



Safe staffing programme

Cameras and Microphones are off.

Have your own mobile camera ready for QR codes or use the links which will be added to the chat.

Questions in chat will be monitored by safe staffing colleagues.



OFFICIAL



Housekeeping

OFFICIAL

Meet the team

Oversight: Chief nurse, Marie McKerry

Programme lead: Stephanie Thom

Improvement support officer: Ashley Smith

Safe staffing advisers

Glo McLoughlin

Melissa Cook

Candice Aitken



Adults



CYP



ELC



Session overview

Health and Care (Staffing) (Scotland) Act 2019 overview

HCSA resources

Local and Integrated authorities - Reporting

Inspection and Self-evaluation

Question and evaluation



Detailed HCSA Post Implementation Poll (24-25)

Detailed HCSA Poll



Safe Staffing Programme Objectives 24 - 25

- To ensure governance arrangements and reporting are in place, and to assure the workplan is effective and complies with legal and regulatory requirements.
- Continue to increase stakeholder engagement using media platforms and resources to embed the HCSSA into everyday practice.
- Review and update existing supporting guidance and agree a range of core resources, that will continue to support stakeholders beyond enactment.
- Explore how compliance with the HCSSA can be reported. Including exploring changes to the Care Inspectorate's RICE functions reporting and data collection processes.



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 *(Adult care Homes only)*
Chapter 3(a): Care Services using a staffing method



Part 4: General provisions



Health and Care (Staffing) (Scotland) Act 2019

In terms of Social Care which services does it apply to?

(1) In this Part, a “care service” is any of the following

	(g) offender accommodation services
(a) support services	(h) adoption services
(b) care home services	(i) fostering services
(c) school care accommodation services	(j) adult placement services
(d) nurse agency's	(k) child minding
(e) childcare agency's	(l) day care of children
(f) secure accommodation services	(m) housing support services



All services registered with care inspectorate



Which staff does this Act apply to?

- ✓ 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



Two Main Purposes of the Health and Care (Staffing) (Scotland) Act 2019

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

To provide safe and high-quality services

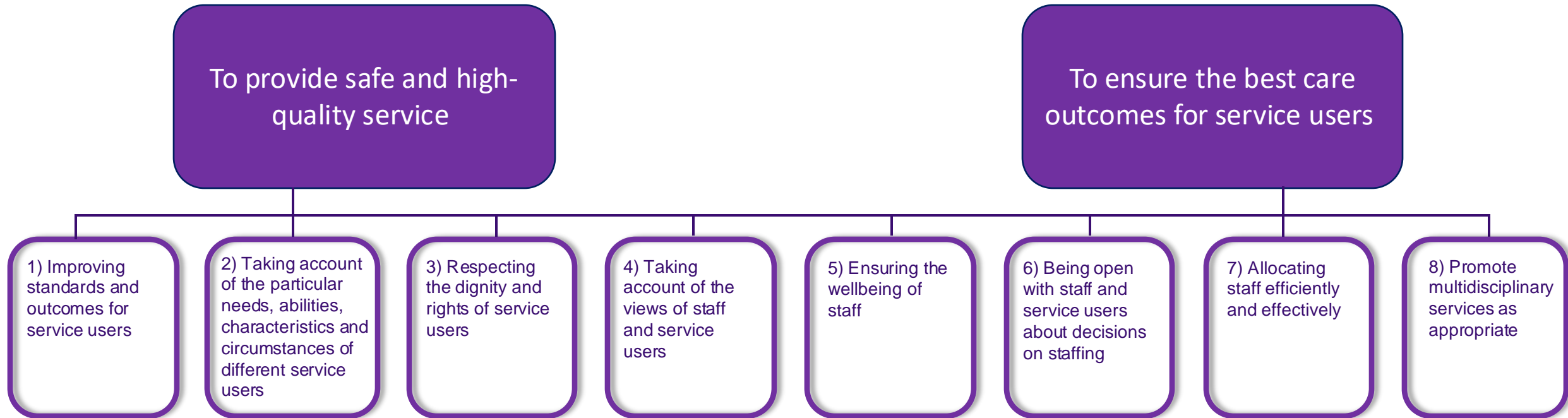
To ensure the best care outcomes for people who use services

...and in so far as it affects either of those matters, the wellbeing of staff.



