

1

**From:** Mitchell, Kevin

**Sent:** 03 June 2020 18:11

**To:** [REDACTED]@gov.scot" [REDACTED]@gov.scot  
**Cc:** [REDACTED] <HYPERLINK "mailto:[REDACTED]@gov.scot" [REDACTED]@gov.scot>; [REDACTED]  
[REDACTED] <HYPERLINK "mailto:[REDACTED]@gov.scot" [REDACTED]@gov.scot>; Macleod, Peter  
<HYPERLINK "mailto:[REDACTED]@careinspectorate.gov.scot"  
[REDACTED]@careinspectorate.gov.scot>; Macintosh, Edith <HYPERLINK  
"mailto:[REDACTED]@careinspectorate.gov.scot" [REDACTED]@careinspectorate.gov.scot>  
**Subject:** RE: Fortnightly Reporting -Coronavirus Act (2)

OFFICIAL

[REDACTED]

Further to our previous e-mail exchange, please find attached the draft template we plan to use for the report . However, please note this is still being worked on along with the content and may change.

Clearly the findings for the report to parliament will have to be high level so as not to compromise the full report that will still have to go through an error response / publication process in due course.

As indicated previously , we will send it on Monday 8 May (and fortnightly thereafter ) which allows you sufficient time to share a copy in advance with the Cabinet Secretary before lodging it.

As I also indicated we would be happy to respond to any questions/comment on the report and provide any additional information that may be required.

We can speak about this and a number of associated issues at our meeting in the morning

Hope that helps

Kevin

Kevin Mitchell  
Executive Director of Scrutiny and Assurance  
Care Inspectorate  
Compass House  
11 Riverside Drive  
Dundee  
DD1 4NY

Tel [REDACTED]  
Tel [REDACTED]

e-mail [REDACTED]@careinspectorate.gov.scot  
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2

OFFICIAL

**From:** Mitchell, Kevin**Sent:** 05 June 2020 08:27**To:** [REDACTED] ) [REDACTED]@gov.scot>; [REDACTED]@gov.scot)  
[REDACTED]@gov.scot>; [REDACTED]@gov.scot>**Cc:** Macleod, Peter [REDACTED]@careinspectorate.gov.scot>; [REDACTED]@gov.scot**Subject:** RE: Fortnightly Reporting -Coronavirus Act (2)

Colleagues

Just to make you aware that on Monday when send you our report for Parliament, we propose to provide details to the undernoted only on the names of the services that will appear in the report when laid before Parliament on the Wednesday. I assume you would have no issue in that regard and that you are not aware of any protocol whereby this would compromise the Parliamentary process ? Can you please let me know . Thanks .

Note referred to :

- COSLA (As requested by [REDACTED] [REDACTED] at the NCCPG meeting ion Wednesday)
- Police Scotland (for awareness in case of any unwarranted/inappropriate media attention at the services of the kind we have seen in the recent past; and
- The relevant HSCPs (for awareness and any support that may be necessary )

Naturally, we will also make the provider aware of the this also.

Kevin

Kevin Mitchell  
Executive Director of Scrutiny and Assurance  
Care Inspectorate  
Compass House  
11 Riverside Drive  
Dundee  
DD1 4NY

Te [REDACTED] (Office)  
Tel [REDACTED] (Mobile)

3

Microsoft Exchange Server;converted from html;

**From:** [REDACTED]@gov.scot>

**Sent on:** Friday, June 5, 2020 1:45:05 PM

**To:** Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot>

**CC:** [REDACTED]@gov.scot>; [REDACTED]@gov.scot>; [REDACTED] Macleod,  
Peter [REDACTED]@careinspectorate.gov.scot>

**Subject:** RE: Fortnightly Reporting -Coronavirus Act (2)

**Follow up:** Follow up

**Start date:** Friday, June 5, 2020 12:00:00 AM

**Due date:** Friday, June 5, 2020 12:00:00 AM

Kevin,

This sounds fine to us. I assume that CI will put in place processes to ensure that any issues of confidentiality and data protection are properly addressed.

Thanks,

[REDACTED]

4

**From:** [REDACTED] ) <[HYPERLINK "mailto:\[REDACTED\]@gov.scot"](mailto:[REDACTED]@gov.scot) [REDACTED]@gov.scot>

**Sent:** 05 June 2020 08:33

**To:** Mitchell, Kevin <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot"](mailto:[REDACTED]@careinspectorate.gov.scot)

[REDACTED]@careinspectorate.gov.scot>;

<[HYPERLINK](#)

["mailto:\[REDACTED\]@gov.scot"](mailto:[REDACTED]@gov.scot)

[REDACTED]@gov.scot>;

[REDACTED] ) <[HYPERLINK](#)

["mailto:\[REDACTED\]@gov.scot"](mailto:[REDACTED]@gov.scot)

[REDACTED]@gov.scot>;

[REDACTED] <[HYPERLINK](#)

["mailto:\[REDACTED\]@gov.scot"](mailto:[REDACTED]@gov.scot)

[REDACTED]@gov.scot>

**Cc:** Macleod, Peter <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot"](mailto:[REDACTED]@careinspectorate.gov.scot)

