overall programme of performance inspections

Performance inspections are an integral part of the overall SWIA inspection programme which includes other kinds of inspections, for example multi-agency inspections for services for older people and people with learning disabilities. Performance inspections also contribute to the development of social care policy.

SWIA will work with other inspection and regulatory organisations such as Audit Scotland, HM Inspectorate of Education (HMIe), NHS Quality Improvement (NHS QIS) and the Care Commission in order not to duplicate activities. It will also seek to ensure that effective use can be made of information gathered by a range of organisations, in order to reduce the burden of regulation and inspection on local authorities.

1 Introducing performance inspections

1.1 Why social work services matter

High quality social care is an essential part of the fabric of our society and of the communities in which we all live. The range of responsibilities placed upon social work services is considerable. They provide care and support for children and young people, older people, people who have mental health problems, people who have learning disabilities, people who have physical disabilities or sensory impairments and other groups who are vulnerable or at risk. Social work services also provide help to those who take on a caring role for others, including young carers. Every family is likely to have a member who will depend upon social work services at some point in their lives.

Social work services protect the most vulnerable members of society and enable people to live more independent lives. This gives them a key role in delivering aspirations for community regeneration and for a society that is as inclusive as possible.

1.2 Who runs social work services?

The thirty-two local authorities in Scotland are responsible for:

- planning social work services and
- making arrangements for the delivery of social work services.

They do so within a framework provided by law, regulation and guidance.

These authorities manage a growing and complex business on behalf of local citizens. In 2003, there were around 300,000 people receiving support from social work services authorities. They do so in a wide variety of settings including their own homes, day settings and residential homes. The total of local authority social work net expenditure in 2003 was £1.6 billion. About 118,000 people work in social care, around 20,000 of them in the public sector. On average, each local council responsible for social work services devotes 19% of its budget to social care. Most of this money comes directly from the Scottish Executive but individual councils determine their own priorities and spending, within the framework of national legislation and guidance.

Originally, local authorities provided most services directly. They organised, managed and staffed day centres, home care services, residential and other services. Now many local authorities work in partnership with other agencies (such as the NHS) to plan, arrange and deliver social and health care in their area. Some services continue to be

delivered by "in-house" providers but local authorities also purchase services such as domiciliary and residential care from a range of providers in the voluntary and private sectors.

Changes are taking place at every level - not only at the point of service delivery but also in policy development, in inspection and regulation and within local authorities themselves - all with the clear aim of improving the quality of the experience of those who need and use public services.

1.3 Improving social work services

There are rising expectations about how well these vital services should perform in providing the support needed by people, who use services, and carers. This pressure for improvement has many strands.

- a) Legislation such as the Children's Act 1995 and the Community Care and Health Act (Scotland) 2002 has imposed significant duties and obligations upon local authorities, especially in terms of being responsive to the needs of people who use services.
- b) Within the last five years, there has been significant investment in social care and the Scottish Executive expects this investment to be accompanied by reforms that will ensure service quality and value for money. Taxpayers want to know that their money is well spent. The current political and economic climate demands a combination of service improvements and efficiency savings. New monies invested in public services need to result in real benefits and better outcomes for people, who use services, and carers. Most local authorities are finding that the demands and pressures from their communities on social work services budgets are difficult to control. There is a growing emphasis on priority budgeting, good financial management and clear eligibility criteria.
- c) In the context of the changed approach to governance in Scotland, the Scottish Executive is also evolving new policy directions across the range of devolved responsibilities, in areas such as community regeneration and community safety. These policies will have considerable influence upon all local authority functions and the way in which they are performed. There is a strong emphasis on:
 - partnership between local government, the NHS, private and voluntary sectors and
 - core values of equality and sustainability.
- d) The Scottish Executive seeks to use the powers devolved to it in ways that will ensure high standards of social care provision. The

Scottish Executive is committed to driving up the quality of social care and improving performance, for example by the use of national standards. Under the National Care Standards Act, the Scottish Executive has set national standards, setting out what each person can expect from service providers such as being able to make choices, feeling safe and secure and expressing their views. The Care Commission for Scotland now regulates the organisations providing social care services, including private businesses and voluntary organisations, and SWIA will work closely with it.

- e) Improving partnership and collaborative working across the public sector is a clear policy priority in Scotland. Services are increasingly delivered through partnerships that include the private and voluntary sectors. Partnerships need to work better to make a difference for people. New arrangements are also emerging, for example through Joint Future arrangements, where NHS Boards and local authorities are developing real opportunities for partnership working in planning, commissioning and delivering the whole range of social and health care services.

The importance of working together across agencies in order to develop good quality family support services and to protect children is a key feature of the proposed changes in children's services. Programmes such as Supporting People have encouraged partnerships involving local authorities and a wide range of service providers to promote more opportunities for service users to live independently. Similarly, those people who have disabilities need to benefit from the increased opportunities for employment made available through successful regeneration partnerships.

