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| **Article 3: All adults should make decisions based on what’s best for you.**  **Article 29:**  **You have the right to… an education that helps you to develop your skills and talents.** |

**Compliance with the Health and Care (staffing) (Scotland) Act 2019** Shape, circle

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**Purpose**

The purpose of this policy is to ensure all staff understand and comply with the Health and Care (staffing) (Scotland) Act 2019. This policy outlines the responsibilities of staff to maintain the highest standards of care, privacy, and safety for service users. This Act came into force on 1st April 2024. However it was passed in May 2019.

‘The Health and Care (Staffing) (Scotland) Act 2019 brings into legislation requirements and guiding principles for those who commission and deliver health and social care. It states that staffing is to provide safe and high-quality services and to ensure the best health care or care outcomes for people experiencing care. While this is the main purpose, health and care services should promote an efficient, effective and multidisciplinary approach which is open with and supportive of staff.

The Act also places a statutory duty on care service providers to ensure that, at all times, suitable qualified and competent individuals are working in such numbers as are appropriate for the health, wellbeing and safety of people using the service, and the provision of safe and high-quality care and in so far as it affects those matters the wellbeing of staff. Providers are also required to ensure staff are appropriately trained for the work they perform.’ (Care Inspectorate [Safe Staffing Project | Care Inspectorate Hub](https://hub.careinspectorate.com/how-we-support-improvement/quality-improvement-programmes-and-topics/safe-staffing-programme/))

**Scope**

This policy applies to all staff, students and volunteers.

**Policy Statement**

Rothesay Primary Pre-5 is committed to delivering high-quality health and social care services in compliance with the Health and Care Act. All staff, students and volunteers must understand their duties and responsibilities under this Act and adhere to the principles and guidelines it sets forth.

**Key Principles**

* **Quality of Care**: Ensure that the care provided meets the essential standards of quality and safety.
* **Respect and Dignity**: Treat all service users with respect and uphold their dignity at all times.
* **Equality and Diversity**: Provide care and services without discrimination, ensuring equality and embracing diversity.
* **Safeguarding**: Protect service users from abuse and neglect, ensuring their safety and well-being.
* **Privacy and Confidentiality**: Safeguard personal information and maintain confidentiality in accordance with data protection laws.
* **Involvement of Service Users**: Encourage and support service users to be involved in decisions about their care.
* **Accountability**: Maintain accountability and transparency in all aspects of care delivery.

**Responsibilities**

* **Management**:
  + Ensure all staff are aware of and understand this policy.
  + Provide necessary training and resources for compliance with the Act.
  + Monitor and evaluate the implementation of this policy.
  + Address any breaches of this policy promptly and effectively.

**Staff**:

* + Familiarise themselves with the Health and Care Act and this policy.
  + Attend required training sessions and maintain up-to-date knowledge.
  + Deliver care that meets the standards outlined in the Act.
  + Report any concerns or incidents that may contravene this policy or the Act.

**Training**

All staff will receive training on the Health and Care Act as part of their induction and ongoing professional development. Training will cover:

* The main provisions of the Health and Care Act.
* The implications for daily practice.
* Procedures for reporting and managing breaches.

**Monitoring and Compliance**

* Regular audits and assessments will be conducted to ensure compliance with this policy and the Health and Care Act.
* Feedback from service users and staff will be used to improve practices and policies.
* Non-compliance will be addressed through appropriate disciplinary actions in line with our organisation's procedures.

**Reporting and Escalation**

* All incidents, concerns, or breaches related to the Health and Care Act must be reported immediately to the manager Mrs Elize Milani or to one of the Lead Practitioners.
* Serious breaches must be escalated to management and may require reporting to regulatory bodies (Care Inspectorate, SSSC and Argyll and Bute Early Years.)

**Review**

This policy will be reviewed annually or sooner if there are changes to the Health and Care Act or related regulations.

**Related Policies and Procedures**

* Confidentiality Policy
* Safeguarding Policy
* Equality and Diversity Policy
* Incident Reporting Procedure
* Disciplinary Procedure

**Date of Review:**