

Evaluating the Second Round of Joint Reviews

Summary Report

A study undertaken for the
National Assembly for Wales
by Eskrigge Social Research



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November 2006

Acknowledgements

Our thanks to all who participated. Being asked to evaluate a joint review may seem like too great a demand, so we are grateful to people who contributed thoughtfully to this study.

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Eskrigge, November 2006

The context

Joint Reviews came into being comparatively recently. Under the management of Social Services Inspectorates and the Audit Commission, they were created to review the quality of social services activity on a local authority wide basis. In England 155 reviews were held between 1997 and 2004, and 22 were held in Wales in the same period (Audit Commission web site). In England no joint reviews were conducted after 2004. However, in 2004 the National Assembly for Wales, although recognising the concerns raised about the first round reviews, nevertheless decided to proceed with a second round of joint reviews. The benefits were judged to outweigh the criticisms. The objectives for the second round of reviews were set out by the minister in 2004: -

Joint reviews continue to represent a challenge, which councils must meet, in delivering social services that meet the needs of vulnerable people to consistently good standards. If that challenge is not met, joint reviews will continue to tell us, in their own forthright way. But if the challenge is met, as I hope it will be, joint reviews will equally highlight the progress made and help to celebrate success. (Joint Review website, *Introducing Joint Reviews*)

The second round of reviews was to be conducted by the Social Services Inspectorate Wales (SSIW) and the Wales Audit Office (WAO). ¹They held extensive consultations before

¹ Joint reviews are carried out in accordance with the Health and Social Care (Community Health and Standards) Act 2003, which gives the National Assembly for Wales the power to conduct reviews of the way in which local authorities discharge their social services functions. The task of carrying out reviews is delegated to the Social Services Inspectorate for Wales and the Government of Wales Act 1998 (as amended) enables the Auditor General for Wales to participate.

the start of the second round of reviews, created new structures in the two organisations for the running of the programme and made changes to the arrangements for the conduct of the reviews. The first reviews in Powys and Torfaen were started in 2005 and those reports were published in February 2006. SSIW and WAO have continued to consult with stakeholders and further changes have been made during the life of the reviews. The evaluation of the first tranche of the joint reviews, reported on in this study, is one part of a continuing process of evaluation.

1. The task

To evaluate the first few joint reviews to consider their effectiveness and how they may best fit into the changing picture on public services, performance management, inspection, audit and review.

The evaluation was small scale with a total of 48 staff days, so the methods had to be tailored to the scope of the project.

In discussion with staff from SSIW and WAO it was agreed to extend the remit to include the first six of the second round of reviews. When this evaluation was undertaken the joint review reports on two authorities had been published, draft reports on two others were being written and fieldwork was under way in a further two authorities.

The overarching aims of the evaluation were to examine how far joint reviews have a) succeeded in their stated aims and b) continued effectively with core activities such as making judgements on the quality of services. The overriding questions for this evaluation were defined as: -

1. Are review findings backed by sufficient, relevant and reliable evidence?
2. Are stakeholders – users, carers, staff and politicians – more fully involved in the process?
3. Has the unnecessary burden of the activity been reduced?
4. Is there greater consistency in approach and judgement between the reviews in different local authorities?
5. Is there any evidence of the impact of reviews?

2. Summary

The summary of the evaluation is written as a response to these five questions. Discussion of the findings is to be found in the full report.

a) Are review findings backed by evidence?

There is strong evidence for stating that the review findings are backed by evidence.

Process and systems for making judgements

- There is a systematic procedure in place for the different members of the review team to record the evidence from which their judgements are made: there are templates and an evidence grid; there are clear (and traceable) records of the evidence from which a comment is made.
- Extensive and detailed work was undertaken within SSIW and WAO to define the activities of a review. These were refined and produced in the form of *A Guide to Joint Reviews* and a handbook, which can be obtained on the web, CD or in paper copies. One document *Reaching judgements* sets out the process by which decisions are reached and the proforma that is used to record strengths and areas for improvement, together with the reasons for the judgement reached. A second document *Judgements in Reviews* lists the criteria for judgement; for example, under *Access* it records what is being measured - *How the authority promotes access to services by all potential users who are entitled* – and the areas for examination.
- The lead reviewer summarises topics as they emerge and checks the accuracy of these with the review team members.

- At the end of each fieldwork phase, the external moderator chairs a meeting at which the evidence is discussed with the review team members and the joint review operations managers from SSIW and WAO. The external moderator and others comment on the draft report; the draft report is re-examined if the external moderator is not convinced that the evidence justifies the conclusions.
- The report is sent to the local authority for comment.
- SSIW/WAO respond to comments and, following further review by the lead managers in SSIW and the WAO, publish the final report.