- f) Local government itself has been set a challenging agenda for modernisation and for ensuring the effective management of the services for which it is responsible, including social work services. As part of their own improvement agenda, local authorities are seeking to develop an improved understanding of which services work, the costs involved, the best way to provide or commission the services and how they might be delivered and managed efficiently.

Not only must local government deliver quality services and a shared national agenda, it must also identify and address specific local needs and respond in an innovative way. The community leadership role of local authorities presents new challenges in the allocation of resources to priorities, promoting equality and social inclusion for the benefit of those who depend upon social services. In delivering these local strategies, there are inherent difficulties in dealing with competing claims and conflicting interests. Effective

governance arrangements and the ability to make best use of the council's management capacity are vital factors in managing such demands.

- g) People, who use services, and carers, the organisations that represent their interests, those who champion their cause within local government and elsewhere have used new mechanisms for participation to press for services that are more flexible and responsive to needs. Users of public services are less willing to accept post code variations of different standards in similar areas. Their expectations are increasing, with advocacy groups properly taking an active role in promoting rights to quality care, choice, flexibility and respect.

Carers help some of the most vulnerable and disadvantaged people in our society. They devote considerable energy to these tasks. Now that carers have increased rights to an assessment of their needs, public services are starting to respond to the challenge of supporting carers in their own right and to find ways of meeting those needs.

Communities are becoming more diverse and public services need to respond better in providing services that are culturally sensitive. There is an increasing focus on equality of access and on the need to meet statutory requirements in respect of language, race, age, sexual orientation, gender, disability and religion.

1.4 The role of regulation, inspection and review

The government believes that external regulation, inspection and review, independent of local authorities, has an important part to play in:

- providing assurance to the public about the safe and proper delivery of social work services and
- contributing to the improvement of those services.

SWIA is responsible for inspecting local authority social work services, promoting good practice and service development, and providing professional advice to Ministers. SWIA, as an independent agency, carries out these duties on behalf of the Scottish Executive.

It also helps the Scottish Executive to frame policy and contributes to the development of best practice in local authorities. It works in consultation with other inspectorates, regulatory bodies and improvement agencies, such as the Care Commission and NHS Quality Improvement (NHS QIS).

All local authorities will have a link inspector, who will help to ensure an integrated approach to all the work undertaken by SWIA in that authority.

SWIA is committed to best practice for public services inspection. The underlying principles for this are that inspection should:

- pursue the purpose of improvement;
- focus on outcomes;
- take the perspective of people who use services, and their carers;
- be proportionate to risk;
- encourage self-assessment by managers;
- use impartial evidence, wherever possible;
- disclose the criteria used for judgement;
- be open about the processes involved; and
- continually learn from experience.

1.5 Responding to change

SWIA intends to ensure that it maintains a distinct identity but also that it is a well-integrated part of the overall Scottish programme of inspection, regulation and improvement. This has meant:

- a) taking into account changes in the overall context for local authority social work services;
- b) taking into account new developments in regulatory and inspection practice, for example in the Care Commission and NHS QIS; and
- c) addressing more holistically the links between social work and all of its partners.

The social policy agenda is moving at a considerable pace, and it is essential that the arrangements for performance inspections take into account developments within the political and structural context such as the modernising agenda in local government, including an increased emphasis on service scrutiny and performance management.

Increasingly, local authorities are characterised by whole council approaches to issues such as social inclusion, by the use of a wide range of service providers and by flexible use of different funding streams. The impact of these changes will differ in each authority. The performance inspection methodology must be flexible enough to accommodate such diversity while maintaining a common approach to evaluating the impact upon service quality.

Performance inspections should not duplicate work that is already undertaken by others. They should make effective use of this work to

reduce the burden of regulation on local authorities, incorporating the information produced by other inspection or regulatory activity.

2 The performance inspection process

2.1 The performance inspection programme

A performance inspection is a planned examination of all the local authority's social work services functions. It will take place every three years. The purpose of the performance inspection is to:

- provide an objective, evidence-based assessment of how well people are being served by their social work services authority;
- make a constructive contribution towards the further improvement of the services provided; and
- help safeguard the interests of people, who use services, and carers.

After analysing a wide selection of material about the local authority and the services it provides, the performance inspection team will spend about two weeks in the area to carry out further inquiries.

A variety of methods is used to judge how well people are served by social work services and how well the local authority has organised itself to maintain and improve services. These include:

- interviews with people who use services, and their carers;
- interviews with people who are responsible for arranging or delivering services;
- surveys and other methods of involving people, who use services, and carers in social work services;
- staff surveys;
- analysis of case files;
- meetings with representatives from a range of organisations and groups; and
- visits to places where social work services are provided.