Connection between staffing and people's outcomes

Guiding principles Health and Care (Staffing) (Scotland) Act 2019 Part 1(b)



Connection between staffing and people's outcomes



...and in so far as it affects the main purposesthe wellbeing of staff

7. Allocating staff efficiently and effectively.

software for deployment
daily communication notes
staff rota
outcomes focused
flexible rotas
staff goodwill
effective communication
link staffing to need
falls analysis
buddy system
skill mix
cohort staff
dependencies
link time to task
build ownership of care
daily allocation sheets
dependency levels
online staff portal
dependency ratio
staff deployment
shift allocation
risk assessments
looking ahead
build confidence
allocation sheets



5. Ensuring the wellbeing of staff

Statutory Guidance

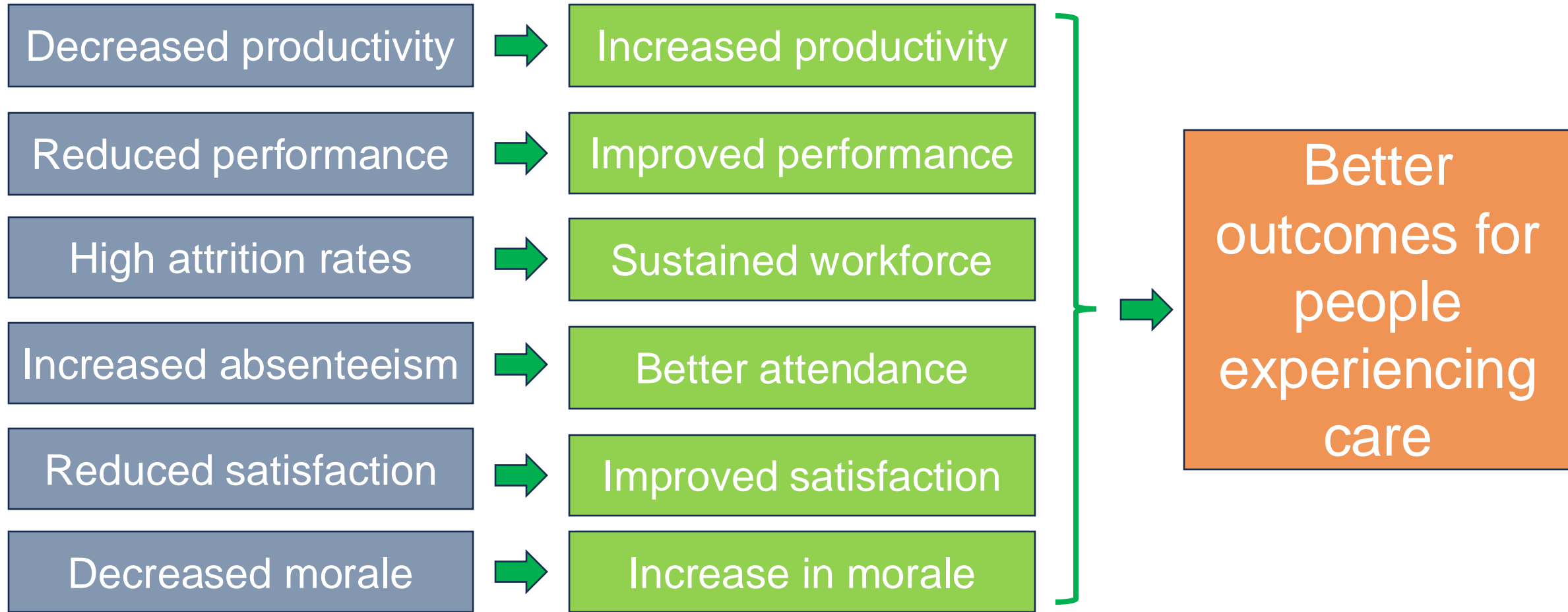
4.6 & 4.13

- It is important to note that while the guiding principles are **focused on outcomes for service users** and the **reference to “safe” is drafted with service users in mind**, this **cannot be separated from the wellbeing of staff themselves**.
- An unsafe staffing environment can create unsafe services. Conversely, **improving the wellbeing of staff can improve the safety of service users and so the two are inextricably linked**.



The Health and Safety at Work Act (1974) is the main piece of health and safety legislation. It puts a duty on employers to ensure the safety, health and welfare at work of their **employees**. It says you must have a safety policy, and you must consult with your workforce.

