



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

2019 asp 6

## PART 1

### GUIDING PRINCIPLES FOR STAFFING

#### **2 Guiding principles etc. in health care staffing and planning**

- (1) In carrying out the duty relating to staffing imposed by section 12IA of the National Health Service (Scotland) Act 1978, every Health Board and the Common Services Agency for the Scottish Health Service must have regard to the guiding principles for health and care staffing.
- (2) In planning or securing the provision of health care from another person under a contract, agreement or arrangements made under or by virtue of the National Health Service (Scotland) Act 1978, every Health Board and the Common Services Agency for the Scottish Health Service must have regard to—
  - (a) the guiding principles for health and care staffing, and
  - (b) the need for the person from whom the provision of health care is to be secured to have appropriate staffing arrangements in place.
- (3) As soon as reasonably practicable after the end of each financial year, every Health Board and the Common Services Agency for the Scottish Health Service must provide information to the Scottish Ministers on the steps they have taken to comply with subsections (1) and (2).
- (4) Information provided under subsection (3) must set out how the steps taken by the Health Board or (as the case may be) Common Services Agency for the Scottish Health Service to comply with subsections (1) and (2) have improved outcomes for service users.
- (5) As soon as reasonably practicable after the end of each financial year, the Scottish Ministers must collate information received under subsection (3) into a combined report to be laid before the Scottish Parliament.
- (6) A report laid under subsection (5) must set out—

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*Status: Point in time view as at 01/04/2024. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Health and Care (Staffing) (Scotland) Act 2019, Section 2. (See end of Document for details)*

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- (a) the steps taken by Health Boards and (as the case may be) the Common Services Agency for the Scottish Health Service to comply with subsections (1) and (2), and
- (b) the steps that the Scottish Ministers will take in relation to the staffing of the health service in response to the report's conclusions and recommendations.

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**Modifications etc. (not altering text)**

- C1** S. 2 applied (1.4.2024) by S.I. 1999/686, art. 5, **Sch. Pt. 2** (as amended by Health and Care (Staffing) (Scotland) Act 2019 (asp 6), **ss. 5(3)**, 15(2); S.S.I. 2024/20, **reg. 2(2)**)
- C2** S. 2 applied (1.4.2024) by S.S.I. 2001/137, art. 5, **sch. Pt. 2** (as amended by Health and Care (Staffing) (Scotland) Act 2019 (asp 6), **ss. 5(3)**, 15(2); S.S.I. 2024/20, **reg. 2(2)**)
- C3** S. 2 applied (1.4.2024) by S.I. 1995/574, art. 5, **Sch. Pt. 2** (as amended by Health and Care (Staffing) (Scotland) Act 2019 (asp 6), **ss. 5(3)**, 15(2); S.S.I. 2024/20, **reg. 2(2)**)
- C4** S. 2 applied (1.4.2024) by S.S.I. 2002/305, art. 5, **sch. Pt. 2** (as amended by Health and Care (Staffing) (Scotland) Act 2019 (asp 6), **ss. 5(12)**, 15(2); S.S.I. 2024/20, **reg. 2(2)**)

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**Commencement Information**

- I1** S. 2 in force at 1.4.2024 by S.S.I. 2024/20, **reg. 2(2)**

**Status:**

Point in time view as at 01/04/2024. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Care (Staffing) (Scotland) Act 2019, Section 2.