

Practice Governance Group
27 March 2007
Scotsman Hotel
North Bridges, Edinburgh

Minutes

Present:

Andrew Lowe, Chair
Liz Bohan
Alan Campbell
Geraldine Doherty
Alexis Jay
Sandra Nutley
Ruth Stark
Bryan Williams
Michelle Miller

Scottish Executive

Catherine Rainey
Bill Ellis
Elaine Martay (minutes)

In Attendance: Monica Barry to present her paper on Risk.

Apologies

Apologies were received from Peter Gabbitas (represented by Michelle Miller), Zoe Van Zwanenberg, Moira Hughes.

1. Alan Campbell was welcomed to his first meeting, and introductions were conducted round the table.

Minutes of Previous Meeting

2. The Minutes of the previous meeting held on 26 January 2007 were agreed.

Learning from the Previous Night's Discussion – Next Steps

3. Andrew Lowe summed up the purpose for the presentation from Phil Cropper, Regional Manager, CAA, Air Traffic Control (ATC), and its relevance for the Practice Governance Group. It had been decided that this group would not restrict its thinking to social work services, but would be open to the experiences of other areas such as Air Traffic Control.
4. Catherine Rainey presented a summary of the previous night's discussion (see Annex A below). Themes from the presentation and discussions were:

- Licence to practice “Yellow Book” was like a passport – portable, tangible and up-dated, and ATCs were proud of it. (Could similar be used in social work context and aligned with other countries’ regulation?)
 - Competence. On-going peer evaluation amongst ATCs meant that competence tended to be owned by ATCs themselves.
 - Resources – ATC had a fixed resource (number of ATCs) and volume of traffic was restricted by this number.
 - ATC had a ‘just culture’ where mistakes were managed in a positive way rather than punitively. ATCs shared mutual support and advice. In larger workplaces there was on going peer review, in smaller organisations this was provided externally.
 - Flat organisational structure which comes from, and contributes to, shared responsibility.
 - Burn-out stress issues raised early in recruitment.
 - ATC pay structure followed organisational structure – ATCs were well paid from the beginning and so tended to stay.
 - Hugely regulated and procedural, therefore less autonomy, though autonomy existed within that tight remit.
 - Demarcation was clear, and the moment clearly defined when ATC responsibility could be transferred.
 - There was a strong focus on safety in the ATC model. This chimed with Changing Lives.
 - However, there was very little bottom-up innovation (unlike Changing Lives).
 - There needed to be a national debate about tolerance of different types of behaviour, as social work had safety and resource issues which were different from Air Traffic Control.
 - Issue of team regulation not there in ATC. We need to look at the proper boundaries and responsibilities within teams managing risk.
 - It was agreed that one other employment area would be invited to give a talk on their experience. This should be from the Finance sector, SEPA or Health, as all of these had to manage risk with a social mandate – risk tolerance verses resources. Liam Donaldson’s work on Health “Trust, Assurance and Safety” referred.
 - A comparison with international models should also be looked at.
5. **Action: Catherine Rainey will obtain Phil Cropper’s slides and consider next steps, linking with the Risk Assessment paper.**
6. **Action: Geraldine Doherty would sound out Paul Martin, CNO about presenting to the group.**

CSWO – session on organisational structures and mapping of current position – Alexis Jay

7. Alexis Jay described the current position of the role of CSWO in Scotland. It had originally been introduced in the 1994 Local Government (Scotland) Act. It was conceived as a flexible role to fit local structures and to design services according to need, and had a broad “oversight” of social work services whether purchased or delivered. The CSWO role had become diverse throughout the local authorities,

with a range of responsibilities. In 11 authorities the CSWO and Director of Social Work was the same person.