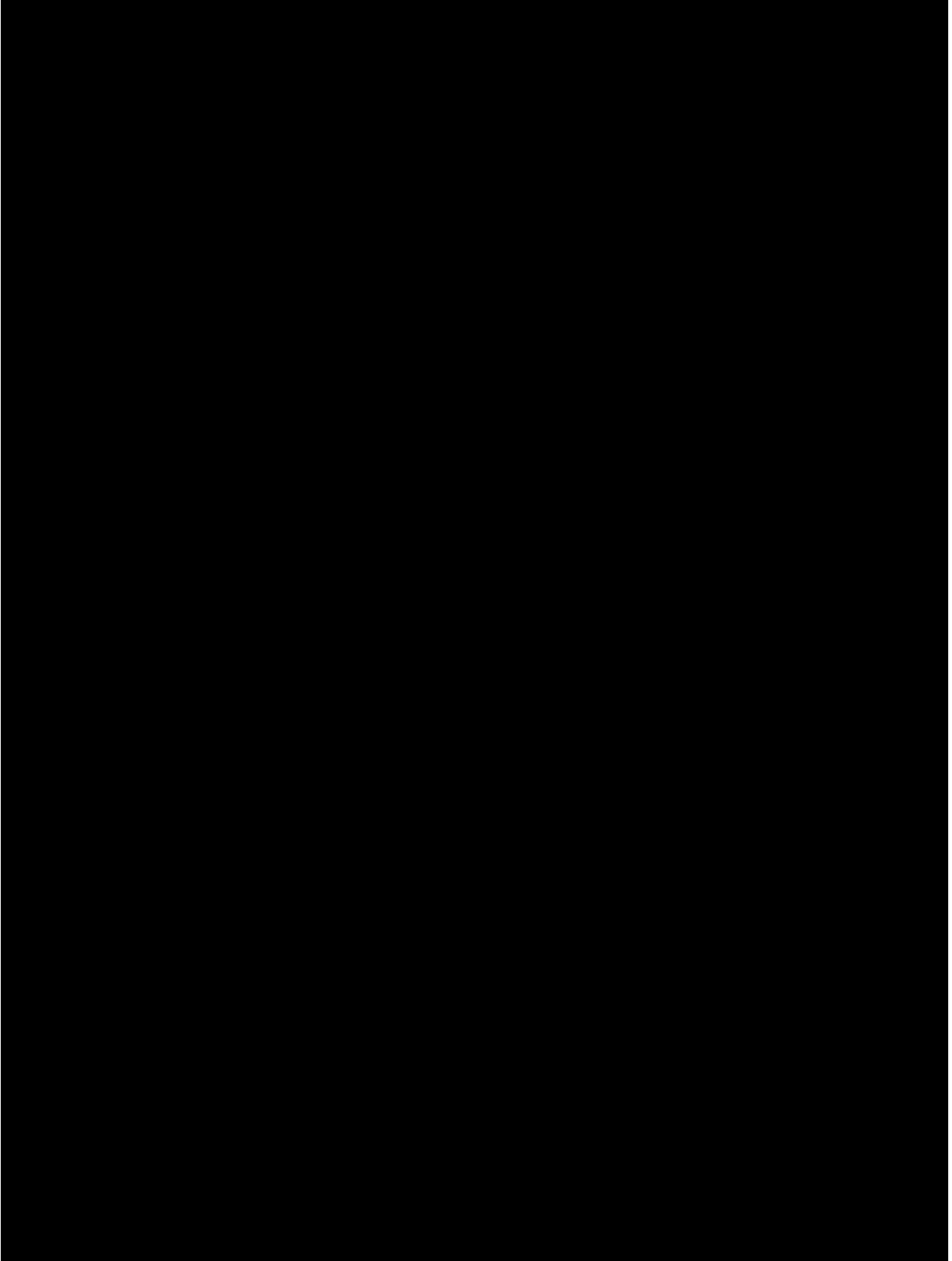
[REDACTED]@careinspectorate.gov.scot>

**Subject:** RE: Fortnightly Reporting -Coronavirus Act (2)

Kevin

Seems reasonable to me but other colleagues here will know SG protocols better than me

[REDACTED]



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6

**From:** [REDACTED]  
**Sent:** 22 June 2020 10:20  
**To:** [REDACTED] [n@gov.scot](mailto:[REDACTED]@gov.scot)  
**Subject:** RE: Fortnightly report on inspections

OFFICIAL

Hi Kevin, yes that is our plan – day and time noted – and not a pain at all – belt and braces!

[REDACTED]

[REDACTED]

[REDACTED]

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Care Inspectorate

T. [REDACTED]

M. [REDACTED]

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7

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**From:** [REDACTED]@gov.scot [REDACTED]@gov.scot>

**Sent:** 22 June 2020 10:18

**To:** [REDACTED]@careinspectorate.gov.scot>

**Subject:** RE: Fortnightly report on inspections

Hi [REDACTED]

Sorry for being a pain this morning.

Can I also please check that Care Inspectorate will now be laying before Parliament directly? If so, this should be requested for 2.00 pm on Wednesdays.

Happy to discuss.

Best wishes

[REDACTED]


[REDACTED]

[REDACTED]

[REDACTED]

Social Care Support Division | Community Health and Social Care Directorate | GE15 St Andrew's House | Edinburgh EH1 3DG

[REDACTED]

 gov.scot

8

**From:** [REDACTED]  
**Sent:** 22 June 2020 10:03  
**To:** [REDACTED] [careinspectorate.gov.scot](mailto:careinspectorate.gov.scot)>  
**Subject:** RE: Fortnightly report on inspections

Hi [REDACTED]

Thanks. If a copy is available in the morning, it would be really helpful.

Best wishes

[REDACTED]

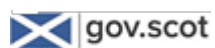
[REDACTED]

My pronouns: He/Him

[REDACTED]

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[REDACTED]





9

**From:** [REDACTED]@careinspectorate.gov.scot>  
**Sent:** 22 June 2020 09:53  
**To:** [REDACTED]@gov.scot>  
**Subject:** RE: Fortnightly report on inspections

OFFICIAL

Morning [REDACTED] – yes, I’m planning to get that to you tomorrow I believe.

Best wishes

[REDACTED]

[REDACTED]

[REDACTED]

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Care Inspectorate

T. [REDACTED]

[REDACTED]

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10

**From:** [REDACTED]@gov.scot [REDACTED]@gov.scot>  
**Sent:** 22 June 2020 09:39  
**To:** [REDACTED]@careinspectorate.gov.scot>  
**Subject:** Fortnightly report on inspections

Hi [REDACTED],

Hope all is well.

Can I please check when we'll have sight of an embargoed copy of the fortnightly report on inspections? Cab Sec still wishes to see in advance of laying before Parliament, and so planning a short briefing for her.

Thanks

Best wishes

[REDACTED]


[REDACTED]

My pronouns: He/Him

[REDACTED]

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[REDACTED]

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11

**From:** [REDACTED]  
**Sent:** 22 June 2020 10:20  
**To:** [REDACTED] [@gov.scot](mailto:[REDACTED]@gov.scot)  
**Subject:** RE: Fortnightly report on inspections

OFFICIAL

Hi [REDACTED] yes that is our plan – day and time noted – and not a pain at all – belt and braces!

[REDACTED]

[REDACTED]

[REDACTED]

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T. [REDACTED]

[REDACTED]

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12

**From:** [REDACTED]  
**Sent:** 22 June 2020 14:25  
**To:** [REDACTED]@gov.scot  
**Subject:** RE: Fortnightly report on inspections

OFFICIAL

Thanks [REDACTED] - I'll push for this to happen.

[REDACTED]

[REDACTED]

[REDACTED]

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T. [REDACTED]

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 23 June 2020 08:28  
**To:** [REDACTED]@gov.scot  
**Cc:** Macleod, Peter <[REDACTED]@careinspectorate.gov.scot>; Mitchell, Kevin  
[REDACTED]@careinspectorate.gov.scot>  
**Subject:** Fortnightly report

Morning [REDACTED]

Please find attached our fortnightly report for Cab Sec attention and to be laid before Parliament tomorrow at 2pm.

Best wishes

[REDACTED]  
[REDACTED]  
[REDACTED]

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Care Inspectorate

T. [REDACTED]  
[REDACTED]

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Microsoft Exchange Server;converted from html;

**From:** Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot> on behalf of Mitchell, Kevin

**Sent on:** Wednesday, June 24, 2020 10:30:31 AM

**To:** [REDACTED]@gov.scot; [REDACTED]@gov.scot>; Macleod,  
Peter [REDACTED]@careinspectorate.gov.scot>

**CC:** [REDACTED]@gov.scot>; Gilray,  
Ingrid [REDACTED]@careinspectorate.gov.scot>; Macintosh,  
Edith <[REDACTED]@careinspectorate.gov.scot>; [REDACTED]  
[REDACTED]@gov.scot>

**Subject:** RE: [REDACTED] update

OFFICIAL

[REDACTED]  
The only one missing from your list is [REDACTED] ) which is [REDACTED] . It was inspected in May before the parliamentary report started and there was no serious concerns and good practice was identified.

Clearly those that don't feature in Parliamentary reports 1 & 2 were before the emergency legislation came into effect and like those that are in report1 & 2 , will be subject to a full published report in due course

PS and Yes Letters of Concern only to [REDACTED] and [REDACTED] .