Views of stakeholders

- A large majority of users and social services staff told us that they thought the report on their authority represented an accurate reflection of social services.
- The Welsh Local Government Association noted in December 2005 that both of the authorities that had received reports 'have commented on the thoroughness and evidence base upon which judgements have been made'.
- The stocktaking report (January 2006) concluded i) that 'There is now a clearer evidence trail from findings to judgements and to priorities for action' and ii) that 'The reviews have proved effective in providing evidence-based judgements on performance'.

Contrary indicators

- A small number of social services staff, mostly from an authority that had received critical feed-back, thought that judgements were founded on inadequate information or inaccurate interpretation.

- In particular some staff considered that the quality of evidence examined differed between children's services and those for adults.
- Some of these staff questioned the capacity, expertise or efficiency of the review team staff.
- These views were expressed more forcefully in a meeting than when individuals completed questionnaires, where comments are much more positive about the joint reviews.

b) Are stakeholders – users, carers, staff and politicians – more fully involved in the process?

There is strong evidence for stating that stakeholders have been more fully involved in the process of reviews.

The views of participants

- All of the small number of users and carers who completed questionnaires or attended meetings were very positive about participation: they welcomed the opportunity to participate, thought that they had been listened to and treated with respect and said that they would participate in a similar exercise in the future.
- Between 77% and 90% of social services staff respondents thought that they were treated with respect, their participation was worthwhile and stated they were willing to be involved again in the future.
- Nearly all of the small number of councillors and other staff said they thought the experience was worthwhile and that they would participate again in the future.

Steps taken to promote involvement

- The Wales Council for Voluntary Action was asked to support participation of users and to promote the activity through e-mail bulletins and other means.
- SSIW/WAO held consultations prior to the Second Round of Joint Reviews: written responses were invited to a consultation paper issued in August 2003; discussions were held with representative bodies, including a reference group containing representatives of service user groups.
- A reference group met throughout the set-up period for the second round. It included representatives from the Welsh Local Government Association (WLGA), ADSS Cymru (the body that represents directors of social services in Wales) and SOLACE (representing local government chief executives). This group approved the joint review guide and the handbook, with the detailed methodology. They worked to place more emphasis on user and carer participation, including the use of more differentiated surveys and service user/carers scrutiny groups in each local authority to work with the review team throughout the process.
- After the start of the second round of joint reviews SSIW/WAO held a stocktaking exercise in the winter of 2005/2006 'designed to capture the experience of those involved in reviews': WLGA facilitated a meeting with representatives of the reviewed authorities; WCVA facilitated a meeting with service users, carers and lay assessors. This concluded that: 'Some steps towards greater involvement of services users and carers have been successful but further development is needed in this area'.

Actions taken as a result of consultation and feedback

- Before the start of the second round of joint reviews SSIW and WAO listed actions that would be taken following consultation, though many stated that the Joint Review Team would look at or examine aspects for change; it records intentions rather than precise action.
- In July 2006 a letter was sent from SSIW/WAO to directors of social services setting out changes to review practice that had been, or would be, made: *process and methodology* – revising and reducing the requests for advance information; *involving users and carers and the public* - exploring ways of increasing the involvement of users, carers and the public; *reports and judgements* - reports would make clear the review team's separate judgements about how good services are for children's and adults' services; *review teams* – working with teams and managers to bring about greater continuity across and consistency between reviews; *lay assessors* -to continue with modifications to their role.

Contra indications

- There are limitations to the involvement of users and carers.
- There are numerous criticisms from social services staff about the adequacy of consultation with service users and carers. In part staff gave their own views; in part they stated that they had been informed of users' dissatisfaction. Yet social services staff, asked to rank in order of importance six criticisms of joint reviews, ranked this as the least problematic area.
- There is some concern that creating new groups of users and carers for the purpose of the review is cumbersome and problematic for the continued existence of groups,

though joint review staff had asked local authorities to allow access to existing groups.

- When lay assessors visited facilities it is not always clear how many users they spoke to: sometimes there were few visitors at the facility; in other reports it is not clear whether they spoke to many people.

It should be noted for this section, as elsewhere, that we have had very little comment from councillors, directors of social services and chief executives of local authorities.

c) Has the unnecessary burden of the activity been reduced?