Each performance inspection will result in a published report, which sets out the overall conclusions, for example, about how well local people are being served and how well placed the authority is to sustain and improve performance.

The report sets out the key evidence gathered during the performance inspection and identifies strengths and good practice as well as areas for development. It will seek to give an overview of how social work services are organised but not to deliver a detailed critique of each area of work. The performance inspection and the report will identify key issues and may explore or comment upon these in some detail.

In response to the report, the local authority will produce an action plan setting out how it will make the changes that are needed. This must be agreed with SWIA. There will be an agreed programme for monitoring how the plan is put into effect.

Performance inspections start from the experience of people who use services. Inspectors consider this alongside the management practices in the local authorities which deliver those services, assessing whether they represent value for money.

The foundation of the performance inspection is the understanding that people will only get a good service when:

- local authorities match services to individuals, rather than fit people into existing traditional services;
- local authorities learn what works well now and use these lessons to reshape their services, to deliver better outcomes for users and carers in the future; and
- social work services set and publicise clear standards and implement effective performance management systems to ensure that these standards are achieved.

Each local authority will be reviewed in a three year cycle: 2005-8. In consultation with key stakeholders, SWIA will continue to keep under consideration the (potentially conflicting) factors that may determine the pace at which the overall programme is delivered.

2.2 The performance inspection phases

The process is comprised of three phases:

Phase 1 - Pre-inspection in which the focus is on gathering information from a wide variety of sources and using a range of methods (such as the self evaluation questionnaire, analysis of existing information about performance, surveys and case file analysis). It also includes an interim assessment in which this information is analysed and the performance inspection team establishes the extent of reliable evidence already to hand, makes a provisional assessment of relative strengths and weaknesses, and determines the areas of focus for the main fieldwork.

Key activities:

- notification of the performance inspection;
- introductory meeting with social work services senior management;
- inspection planning meeting;

- analysis of existing information, advance information supplied by the local authority, surveys and case file analysis, etc; and
- interim feedback meeting.

Phase 2 - Fieldwork which will take about two weeks and in which inspectors will look in more depth at chosen areas (using techniques that take a 'slice' through the organisation and its activities and which triangulate other sources of evidence).

Key activities:

- introductory meetings;
- fieldwork (people who use services, and their carers);
- fieldwork (staff and service providers);
- fieldwork (management and partners); and
- headline feedback meeting.

Phase 3 - Analysis, report completion and follow up in which the report is produced and published, the local authority plans and delivers improvements in response to recommendations and there is an agreed monitoring programme to ensure positive outcomes.

Key activities:

- draft report;
- final report;
- report publication and presentation;
- action plan; and
- follow up activity (as appropriate).

The overall aim will be to produce a balanced picture of performance, highlighting good practice as well as any areas of concern.

2.3 Further development

The overall framework for performance inspections as set out in this guide is intended to provide a stable basis for the duration of the first round of inspections. However, the process and the methodology will evolve in the light of experience and practice.

Change in the performance inspection methodology will be prompted by many factors, including:

- feedback from local authorities, people, who use services, and carers, advisory groups and others;
- wider developments in social care and in government;

- the expectations of more flexible planning, commissioning and service delivery arrangements across social care, health and education;
- closer working with other inspectorates, performance improvement agencies and regulators;
- work within SWIA to improve performance inspection processes; and
- the creation of better frameworks for performance management, including more robust performance indicators.

Stakeholders will be kept informed of these changes through periodic revisions of the *Performance Inspection Handbook*.

3 Evaluating Performance

3.1 How performance is evaluated

Each performance inspection should provide clear, well evidenced and well considered evaluations about performance that can be understood and acted upon by a wide range of stakeholders, locally and nationally.

All these stakeholders have proper expectations that the final evaluations are consistent, rigorously tested and demonstrated conclusively in the report made to the local authority.

How evaluations are made

The performance inspection is not an inspection of specific services, nor an examination of individual workers' practice. It is designed to provide an overview of the local authority's performance in relation to social work services, by exposing a diagonal 'slice' across and through the organisation, connecting the experience of people, who use services, and carers with the policies and decision-making of elected members and senior managers. It examines the self-evaluation of the authority and compares it with actual experience at the frontline. Inspectors talk with staff at all levels and with the key staff from the authority's main partner organisations.

The inspection draws on a range of qualitative and quantitative evidence and seeks to explain the differences and gaps in the story they tell. This 'diagonal slice' is complementary to the evaluation and scrutiny of others, such as the Care Commission, HMIE and NHS QIS, and to the internal processes of the organisation in managing its performance. The process culminates in the production of evaluations that are informative, can be understood by the public and will allow comparison between authorities.

At each stage of the performance inspection, the team will form provisional evaluations on the authority's performance. These develop and evolve as more evidence is gathered and analysed. Some of them are shared at key points in the process, to focus the work of the team and to allow the local authority opportunities to engage in dialogue about the issues and to provide additional evidence.