Hope that helps

K

15

OFFICIAL  
**From:** [REDACTED]@gov.scot [REDACTED]@gov.scot>  
**Sent:** 24 June 2020 10:20  
**To:** [REDACTED]@gov.scot>; Macleod, Peter  
<[REDACTED]@careinspectorate.gov.scot>; Mitchell, Kevin  
[REDACTED]@careinspectorate.gov.scot>  
**Cc:** [REDACTED]@gov.scot>; [REDACTED]  
[REDACTED]@careinspectorate.gov.scot>; Macintosh, Edith  
[REDACTED]@careinspectorate.gov.scot>; [REDACTED]  
[REDACTED]@gov.scot>  
**Subject:** RE: [REDACTED] update

Hi all,

[REDACTED]

[REDACTED]

Thanks,

[REDACTED]



[REDACTED]

[REDACTED]

**Social Care Support Division**

Tel: [REDACTED]

[REDACTED] [@gov.scot](mailto:[REDACTED]@gov.scot)

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16

**From:** [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot"](mailto:[REDACTED]@gov.scot) [REDACTED]@gov.scot>  
**Sent:** 24 June 2020 10:02  
**To:** Macleod, Peter <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot"](mailto:[REDACTED]@careinspectorate.gov.scot) [REDACTED]@careinspectorate.gov.scot>; Mitchell, Kevin <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot"](mailto:[REDACTED]@careinspectorate.gov.scot) [REDACTED]@careinspectorate.gov.scot>  
**Cc:** [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot"](mailto:[REDACTED]@gov.scot) [REDACTED]@gov.scot>; [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot"](mailto:[REDACTED]@gov.scot) [REDACTED]@gov.scot>; [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot"](mailto:[REDACTED]@careinspectorate.gov.scot) [REDACTED]@careinspectorate.gov.scot>; Macintosh, Edith <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot"](mailto:[REDACTED]@careinspectorate.gov.scot) [REDACTED]@careinspectorate.gov.scot>; [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot"](mailto:[REDACTED]@gov.scot) [REDACTED]@gov.scot>  
**Subject:** [REDACTED] update

Peter/Kevin,

[REDACTED]

[REDACTED]

[REDACTED]

Best wishes

[REDACTED]



17

**From:** Mitchell, Kevin <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot"](mailto:[REDACTED]@careinspectorate.gov.scot)  
[REDACTED]@careinspectorate.gov.scot>

**Sent:** 02 July 2020 15:24

**To:** [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot"](mailto:[REDACTED]@gov.scot) [REDACTED]@gov.scot>

**Cc:** [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot"](mailto:[REDACTED]@gov.scot) [REDACTED]@gov.scot>; [REDACTED]  
[REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot"](mailto:[REDACTED]@gov.scot) [REDACTED]@gov.scot>

**Subject:** RE: [REDACTED]

[REDACTED] When they have that  
is referenced in the fortnightly parliamentary reports .  
If you need any further information please let me know

Kevin

Kevin Mitchell

Executive Director of Scrutiny and Assurance

Care Inspectorate

Compass House

11 Riverside Drive

Dundee

DD1 4NY

Tel [REDACTED] (Office)

Tel [REDACTED] (Mobile)

e-mail [REDACTED] [@careinspectorate.gov.scot](mailto:[REDACTED]@careinspectorate.gov.scot)

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18

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**From:** [HYPERLINK "mailto:\[REDACTED\]@gov.scot" \[REDACTED\]@gov.scot](#) <[HYPERLINK "mailto:\[REDACTED\]n@gov.scot" \[REDACTED\]@gov.scot"](#)>

**Sent:** 02 July 2020 10:21

**To:** Mitchell, Kevin <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot" \[REDACTED\]@careinspectorate.gov.scot"](#)>

**Cc:** [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot" \[REDACTED\]@gov.scot"](#)>; [REDACTED] (Kevin) <[HYPERLINK "mailto:\[REDACTED\]n@gov.scot" \[REDACTED\]@gov.scot"](#)>

**Subject:** [REDACTED]

**Importance:** High

Hi Kevin,

[REDACTED]

Many thanks,

[REDACTED]



[REDACTED]

**Social Care Support Division**

Tel: [REDACTED]

[REDACTED]

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**Scottish Government**

St Andrews House

Regent Road

Edinburgh EH1 3DG

\*\*\*\*\*

\*\*\*

19

**From:** [REDACTED]@gov.scot [REDACTED]@gov.scot>

**Sent:** 02 July 2020 14:54

**To:** Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot>

**Cc:** Macleod, Peter [REDACTED]@careinspectorate.gov.scot> [REDACTED]  
[REDACTED]@gov.scot>; [REDACTED]@gov.scot>

**Subject:** SG: Coronavirus Acts - two monthly reporting

Hi Kevin,

We've been asked to contribute to the two-monthly reporting on the provisions in the Coronavirus Acts.

On Section 5, Schedule 4, Part 4, "Care services: giving of notices by the Care Inspectorate", could you and the team please clarify the following:

1. .Has this power been used?
2. .If so, on how many services / how many times?
3. .What is the Care Inspectorate's experience of this (e.g., has this been beneficial, essential, etc.)?
4. .Views on whether (or how long) this provision should remain in place?

On the reporting provisions under Section 2, Schedule 1, Part 9, could you please also answer 3. & 4.?

We'd appreciate feedback before the end of next week if possible. I'll be on leave, but [REDACTED] and [REDACTED] will pick up. Happy to chat before then if necessary.

Kind regards

[REDACTED]

[REDACTED]

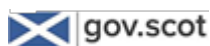
My pronouns: He/Him

[REDACTED]

Mental Health and Social Care Directorate | GE15 St Andrew's House | Edinburgh EH1 3DG

T: [REDACTED]

[REDACTED]



20

Microsoft Exchange Server;converted from html;

**From:** [REDACTED]@gov.scot>

**Sent on:** Friday, July 3, 2020 8:52:48 AM

**To:** Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot>

**CC:** Macleod, Peter [REDACTED]d@careinspectorate.gov.scot>; [REDACTED]  
[REDACTED]@gov.scot>; [REDACTED]@gov.scot>

**Subject:** RE: Programme of unannounced inspections

Kevin,

Understood. We can go back to [REDACTED] to clarify.

[REDACTED]

[REDACTED]

My pronouns: He/Him

[REDACTED]

Mental Health and Social Care Directorate | GE15 St Andrew's House | Edinburgh EH1 3DG

[REDACTED]

[REDACTED]



21

**From:** Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot>

**Sent:** 03 July 2020 09:51

**To:** [REDACTED]@gov.scot>

**Cc:** Macleod, Peter [REDACTED]@careinspectorate.gov.scot>; [REDACTED]  
[REDACTED]@gov.scot>; [REDACTED]@gov.scot>

**Subject:** RE: Programme of unannounced inspections

OFFICIAL

[REDACTED]

I can arrange for you to be given a list on a given day of a given week, but its dynamic and changes on a daily basis – that's the nature of risk and intelligence ie based on information that is being gathered daily from across the country and not now just that which we hold ourselves. Availability of staff from other organisations e.g. Health and HIS can also change the plans at the last minute as can issues around testing and PPE and requests from DPH. With this in mind could you let me know what you would like. We couldn't commit to updating any list we give you daily and sometimes changes are made more than nonce of a day as that would be too onerous and take staff away from their day job

Thanks

K

22

OFFICIAL

**From:** [REDACTED]@gov.scot [REDACTED]@gov.scot>

**Sent:** 03 July 2020 09:43

**To:** Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot>

**Cc:** Macleod, Peter [REDACTED]@careinspectorate.gov.scot>; [REDACTED]  
[REDACTED]@gov.scot>; [REDACTED]@gov.scot>

**Subject:** RE: Programme of unannounced inspections

Hi Kevin,

Sorry for confusion, [REDACTED] was asking if we can know which services are planned to be inspected in the next two weeks.