It is in this area that there has been most criticism of joint reviews and our evidence is mixed about the results of actions taken. The word 'burden' implies that the activities demanded are too heavy, which ignores whether the activity demanded is necessary or not. WLGA has been insistent that the demands placed on local authorities are too great. SSIW/WAO has stated that it will try to reduce demands. There are concerns expressed by respondents to this study that the documents requested are not properly examined by the joint review team. Social services staff, in particular the link officers, state that the time involved in different aspects of servicing reviews is huge – for link officers perhaps the equivalent of a full time post for 15 months.

The evaluation team was not asked – and did not have the space – to assess whether joint reviews are value for money. We report on statements made to us, and

on our own evaluation, of the documentation and time demanded by the activity.

Documentation

- There can be no doubt that the collection of material for the joint review team is a huge task.
- We were told by link officers of the great responsibility that they felt on behalf of the authority to ensure that everything required was available: they stated that there was some uncertainty as to which documents were wanted; that the volume was great; that it had to be sent to Cardiff but that they were not convinced that it was read in advance; that they thought some material was never read from comments made by members of the review team.
- Members of the Joint Review Team contend that a list of the required documents is included in the advance information template – with a caveat that individual local authorities may have similar documents described differently. The handbook states that the documents listed are not mandatory and there is flexibility for a local authority in providing documents.
- They contend also that much of the quantitative information should be collected by local authorities in any case.
- Given that this is so, SSIW/WAO stated in July 2006 (as above) that they would: -
 - revise the requests for advance information, aiming to reduce it by at least a quarter, with guidance now distinguishing more clearly documents that are required and those which are optional.
 - review the use of survey questionnaires and remove questions that have not produced useful information;

- seek to 'sign off' more areas of evidence at the end of phase one;
- revise some aspects of the phase two fieldwork, to be more focussed on seeking answers to specific questions identified in the interim assessment.
- Members of the Joint Review team also argue that local authorities produce more material than the JR team requests: local authorities either want to ensure that they have not missed anything or want the JR team to see the quality or range of their work; JR team members state that this increases *their* workload as well as that of the local authority staff.

Time and cost

- WLGA recently called for an end to joint reviews on the basis that they took too much time to complete and were too costly. The WLGA wanted greater reliance placed on self-assessment by authorities. In December 2005 WLGA had stated: -'Overall the entirety of inspection and regulation on services is excessive. WLGA ... are seeking to make the joint reviews effective, with a reduction in other inspections so that three central ... processes operate – Wales Programme for Improvement (WPI) and the annual self-assessment performance review and a joint review every five years.' A recent SSIW consultation paper proposes that large-scale service reviews for adult and children's services will be stopped.
- We were told by one respondent that for an authority to perform well in a joint review, preparation had to start at least a year ahead of the review. There is a real question behind statements like this as to what 'performing well' means: it may be either that the presentation of the authority's strengths is improved or that the authority works to improve its performance.

- A further question – and one that must be examined alongside ‘value for money’ debates - is whether the time taken for reviews helps to bring about improved social services, or whether it is thought to impact solely on the judgement reached about an authority’s performance.
- Some staff contend that they or others were taken away from their core tasks to focus on the joint review preparation – and that the performance of the social services department in their field would have been improved if they had focused on their substantive work.
- Social services staff were asked to rank 6 criticisms of joint reviews. The two that were thought to be the greatest problems were: a) that reviews were over burdensome; and b) that they were too costly.
- Joint reviews were said to have a disproportionate impact in terms of time and preparation on a small authority.
- One view was that the totality of reviews and inspections was too great – and there should be consideration of ‘inspection holidays’ for authorities that were performing well.

d) Is there greater consistency in approach and judgement between the reviews in different local authorities?

There is evidence that there is greater consistency in approach and judgement between authorities.

Structures to ensure consistency

- As discussed above there has been considerable work by the Joint Review Team to establish more explicit objectives, and clearer frameworks for collecting and recording of evidence. The systems are designed to create greater consistency.

- The documentation used by the joint review team is available to all who are interested.
- The documentation includes explicit guidance as to the ways that judgements are reached, the basis for judgments and the sorts of practice that would lead to serious concern being expressed. This allows greater transparency as to the basis for judgements.
- Joint review teams were enlarged to limit the potential for the lead reviewer to have too great an influence on the judgement, a criticism of some first round joint reviews.
- The external moderator, who is experienced in joint review activity, chairs a meeting in which draft reports are examined within SSIW/WAO for consistency and quality.
- The role of Operations Managers in SSIW and WAO was created to ensure further consistency.
- The meetings referred to above are attended by senior staff from SSIW and WAO who have not been part of the individual reviews and also play a moderating role.
- Draft reports are reviewed, in part for internal consistency, as well as for consistency with other reviews, by the lead managers in SSIW and WAO, who do not usually attend the moderation meetings.