The benefits of focusing on staff wellbeing



Health and Care (Staffing) (Scotland) Act 2019

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

STAFFING IN CARE SERVICES

7 Duty on care service providers to ensure appropriate staffing

- (1) Any person who provides a care service must ensure that at all times suitably qualified and competent individuals are working in the care service in such numbers as are appropriate for—
 - (a) the health, wellbeing and safety of service users,
 - (b) the provision of safe and high-quality care, and
 - (c) in so far as it affects either of those matters, the wellbeing of staff.
- (2) In determining what constitutes appropriate numbers for the purposes of subsection (1), regard is to be had to—
 - (a) the nature of the care service,
 - (b) the size of the care service,
 - (c) the aims and objectives of the care service,
 - (d) the number of service users, and
 - (e) the needs of service users.

8 Training of staff

- (1) 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.
- (2) In subsection (1)(a), “appropriate training” includes training in how to use any method for staffing required in regulations by the Scottish Ministers under section 82B(1) of the Public Services Reform (Scotland) Act 2010.



HCSA places a duty on providers to ensure appropriate staffing

Suitably qualified and competent individuals in such numbers for:

a) The health and wellbeing of people

b) Provision of safe high-quality care

...and in so far as it affects either of those matters....

c) *The wellbeing of staff*



Part 3 Section 7 (1)

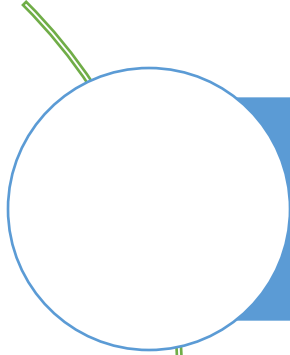
HCSA places a duty on providers in determining appropriate staff numbers with regard for:

- nature of the care service
- size of the care service
- aims and objectives
- number of people who use the service
- needs of those people

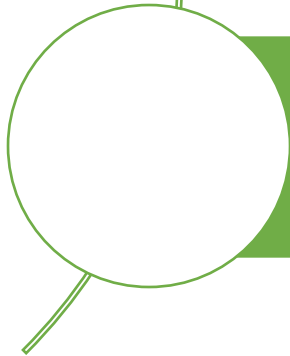


Part 3 Section 7 (2)

HCSA: a person who provides a care service must ensure that individuals working receive....



Appropriate training for the work staff are to perform



Suitable assistance, including time off work, to obtain further qualifications



Part 3 Section 8



Part 3a: Staffing Method Framework Guidance for Care Homes



Summary: Care services must have regard to:



Part 1
Guiding principles



Part 3
Section 7 (Staffing)



Part 3
Section 8 (Training)



Part 3 Sections 7 and 8 are enforceable




Health and Care (Staffing) (Scotland) Act 2019

- An overview to what this means for individuals, roles and responsibilities



Social Care: Aims and purpose of the resource

- To provide an overview of the [Health and Care \(Staffing\) \(Scotland\) Act 2019](#).
- To consider the Act as it applies to care services.
- To provide resources to support you to deliver care within the scope of the legislation.



Social Care: Overview of Legislation

Health and Care (Staffing) (Scotland) Act 2019

- Approved by the Scottish Parliament in 2019.
- All provisions came into force 1st April 2024.

The purpose of this significant piece of legislation is to address staffing concerns in both health and care services, ensuring appropriate staffing levels to support high-quality care for patients and service users.

The Act:

- makes provision about staffing in the NHS and care services
- seeks to enable safe and high quality care and improved outcomes for service users