8. Evidence from the inspections showed that the CSWO was no less than second tier in the social work structure within the Council. Alexis reported that there was strong support from Chief Executives and elected members for the CSWO role. It was essential that staff knew to whom they are accountable and for what.
9. It was agreed that there should be clarity about responsibility and accountability in the role and, in particular, it was important to understand and define what some of the terminology should mean in practice.
10. The following comments emerged:
 - “oversight” was interpreted differently by LAs.
 - When the role of CSWO covers 2 or more areas such as social work and housing a conflict of interest can arise.
 - Need to clarify where it might be necessary for a separation of function.
 - The ADSW paper, submitted to the 21C Review, did not fully explore the role of CSWO.
 - Front-line staff need to have a clear view of the role and to whom they are accountable.
 - There were two types of leadership – operational and strategic. PG needed to examine the differences and determine what we want to achieve in terms of accountability, responsibility, values, objectives and direction.
 - We also need to make these roles explicit, with a clear understanding of what we mean by” professional leadership” and whether there could be a need for legislative amendments.
11. **Action: Bryan, Alexis and Bill to draft a paper on the issues that need to explored with respect to the CSWO for the next meeting. This could form the basis for a workshop in future.**

Research Paper on Risk – Monica Barry

12. Monica Barry presented her literature review on Risk in Social Work. Catherine Rainey set the context for the paper by saying that Changing Lives identified a need to review risk management and the use of assessment tools to manage risk.
13. Comments following the presentation were:
 - The conclusions about risk were drawn from assumptions about different areas - however, the risk-taking model for CJ and Child Protection looks different from each other.
 - Risk-taking tolerances vary.
 - Clients should be engaged in their own risk management. However clients often lack insight into their own risky behaviour.
 - What is the evidence that assessment tools are accurate? Risk assessment tools can be over-relied on. Though this problem can be partly assessed through SWIA inspections.
 - These should not ever be used as the only management strategy.
 - Risk management tools can cloud judgment, and are often used as a defensible principle in hard cases.

- "defensible" seen by some as a dirty word, but doing the opposite would be indefensible. However, "defensible" should be separated from "continual improvement".
- There are often several, sometimes conflicting, risks involved. Therefore sound management of risk is required.
- There are false-positives, and tools do not always pick up on this and so can be unreliable, and may even increase the false-positives. This requires that risk tools be used in context, and not alone.
- A literature review has problems in that the literature can carry inherent bias, the commissioned research is not peer-reviewed and there are gaps in the literature.
- Bits missing. "Europe does it better", but presentation does not explore the evidence for this statement.
- It was felt by some that politics has taken over from judgment on risk.
- The language in the paper was quite strong. Questioned whether there was bias in the paper. Risk had to be managed within an agreed social context.
- This criticism could also be levelled at Changing Lives.
- This paper has generated discussion and should be presented to the other change programmes as the basis for further discussion.

- 14. Action: 1. SWSPD to discuss paper with policy colleagues in the SE. 2. Will invite other Change Groups for wider discussion, and consider how to feed in other key issues. 3. Will advise incoming Minister and arrange publication after the Scottish Parliament elections. 4. SWSPD will seek to issue with a paper setting the context for the risk paper, addressing the concerns and issues raised here and indicating how work will be taken forward.**

Chair's Report – Andrew Lowe

15. Andrew Lowe up-dated the group on events affecting the 5 Change Programmes. In March the chairs of the 5 Change Programmes went to the Learning Network event in Aberdeen, which was well attended. He felt that it was a very worthwhile experience and hoped that this event would be repeated elsewhere as the success of Changing Lives depended on national debate and engagement.
16. He was in continuing conversation with Citizen Leadership Group.
17. Research and Development – Bryan Williams reported that there was much activity in the R&D Group.
- A timetable to produce a draft strategy for consultation in Spring 2008 had been agreed.
 - 3 sub-groups had been formed covering research infrastructure and the use of knowledge in practice.
 - A rudimentary survey of agencies had been made to collate the large amount of research carried out by them.
 - The Changing Lives self-assessment returns had been examined for evidence of research. This had been linked to the Leading to Deliver projects. A method of capturing this work was being developed. It was suggested that an IT device similar to Wikipedia could be developed, which would pool new knowledge and would be up-dated and tested by readers themselves.
 - Links with Scottish and international research would be made.