Once all the evidence has been gathered and assessed, there follows a rigorous process of challenge within the performance inspection team before the final conclusions are shared with the local authority and other key stakeholders.

This is intended to ensure that any evaluations:

- draw on the whole range of qualitative and quantitative evidence;
- derive from correct application of the performance inspection methodology;
- are rigorously tested against known criteria; and
- are deliberate, fair, consistent, informed and free from bias.

Evaluations and quality assurance

The performance inspection process as a whole is designed to ensure that the evaluations reached by the inspection team achieve these standards but there are also specific safeguards of quality:

- transparent criteria for reaching evaluations;
- evaluations are made by inspectors who are accountable, have relevant experience and meet the competence standards required by SWIA;
- use of teams that contain inspectors and lay and carer inspectors with complementary skills and perspectives;
- use of a comprehensive and uniformly applied methodology that is based upon best practice;
- triangulation of evidence obtained from a wide range of sources and using a variety of approaches; and
- a moderation process that is fair and authoritative.

3.2 Evaluations of performance

As part of the programme of pilot performance inspections, SWIA will adopt a six point scale in its inspection of local authority social work services. This mirrors the six point scale developed by HMIE, in its inspection of schools and education authorities.

The six point scale will enable:

- familiarity on the part of local authorities, as SWIA and HMIE apply similar scales for evaluation;
- clearer recognition of exemplary best practice;
- greater differentiation and discrimination in evaluations;
- more refined evaluations of provision where there is a combination of strengths and weaknesses;
- enhanced tracking of improvement over time; and
- an enhanced focus on securing improvement.

In the course of completing the Self Evaluation Questionnaire at the start of the inspection process, the local authority will be asked to provide a self rating, outlining evidence in support.

The scale can be summarised as follows:

Level	Definition	Description
Level 6	Excellent	Excellent or outstanding
Level 5	Very good	Major strengths
Level 4	Good	Important strengths with some areas for improvement
Level 3	Adequate	Strengths just outweigh weaknesses
Level 2	Weak	Important weaknesses
Level 1	Unsatisfactory	Major weaknesses

Awarding levels will always be more of a professional skill than a technical process and there are many ways in which provision of services can merit a particular evaluation. However, the following key characteristics will be consistently applied.

An evaluation of **excellent** will apply to service provision which is a model of its type:

- service user outcomes and experiences will be of a very high level;
- an evaluation of *excellent* will represent an outstanding standard of leadership, management and service delivery which will exemplify very best practice and is worth disseminating across the sector; and
- it will imply these very high levels of performance are sustainable and will be maintained.

An evaluation of **very good** will apply to service provision characterised by major strengths:

- there will be very few areas for improvement and any that do exist will not significantly diminish service user outcomes and experiences;
- while an evaluation of *very good* will represent a high standard of leadership, management and service delivery, it is a standard that should be achievable by all; and
- it will imply that it is fully appropriate to continue to make provision without significant adjustment. However, there will be an expectation that the local authority will take opportunities to improve and strive to raise performance to excellent.

An evaluation of **good** will apply to service provision characterised by important strengths which, taken together, clearly outweigh any areas for improvement:

- an evaluation of *good* will represent a standard of provision in which the strengths have a significant positive impact. However, the quality of service user outcomes and experiences will be diminished in some way by aspects in which improvement is required; and
- it will imply that the local authority should seek to improve further the areas of important strength but take action to address the areas for improvement.

An evaluation of **adequate** will apply to service provision characterised by strengths which just outweigh weaknesses:

- an evaluation of *adequate* will indicate that service users have access to a basic level of provision;
- it represents a standard where the strengths have a positive impact on service users outcomes and experiences. However, while the weaknesses will not be important enough to have a substantially adverse impact, they will constrain the overall quality of service user outcomes and experiences; and
- it will imply that the local authority should take action to address areas of weakness while building on its strengths.

An evaluation of **weak** will apply to service provision which has some strengths, but where there will be important weaknesses:

- in general, an evaluation of *weak* may be arrived at in a number of circumstances. While there may be some strengths, the important weaknesses will, either individually or collectively, be sufficient to diminish service user outcomes and experiences in substantial ways; and
- it will imply the need for structured and planned action on the part of the local authority.

An evaluation of **unsatisfactory** will apply when there are major weaknesses in service provision in critical aspects:

- this will require the local authority to urgently investigate the practices that have led to this performance and to consider immediate remedial action – particularly where service user outcomes and/ or experiences display significant levels of risk.

In almost all cases, staff responsible for provision evaluated as unsatisfactory will require support from senior managers in planning and carrying out the necessary actions to effect improvement. This may involve working alongside other staff or agencies outwith the local authority.