Best wishes

[REDACTED]

[REDACTED]

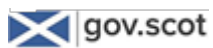
[REDACTED]

[REDACTED]

Mental Health and Social Care Directorate | GE15 St Andrew's House | Edinburgh EH1 3DG

T: [REDACTED]

[REDACTED]



23

**From:** Mitchell, Kevin <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot"](mailto:[REDACTED]@careinspectorate.gov.scot)  
[REDACTED]@careinspectorate.gov.scot>

**Sent:** 03 July 2020 09:39

**To:** [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot"](mailto:[REDACTED]@gov.scot) [REDACTED]@gov.scot>

**Cc:** Macleod, Peter <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot"](mailto:[REDACTED]@careinspectorate.gov.scot)  
[REDACTED]

**Subject:** RE: Programme of unannounced inspections

OFFICIAL

[REDACTED]

Can I be clear what you are asking for ? The next parliamentary report is being finalised today and will be with you on Monday which will include inspection visits up to yesterday ?

Kevin

24

OFFICIAL

**From:** [HYPERLINK "\[REDACTED\]@gov.scot"](#) [\[REDACTED\]@gov.scot](#) <[HYPERLINK "\[REDACTED\]@gov.scot"](#) <[\[REDACTED\]@gov.scot](#)>

**Sent:** 03 July 2020 09:34

**To:** Mitchell, Kevin <[HYPERLINK "\[REDACTED\]@careinspectorate.gov.scot"](#) <[\[REDACTED\]@careinspectorate.gov.scot](#)>

**Cc:** Macleod, Peter <[HYPERLINK "\[REDACTED\]@careinspectorate.gov.scot"](#) <[\[REDACTED\]@careinspectorate.gov.scot](#)>

**Subject:** Programme of unannounced inspections

Hi Kevin,

Tying in with the imminent publication of the 3<sup>rd</sup> fortnightly inspection report, is it possible to have the latest plan of unannounced inspections for the coming period?

Kind regards

[REDACTED]

[REDACTED]

My pronouns: He/Him

[REDACTED]

Mental Health and Social Care Directorate | GE15 St Andrew's House | Edinburgh EH1 3DG

[REDACTED]

[REDACTED]

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25

**From:** [REDACTED]  
**Sent:** 06 July 2020 14:39  
**To:** [REDACTED]@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]  
[REDACTED]@gov.scot>  
**Cc:** Macleod, Peter [REDACTED]@careinspectorate.gov.scot>; Mitchell, Kevin  
[REDACTED]@careinspectorate.gov.scot>; [REDACTED]  
[REDACTED]@careinspectorate.gov.scot>; Macintosh, Edith  
[REDACTED]h@careinspectorate.gov.scot>; Weir, Gordon  
[REDACTED]@careinspectorate.gov.scot>; Mackie, Gordon  
[REDACTED]@careinspectorate.gov.scot>; [REDACTED]  
[REDACTED]@careinspectorate.gov.scot>; [REDACTED]  
[REDACTED]@careinspectorate.gov.scot>  
**Subject:** Fortnightly parliamentary report on inspections

Please find attached the fortnightly report that we will lay before Parliament on Wednesday 8 July at 14:00.

Best wishes

[REDACTED]

[REDACTED]

[REDACTED]

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Care Inspectorate

[REDACTED]

[REDACTED]

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**From:** Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot>

**Sent:** 08 July 2020 06:54

**To:** [REDACTED]@gov.scot>

**Cc:** Macleod, Peter [REDACTED]@careinspectorate.gov.scot>

**Subject:** RE: SG: Coronavirus Acts - two monthly reporting

OFFICIAL

On Section 5, Schedule 4, Part 4, "Care services: giving of notices by the Care Inspectorate",

1. **.Has this power been used? Yes**
2. **.If so, on how many services / how many times?** The power has been used in relation to 226 matters for the issuing of notices relating to registration, variation of conditions of registration and enforcement action. The number of notices issued will be greater than that as some of the processes concerned involve the issue of two notices. These processes may have commenced before the changes to s101, and we cannot, without disproportionate effort, identify the total number of individual notices involved
3. **.What is the Care Inspectorate's experience of this (e.g., has this been beneficial, essential, etc.)?** This has been an important legislative change from the point of view of the Care Inspectorate. During the COVID-19 pandemic our offices have been closed (and remain so). We have been unable to access printers to enable hard copy correspondence to be issued. Even if we had been able to do so, the accessing of postal services would have been difficult and it would have been even more difficult to justify using the only alternative (but for this change) of effecting the giving of notice by hand delivery which would have necessitated face-to-face contact. In the absence of this change, the Care Inspectorate would have delivered formal notices by email and would have argued strongly that that did constitute effective delivery – but that argument may not have succeeded in the event of challenge. The amendments introduced put the position beyond doubt.
4. **.Views on whether (or how long) this provision should remain in place?** These provisions need to remain in place for as long as there is not near-normal office access and access to postal services. That said, there is a strong argument that these provisions should remain in place indefinitely – we live in a society where online interaction is regarded as the norm and where the Care Inspectorate is progressing arrangements to move as much as possible of its interactions online, including, for example, its registration processes. It seems entirely misplaced that we may reach a point where an entire registration application, for example, can be conducted online, but cannot be determined other than by the issuing of a paper notice. The permanent retention of the amended s101 would serve only to bring the position as regards the issuing of notices by the Care Inspectorate up to date with current expectations. Similarly, the changes to the identities of individuals to whom a notice intended for a body corporate may be given, is an essential change from the point of view of updating s101 to make it fit for purpose in today's environment, regardless of the COVID-19 pandemic, so should be retained for as long as is possible, and preferably indefinitely.

On the reporting provisions under Section 2, Schedule 1, Part 9, could you please also answer 3. & 4.?

#### **Fortnightly Report to Parliament**

**What is the Care Inspectorate's experience of this (e.g., has this been beneficial, essential, etc.)?**

There were significant challenges in meeting the timescales from the point where the legislation was introduced . It has required us to develop and implement new processes to be able to do this . There have been clear advantages in taking a more targeted , intelligence-led and risk-based approach, working collaboratively with HSCPs, clinical oversight teams, public health teams and Healthcare Improvement Scotland in both sharing information to prioritise services for inspection and in undertaking the inspections themselves. Where we have identified serious concerns in services, returning quickly to check and report on improvements, often more than once, has provided powerful evidence of the value of robust, independent scrutiny and assurance, the diagnostic element of scrutiny and most importantly the improvement that directly arises from it. This is a point often debated by academics, but this process has provided unequivocal evidence that scrutiny supports improvement and is an improving activity in its own right, where inspectors spend time not only identifying strengths and areas for improvement, but providing advice, guidance and support and ‘signposting ‘ best practice.

This process has also been helpful in getting information into the public domain more quickly to provide assurance to ministers, parliament and the public at a time where levels of anxiety about the safety and wellbeing of care home residents is understandably high. It has enabled us to highlight more quickly the valuable work we have been doing . That said, there are aspects that are less helpful. It is impossible to include the detail that would normally appear in an inspection report in the fortnightly parliamentary report. As result, it not always as clear why certain evaluations (grades) have been given, particularly when comparing the findings in different services that appear ‘side by side’ in the same report. A more detailed description is often required to make that clear. The timescales for publication do not allow us to adhere to our normal protocols of allowing sufficient time for providers to comment on the factual accuracy of the report. That can sometimes can result in delays in publishing a public report which would have been inconsistent with the requirements of the emergency legislation to publish within two weeks. That does leave us open to challenge.

It also has to be remembered that the focus of these inspections is more prescriptive focussing as they do primarily on infection prevention and control, PPE, staffing, social distancing and the impact on wellbeing, although we do take any opportunity required to follow up previous requirements, recommendations or complaints.

#### **Views on whether (or how long) this provision should remain in place?**

As we ease out of lockdown and resume scrutiny and assurance activities across a wider range of services, it will be important to balance the public reporting to reflect the current situation . Whilst it is clearly a matter for Ministers to determine when to disengage the relevant provisions of the emergency legislation , we have prepared to continue with the current approach as long as required anticipating that might be until the end of August or the beginning of September.