NES MS Sway



Cards



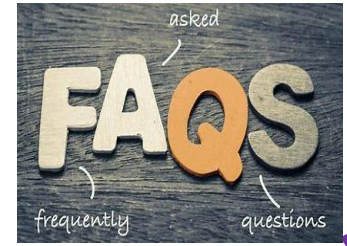
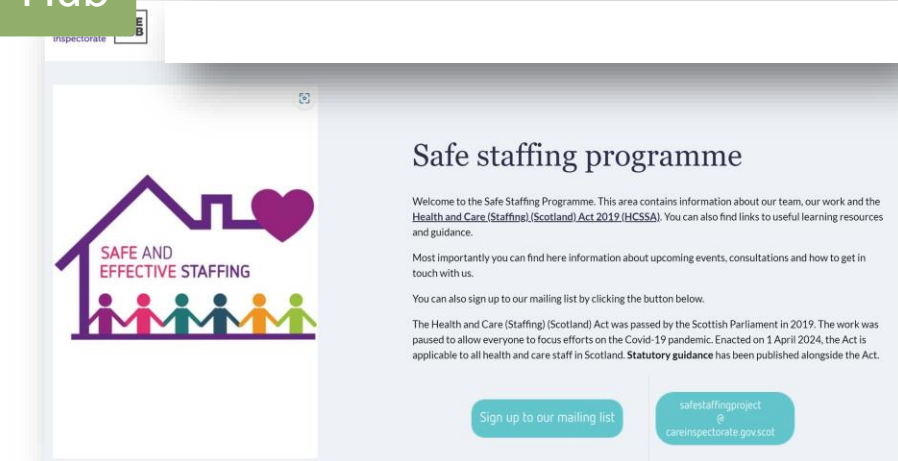
Poster



Webinar



Hub



Information guide series



Sector support and resources



Which of our developed HCSA resources have been the most useful?

Is there any other resource that you feel would be beneficial?



Quick Survey

Other SSP Activities ...

HCSA
Implementation
Group

Podcasts

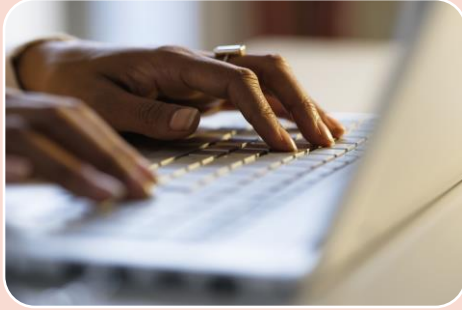
SSSC and
developing
resources

SMF web and
mobile app

Data Mining



Scottish government self-evaluation template and reporting



Report to Scottish Ministers annually on the planning & securing of all registered care services



Detail steps taken to comply with requirements of the Act



Include ongoing risks that affect their ability to comply

Local & Integration Authorities need to be assured that 'at the time of planning/commissioning'

Care services ...



Have regard to the
guiding principles



Ensure appropriate
staffing



Ensure staff have
appropriate
qualifications &
training for their
role



Have regard to the
statutory guidance
accompanying the
Act



Have regard to any
other guidance
issued by Scottish
Ministers



REPORTING

Local & Integration authorities: Reporting 'Question 1' –

Please detail the steps you have taken as an organisation to comply with section 3(2) of the Health and Care (Staffing) (Scotland) Act 2019:



The Health and Care (Staffing) (Scotland) Act 2019 inserted chapter 3A into the Public Services Reform (Scotland) Act.

The requirement on care service providers:

- to have regard to the **guiding principles** (section 3(1) of the Act);
- with regard to **training of staff (section 8 of the Act)**;
- to have regard to **guidance** issued by the Scottish Ministers (section 10 of the Act);

The duty on care service providers:

- to ensure **appropriate staffing (section 7 of the Act)**; and
- under Chapter 3 of Part 5 of the Public Services Reform (Scotland) Act 2010, for example regarding **registration of care services and prescribed staffing levels.**



The Health and Care (Staffing) (Scotland) Act 2019 inserted chapter 3A into the Public Services Reform (Scotland) Act.

Local & Integration authorities: Reporting 'Question 2' –

Please detail any ongoing risks that may affect your ability to comply with the duty set out in section 3(2). This should detail any risks you have encountered with regard to planning and securing care services that would affect your ability to comply with the requirements set out in question 1.