Factors considered in evaluations of performance

If an authority has systematic weaknesses in one or more major service areas which are so significant and entrenched that the authority is considered to be failing local people, this will be considered when evaluating performance. An unsatisfactory system is one which is not:

- protecting vulnerable people; or
- offering reasonable standards of care; or
- meeting statutory obligations in respect of care management or service provision.

There can be no absolute definition, although government statutes and guidelines provide an important starting point. Whatever the service under consideration, the key issues for the performance inspection are whether the weaknesses are:

- dangerous;
- systematic (i.e. not just due to individuals' evaluations);
- widespread (i.e. relating to more than one team or unit);
- persistent (i.e. lasting over several months);
- current (i.e. not yet resolved).

Children's services

In unsatisfactory children's services, there will be serious concerns about the management of risks to children. Typically, these will be due to a combination of several of the following:

- poor screening of initial referrals;
- poor partnership working, at strategic and / or operational levels;
- significant numbers of unallocated cases;
- poorly managed child protection investigations;
- failures to carry out statutory reviews and / or visits;
- child protection plans not followed, with a sense of 'drift' in individual planning;
- weaknesses in performance management, perhaps to the extent that the authority was previously unaware of its shortfalls.

Adults' services

Unsatisfactory adults' services would have many or all of the following characteristics, on a significant scale:

- service weaknesses having a very negative impact for users and carers, to the extent that people are left struggling to cope or are being caused real distress;
- weakness in care management practice;
- backlogs of uncompleted reviews;
- unallocated casework;
- poorly managed adult protection or vulnerable adult investigations;
- very poor access, including long waits for services or funding;
- poor availability of services (e.g. respite care);
- poor quality of services (e.g. domiciliary care);
- failure to meet national priorities (e.g. in relation to hospital discharge);
- poor partnership working;
- weaknesses in performance management, perhaps to the extent that the authority was previously unaware of its shortfalls.

4 Principles and Procedures

4.1 Principles, values and Code of Conduct

In addition to the general principles of public service inspection, the inspection performance programme is underpinned by a number of core values:

- *keeping a focus on people who use services* – making the primary focus of the inspection on how well individuals are served by their authority, collecting evidence directly from individuals and carers, using this evidence to inform the management and stakeholder interviews;
- *working in partnership* – between SWIA and local authorities individually and collectively, with people, who use services, and carers, and with people who work in social care;
- *inclusion of all stakeholders in social work services inspections* – involving them in performance inspections and sharing the learning at various points during the performance inspection;
- *being evidence based* – grounding all findings and evaluations in evidence about authorities' activities, distinguishing clearly between reporting facts and making evaluations, identifying and sharing good practice;
- *applying a consistent approach* – defining common standards for all our performance inspection work, seeking to apply the principles of best practice in the performance inspection programme itself;
- *looking at corporate responsibilities* – taking into account the performance of the whole local authority, including other functions that contribute to social care, as well as the work of those specially charged with social work services responsibilities;
- *encouraging development* – evaluating current performance in a proper historical context, weighing future potential so as to leave every authority with a clear agenda to improve performance and an appreciation of their capacity to deliver improvement, highlighting good practice, validating self assessment, promoting innovation;
- *being open about our work* – publishing our methodology and reports on individual authorities, contributing to public accountability;
- *challenging, where necessary* – impartially dealing with all local authorities and not compromising with failing services when making evaluations.

These principles form the basis for the SWIA Code of Conduct, which sets out how members of the inspection teams should approach their work. The Code of Conduct will also provide a framework within which an individual inspector's behaviour can be fairly and explicitly evaluated.

The performance inspection team places special emphasis upon the need to treat everyone with respect and consideration, regardless of language, religion, ethnicity, disability, sexual orientation or gender.

Equality issues

Performance inspections will be conducted in compliance with the principles adopted by the Scottish Executive to meet equality and equal opportunities standards, for example, different languages and formats will be made available when required. Performance inspections will be sensitive to the needs of minority and hard-to-reach groups.

There will be emphasis on publicising the fact that a performance inspection is being conducted within the local authority and on providing opportunities to make direct representations to the performance inspection team through the use of e-mail, web-site and postal facilities. SWIA will consult with the equality commissions, voluntary bodies and others to make inspections as inclusive as possible.

4.2 Quality assurance arrangements

SWIA is developing systems and processes designed to ensure fairness and consistency in the delivery of the performance inspection programme and in the conduct of other inspections.

For example, the lead inspector has primary responsibility for the conduct of the performance inspection and for the production of the report. The lead inspector exercises that responsibility on behalf of SWIA, in accordance with agreed guidance and subject to agreed arrangements for quality assurance and formal approval.

Other members of the performance inspection team such as the SWIA inspectors, associate, and sessional inspectors share responsibility for the conduct of the performance inspection and its findings. They work under the day-to-day direction of the lead inspector. They have a responsibility to raise with the lead inspector any matters of concern or disagreement and to raise with the SWIA management team any matters which they believe have not been properly resolved.

