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| Overview | This standard identifies the requirements when responding to information of concerns and complaints received about provider services. It includes receiving the information, deciding how it should be handled and signposting to appropriate body for responding to the information. It includes recognising the significance and implications of information received and its source, and evaluating its validity and use in inspection and scrutiny activities. |

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| **Performance criteria**  You must be able to: | **Evaluate information of concern received about services**   1. explore opportunities with **informants** for them to use the provider's internal procedures 2. enable informants to understand what complaints the organisation has authority to address 3. enable informants to understand which bodies deal with respective **concern** raised 4. **record** key facts given by informants 5. explain to the informant how the concern will be dealt with 6. examine inspection reports in respect of service providers to ascertain if concerns raised match with previous inspection findings 7. assess **risk of harm** posed to **individuals** by reported concerns 8. gather further information required to enable a judgement to be made regarding action to be taken 9. make a judgement regarding action required in partnership with **others** 10. keep informant informed regarding the process being undertaken in response to the complaint 11. analyse information gathered to make judgement about **appropriate response** to concerns according to **procedures** 12. decide what **further action** needs to be taken in consultation with **others** 13. respond to informant according to procedures 14. inform **relevant others** of the outcomes of assessment of concerns raised 15. make use of analysis of concerns to inform inspection or scrutiny activities 16. record all activity undertaken in responding to concerns raised |
| Knowledge and understanding  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand: | **Rights**   1. legal and work setting requirements on equality, diversity, discrimination and rights 2. your duty to address any acts or omissions that could infringe the rights of individuals   **Your practice**   1. legislation, including capacity and rights legislation, statutory codes, standards, frameworks and guidance appropriate to the organisation's operations and activities and its interpretation 2. your own roles, responsibilities and accountabilities with their limits and boundaries 3. your own background, experiences and beliefs that may have an impact on your practice 4. **other agencies** that may impact on the work of your organisation, including their responsibilities, statutory powers, organisational priorities and staffing arrangements 5. principles of working in partnership with **individuals** and other agencies 6. the meaning of person-centred/child centred approaches and the importance of knowing and respecting each person as an individual 7. meaning of dignity for individuals 8. how to work with other agencies, establishments and other bodies to gather evidence of **positive outcomes** for individuals 9. how to create a culture that promotes openness, creativity and problem solving 10. principles of strategic planning and what a strategic plan should cover 11. principles of quality assurance, quality control and the distinction between them 12. evidence based research relating to provision of services 13. identified lessons learnt from government reports and inquires 14. how to access sources of expert advice in relation to health and social care, health and safety, building regulations, financial security and company law 15. how to recognise areas for improvement against regulations, standards and best practice and how to respond 16. when to use authority and the exercise of regulatory power rather than partnership 17. how to implement, monitor and evaluate systems, practices, policies and procedures 18. difficulties with capture of data and data problems   **Communicating with individuals and organisations**   1. the importance of individuals contributing to inspection and scrutiny activities 2. participatory practice including techniques that can be used to engage with individuals 3. the role of independent representation and advocacy for individuals 4. methods to promote effective communication and enable others to communicate their views and preferences 5. the importance of language in communication and the impact of bilingualism and how to work with it 6. the purpose of working with other professionals and agencies 7. the ethos of organisations and how different organisations work 8. methods to promote effective communication within and between organisations 9. how to convey potentially difficult or unwelcome information 10. how to engage in professional dialogue and provide clear feedback which could contribute to the development of an organisation   **Theory**   1. theories and models of regulation, inspection, scrutiny and frameworks used to evaluate scrutiny and regulation 2. theories about **leadership** and **management** 3. principles of organisational behaviours and cultures 4. factors that may affect the health, wellbeing and development of individualsin health and social care or children and young people’s settings   **Health and Safety**   1. legal and statutory requirements for health and safety 2. organisational policies and practices for monitoring and maintaining health, safety and security in the work environment   **Safeguarding**   1. the responsibility that everyone has to raise concerns about possible harm or abuse, poor or discriminatory practices 2. legislation and national and local policy relating to the safeguarding and protection of children, young people and adults 3. **early indicators of potential abuse** 4. indicators and signs of potential harm or abuse 5. how to respond to concerns about harm and abuse   **Handling information**   1. legal requirements, policies and procedures for the security and confidentiality of information 2. protocols and best practice governing the exchange of information with other individuals and agencies   **Report writing**   1. how to record written information with accuracy, clarity, relevance, and appropriate level of detail including reference of sources of evidence 2. legal and work setting requirements for recording information and producing reports within timescales   **Risk management**   1. principles of positive risk-taking and the relation to inspection and scrutiny activities 2. principles of risk assessment and principles of risk management 3. how to critically evaluate principles and frameworks of risk assessment and risk management     **Specific to this NOS**   1. how to identify critical incidents, concerns and complaints 2. how to seek information about other action taken by complainants or informants 3. the importance of responding to complainants and informants in a manner which is likely to promote confidence 4. how to record facts given by informants or complainants 5. complaints procedures of own organisation and other agencies 6. how to find out about internal procedures of service providers 7. factors which may affect the validity, reliability and accuracy of information provided by those involved, distinguishing between allegations, assertions and facts 8. factors which may inhibit clear communication by those involved including fears of retribution, peer pressure and how to minimise them 9. how to diffuse potentially difficult situations 10. effective methods of gathering information 11. how to recognise and respond to potential conflicts of interest between inspectors and organisations subject to inspection 12. difficulties such as **ritualistic compliance** and how to overcome game playing or resistance and avoidance strategies 13. how to develop and test hypotheses 14. how to verify the validity and reliability of evidence including **triangulation** 15. how to recognise potential breaches of regulations or legislation |  |