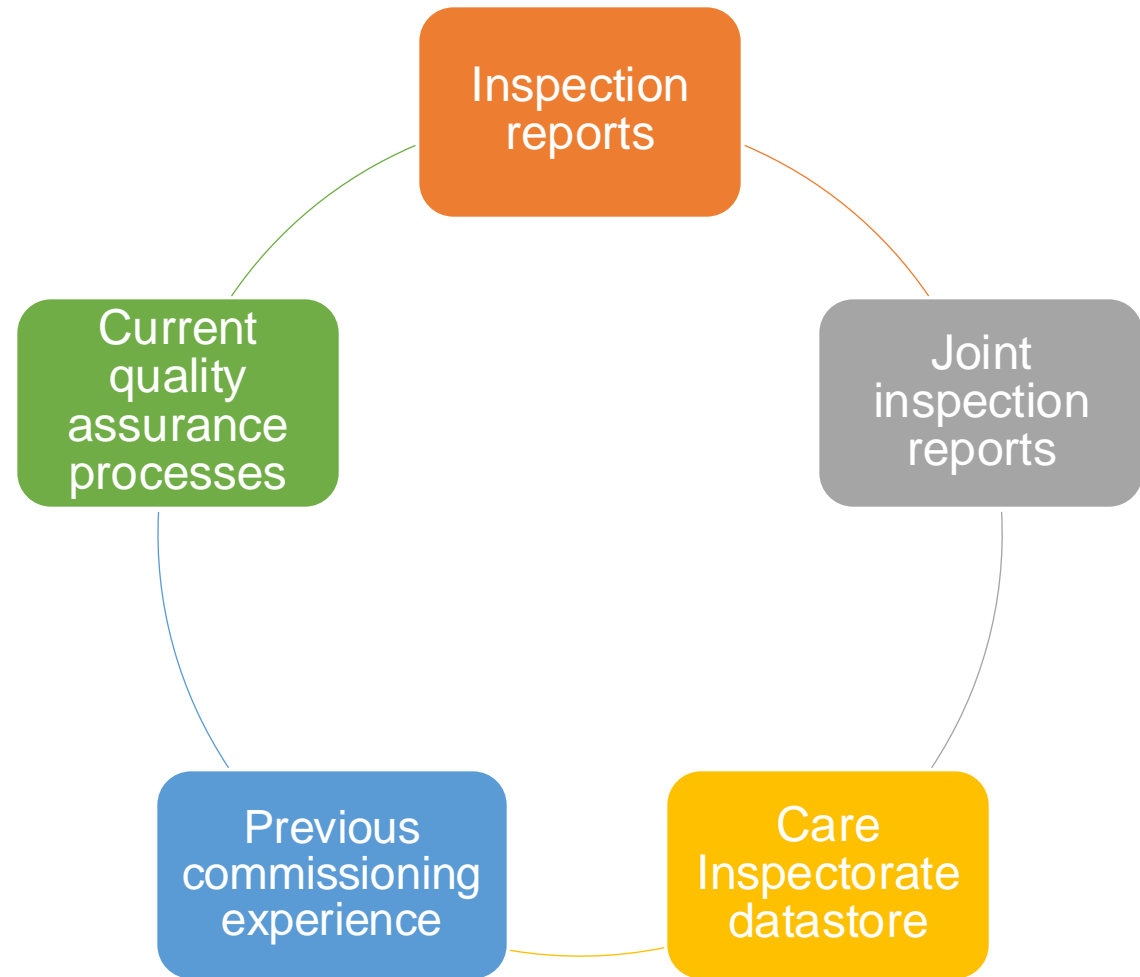


For example:

- You may have had **difficulty in assessing particular services** with regard to their **duties** to ensure **appropriate staffing and staff training** due to lack of relevant information.
- You may have incurred potential risk in considering all the factors if there is a **shortage of service providers** giving rise to **limited choice** in planning or securing services; or
- The range of different care services and **types of contract, agreements or arrangements** may have **made it difficult to incorporate the requirements of the Act** into each situation.



What can local and integrated authorities do to ensure services are fulfilling their requirements?



Quality Frameworks

Inspection priorities 2024/2025 - ELC

ELC	Requirements				
	KQ1	KQ2	KQ3	KQ4	
For daycare of children services with all evaluations of good or above on all key questions, are a low SAT, and have been previously inspected using the CI quality framework.	1.1		3.1		There will always be the professional judgement of inspectors who can bring in other QIs if they consider these need to be inspected against.
	1.3				
For childminders with all evaluations of good or above on all Key Questions, have a low SAT, and have been previously inspected using the CI quality framework.	1.1		3.1		
	1.3				
For services with evaluations of less than good, have a medium or high SAT or where they have not been inspected against the quality framework before. * for childminders operating without an assistant, QI 4.1 should replace 4.3.	1.1	2.2	3.1	4.3	
	1.3				