Lay and carer inspectors share the same responsibility as the other members of the inspection team. They also have a responsibility to raise with the lead inspector any matters which they believe may not have been properly resolved.

Code of Conduct

All inspectors, lay and user inspectors and support staff must abide by the agreed codes of conduct and by the codes of conduct of their respective organisations and professions. SWIA has a Code of Conduct for all performance inspection team members.

Team approach

Inspectors (including those who are not employed directly by SWIA, such as associate inspectors) are usually appointed through open recruitment processes, on the basis of a relevant person specification. They will have extensive experience derived from working at a high level of responsibility in the field of social work, local government, management, audit or inspection. All inspectors undergo a process of induction and they are supported by regular supervision.

The lead inspector should ensure that decisions about the conduct of the inspection and the inspection findings and evaluations reflect the considered view of the whole inspection team. When agreement cannot be reached, the lead inspector should decide what best represents the

considered view of the team. If necessary, the SWIA Management Team will be involved.

Feedback from local authorities

SWIA places a strong emphasis on seeking feedback and comment. The inspection process has a number of formal and informal opportunities for feedback and discussion about the conduct and the content of the performance inspection with managers, staff and elected members.

Feedback on each completed performance inspection is invited at the end of the process in a questionnaire and in discussion. In addition, SWIA regularly engages with a wide network of stakeholders. There are established links with representative bodies, including the Association of Directors of Social Work (ADSW) and Convention of Scottish Local Authorities (COSLA).

4.3 Dispute resolution

There is a procedure for dealing with cases in which a local authority challenges one or more findings or evaluations of the inspection. There is also a procedure for dealing with complaints about the conduct of an inspection or inspector. There may be occasions on which a challenge to a finding or judgement is based in whole or in part on a complaint about conduct. In such a case, the two procedures must operate in parallel.

Normal process for agreeing the inspection report

The lead inspector collates the report, based on the findings of the performance inspection subject to internal moderation. It is sent to the local authority (chief executive and director of social work services) for comment on matters of accuracy and clarification. The local authority is asked to submit written comment within an agreed period (normally four weeks).

The lead inspector will consider any comments and:

- correct any factual inaccuracies;
- provide any necessary clarification;
- attempt to resolve any other matters that do not alter the agreed findings of the team.

The lead inspector may, as appropriate, request further evidence from the local authority or discuss further with the local authority the substance of the points raised. The lead inspector may also, as appropriate, discuss with

the inspection team and the SWIA Management Team any point raised by the local authority which may justify a change in the findings.

The lead inspector may not make any significant change to the findings or evaluations without the agreement of the SWIA Management Team.

The lead inspector will inform the local authority of changes made to the report in light of the local authority's comments.

Challenges to evaluations

If the local authority challenges any of the formal evaluations of the performance inspection team, the lead inspector will explain to the local authority the basis for the judgement and consider the grounds given by the local authority for a change. If the lead inspector considers the judgement should stand, s/he should inform the local authority accordingly.

If the lead inspector considers (after any appropriate discussion with other members of the inspection team) that there may be justification for a change, s/he should discuss this with the SWIA Management Team. If they agree the change is justified, the lead inspector will inform the local authority.

Further challenge

If the local authority still does not accept the findings or evaluations of the performance inspection, it should be invited to state its grounds for disagreement in writing. The SWIA Management Team will consider these grounds, make a final decision and inform the authority of the decision and the reasons for it.

4.4 Roles and responsibilities in the performance inspection team

The performance inspection team will normally consist of a lead inspector, several SWIA inspectors, a number of other inspectors such as associate, sessional, lay, and carer inspectors. At various stages in the process, the team may also include other members to undertake specific tasks. The objective is to ensure a balance of knowledge, skills and experience of social work services, inspection and resource management.

All inspectors are accountable for the work they do. They are expected to abide by:

- the SWIA Code of Conduct and
- the agreed process and methodology laid down for performance inspections.

The composition of the performance inspection team for a specific local authority is agreed by the SWIA Management Team which will take into account:

- the need to ensure a balance of experience, skills and knowledge;
- language requirements;
- gender considerations; and
- team effectiveness.

The prime contact for the local authority is the lead inspector. This person will oversee the detailed planning of the inspection and conduct the inspection through to follow-up stage. The lead inspector is responsible for agreeing the detailed timetable with the authority, raising any matters of concern and drafting the report.

The SWIA inspectors assist the lead inspector and undertake a similar workload within the authority, including interviews and visits. They have an equal share in the testing of evidence and in forming the overall judgement.