Views of respondents

- Social services staff thought inconsistency between reviews to be of limited concern - only the fourth of six criticisms.
- Most social services staff (69%) who expressed an opinion did not think that there were differences in the procedures adopted in each authority, though a substantial minority (31%) thought that there were differences. It is important to note that 55% of those who completed the questionnaire did not think they were in a position to answer this question.

- None of the very small number of councillors and other staff thought that there were differences in the procedures adopted in each authority.
- Most of the user/carer/non statutory workers group stated that they were not in a position to express an opinion. Of the six people who did express an opinion, five thought that the same procedures were followed and one did not.
- WLGA commented on the views held by authorities after the first two reviews, recognising 'the thoroughness and evidence base upon which judgements have been made'.

The impact of individual reviewers

- In the small amount of discussion with social services staff there were strongly expressed views about the impact of individual lead reviewers and reviewers. It is impossible to disentangle the views expressed from people's feelings about judgement reached on their authority. The most critical views about the quality of reviewers came from staff in an authority where the initial feed-back had been worse than staff had expected.
- The same staff spoke of the lack of expertise of reviewers with whom they came into contact, and of the failure of the review team to check their conclusion from one source with data from another.
- Some people considered that the judgements reached on services for which they were responsible were inaccurate and wanted greater opportunity to promote the quality of their work.
- The first six reviews were planned around pairs of authorities, with review teams evaluating two authorities at any one time. To date there has been a large number of people used in the review teams, nine of whom have been involved in two reviews: one from SSIW; two from WAO; three fee paid inspectors and three lay assessors. Ensuring consistency in approach between people from different

organisations (SSIW and WAO) and from outside (lay assessors and fee-paid inspectors) was bound to be difficult. SSIW and WAO staff have attempted to ensure consistency in approach through careful work on documentation and planning meetings before and during reviews. Nevertheless the combination of the changing team members and the different background and expertise of review team members makes consistency difficult. This may change as more reviews are undertaken.

e) Is there any evidence of the impact of reviews?

There is strong evidence that joint reviews play a part in promoting improved social services.

Impact on systems

- The continued existence of joint reviews in spite of challenges indicates that National Assembly politicians believe that joint reviews are valuable in reporting on the quality of performance of local authority social services departments.
- There are several examples of authorities where the profile of social services has been raised as a consequence of a joint review.
- The feed-back of findings to the authority as a whole rather than solely to the social services department (SSD) increases the potential impact of a joint review.
- The requirement that local authorities produce an action plan in response to a joint review also ensures that there is corporate and political recognition of a social services department's activity.
- SSIW and WAO staff state that they intend to support SSDs in improving their performance after a joint review

has been completed. It is too early for us to assess whether liaison has improved between the joint review team and other staff in SSIW and WAO; we do not know whether there are improved on-going relationships with SSDs. There is an attempt to integrate these arrangements more closely with SSIW's performance evaluation process and the Wales Programme for Improvement (WPI).

Views of staff

A large majority of social services staff stated that they would participate again and that joint reviews contributed to improved performance.

- One person's comment typifies views of improvements in quality: 'Front line services and the quality of assessment and care management processes have definitely improved since the first joint review'.
- Another perspective is that of involving all staff: 'Staff must have ownership of the improvement agenda. Joint Reviews have a crucial role in aiding this understanding.'
- A third quotation highlights the contribution of joint reviews to producing extra resources for social services: 'Have enabled us to secure considerable funding to develop better services.'
- The next comment states, as did many other staff, that audit and review was a proper part of accountability: 'Should identify errors/ improvements/ areas that have been under developed and what is working well. Regular audit and inspection is necessary.'
- There are statements about the effect of the process: 'Positive impact both in terms of staff morale and a driver for change where it was needed.' 'Stimulate(s) reflection on current practice.' 'Positive and constructive

improvement in the way the council and children's services are managed.'

- The opportunity for reflection for senior managers and councillors – and for consequent restructuring – was stressed as important by some.
- In authorities where the report was seen as positive, people noted that this led to increased recognition of the importance of social services and the quality of work produced.
- Finally participation was valued: 'Enables workers and clients to have a voice.'

Views of others – services user; carers; staff from non statutory agencies; senior local authority staff; councillors

- Accountability and impact were both stressed: 'Important - making local authorities accountable and giving them targets. Some suggestions from joint reviews have been pivotal in improving people's experiences of social services.'
- 'The weight the Joint Review puts on service users, carers and partner agencies is valuable in gaining a better perspective of social services' performance.'
- 'The Joint Review should be the only review of Social Services. All the others should be done away with.'
- Joint reviews allow comparison: 'Important to keep council up-to-date and ensure that we know of best practice in other councils.'

