



# SCOTTISH COVID-19 INQUIRY

## OPENING STATEMENT BY SOCIAL CARE AND SOCIAL WORK IMPROVEMENT SCOTLAND ("THE CARE INSPECTORATE")

Headquarters  
Compass House  
11 Riverside Drive  
Dundee  
DD1 4N

The Covid-19 pandemic, and the response to it, took a heavy toll on Scotland and its people. In few places, or perhaps nowhere, was that toll heavier than in one of the sectors regulated by the Care Inspectorate – namely, care homes for our older people.

In Scotland there are approximately 800 care homes for older people in which 44,500 or so staff are employed to care for around 30,500 people.

When we think of care homes for our elderly, we think, of course, of those who reside there, many of whom lost their lives to Covid-19.

Our minds also turn to their families, to their loss and their distress, and the lost opportunities during the pandemic to see and support their loved ones, and to provide, and receive, the comfort and the support that family contact brings. The Care Inspectorate wishes at this early stage, to offer its condolences to all of those who lost family members or friends to Covid-19, particularly in the care services it regulates, and across our society as a whole.

As the regulator of services such as care homes for older people and care at home services, the Care Inspectorate also had an insight into the challenges faced by staff in those services during the pandemic. They had to continue to work in a professional way throughout Covid-19 outbreaks in their workplaces, and to do so despite their concerns for their own health. They had to deal with deaths of many people for whom they had cared and whom they held in affection. They had to support grieving families. Some, sadly, lost their own lives. The Care Inspectorate also offers its condolences to their families and friends.

While this Inquiry may hear criticisms of the Government response to the pandemic in relation to the care sector, and may hear evidence critical of some care services, their managers, or individual staff members, and while some of those criticisms may be found to be justified, the Care Inspectorate wishes to take this opportunity to recognise the overall contribution made by those working in the care sector in responding to the pandemic, whose efforts were arguably overlooked in a public outpouring of support for the NHS.

It is the principal role of the Care Inspectorate to regulate and inspect care services to ensure that they meet the required standards and to help (or compel) them to improve if necessary. Across all its work, it provides independent assurance and protection for people who experience care, their families and carers, and the wider public. In addition, the Care Inspectorate plays a significant role in supporting improvements in the quality of care in Scotland.

The Care Inspectorate recognises the importance of this Inquiry and welcomes the opportunity to participate in it. It is committed to assisting the Inquiry in any way that it can, and has already provided it with all information requested and will continue to do so.

Aspects of the Care Inspectorate's response to the pandemic which the inquiry may wish to consider are as follows:

- whether it should have sought, proactively, to influence the thinking of the Scottish Government in relation to the discharge of individuals from hospitals to care homes in the early stages of the pandemic, although it had no role in overseeing or implementing that process.
- whether its decisions to pause on-site inspection activity briefly, while aligned with those of equivalent regulators elsewhere in the UK and in Europe, were reasonable, proportionate and justified;  
and,
- whether its approach to recommencement of inspections (earlier than its counterparts in the UK), using prioritised and risk-assessed on-site inspection, combined with the use of technology, was reasonable, proportionate and justified.

No doubt there will be other areas that the Inquiry will wish to explore, such as arrangements for care home visiting, where the Care Inspectorate will be able to assist the Inquiry, or in respect of which the Inquiry will wish to scrutinise the Care Inspectorate's approaches and responses.

While the Care Inspectorate is hopeful that upon a close analysis, the Inquiry will find that there was merit in its responses to the pandemic, it is not complacent. It takes this Inquiry as an opportunity to hold a mirror to itself, to benefit from the insight that independent consideration of its actions brings, and to learn - not only from the Inquiry's formal findings and recommendations, but also from the evidence the Inquiry hears as it proceeds, and from its own ongoing reflections on its practice in light of that evidence. Where changes or improvements are necessary, it will make those. Where changes or improvements to the services it regulates are necessary, it will encourage and - if necessary - enforce those.

With that in mind, the Care Inspectorate hopes that for all parties, this Inquiry will bring new insights and recommendations which will leave Scotland as prepared as it can be for the future.

## **Personal Data**

M A MacLeod K.C.

13 October 2023