What is Self-Evaluation

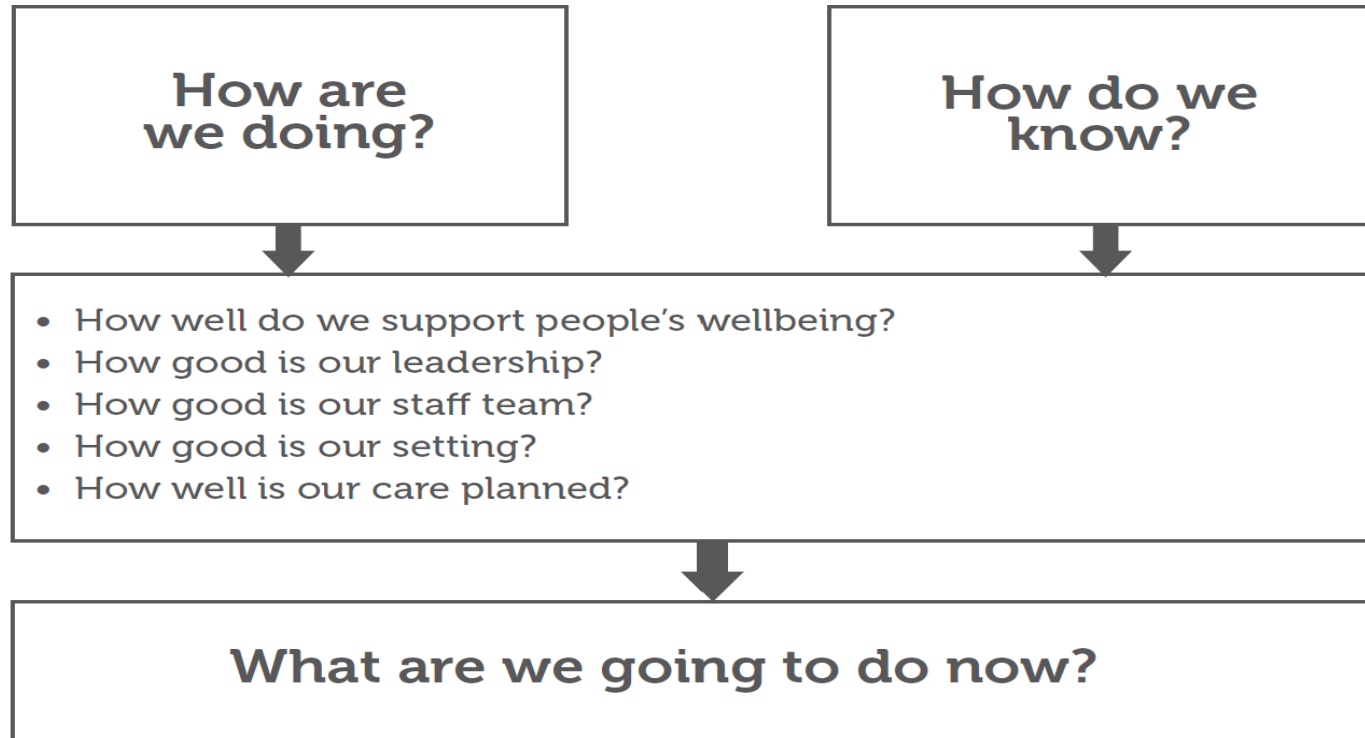
Self-evaluation is where a service ‘systematically examines itself, achievements, and processes to assess whether it is meeting its stated objectives and outcomes efficiently and effectively’ (Audit Scotland).

- In care services it is a **continuous process** aiming to deliver **gradual improvements**, prioritising areas with a **big impact on outcomes for people** or where **high risks of harm** is associated with under performance.
- Self-evaluation is not solely for the benefit of the Care Inspectorate. It is a tool to help **services to evaluate and identify where they need to target their efforts** to support improvement