#### **On our experience of reporting on deaths of care home residents, Edith / [REDACTED] have provided the following information:-**

Most care homes have continued to notify us of deaths promptly, and having this specifically set out in the legislation has been a useful reminder to care homes of the importance of doing this at a time when we, and others, have depended on accurate and timely reporting from care homes.

There is no evidence of the statistics we provide to Scottish Government being used to any great extent outwith Care Inspectorate and Scottish Government, which in part will be due to the considerable fall in numbers of deaths since the Act was introduced.

It may be helpful to continue to report weekly for the rest of 20/21 to provide transparency on deaths, and covid-related deaths in care homes while the threat from covid19 remains.

Over the rest of 20/21 death notifications will be a key element in our ongoing monitoring for any resurgence of covid19 and the specific legislation to underpin that removes any ambiguity that may have existed in the PSR Act. For this reason, it would be helpful to retain s79A until the threat from coronavirus has been substantially reduced.

I hope this is helpful. Should you require any further information, please let me know

Kevin

Kevin Mitchell  
Executive Director of Scrutiny and Assurance  
Care Inspectorate  
Compass House  
11 Riverside Drive  
Dundee  
DD1 4NY

Te [REDACTED]  
[REDACTED]

e- [REDACTED] [@careinspectorate.gov.scot](mailto:[REDACTED]@careinspectorate.gov.scot)

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27

**From:** [REDACTED]  
**Sent:** 20 July 2020 12:12  
**To:** [REDACTED]@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]  
[REDACTED]@gov.scot>  
**Cc:** Macleod, Peter [REDACTED]@careinspectorate.gov.scot>; Mitchell, Kevin  
[REDACTED]  
[REDACTED] Macintosh, Edith  
[REDACTED]@careinspectorate.gov.scot>; Weir, Gordon  
[REDACTED]r@careinspectorate.gov.scot>; Mackie, Gordon  
[REDACTED]@careinspectorate.gov.scot>; [REDACTED]  
[REDACTED]  
**Subject:** Fortnightly parliamentary report on inspections

Please find attached the fortnightly report that we will lay before Parliament on Wednesday 22 July at 14:00.

Best wishes

[REDACTED]

[REDACTED]

[REDACTED]

Communications

Care Inspectorate

T. [REDACTED]

[REDACTED]

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28

**From:** [REDACTED]@gov.scot [REDACTED]@gov.scot>

**Sent:** 20 July 2020 12:39

**To:** [REDACTED]@careinspectorate.gov.scot>; [REDACTED]  
[REDACTED]@gov.scot>;

**Cc:** Macleod, Peter [REDACTED]@careinspectorate.gov.scot>; Mitchell, Kevin

[REDACTED]  
[REDACTED] Macintosh, Edith  
[REDACTED]; Weir, Gordon  
[REDACTED] Mackie, Gordon  
[REDACTED]  
[REDACTED]

**Subject:** RE: Fortnightly parliamentary report on inspections

[REDACTED]  
Many thanks.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
Mental Health and Social Care Directorate | GE15 St Andrew's House | Edinburgh EH1 3DG

**T:** [REDACTED]

[REDACTED]  


29

**From:** [REDACTED]  
**Sent:** 03 August 2020 13:28  
**To:** [REDACTED]@gov.scot; [REDACTED]@gov.scot; [REDACTED]@gov.scot  
**Cc:** Macleod, Peter [REDACTED]@careinspectorate.gov.scot>; Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot>; [REDACTED] Macintosh, Edith [REDACTED]@careinspectorate.gov.scot>; Mackie, Gordon [REDACTED]@careinspectorate.gov.scot>; [REDACTED] [REDACTED]@careinspectorate.gov.scot>; [REDACTED] [REDACTED]@careinspectorate.gov.scot>; Happer, Helen [REDACTED]

**Subject:** Fortnightly parliamentary report on inspections

Please find attached the fortnightly report that we will lay before Parliament on Wednesday 5 August at 14:00.

Best wishes

[REDACTED]

[REDACTED]

[REDACTED]

Communications

Care Inspectorate

T. [REDACTED]

[REDACTED]

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30

**From:** [REDACTED]@gov.scot <[REDACTED]@gov.scot>

**Sent:** 03 August 2020 13:30

**To:** [REDACTED]@careinspectorate.gov.scot>; [REDACTED]  
[REDACTED]@gov.scot>

**Cc:** Macleod, Peter [REDACTED]@careinspectorate.gov.scot>; Mitchell, Kevin

[REDACTED] Macintosh, Edith

[REDACTED]careinspectorate.gov.scot>; Mackie, Gordon

[REDACTED]@careinspectorate.gov.scot>; [REDACTED]

**Subject:** RE: Fortnightly parliamentary report on inspections

Hi Jenny,

Many thanks.

Best Wishes

[REDACTED]

[REDACTED]


My pronouns: He/Him

[REDACTED]

Mental Health and Social Care Directorate | GE15 St Andrew's House | Edinburgh EH1 3DG

[REDACTED]

[REDACTED]

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31

**From:** [REDACTED]@careinspectorate.gov.scot"  
**Sent:** 07 August 2020 12:12  
**To:** [REDACTED] <HYPERLINK "mailto:[REDACTED]@gov.scot" [REDACTED]@gov.scot">  
**Cc:** Macleod, Peter <HYPERLINK "mailto:[REDACTED]d@careinspectorate.gov.scot" [REDACTED]@careinspectorate.gov.scot">; Macintosh, Edith <HYPERLINK "mailto:[REDACTED]@careinspectorate.gov.scot" [REDACTED]@careinspectorate.gov.scot">; Mitchell, Kevin <HYPERLINK "mailto:[REDACTED]l@careinspectorate.gov.scot" [REDACTED]@careinspectorate.gov.scot">  
**Subject:** RE: SG: Coronavirus Acts - two monthly reporting

OFFICIAL

Good afternoon [REDACTED]

Please find below the updated figure you asked for this morning. Very grateful to our intelligence team for prioritising this task today.

Best wishes

[REDACTED]

**Number of registrations, variations completed and enforcement notices issued (27 May 2020 - 07 August 2020)**

	Number
Registrations completed	106
Variations completed*	465
Enforcement notices issued	2
<b>Total</b>	<b>573</b>

\* excluding those few where there has been a simple typing error in the certificate which has required correction

[REDACTED]

Chief Inspector (strategic scrutiny)

[REDACTED]@careinspectorate.gov.scot

[REDACTED]

32

OFFICIAL

**From:** [HYPERLINK "mailto:\[REDACTED\]@gov.scot" \[REDACTED\]@gov.scot](#) <[HYPERLINK "mailto:\[REDACTED\]@gov.scot" \[REDACTED\]@gov.scot](#)>

**Sent:** 07 August 2020 09:31

**To:** [REDACTED] <["mailto:\[REDACTED\]@careinspectorate.gov.scot" \[REDACTED\]@careinspectorate.gov.scot](#)>

**Cc:** Macleod, Peter <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot" \[REDACTED\]@careinspectorate.gov.scot](#)>; Macintosh, Edith <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot" \[REDACTED\]@careinspectorate.gov.scot](#)>

**Subject:** FW: SG: Coronavirus Acts - two monthly reporting

Hi [REDACTED],

We're contributing to a review of the emergency legislation. Would it be possible to have an updated figure on the number of times the power highlighted below has been used?

Ideally we need this today, if at all possible.

