



Safe staffing programme

Health and Care (Staffing) (Scotland) Act 2019



Series overview

Health and Care (Staffing) (Scotland) Act

Part 1: Guiding principles

Part 3: Duty on service providers and training of staff

Questions and evaluations





'We know that the most important driver of quality in ELC is a dedicated, highly skilled and well qualified workforce, whose initial and continued training enables them to fulfil their own potential and equip our young children to do the same.' A Blueprint for 2020



Health and Care (Staffing) (Scotland) Act 2019

Part 1: Guiding Principles for staffing

Part 2: Staffing in the NHS

Part 3: Staffing in Care Services

↳ **Chapter 3A:** *Care Services using a staffing method*

Part 4: General Provisions



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Part 3: Staffing in Care Services

↳ *Chapter 3A: Care Services using a staffing method.*

Part 4: General Provisions





Staffing Method Framework

(Chapter 3a – applicable to care home services for adults)

Guiding principles of the Health and Care (Staffing) (Scotland) Act 2019

Part 1 (a) The main purposes of staffing for health and care services are:

To provide safe and high-quality services

To ensure the best care outcomes for people who use services



Part 1(b) Main principles:

Staffing is to be arranged while:

1) Improving standards and outcomes for service users

2) Taking account of the particular needs, abilities, characteristics and circumstances of different service users

3) Respecting the dignity and rights of service users

4) Taking account of the views of staff and service users

5) Ensuring the wellbeing of staff

6) Being open with staff and service users about decisions on staffing

7) Allocating staff efficiently and effectively

8) Promoting multidisciplinary services as appropriate



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Statutory Guidance

Safe

Safe does not mean 'no risk' it may not even mean low risk!

High Quality

Care can only be 'High Quality' if it provides support or services that are right for the individual, taking into account their own particular characteristics.

Which staff does this Act apply to?

- **This would include, for example**
 - ✓ Employees of the care service
 - ✓ Agency and other temporary / contract workers
 - ✓ Self-employed workers
 - ✓ Those on apprenticeship schemes and other 'earn as you learn' schemes who are employed by the care service
 - ✓ All volunteers



The Social Care and Social Work Improvement Scotland (Requirements for Care Services) Regulations 2011 (SSI 2011/210)

Regulation 15 – Staffing

A provider must, having regard to the size and nature of the care service, the statement of aims and objectives and the number and needs of service users —

- (a)** Ensure that at all times suitably qualified and competent persons are working in the care service in such numbers as are appropriate for the health, welfare and safety of service users; and
- (b)** Ensure that persons employed in the provision of the care service receive —
 - I. training appropriate to the work they are to perform; and
 - II. suitable assistance, including time off work, for the purpose of obtaining further qualifications appropriate to such work.



Part 3: Section 7

Duty on care service providers to ensure appropriate staffing

The nature of
care service

The size of the
care service

The aims and
objectives of the
care service

The number of
people
experiencing care

The needs of the
people
experiencing care



Part 3: Section 8 - Training of staff

Any person who provides a care service must ensure that individuals working in the care service receive:

- a) Appropriate training for the work they are to perform, and
- b) Suitable assistance, including time off work, for the purpose of obtaining further qualifications appropriate to their work

How are training needs identified?

Are staff enabled to reflect on, and share their learning?

Are there opportunities for professional discussions that inform practice

Regulation 15: Staffing

Part 3 - Health and Care (Staffing) (Scotland) Act 2019

Have regard to the size and nature	Regard is to be had to the nature and size of the care service
Aims and objectives	Aims and objectives
Numbers of needs of people	Number and needs of service users
Suitably qualified and competent staff are working in the care service in such numbers as are appropriate for the health, welfare and safety of service users	Suitably qualified and competent individuals are working in the care service for the health, wellbeing and safety of service users
Ensure employees receive appropriate training	Individuals working to receive appropriate training for the work they are to perform
Suitable assistance, including time off work, for the purpose of obtaining further qualifications appropriate to such work	Suitable assistance, including time off work, for the purpose of obtaining further qualifications appropriate to their work



The wellbeing of staff



Are you ready?



Purpose of the Act

The Health and Care (Staffing) (Scotland) Act 2019 comes into effect on 1 April 2024. The aims of the Act are to enable:

- children to experience safe and high-quality care
- staffing that supports improved outcomes for children
- a culture that promotes the wellbeing of staff.

What this means in practice

- 1 Appropriate induction, training and support linked to staff's CPD
- 2 Staff consider and plan for children's individual care, play and learning needs
- 3 Values are underpinned by the UNCRC
- 4 Views from children, families and staff are encouraged and considered
- 5 Children feel secure when staff are fulfilled and supported
- 6 Staffing decisions are openly communicated
- 7 Right people, right place, right skills, right time
- 8 Children reach their potential as people work well together

For more information about safe staffing and questions, please scan the QR code



SCAN ME



Safe staffing programme: Information for ELC services

Are you ready for the implementation of the Health and Care (Staffing) (Scotland) Act 2019 in April 2024?

Let us know by completing our short poll.

Supporting the early learning and childcare (ELC) sector to prepare for enactment of the Health and Care (Staffing) (Scotland) Act 2019 is Joanne Duncan who is on secondment from our inspection team and Candice Aitken who joined the Care Inspectorate in 2023 and has experience in all sectors in ELC.

The safe staffing programme was commissioned by the Scottish Government to support care services to prepare for the introduction of new legislation, the Health and Care (Staffing)(Scotland) Act 2019. This is the first legislation in the UK to set requirements for safe staffing for both health and care services and will affect legislation that guides the requirements of the services you currently provide.

The requirements of the Act will take effect from April 2024. The aims of the Act are to enable safe and high quality care and improved outcomes for people experiencing health care or social care services through the provision of appropriate staffing. This requires the right people, in the right place, with the right skills, at the right time.



Name:
Candice Aitken

Role:
Safe Staffing Adviser



Name:
Joanne Duncan

Role:
Safe Staffing Adviser



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Download our poster to share with your staff and people who use your service.

Poster for ELC services

Daycare of children	+
Childminding	+
Quick guides	+
Upcoming events	+
Get involved	+
Useful Links	+



In-person national events

Glasgow

01 February 2024
10.00 – 12.00



Edinburgh

08 February 2024
13.30 – 15.30



Perth

15 February 2024
10.00 – 12.00



Dumfries

29 February 2024
13.30 – 15.30



Inverness

05 March 2024
10.00 – 12.00



Oban

12 March 2024
13.30 – 15.30



Learning resource available on Turas: A knowledge and skills framework



Level 1: Informed

- Suitable for all staff

Level 2: Skilled

- Aimed at senior staff

Thank you for attending today's session

Next session Wednesday 24 January

10am – 11am

Part 1 - guiding principles



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