Doubts, questions and provisos

Alongside the predominantly positive comments about impact are several respondents who think that the review will have a negative impact, or that no new resources will be allocated to make the required changes: -

- First come warnings: 'Very important unless this is just an exercise in tokenism.' 'Great provided we are listened to. Too much talk and paperwork; not enough action.' The doubts expressed are not about the judgements reached in the joint reviews themselves but about whether appropriate action will follow.
- Then there are concerns about the context of reviews and the way that performance is reported: 'My impression is that our successes are being suppressed and failings highlighted.' 'Initiatives of Government/Assembly that are not financed sufficiently from the outset, then council workers are blamed. Yes it does feel like blame.' 'Doesn't feel like a partnership approach to addressing issues. Feels like preparing for an exam that you either pass or fail.'
- Some think that a joint review may damage services: 'JR inspectors should remember that the aim of the Reviews is to improve practice and service, as well as giving information to the public. Sometimes the delivery of findings can impact on services and make it less likely that services will improve.' 'I think the last review did lead to an improvement in services. On this occasion I think it will have the opposite effect.'
- Someone else questioned the outcome: 'Value depends on the effect, the reverse of what we advised. Funding was reallocated to older people and away from disability.' This comment may refer to action within the authority rather than a joint review recommendation.
- Joint reviews do not necessarily bring about change: 'For the OT team nothing much has changed since the last review - the sticking point seems to be with Council members.' 'Resources are targeted at the areas of service that received the most criticism, so issues raised elsewhere remain.'

- Some claim that joint reviews highlight little or nothing that was not known before.

Our discussion with middle and senior managers in one authority left us in no doubt that the morale of staff had been hit hard by a combination of the process and conduct of the review, and of the judgements reported at feed-back meetings. It was not our task to check the judgements reached against the evidence collected, in effect to conduct our own joint review, so we are not commenting on the justification for the conclusions reached. We note that some staff told us that they felt undermined by the process.

3. Reflections - Matters for further consideration

We have stated our judgements in response to the questions that were put to us. In this section we set out matters for further consideration.

3.1 Reviewing the work of others

There are many circumstances in which people review the work of others, ranging from looking at the work of individuals as in supervision and appraisal, to inspections of particular homes or services. Inherent in such activities are tensions. There is a temptation to think that better systems will eradicate the tensions but the reality is that they are inescapable. This applies in particular to discussions of the time taken (or given) to joint review works. Thus, as will be seen later, there are staff who bemoan the fact that they cannot get on with their 'real' work because of the joint review. For the authority, as opposed to the individual worker, it is arguable that time spent on reviews is the real work. *Thus the enduring question is not whether a joint review is or is not burdensome (a term that is itself emotive) but whether the time taken is proportionate to the task.*

Joint review teams are required to report their findings on the quality of local services and the capacity of a council 'to sustain and improve services'. If such reviews are to have any value, those charged with the task of carrying out the review have to find ways to examine the quality of services and the capacity of a council. There is no correct level of review team activity: judgements have to be made as to the type and extent of activity that will allow the review team to

make sound assessments that they can demonstrate are backed by evidence.

The activity of a joint review *of necessity* will create additional work for a local authority. Thus, the important question at the conclusion of this evaluation of the early second round of reviews is whether the demands placed on local authorities are *proportionate* to the task; it is not whether the demands have been totally removed.

We think the word 'burden' is unhelpful in discussion of joint reviews and should be dropped: it implies that the activities demanded are too great and unjustified or unnecessary. In passing it is worth noting that the strongly prevailing view of respondents was that joint reviews were a proper part of accountability. Once the decision has been taken that joint reviews should be conducted, a decision that is outside our remit, the important question is what has to be done to allow the reviews to be conducted properly.

The answers must take account of a number of factors: -

- The numbers of different reviews and inspections of local authority services, the relationship between them and the timing of different review and inspection activities; it may be helpful to look at a local authority 'career' – what inspection/monitoring/review activity does a local authority have to participate in within a five year period?
- The data that local authorities should be required to keep for planning and record purposes regardless of monitoring by others.
- The quality of current social services performance: what is the degree of risk to users? to what extent are people getting a good service? what appears to be the capacity of social services to improve? We were told by several people

of a level of social services provision in Wales that too often fell below what was 'good enough'.