Kind regards

[REDACTED]

[REDACTED]


My pronouns: He/Him

[REDACTED]

Mental Health and Social Care Directorate | GE15 St Andrew's House | Edinburgh EH1 3DG

T: [REDACTED]

[REDACTED]

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33

OFFICIAL

**From:** [REDACTED]  
**Sent:** 17 August 2020 15:05  
**To:** [REDACTED]@gov.scot; [REDACTED]@gov.scot  
**Cc:** Macleod, Peter [REDACTED]@careinspectorate.gov.scot>; Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot>; [REDACTED]@careinspectorate.gov.scot>; Macintosh, Edith [REDACTED]@careinspectorate.gov.scot>; Mackie, Gordon [REDACTED]@careinspectorate.gov.scot>; [REDACTED]@careinspectorate.gov.scot>; [REDACTED]@careinspectorate.gov.scot>  
**Subject:** Fortnightly parliamentary report on inspections

OFFICIAL

Please find attached the fortnightly report that we will lay before Parliament on Wednesday 19 August at 14:00.

Best wishes

[REDACTED]

[REDACTED]

[REDACTED]

Communications

Care Inspectorate

T. [REDACTED]

[REDACTED]

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34

**From:** [REDACTED]  
**Sent:** 31 August 2020 16:00  
**To:** [REDACTED]@gov.scot  
**Subject:** RE: Fortnightly report

OFFICIAL

Hi [REDACTED] – yes, I’m just prepping it – should be with you by 5pm.

Best wishes

[REDACTED]

[REDACTED]

Communications Lead

Communications

Care Inspectorate

T. [REDACTED]

[REDACTED]

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35

**From:** [REDACTED]@gov.scot>

**Sent:** 31 August 2020 14:48

**To:** Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot> [REDACTED]  
[REDACTED]@careinspectorate.gov.scot>

**Cc:** Macleod, Peter [REDACTED]@careinspectorate.gov.scot>

**Subject:** RE: SG: Coronavirus Acts - two monthly reporting

Hi Kevin, [REDACTED],

You kindly provided information for us in relation to the emergency legislation a few weeks back (below).

We've received another commission for yet another Ministerial briefing, and so I'm looking for up-to-date numbers on the following:

- -Number of times that Section 5, schedule 4 Part 4 – “Care services: giving of notices by the Care Inspectorate” has been used
- -Total number of inspections carried out since May, and number of services.


Would this be available before Thursday?

Kind regards

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Mental Health and Social Care Directorate | GE15 St Andrew's House | Edinburgh EH1 3DG

**T:** [REDACTED]  
[REDACTED]

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36

**From:** [REDACTED]@gov.scot [REDACTED]@gov.scot>  
**Sent:** 31 August 2020 15:59  
**To:** [REDACTED]@careinspectorate.gov.scot>  
**Subject:** Fortnightly report

Hi [REDACTED]

Are you likely going to be able to share the fortnightly inspection report today?

Cheers,

[REDACTED]



[REDACTED]

[REDACTED]

**Social Care Support Division**

Tel: [REDACTED]

[REDACTED]

British Sign Language (BSL) users can [contact us via](#) **contactSCOTLAND-BSL**

**Scottish Government**

St Andrews House

Regent Road

Edinburgh EH1 3DG

37

**From:** [REDACTED]  
**Sent:** 31 August 2020 16:41  
**To:** [REDACTED]@gov.scot; [REDACTED]@gov.scot  
**Cc:** Macleod, Peter [REDACTED]@careinspectorate.gov.scot>; Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot>; [REDACTED]@careinspectorate.gov.scot>; Macintosh, Edith [REDACTED]@careinspectorate.gov.scot>; Mackie, Gordon [REDACTED]@careinspectorate.gov.scot>; [REDACTED]@careinspectorate.gov.scot>  
**Subject:** Fortnightly parliamentary report on inspections

OFFICIAL

Please find attached the fortnightly report that we will lay before Parliament on Wednesday 2 September at 14:00.

Best wishes

[REDACTED]

[REDACTED]

[REDACTED]

Communications

Care Inspectorate

T. [REDACTED]

[REDACTED]

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38

**From:** Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot>

**Sent:** 01 September 2020 18:19

**To:** [REDACTED]@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]@gov.scot>

**Cc:** Macleod, Peter [REDACTED]@careinspectorate.gov.scot>; Macintosh, Edith [REDACTED]@careinspectorate.gov.scot>

**Subject:** RE: SG: Coronavirus Acts - two monthly reporting

OFFICIAL

### Inspections

- 148 completed inspection visits in 120 Services
- Total of 180 Visits

Herewith also information provided ed by [REDACTED] / Edith's Team

	Number
Registrations completed	177
Variations completed*	729
Enforcement notices issued	5
<b>Total</b>	<b>911</b>

\* excluding those few where there has been a simple typing error in the certificate which has required correction

Hope that's helpful

Kevin

Kevin Mitchell  
Executive Director of Scrutiny and Assurance  
Care Inspectorate  
Compass House  
11 Riverside Drive  
Dundee  
DD1 4NY

Tel [REDACTED]  
[REDACTED])

e-mail [REDACTED]@careinspectorate.gov.scot

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39

From: [REDACTED] <[REDACTED]@careinspectorate.gov.scot>

Sent: 14 September 2020 19:41

To: [REDACTED] <[REDACTED]@gov.scot>; Mitchell, Kevin

[REDACTED] <[REDACTED]@careinspectorate.gov.scot>

Cc: [REDACTED] <[REDACTED]@gov.scot>; Macintosh, Edith

[REDACTED] <[REDACTED]@careinspectorate.gov.scot>; Macleod, Peter

[REDACTED] <[REDACTED]@careinspectorate.gov.scot>

Subject: RE: SG request: [REDACTED] Care Home, [REDACTED]

Sensitivity: Confidential

OFFICIAL

Hi [REDACTED]

[REDACTED] care home, [REDACTED] is registered to provide care to [REDACTED] older people. The service is operated by [REDACTED] Healthcare Limited.

We inspected the service on 1 July with Healthcare Improvement Scotland. We found the service adhered to current COVID-19 information and guidance, and we observed staff using PPE appropriately and practicing adequate infection prevention and control. The environment was clean and well maintained. We found that that people living in the home were well cared for and staff were respectful and kind in their interactions with people. People were being supported to remain active and socially stimulated. There was a focus on maintaining links with families and friends. We also identified that staff had been through a challenging time. They had evolved their practice in line with guidance.

The following evaluations were given:

How good is our care and support during the COVID-19 pandemic? – Good

QI 7.1 People's health and wellbeing –Good

QI 7.2 Infection control practices - Adequate

QI 7.3 Staffing arrangements –Very Good

The above was reported in the Parliamentary Report dated 8 July and error in evaluations made in report dated 22 July.

We have maintained regular contact with this service during the pandemic and worked with oversight group with HSCP to monitor the home.

A follow up inspection of the service was scheduled for this week, however this has been postponed on the advice of the oversight group. It has been decided that the HSCP will undertake an assurance visit to the service this week. We will following this agree date for follow up inspection.

[REDACTED]

[REDACTED]

If you require anything else please let me know.

Thanks

[REDACTED]

[REDACTED]

Care Inspectorate

40

From: [REDACTED]@gov.scot [REDACTED]@gov.scot>  
Sent: 14 September 2020 18:23  
To: Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot>  
Cc: [REDACTED]@gov.scot>; Macintosh, Edith  
[REDACTED]@careinspectorate.gov.scot>; Macleod, Peter  
[REDACTED]@careinspectorate.gov.scot>;  
<Marie.Paterson@careinspectorate.gov.scot>  
**Subject:** RE: SG request: [REDACTED] Care Home, [REDACTED]  
**Sensitivity:** Confidential

Thanks Kevin

[REDACTED]

[REDACTED] if we can instead draw on  
the Parliamentary report for material on compliance issues as you say then that should be  
fine.