**Additional Information**

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| Scope/range related to performance criteria | The details in this field are explanatory statements of scope and/or examples of possible contexts in which the NOS may apply; they are not to be regarded as range statements required for achievement of the NOS    Note: Where an individual finds it difficult or impossible to express their own preferences and make decisions about their life, achievement of this standard may require the involvement of advocates or others who are able to represent the views and best interests of the individual    Where there are language differences within the work setting, achievement of this standard may require the involvement of interpreters or translation services    **Appropriate response** may include no response, referral to registered manager, provider or commissioner, issue to be raised in future inspection, formal investigation, referral to experts, referral to police or other agency, and / or continued monitoring  **Informant** may include a complainant from family, friends, whistle-blower from within the service  **Concern** includes written or verbal, anonymous or non-anonymous issues, complaints or expressions of concern. It includes issues that have arisen during an inspection that may warrant further investigation  **Further action** may include carrying out focussed inspection or re-inspection of services, referral to other agencies, keeping information on file to take into account at next scheduled inspection or no action at all  The **individual** is an adult, child or young person who uses services  **Informants** may include people raising complaints about care given to friends and family. They may be whistle-blowers raising concerns about practices and systems within service provision. It may also include service providers themselves raising concerns about staff practices  **Others** could include line manager, senior manager, other agency to which complainant is referred  **Procedures** may includelegal and organisational requirements for inspection and scrutiny activities, health and social care standards, codes of practice / conduct  **Record** includes recording all evidence and information fully ensuring it is accurate, timed and dated in a way which protects its confidentiality, and evidential value and is in accordance with organisational procedures and legal requirements  **Relevant others** may include individuals, their families and carers, staff and volunteers, other professionals, commissioners, statutory bodies, lay assessors, experts and other specialists  **Risk of harm** may include abuse, physical, mental or chemical restraint, failure to promote dignity, failure to protect, denial of rights, potential or actual harm, neglect and lack of care |

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| Scope/range related to knowledge and understanding | The details in this field are explanatory statements of scope and/or examples of possible contexts in which the NOS may apply; they are not to be regarded as range statement required for achievement of the NOS.  **All knowledge statements must be applied in the context of this standard.**  **In relation to all knowledge statements you need to know and understand the specified areas of knowledge and be able to critically apply the knowledge and understanding in your practice**  **Early indicators of potential** abuse may include, patronising attitudes to adults and children, restrictive practices including unnecessary locking of doors, restriction of positive opportunities, lack of respect in relating to individuals  The **individual** is an adult, child or young person who uses services  **Other agencies** may include other regulatory organisations, commissioners, local authorities, standard setting bodies  **Leadership** is the ability to provide strategic direction and a sense of purpose. Effective leaders create a sense of trust, confidence and belief, inspiring people to adopt the values and behaviours they promote. They are innovative, creative and motivating  **Management** is the ability to set the operational direction and organise the effective running of the service provision to meet the overall service needs including ethical, legislative, regulatory and organisational requirements. Effective managers facilitate and organise resources in order to optimise the performance of others, allowing them to carry out tasks and achieve goals efficiently and effectively. They provide clarity and accountability that enable teams to meet their objectives  **Positive Outcomes** may include health and safety, wellbeing, achievement of personal goals and ambitions, self esteem  **Positive Risk Taking** is a risk based approach that promotes the taking of risks as a deliberate and planned strategy designed to enhance health, welfare and educational outcomes. It represents best practice for professionals in health care, social work and educational settings in terms of promoting dignity, autonomy, and respect when working with children and adults at risk of harm  **Ritualistic compliance** may include apparent compliance on paper but deeper evidence shows little evidence of compliance across the whole organisation  **Triangulation** is used in [social sciences](http://en.wikipedia.org/wiki/Social_sciences) to indicate that more than two methods are used with a view to double (or triple) checking results | |
| Values | Adherence to codes of practice or conduct where applicable to your role and the principles and values that underpin your work setting, including the rights of children, young people and adults.  Inspection and scrutiny activities will enhance these rights which include the rights:  To be treated as an individual  To be treated equally and not be discriminated against  To be respected  To have privacy  To be treated in a dignified way  To be protected from danger and harm  To be supported and cared for in a way that meets needs, takes account of choices and also protects  To communicate using preferred methods of communication and language  To access information about themselves  All aspects of inspection and scrutiny activity should seek to build on these underpinning values and should:  Be transparent  Be accountable  Be proportional  Be consistent  Be targeted  Be impartial  Enable providers |

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| **Developed by** | Skills for Care and Development |
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| Validity | Current |
| Status | Original |
| Originating organisation | Skills for Care and Development |
| Original URN | SCDINSPD1 |
| Relevant occupations | Inspectors/Senior Inspectors/Regulators of Health, Social Care and Children’s Services |
| Suite | Inspectors of Health, Social Care, Children and Young People’s Services |
| Key words | Children and young people’s settings; concerns; health and social care; informants; risk of harm |