



Health and Care (Staffing) (Scotland) Act 2019

2019 asp 6

PART 3

STAFFING IN CARE SERVICES

10 Ministerial guidance on staffing

- (1) Any person who provides a care service must have regard to any guidance issued by the Scottish Ministers about the carrying out of its duties under sections 7 and 8.
- (2) Such guidance may, in particular, include provision about the related duty under section 3(1) to have regard to the guiding principles for health and care staffing.
- (3) Before issuing such guidance, the Scottish Ministers must consult—
 - (a) SCSWIS,
 - (b) the Scottish Social Services Council,
 - (c) such persons as they consider to be representative of the providers, commissioners and users of care services,
 - (d) such trade unions and professional bodies as they consider to be representative of individuals working in care services,
 - (e) such persons as they consider to be representative of carers (within the meaning of section 1 of the Carers (Scotland) Act 2016), and
 - (f) such other persons as they consider appropriate.
- (4) The Scottish Ministers must publish any guidance issued under this section.

Commencement Information

- I1 S. 10(1)-(3) in force at 15.5.2023 for specified purposes by [S.S.I. 2023/131, reg. 2, sch.](#)
- I2 S. 10(1)-(3) in force at 1.4.2024 in so far as not already in force by [S.S.I. 2024/20, reg. 2\(2\)](#)
- I3 S. 10(4) in force at 1.4.2024 by [S.S.I. 2024/20, reg. 2\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Health and Care (Staffing) (Scotland) Act 2019, Section 10.