To also let you know that the HSCP and Health Protection are to undertake a supportive visit  
this week to review infection prevention and control measures in place.

Best wishes

[REDACTED]

41

**From:** Mitchell, Kevin [REDACTED] [\[REDACTED\]@careinspectorate.gov.scot](mailto:[REDACTED]@careinspectorate.gov.scot)>

**Sent:** 14 September 2020 18:14

**To:** [REDACTED] [\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>

**Cc:** [REDACTED] [\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>; Macintosh, Edith

[REDACTED] [\[REDACTED\]@careinspectorate.gov.scot](mailto:[REDACTED]@careinspectorate.gov.scot)>; Macleod, Peter

[REDACTED] [\[REDACTED\]@careinspectorate.gov.scot](mailto:[REDACTED]@careinspectorate.gov.scot)>

**Subject:** RE: SG request: [REDACTED] Care Home, [REDACTED]

OFFICIAL

[REDACTED]

[REDACTED]

Hope that's hopeful

Best wishes

Kevin

Kevin Mitchell  
Executive Director of Scrutiny and Assurance  
Care Inspectorate  
Compass House  
11 Riverside Drive  
Dundee  
DD1 4NY

[REDACTED]

e-mail [REDACTED] [\[REDACTED\]@careinspectorate.gov.scot](mailto:[REDACTED]@careinspectorate.gov.scot)

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42

OFFICIAL

**From:** [REDACTED]@gov.scot [REDACTED]  
**Sent:** 14 September 2020 17:36  
**To:** Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot>  
**Cc:** [REDACTED]@gov.scot>; Macintosh, Edith  
[REDACTED]@careinspectorate.gov.scot>; Macleod, Peter  
[REDACTED]@careinspectorate.gov.scot>  
**Subject:** FW: SG request: [REDACTED] Care Home, [REDACTED]  
**Importance:** High

Hi Kevin

Just to clarify a briefing went up to FM yesterday about this home and mainly around testing

[REDACTED]

[REDACTED]

If not this evening can this be provided first thing tomorrow morning?

[REDACTED]

43

**From:** [REDACTED] [\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>

**Sent:** 14 September 2020 16:49

**To:** Mitchell, Kevin [REDACTED] [\[REDACTED\]@careinspectorate.gov.scot](mailto:[REDACTED]@careinspectorate.gov.scot)>

**Cc:** Macleod, Peter [REDACTED] [\[REDACTED\]@careinspectorate.gov.scot](mailto:[REDACTED]@careinspectorate.gov.scot)>; Macintosh, Edith

[REDACTED] [\[REDACTED\]@careinspectorate.gov.scot](mailto:[REDACTED]@careinspectorate.gov.scot)>; [REDACTED] [\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>

**Subject:** RE: SG request: [REDACTED] Care Home, [REDACTED]

Hi Kevin,

Sorry for the chaser on this one. FM's office are looking for any information on this service as soon as possible.

Kind regards

[REDACTED]

[REDACTED]


[REDACTED]

[REDACTED]

Mental Health and Social Care Directorate | GE15 St Andrew's House | Edinburgh EH1 3DG

[REDACTED]

[REDACTED]

 gov.scot

44

OFFICIAL

**From:** [REDACTED]@gov.scot [REDACTED]@gov.scot>  
**Sent:** 16 September 2020 12:45  
**To:** Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot>; Macleod, Peter [REDACTED]@careinspectorate.gov.scot>; [REDACTED]@careinspectorate.gov.scot>  
**Cc:** [REDACTED]@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]@gov.scot>  
**Subject:** RE: Agenda for CI and Cab Sec Meeting - 23 September

Thanks Kevin. Sorry I should've been clearer, that's my fault – the inspections and reporting bullet should cover [REDACTED], and any other emerging issues around inspections, along with the fortnightly report. I will also add a section for the care at home report for you.

[REDACTED]

Thanks,

[REDACTED]

Care Homes Division

E: [m](#) [REDACTED]

M: 07823551850

45

OFFICIAL

**From:** Mitchell, Kevin

**Sent:** 16 September 2020 12:11

**To:** HYPERLINK "mailto:[REDACTED]@gov.scot" [REDACTED]@gov.scot; Macleod, Peter  
<HYPERLINK "[REDACTED]@careinspectorate.gov.scot"

[REDACTED]@careinspectorate.gov.scot>; Edie, Paul <HYPERLINK  
"mailto:[REDACTED]@careinspectorate.gov.scot" [REDACTED]@careinspectorate.gov.scot>; [REDACTED]  
<HYPERLINK "mailto:[REDACTED]@careinspectorate.gov.scot"  
[REDACTED]@careinspectorate.gov.scot>

**Cc:** [REDACTED] <HYPERLINK "mailto:[REDACTED]@gov.scot" [REDACTED]@gov.scot>; [REDACTED]  
[REDACTED] <HYPERLINK "mailto:[REDACTED]n@gov.scot" [REDACTED]@gov.scot>; [REDACTED]  
<HYPERLINK "mailto:[REDACTED]@gov.scot" [REDACTED]@gov.scot>

**Subject:** RE: Agenda for CI and Cab Sec Meeting - 23 September

OFFICIAL

[REDACTED]

we might want to touch on:

- Parliamentary Report
- [REDACTED] Care Home

Thanks

Kevin



46

**From:** [REDACTED]  
**Sent:** 28 September 2020 16:18  
**To:** [REDACTED]@gov.scot; [REDACTED]@gov.scot; [REDACTED]@gov.scot  
**Cc:** Macleod, Peter [REDACTED]@careinspectorate.gov.scot>; Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot>; Eggo, Fidelma [REDACTED]@careinspectorate.gov.scot>; Macintosh, Edith [REDACTED]@careinspectorate.gov.scot>; Mackie, Gordon [REDACTED]@careinspectorate.gov.scot>; [REDACTED]@careinspectorate.gov.scot>; [REDACTED]@careinspectorate.gov.scot>; [REDACTED]@careinspectorate.gov.scot>; [REDACTED]@careinspectorate.gov.scot>  
**Subject:** Fortnightly parliamentary report on inspections

OFFICIAL

Hello All,

Please find attached the fortnightly report that we will lay before Parliament on Wednesday 30 September at 14:00.

This will be shared tomorrow, under embargo until the above date and time, with [REDACTED] and [REDACTED].

Best wishes

[REDACTED]

[REDACTED]

[REDACTED]

Communications

Care Inspectorate

T. [REDACTED]

[REDACTED]

47

OFFICIAL

**From:** Mitchell, Kevin

**Sent:** 30 September 2020 09:51

**To:** [REDACTED]@gov.scot' <[HYPERLINK "mailto:\[REDACTED\]@gov.scot"](#)> [REDACTED]@gov.scot>;  
[REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot"](#)> [REDACTED]@gov.scot>; [REDACTED]  
[REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot"](#)> [REDACTED]@gov.scot>

**Cc:** Macleod, Peter <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot"](#)>

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"mailto:[REDACTED]@gov.scot" [REDACTED]@gov.scot>; [REDACTED] <[HYPERLINK](#)  
"mailto:[REDACTED]@gov.scot" [REDACTED]@gov.scot>

**Subject:** RE: Emergency Legislation - Parliamentary Reports

OFFICIAL

[REDACTED]

Thanks yes . We are actively reviewing and will share our proposals in due course , which is why I  
flagged on Monday . Next one after today likely to be in same format with a view to any changes 4  
weeks from now if we can do it by then.