- The pay off from all the monitoring, and from joint reviews in particular, is not easy to define. The input to the monitoring should be seen as the sum of the work of, first, SSIW's and WAO's running of the joint review programme, secondly, the work within SSDs over and above the regular activity of the department (before and during the review) and, thirdly, the demands made of others (users, carers, other staff). It would be easy to work out cost and benefit if the total cost (time, resources and energy of all parties) could be plotted along the horizontal axis of a graph with the gains on the vertical axis. The likelihood is that this would show that the gains per pound spent are not uniform: the greater gains may well come at lower levels of expenditure. Political decisions are then taken in the light of desired ends and degrees of risk.

So it would be helpful to find a means to change the nature of the dialogue between all those with an interest in producing better social services in Wales.

3.2 Working at a joint review

As with other inspections most people state that they accept (or even welcome) joint reviews: typically, they say that they want to be open and to learn from the process. The reality, for any of us being subject to review, is that there is far more tension than the easy acceptance suggests, and that both the process and the judgements become areas that have to be negotiated or battled over. So questions emerge as to whether the process could be made easier for reviewed and reviewers.

One of the joint review team described a joint review as a drama in several acts: people have different responses to what has taken place at different stages in the activity. Implicit in the task of the joint review is not just to report on what is found, but also to create a climate for change.

There are two parallel tasks for the review team. The first is to encourage the engagement of all participants. The early stages of this process seem to be managed well: most people stated that they were listened to and treated with respect. The second task is for the team to reach judgements about the quality of services provided and to share their conclusions with staff. Where tensions occur these are usually at the times when review team members give feedback to staff. The task of review contains an inherent element of ambiguity: the reviewer wants to get to know people, and to encourage participation; yet the reviewer knows that the purpose of this engagement is to collect information that will help the review team come to conclusions.

However, the outcome of a review is not simply the report produced by the team and the action plan developed by the local authority. The outcome lies also in the extent to which the authority *eventually* is able to use the whole process to promote better services. To some extent there is no escape from the drama: people are actors whether they stick to their roles or exit the stage. A successful joint review is not a partnership in the sense of working together to a common end. But it is a negotiated (and re-negotiated) endeavour. The impact of a review is in part consequent on a number of outsiders being around, asking questions and looking at documents and processes. This may create some instability, an inevitable aspect of others looking at what we do. In part the upheaval that is created is a necessary component of review and change.

3.3 The quality of services for users and carers

Respondents to this evaluation, as well as joint review team members, place great importance on the involvement of users and carers in assessing the quality of services. Joint review teams try to get a picture of users' and carers' experiences in a number of ways: a survey, with questionnaires sent out to a sample of users and carers; analysis of a sample of case files; and meetings with groups of users and carers. In addition lay people have been co-opted on to the joint review team as lay assessors. Their role is discussed in a later section.

It is overwhelmingly clear that users and carers think the seeking of their views is important and that they have valued the ways in which they have been engaged in joint reviews.

All methods have limitations: selections have to be made of users with different characteristics or experiences and there will be few of any one category in the eventual number selected; some groups are more likely to participate than others – for example more able users and carers or those with very strong opinions. Our own experience is that there are additional means to collect users' experiences. Placing letters and articles in local media to invite people to participate by sending in written accounts of their experiences has been effective, and we have made substantial use of such stories which frequently are much more powerful than the limited information in surveys and in group discussions. Writing allows some people to participate who otherwise might not, and the task helps personal reflection. A respondent in this study told us that patient stories are being used increasingly within the health service. We have also publicised meetings, inviting people to attend listening events.

In addition, there is evidence that people respond differently depending on whether questions are phrased negatively or positively (Did you like [or dislike] a service?) and are more likely to be critical when answering open-ended questions ('Tell us about your experience') than in the closed questions listed earlier.

At the same time as suggesting ways to develop the quality of the information that is collected, we want to enter a cautionary note. For reasons that are discussed widely elsewhere, asking people what they think about services does not always elicit rich information. Therefore data must be collected from other sources, and the case file analysis is one powerful means of doing this. Indeed, there must be consideration of the use that is made of information

collected. The Chair and Chief Inspector of the Commission for Social Care wrote recently:

The public service culture is increasingly one of 'consultation' and 'involvement', but it remains unclear how - and whether - people's experiences of care are improving as a result.'

3.4 Lay assessors

The inclusion of lay assessors in joint review teams, a change from the first round of joint reviews, appears to have been widely welcomed. Most general comments made to us cite the development as part of a strategy of ensuring that the perspective of the user and carer is more central to joint reviews. However, there are questions and comments about their role and activities, either raised by respondents or us: -

- is their main function to meet users and carers, or should they play a fuller part in joint reviews?
- is there sufficient evidence of what they do?
- the quality of their reporting, and therefore of the evidence they supply, is variable;
- there were occasions when their unguarded comments were seen as unhelpful and they were not punctual;
- they played a minimal role: 'In my interview session, the lay assessor was only given one question - at the very end of the session.'

