

## **Health and Care (Staffing) (Scotland) Act 2019 Statutory Guidance: Consultation**

The Scottish Social Services Council is the regulator for the social work, social care and children and young people workforce in Scotland. Our work means the people of Scotland can count on social services being provided by a trusted, skilled, confident and valued workforce.

We protect the public by registering this workforce, setting standards for their practice, conduct, training and education and by supporting their professional development. Where people fall below the standards of practice and conduct we can investigate and take action.

We:

- publish the national codes of practice for people working in social work, social care and children and young people services and their employers
- register this workforce and make sure they adhere to our codes of practice
- promote and regulate their learning and development
- lead workforce development and planning for this workforce in Scotland and provide national statistics.

### **Questions**

**1 (a) Do you think the guidance is clear and easy to understand?  
YES/NO**

Yes

**1 (b) Please detail any specific areas of the guidance that you found unclear or hard to understand. (Please tick the relevant section(s) and provide further information in the text box)**

- **Section 3**
- **Section 4**
- **Section 5**
- **Section 6**
- **Section 7**
- **Section 8**
- **Section 9**
- **Section 10**
- **Section 11**
- **Section 12**
- **Section 13**
- **Section 14**
- **Section 15**
- **Section 16**

- **Section 17**
- **Section 18**

### **Further information**

We welcome the draft guidance to accompany the Health and Care (Staffing) (Scotland) Act 2019. We welcome the focus on the critical role of staffing and staff training in delivering these priorities. The SSSC continues to support the implementation of the Act and co-chairs the learning and development group with the Care Inspectorate.

We welcome the reference to the Codes of Practice for Social Service Workers and Employers (the Codes) in section 15.12 of the draft statutory guidance. We are currently reviewing the Codes. We anticipate that the revised Codes will be finalised in 2024. The Codes will continue to reflect the key messages around ensuring that people's rights are respected and that standards are improved. The Codes will also continue to set out the requirements on employers to have systems in place to report inadequate resources or difficulties which might have a negative impact on service delivery.

We anticipate that the revised Codes will be published at approximately the same time as the guidance will be finalised and the implementation of the Act. We would suggest that an additional sentence is added to paragraph 15.12 indicating that the Codes are currently under review and signposting to the SSSC's website for further information.

### **2(a) Do you think the guidance is comprehensive, in that it contains sufficient detail to be able to support organisations in meeting the obligations placed on them by the Act? YES/NO**

Yes

### **2(b) Please detail any specific areas of the guidance where you felt information was missing or incomplete.**

N/A

### **3 Do you have any other comments on the draft guidance?**

As per our comments in response to question 1(b), we are in the process of updating our Codes of Practice which could result in language in the draft statutory guidance being out of date shortly after publication. If you have any questions about the changes we intend making to the Codes of Practice, we would welcome the opportunity to discuss this with you.

**Scottish Social Services Council**

**September 2023**