Kevin

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**From:** [HYPERLINK "mailto:\[REDACTED\]@gov.scot" \[REDACTED\] n@gov.scot <HYPERLINK "mailto:\[REDACTED\]@gov.scot" \[REDACTED\]@gov.scot>](#)

**Sent:** 30 September 2020 09:40

**To:** Mitchell, Kevin <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot" \[REDACTED\]@careinspectorate.gov.scot>](#); [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot" \[REDACTED\]@gov.scot>](#); [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot" \[REDACTED\]@gov.scot>](#)

**Cc:** Macleod, Peter <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot" \[REDACTED\]@careinspectorate.gov.scot>](#); [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]r@gov.scot" \[REDACTED\]@gov.scot>](#); [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot" \[REDACTED\]@gov.scot>](#)

**Subject:** RE: Emergency Legislation - Parliamentary Reports

Kevin,

Maybe something for discussion in the near future, but the provisions don't dictate the formatting or detail of the report other than setting out:

- (a) which care home services it inspected during those two weeks, and
- (b) the findings of those inspections.

Happy for us to discuss going forward.

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mental Health and Social Care Directorate | GE15 St Andrew's House | Edinburgh EH1 3DG

[REDACTED]

[REDACTED]



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**From:** Mitchell, Kevin <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot"](mailto:[REDACTED]@careinspectorate.gov.scot)  
[REDACTED]@careinspectorate.gov.scot>

**Sent:** 30 September 2020 09:34

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(Jamie) <[HYPERLINK "mailto:\[REDACTED\]@gov.scot"](mailto:[REDACTED]@gov.scot)

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[REDACTED]@careinspectorate.gov.scot>; [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot"](mailto:[REDACTED]@gov.scot)  
[REDACTED]@gov.scot>; [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot"](mailto:[REDACTED]@gov.scot)  
[REDACTED]@gov.scot>

**Subject:** RE: Emergency Legislation - Parliamentary Reports

OFFICIAL

[REDACTED]

Many thanks for clarifying and sorry I'd obviously missed this .

Kevin

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**From:** [HYPERLINK "mailto:\[REDACTED\]@gov.\[REDACTED\]@gov.scot" <HYPERLINK "mailto:\[REDACTED\]n@gov.scot" \[REDACTED\]@gov.scot>](#)

**Sent:** 30 September 2020 09:21

**To:** Mitchell, Kevin <[HYPERLINK "mailto:\[REDACTED\]@careinspectorate.gov.scot" \[REDACTED\]@careinspectorate.gov.scot>](#); [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot" \[REDACTED\]@gov.scot>](#); [REDACTED] [HYPERLINK "mailto:\[REDACTED\]@gov.\[REDACTED\]am@gov.scot>](#)

**Cc:** Macleod, Peter <[HYPERLINK "mailto:\[REDACTED\]d@careinspectorate.gov.scot" \[REDACTED\]@careinspectorate.gov.scot>](#); [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot" \[REDACTED\]@gov.scot>](#); [REDACTED] <[HYPERLINK "mailto:\[REDACTED\]@gov.scot" \[REDACTED\]@gov.scot>](#)

**Subject:** RE: Emergency Legislation - Parliamentary Reports

Kevin,

Yes, the extension regulations were approved by Parliament on 23 September. Part 1 of both Scottish Coronavirus Acts (excepting those provisions which expired early under separate regulations on 29 September) will therefore now be extended for 6 months and will now expire on 31 March 2021.

We are required to report to Parliament on how they are functioning at the end of the following periods: 30 November 2020, 31 January 2021, and 31 March 2021.

Given our conversations yesterday, it would be useful for you to provide views on progress, outcomes, any challenges in operating, opportunities, etc. in carrying out these duties at each of these dates. Paul and myself are currently leading on the reports.

Kind regards

[REDACTED]

[REDACTED]


My pronouns: He/Him

[REDACTED]

Mental Health and Social Care Directorate | GE15 St Andrew's House | Edinburgh EH1 3DG

[REDACTED]

[REDACTED]

 gov.scot

51

**From:** Mitchell, Kevin <[HYPERLINK "mailto:k](#) [REDACTED]>

**Sent:** 30 September 2020 06:31

[REDACTED] <[@gov](#) [REDACTED]>; [REDACTED] <[@gov.scot](#)>;

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**Subject:** Emergency Legislation - Parliamentary Reports

OFFICIAL

[REDACTED]

Apologies if this has come out and I've missed it, but has there been confirmation that this will continue beyond 30 Sept?

Kevin

Kevin Mitchell  
Executive Director of Scrutiny and Assurance  
Care Inspectorate  
Compass House  
11 Riverside Drive  
Dundee  
DD1 4NY

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[REDACTED]

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Microsoft Exchange Server;converted from html;

**From:** Mitchell, Kevin [REDACTED]@careinspectorate.gov.scot> on behalf of Mitchell, Kevin  
**Sent on:** Monday, October 5, 2020 11:08:22 AM  
**To:** [REDACTED]@gov.scot; Macleod, Peter <[REDACTED]@careinspectorate.gov.scot>  
**CC:** [REDACTED]@gov.scot>  
**Subject:** RE: Meeting with Cab Sec

OFFICIAL

[REDACTED]  
I would be reluctant to commit to an update of all services where serious concerns have been raised as that would serve simply to repeat most of what's been in the last 9 parliamentary reports in relation to those. I would suggest I summarise the most recent and provide updates where I can .

[REDACTED] is fine by me but I don't except that I will have much more  
Happy to cover scrutiny , assurance and improvement plan  
Peter [REDACTED] will confirm later no doubt , but likely to be me  
, Peter and poss. [REDACTED] for any update on figures  
Thanks  
Kevin

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**From:** [REDACTED]@gov.scot [REDACTED]@gov.scot>

**Sent:** 05 October 2020 11:58

**To:** Macleod, Peter [REDACTED]@careinspectorate.gov.scot>; Mitchell, Kevin

<[REDACTED]@careinspectorate.gov.scot>

**Cc:** [REDACTED] <[REDACTED]@gov.scot>

**Subject:** Meeting with Cab Sec

**Importance:** High

Hi Peter and Kevin,

Ahead of Wednesday's meeting with the Cab Sec, are you able to let me know any items you would like to discuss?

I was going to propose something along the lines of the following:

- -General intelligence – maybe an update of services where serious concerns have been raised?
- [REDACTED] – I've shared everything you've sent re [REDACTED] and we've received additional info from HSCP, but imagine the Cab Sec will ask if there is any further update.
- -Revised Scrutiny, Assurance and Improvement Plan
- -Budget

I have shared the scrutiny plan with colleagues who have a policy interest with a view to sending a submission to Cab Sec ahead of the meeting on Wednesday. The submission asks for formal approval of the plan. It would be useful if you could talk to any key points in plan. Other Ministers will obviously have a keen interest in the plan as well.

Are you also able to let me know who will be attending from the Care Inspectorate?

- -Paul
- -Peter
- -Kevin
- -Edith
- [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



[REDACTED]  
[REDACTED]

**MHSC: Governance, Evidence and Finance Division**

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British Sign Language (BSL) users can [contact us via](#) [contactSCOTLAND-BSL](#)

**Scottish Government**

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**Sent:** 12 October 2020 17:25  
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[REDACTED]@careinspectorate.gov.scot>  
**Subject:** Fortnightly parliamentary report on inspections

OFFICIAL

Hello,

Please find attached the fortnightly report that we will lay before Parliament on Wednesday 14 October at 14:00.

This will be shared tomorrow, under embargo until the above date and time, with [REDACTED]  
[REDACTED].

Best wishes

[REDACTED]

[REDACTED]

[REDACTED]

Communications

Care Inspectorate

M. [REDACTED]