Successive governments have promoted the involvement of lay assessors in any regulatory activity, in particular since the Citizen's Charter of 1991: -

The Citizen's Charter was crucial in bringing the concept of lay inspectors to the forefront of public perception and their introduction was based on a number of premises:

there was a shift from the primacy of the service provider on to the service user; there was the underlying notion of accountability by which the inspectorate would become 'much more responsive to public concerns' by the balance brought through the 'sound common sense' of lay people; there was a distrust of professional inspectorates because they were seen as prone to being 'captured by fashionable theories'; and lacking objectivity and independence by becoming too close to the service they were inspecting. (Simmill-Binning, Clough and Paylor, 2006, quoting from Mordaunt)

Although 'common sense' is a problematic term, it has been freely used by government ministers and departments. A Department of Health circular stated:

Lay assessors will complement the work done by professional inspectors. They can reinforce the importance of *common sense* observation. (1994, para. 11, cited in Clough, 1994)

Yet their core function remains uncertain: should lay assessors have had direct experience as clients or, as non-experts, non-staff members, are they to be a countervailing influence to the permanent staff? A slightly different perspective is that lay people will be able to see the *processes* of regulation, to act as citizens overseeing the work of the regulators. It is common for there to be demands for more training for lay assessors. 'An intriguing question follows: what sort of training equips lay people to undertake the task without negating the very qualities of difference for which they were wanted in the first place?' (Simmill-Binning, Clough and Paylor, 2006)

Further questions follow: what are the core experiences and core skills required of lay assessors?

In the Joint Review handbook the task of the lay assessor is set out: -

The inclusion of lay assessors helps to bring a different perspective to the work of review teams. Their role is not to act as professional inspectors but to carry out specific work that enables them to represent the views of people who use services and of the wider public. They concentrate on tasks that involve understanding the experiences and interests of service users and carers in their relations with social services and partner organisations.

The temptation is to presume that lay assessors play an important role without testing their contribution. Given that any expansion of a joint review team creates costs both directly in terms of the lay assessors themselves and indirectly in terms of increased support and management needed, it is valuable to reflect on the impact of lay assessors: -

- What were they expected to do?
- How has this turned out?
- What has been the experience of different parties?
- What has been the quality of their work?
- What changes might be made to their function, or to current practice?

Our suggestion is that a review of this sort takes place before there is consideration of changing the role.

There is some early positive feedback: -

- Comments about lay assessors have been very positive in terms of the user/ carer perspective they are able to bring to the process and their ability to visit a wider range of facility and speak to far more users and carers than in the first round of reviews
- Service users have been very positive about the role played by lay assessors.
- Lay assessors have been effective in visiting and commenting on service provision in particular, but I sense a desire on their part to also play a role in interviews with senior managers etc.

In one study inspectors from the Commission for Social Care Inspection (CSCI) and lay assessors commented on the use of lay assessors. Some inspectors spoke of the positive contribution of lay assessors, describing the activity of the lay assessor as 'most valuable' and 'should not be lost' because it provides 'a more rounded picture, giving different perspectives on the care and service delivery'. Another stated: -

I think that lay assessors should not be considered as additional 'inspectors' as this entails a familiarity with policy and procedure etc. that may well cloud the lay assessor's ability to see things as they appear to be for service users. Lay assessors can support the work of the CSCI by providing a valuable contribution as an additional independent gatherer of information and evidence.
(Simmill-Binning, Clough and Paylor, 2006)

However, several inspectors took a more negative view: -

Previous experience shows that lay assessors' attendance at inspections had no significant impact on outcomes for

service users. In some cases their presence hindered the process. ...

Consideration needs to be given to the specific role of the lay assessors as in the past several obviously had their own agendas that were not necessarily compatible with that of the regulating authority. (Simmill-Binning, Clough and Paylor, 2006)

It is not surprising to find that lay assessors thought their role important and wanted an expansion of involvement: 'I feel that lay assessors in many cases provide a detached perspective that was different from either a user of services or a professional.' Some wanted to be far more involved in the whole process of inspections: interviewing senior staff, discussing evidence and conclusions, participating in discussions of systems and methodology. There were concerns also about the extent to which the lay assessors were representative of a diverse community. These are important matters to debate.