Associate and sessional inspectors will also assist in performance inspections. They are individuals who are not SWIA employees. The associate inspectors' role is to carry out peer reviews, because they are senior managers or professional staff employed by local authorities or NHS Boards, working on a secondment basis to individual inspections. Sessional inspectors bring managerial or professional expertise and are paid on a sessional basis as a member of an individual inspection team.

The performance inspection team may be supplemented by colleagues from other regulatory and improvement bodies for particular aspects of the inspection, as appropriate. Such arrangements will be discussed in advance with the authority and agreed at the introductory meeting with social work services managers or in planning meetings for the main fieldwork programme.

The inclusion of lay and carer inspectors helps to bring a different perspective to the work of inspection teams by representing the views of wider public and people who use services. They bring additional independence to the inspection activities of SWIA, acting as one of the safeguards that help to ensure public accountability and impartiality in the course of these activities. Lay and carer inspectors complement the work done by professional inspectors, in part by focusing on the experiences and interests of people, who use services, and carers in their relations with social work services and partner organisations.

SWIA inspection support managers are responsible for scheduling the inspection, handling communication with the authority, arranging the key milestone meetings and general progress chasing. They manage the production of the report. They will organise the sending of draft and proof copies to the authority and will co-ordinate arrangements for the presentation of the final report. They will also arrange handover and follow up meetings.

4.5 Involvement of people, who use services, and carers

Rationale

Engaging with people, who use services, and carers is a fundamental part of performance inspections. They have unique knowledge and understanding to contribute about what is happening and the best way of making improvements.

Performance inspections are especially effective at promoting positive change when describing grassroots realities, thereby empowering some of the least powerful stakeholders in the community and enlightening some of the most powerful stakeholders in the local authority area.

As citizens, people, who use services, and carers have a right to participate in significant events such as performance inspections that will have an impact upon the quality of the services they receive and upon key aspects of their lives. This can also help to reduce feelings of powerlessness and alienation.

The performance inspection process itself is more effective when people, who use services, and carers experience it as a collaborative exercise in which their part is a primary one. Co-operation is more likely to be achieved if they are encouraged to take as active a role as possible from the outset.

They are more likely to share information with inspectors who:

- keep them fully informed at all stages;
- find sensitive ways of seeking their views; and
- pay attention to what they say when reaching conclusions.

Statement of intent for involving people, who use services, and carers

Performance inspections should be delivered with a clear focus on the experience of those for whom the service is provided. This principle is central to the whole performance inspection process.

Both the local authority and the performance inspection team have a common responsibility for empowering people, who use services, and carers, encouraging and enabling them to express their views openly. The actual experiences of people, who use services, and carers, whether positive or negative, should be reflected accurately.

Inspectors will use a wide range of methods to encourage involvement by people, who use services, and carers, in order to keep the whole process well grounded. Performance inspection teams will adopt a reflective approach to these aspects of their work, seek to learn from best practice and make continuous improvements.

In reporting on findings and making evaluations, the performance inspection team will consider issues of access to services and service quality alongside those of efficiency, to reach balanced conclusions.

Barriers to involvement

Engaging people, who use services, and carers in the process of performance inspection is crucial. But vulnerable people who use services may be anxious about the possible consequences of speaking out. Some of them will be frustrated and angry because of their experiences. Others may have doubts about whether the exercise will have a meaningful outcome, especially if their previous experience of consultation has been a negative one. People, who use services, and carers are diverse and their interests can conflict. Those who are most vocal may not be the most representative.

All the methods available to encourage involvement have limitations, especially when they are used to establish the viewpoint of groups that experience profound social exclusion. Methods of participation that help one group of people who use services to engage will not suit other groups. Advocacy and support is more developed for some groups than for others.

Methods of involvement

In these circumstances, there is an obligation on SWIA to be imaginative and innovative in its efforts to engage with people, who use services, and carers. The inspectors will need to depend upon a range of techniques that (accumulatively) can provide a true representation of the way in which people, who use services, and carers experience their local social work services authority.

Consulting with people, who use services, and carers for a one-off exercise such as a performance inspection is more productive in local

authorities which already encourage involvement. These authorities will welcome the opportunity to demonstrate their democratic approach, and the ways in which participation has been endorsed and resourced.

The performance inspection process relies upon a range of methods designed to ensure that the inspection team obtains a good understanding of people, who use services, and carers' experiences, opinions and perceptions. This is the core of the inspection fieldwork.

Methods of involvement include:

Information: SWIA has leaflets, posters, model press releases and other material to help the local authority inform people about the performance inspections and explain how they can become involved.

Open access: In this publicity material, the inspection team will encourage people to express their views and tell of their experiences through diverse means – in writing, by telephone, by e-mail or access to a web-site.