Core Assurances

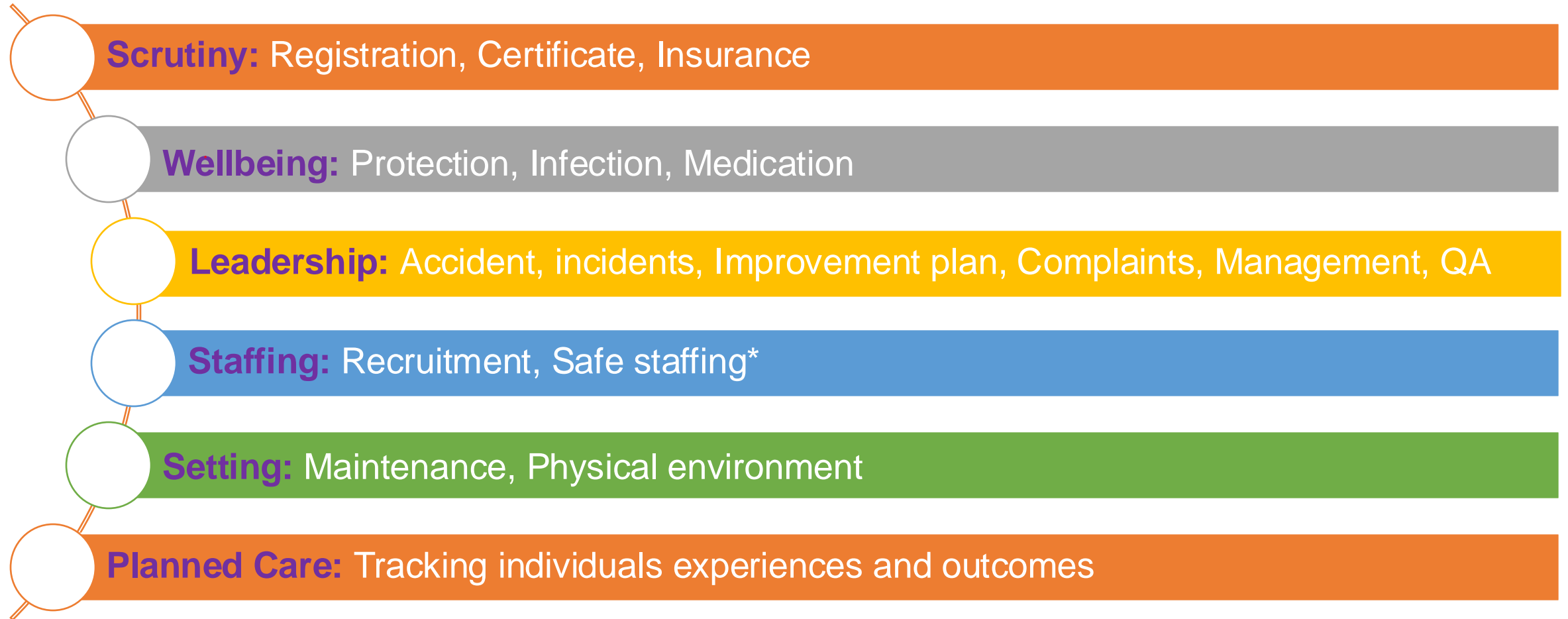
Self-Evaluation



Quality Frameworks



Core Assurances



***New Staffing Core Assurance** - The numbers, skill mix and deployment of staff are determined by an effective process of continuous assessment featuring a range of measures and is linked to quality assurance.

Self-Evaluation

- Providers don't need to have a separate improvement plan relating to the self-evaluation of core assurances
- Can include the actions in an overarching service development/improvement plan
- Helpful to reference the core assurance self-evaluation when adding improvement actions to the service development / improvement plan
- Track improvement actions have come from their self-evaluation activities
- Care Inspectorate will evaluate the core assurances during an inspection and compare their self-evaluation with findings
- Sample the evidence providers have included in their core assurances self-evaluation



Core Assurances



Self-Evaluation

There are self-evaluation resources available to support each sector.

- Self-evaluation guide and tools

<https://www.careinspectorate.com/index.php/publications-statistics/152-professionals-registration/self-evaluation-guides-and-self-assessment-tools>

- Quality frameworks for care services

<https://hub.careinspectorate.com/resources/quality-frameworks-and-kq7s/>



Records all registered care services must keep

Where the service provides support to people in their own homes, keep records that detail missed and late visits.

The record should show an analysis of the information showing cause, effect and necessary action.



Records that all registered care services (except childminding) must keep and guidance on notification reporting

Amended 30 April 2020: Changes made to include new and updated categories of notifications related to COVID-19

Amended 2 April 2020: Change made to include notifying of critical staff shortages during COVID-19



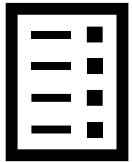
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Safe Staffing Programme
Evaluation 24-25

