



Safe staffing programme

Health and Care (Staffing) (Scotland) Act 2019



Session overview

Health and Care (Staffing) (Scotland) Act

Guiding principles

Old versus new

Questions and evaluation





'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



Health and Care (Staffing) (Scotland) Act 2019

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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



Part 1(b) Main principles:

Staffing is to be arranged while:

1) Improve children's outcomes

2) Meeting children's individual needs and enabling them to fulfil their own potential

3) Respecting children's dignity and rights

4) Taking children's views into account (and assistants if applicable)

5) Looking after your own wellbeing (and assistants if applicable)

6) Open communication with children about decisions on care arrangements (and assistants if applicable)

7) Recognising what I can accomplish as a sole provider and managing my time (and assistants if applicable)

8) Building relationships and working with other agencies to support children and families in my care



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Improve children's outcomes



Health and
Social Care
Standards
My support, my life.



- **Health and Social Care Standards**

3.14 People are trained, competent and skilled, are able to reflect on their practice and follow their professional and organisational codes.

4.11 High quality care and support based on relevant evidence, guidance and best practice.

- **Quality Framework**

1.3 Play and learning



Looking after your own wellbeing (and assistants if applicable)



Health and
Social Care
Standards
My support, my life.



A quality framework
for daycare of children,
childminding and
school-aged childcare
February 2022



Health and Social Care Standards

3.19 Care and support is consistent and stable because people work together well.

4.3 Experience care and support where all people are respected and valued.

4.23 I use a service and organisation that are well led and managed.

Quality Framework

1.1 Nurturing care and support

2.2 Children experience high quality facilities

3.1 Quality assurance and improvement are led well

4.1 Staff skills, knowledge, and values



care
inspectorate



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 do you identify your training needs?

Do you find opportunities to reflect on your learning?

Are there opportunities for professional discussions that inform practice

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:
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Role:
Safe Staffing Adviser



Name:
Joanne Duncan

Role:
Safe Staffing Adviser



Are you ready?



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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	+



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



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