Questionnaire surveys: There are a number of questionnaire surveys. One covers a sample of people, who use services, and carers, with the sample chosen at random. It contains a series of straightforward statements, with a tick-box rating scale to ascertain the extent to which the person who completes the questionnaire agrees with the statement. There is space for additional comments and the use of this is optional. The scale of the exercise allows information to be gathered from a large number of people. Some of the evidence will be shown in a quantified way that enables comparisons to be made between local authorities. There may be additional questionnaire surveys of specific care groups. There is also a questionnaire survey of staff.

Case file analysis: The inspection team analyses a sample of case files from each of the major service areas. The inspectors and several case file readers drawn from the local authority itself look at key aspects of social work services provision (such as access to services, assessment, the range and quality of the services provided) to learn about how the needs of people, who use services, and carers are assessed and met. The case file analysis provides strong evidence about the way in which the local authority's policies and systems are experienced by people, who use services, and carers.

Observed practice: From the case file sample, a proportion of people, who use services, and carers are invited to meet individually with members of the performance inspection team, with support if necessary. Inspectors will undertake some direct observation of staff working with

people who use services, in settings such as offices, reception, residential or day care facilities. They use these opportunities to talk with people, who use services, and carers, checking out their perceptions of what they have seen or heard.

These interviews or observed practice sessions will be supplemented by discussions with the social worker or case manager, their supervisor, and other service providers or professionals involved. They are often the most powerful and effective form of reality-checking. They allow people, who use services, and carers to describe in their own way how they have experienced services and staff.

Meetings with groups: A substantial part of the time spent by the inspection team on site is used for a programme of meetings with different groups of people, who use services, and carers. These meetings enable the inspection team to:

- listen with respect to the concerns of people who use services, and their carers;
- gather information;
- obtain an understanding of the context; and
- check out issues identified in the case file analysis and interview individual users and carers.

Making the inspection methodology work

These methods will be applied rigorously, within the resources available for each inspection. They all have intrinsic limitations. For example, the response rate to surveys can be low and the respondents are self-selecting. It is important, therefore, to treat each method as supplying only a partial picture in itself. The nature of the performance inspection process is to pull together information from a variety of sources. The evidence from one method is considered against the evidence from others, so that balanced and valid conclusions can be reached.

Each method for consulting and involving people, who use services, and carers needs to be applied in a skilful way and in keeping with the principles set out in the SWIA Code of Conduct which is being developed. People who use services have a right to respect, courtesy, and professional competence.

It is acknowledged that time and effort is needed throughout the process to ensure that people, who use services, and carers properly understand what is happening and give informed consent to participation. Care must be taken not to infringe their privacy. Although the contributions from people, who use services, and carers cannot be treated as entirely

confidential and may be used in some detail within the report, all case examples will be anonymous, to protect the individuals involved.

The views of people, who use services, and carers will be used as part of the jigsaw of evidence that contributes to the analysis of strengths and areas for development. They will also alert inspectors to important lines of investigation and prompt additional questions that may shape the fieldwork programme or lead to further requests for information. The views of people, who use services, and carers will be set alongside other sources of information, seeking corroboration or highlighting discrepancies in the search for triangulated evidence.

Everybody must be clear that the performance inspection cannot provide a complaints or problem resolution service for individuals. Any views expressed are treated as a contribution to the evidence to be considered in the inspection.

However, inspectors cannot undertake to report back to people, who use services, and carers in relation to specific incidents. They will bring to the attention of senior managers in social work services any major causes for concern that arise through individual contacts with service users and carers.

4.6 The role of elected members

Elected members (councillors) have the primary responsibility for the performance of local authority social work services in their capacity as representatives of local citizens. Performance inspections involve elected members during the evidence-gathering, fieldwork and feedback stages. The performance inspection process and the report focus on how effectively political leadership drives management action and improves services.

A performance inspection is likely to have implications for policy and the strategic management of resources, as well as for performance monitoring and scrutiny. It is anticipated, therefore, that elected members involved in both executive and scrutiny functions will need to consider the performance inspection report, the authority's action plan and the implementation of the report's findings.

4.7 Performance inspection resources

The period from the set-up meeting with the local authority to the presentation of a draft report is expected to span six months and to require about three SWIA inspectors' involvement, as well as other inspectors, such as lay and carer inspectors and associate inspectors.

The local authority's contribution is the time and effort required from elected members and staff in contributing to and benefiting from the inspection. SWIA acknowledges the considerable efforts made by authorities to prepare for inspections and to assist inspection team members. SWIA has made significant efforts, when designing the methodology used for inspections, to minimise this burden wherever possible, for example, the time spent by the team on site should be no more than two weeks.

4.8 The Performance Inspection Handbook

For ease of reference, more detailed information is included in the *Performance Inspection Handbook*. This Handbook guides you through the different phases of the performance inspection process and the activities associated with them. It contains information such as templates, forms, protocols and briefing materials. It is used for more detailed information than can be given in this guide. It is available on SWIA's website: www.swia.gov.uk.