- Connections with UK-wide research would be similarly linked.
- There was a possibility for funding to invest in research as a capacity-building activity.
- The fact that the implementation of Changing Lives carried funds for research was much admired in other parts of the UK, which suggests that this could be a model for the rest of the UK.

Workplan, firming up and agreement of priorities and timetabling for completion of work (Paper PG(3)3)

18. Points raised during discussion of the workplan:

- Box 1. The group would like to see Ruth Stark's paper on "Professional Rights" before it is added to Box 1.

Action: It was agreed it would be helpful if Ruth would provide a short paper on this and that where anyone wanted to add something to the workplan they should present a paper first.

- Group to be aware that the elements in the boxes tended to be themes with connections to the other change programmes.

Action: SWSPD will map out these connections and give them timelines.

- The presentation at the Chair's meeting on "competency-based Framework" for career progression had links with PG.
- The draft Practice Governance Framework would need to be aligned to the Leadership and Management Framework
- There needed to be robust version control of the workplan.

Action: SWSPD to establish this.

- The terminology of the Citizen Leadership may change in the light of feedback given to the Users' and Carers' forum.
- The national priorities for improving social work services, now remitted to the Performance Improvement Change Programme to progress, will be drawn into the workplan when they have relevance to PG or indeed any of the change programmes.

Any Other Business

19. The role of the CSWO should be the main item of business at the next meeting.

The other main agenda item would be governance arrangements, and it was suggested that Paul Martin might be invited as a second speaker on this. The format for the next meeting should be an all day event. The rationale was that there needed to be protected time to discuss issues as fully as possible.

20. **Action: SWSPD to set up an all day event.**

Time and place of next meeting

21. The next meeting was due on 4 May 2007. However it was agreed this should be moved given some members duties around the election. .
22. **Action: SWSPD to find another date and venue.**

Elaine Martay
SWSPD
May 2007

ANNEX A

PRACTICE GOVERNANCE: SESSION WITH PHIL CROPPER, AIR TRAFFIC SERVICES

Some themes:

- Legal underpinning – licensing of pilots, air traffic controllers.
- Use of industry advisory bodies to develop guidance.
- ATCs need to demonstrate competence before issued with license by regulatory body.
- Evidence base is critical and employer has responsibility, along with individual, for recording practice on ongoing basis.
- Competence schemes owned and run by ATCs themselves – type of peer review
- Ongoing competence – based on good evidence – which will be taken into account should an incident occur – ie one-off issue or reflection of ongoing poor practice.
- Regulatory body sets strategy and framework – individual ATCs make the on-the-spot decision and accountable for safety.
- National procedures and guidelines (for example, on time intervals) but individuals have the knowledge of the rules and the skills to apply – and should be able to explain any specific action.
- Regulatory bodies can comment on systems – ensure they are fit for purpose – can also comment on resource/ratios/workload.
- Individual clear about when responsibility for safety begins and ends – formal handover of this – no ambiguity.
- Resources come first, and then the service that can be delivered. Where resources short, view is taken on what business can be handled and action taken to work within that envelope.

- Just culture – personal sign off by heid bummer – confirming and encouraging the need for reporting of incidents so action can be taken to fix...not to go after individuals. Reports can be made confidentially to the regulatory body who will pursue with the employer on that basis.
- Better to report and see things sorted, than not to report and incident might occur. If the latter, action against individual likely to be more serious.
- Service sponsors ‘lessons learned’ publications.
- Very flat organisational structure with the majority of ATCs remaining as front-line ATCs throughout their career.
- Regulatory body concerned with competence. Stress not a factor they take into account but something that it would be expected the employer would be aware of and deal with if impacting on competence. Would expect that people who couldn’t hack it would be weeded out through the training/ licensing process.
- Could comment on the supervisor/employer body if an incident occurred and there was concern that someone had not been ‘fit’ and no action taken by employer.

Catherine Rainey
SWSPD
26 March 2007