3.5 Preparing for reviews

One statement made to us by a staff member from a social services department was that for a review to be successful, preparation had to start a year ahead of the scheduled start date. We use this comment to open up a key discussion: is the preparatory work undertaken for a joint review of benefit to the day-to-day practice within the authority, or is it a means to present the authority in a good light?

Insofar as possible the preparatory work should be a part of an authority improving its own performance, whether in recording and filing, assessment or involving users and carers. Our suggestion is that the joint review team work with local authorities to construct ways in which preparation for a review could be turned into the development of good practice guidance. We have not got sufficient information to know what are the components of preparation that are time consuming and problematic. We are proposing that if, for example, there are concerns as to whether records or files are being kept well enough, in advance of a review the local authority should work to a framework to review its practice *for the sake of ensuring good enough practice*, not to prepare for the review. The purpose of the suggestion is to transform unnecessary and unproductive preparatory work into purposeful activity. Whether the joint review team should have a role in such work would have to be examined.

3.6 Joint review written guidance

It would be useful for the joint review team, in consultation with link officers, to look at the handbooks and guidance material as a whole. This would allow reflection on the contents and the cohesiveness of the material, together with consideration of whether further guidance about the management of the material could be produced. Given that SSIW and WAO have committed themselves to reducing the amount of material to be collected in advance, this seems an opportune time for such activity.

3.7 Management of review teams

In spite of the work undertaken by the joint review management to create consistency in approach we think that further work should be carried out in this area. From discussions with joint review staff we think that there is a lot of informal activity in meetings, shadowing and during reviews to develop a team style. It would be helpful to formalise this so that there is a more specific focus on the values and culture of the joint review team.

Work undertaken to look at the culture of organisations often posits different scenarios and asks individuals how they would respond. Another way to look at values is to ask open ended questions, for example getting respondents to set out the core task or the core values of their organisation. The aim is to construct a perspective on the ways that people work in different situations. Our purpose in outlining this is not to propose means for the joint review team to look at its ways of working. It is to stress the importance of the end result, which is to get team members working within the framework of a shared culture.

There has been large numbers of people used in the teams as lead reviewers, reviewers and lay assessors. In these circumstances it is difficult to develop a team culture. This is compounded by the comparatively small size of the joint review teams which leaves little slack for sickness and holidays. SSIW and WAO now aim for lead reviewers to come from within SSIW. Undertaking more reviews of course will give people more experience of the activity.

Review co-ordinators, in conjunction with team members, could establish tighter systems and be given authority to expect team members to store files on a central system. They play a potentially important role in liaising with and facilitating the activities of local authorities. Some local authorities state that this has not always worked well.

3.8 Time taken for reviews

Joint review teams adhere to a large part of the timetables prepared in advance. However, the repeated inability to keep to targets for production of reports suggests that the targets are too ambitious both for the teams themselves and for the local authorities' responses.

3.9 Making judgements

The primary task of a joint review includes the provision of 'an objective, evidence- based assessment of how well people are being served by their social services authority'. Joint review teams have to make judgements. The making of judgements is a common feature of monitoring and inspection. What is peculiar to joint review judgements is the high profile nature of the judgement. One of the enduring

themes for inspectors is the anxiety that their judgement may be shown to be spectacularly wrong. The same is true for review teams.

There is a temptation for any inspector to put off making a judgement and to avoid the risk of making clear statements: it may seem safer to write that a service is 'satisfactory' rather than 'good', 'not good enough' rather than 'poor'. Given the importance of the core responsibility with which joint review teams are charged it is essential that their capacity to make clear judgements is maintained.

If review teams are to be asked to undertake this work of making judgements, then they must be supported in that core task and given the conditions which will support that activity.

All parties must remind themselves that review team members are making judgements on the best available information: they are negligent if they have failed properly to examine the data or to undertake activities that are set down; but it is possible to envisage a situation where a review team carried out its task as well as seemed possible at that time but failed to discover some significant aspect of work undertaken.

Making judgements carries serious responsibility with implications for local authorities, but from the perspective of the review team member is a risk laden activity. People are more likely to take such risks if they feel they are supported in doing so. They must be encouraged to draw conclusions about the quality of work that they have seen, but expect to have to test their evidence against others. They need to know that provided they have worked thoroughly at their task, and tackled it with integrity, they will be backed in the

work that they have done even if later evidence shows a particular conclusion to be invalid.

Reviewers are fallible; some people they meet may try, and succeed, in hiding evidence; the reviewers may make mistaken judgements; they and society must recognise their fallibility which allows others to challenge their conclusions but respects their authority in reaching conclusions. On the evidence that we have to date in the second round of joint reviews all parties more or less agree with the conclusions reached by the review teams. That in itself is a measure of success.