



STAGE 3 PROCEEDINGS: HEALTH AND CARE (STAFFING) (SCOTLAND) BILL

The RCN supports the principles of the Health and Care (Staffing) (Scotland) Bill. We are proud to represent the views of our members across Scotland's NHS and care home sector.

Nurses and health care support workers across Scotland are working tirelessly to provide the very best care that they can for patients and residents.

The reality is, however, that because of staff shortages, issues with the skill mix of teams and ever increasing demands on services, there are times when the staff working are not able to meet the care needs of their patients.

The Bill before the Parliament presents an opportunity to get the right number of staff, with the right skills in the right place so that patients and residents receive safe and effective care.

Ahead of the six key tests to have a sufficient staff in place at Stage 2 position.

The RCN lodged a further improvement welcomed multidisciplinary colleagues

The RCN required, care home residents deserve to have provided by the right numbers of nursing staff with the appropriate skills, competencies and education ([read our briefing on nursing in care homes](#)) and we welcome the strengthening of Part 3 of the Bill.

Following Stage 3 we hope that the Bill will address the majority of the RCN's tests and provides a solid framework to support staffing for safe and effective care within Scotland's NHS and care homes for adults.

The RCN's six tests are set out on the following pages with the relevant groupings of amendments for Stage 3.

Positive outcomes: Positive outcomes for people and staff must be at the heart of decision making.

Group 1 - Guiding principles of health and care staffing

Group 4 – Duty on Health Boards and care services to ensure appropriate staffing: staff wellbeing

RCN welcomed the positive discussion and amendments passed at Stage 2 to strengthen the guiding principles. We understand that legal advice received by the Scottish Government has indicated that including the safety of staff at this point is beyond the competence of the Scottish Parliament. We would welcome assurances from the Cabinet Secretary that the safety of staff remains a policy priority for the Scottish Government in implementing this legislation.

A strong professional voice: Nursing leaders, whether at a ward, team or governance level, should be able to exercise their professional judgement about whether there are the right number of nursing staff with the right knowledge, skills and experience, in the right place and at the right time.

Board

name of for to be central to all staffing decisions whilst maintaining accountability at Board level – ensuring a strong professional voice. It requires any decisions taken that are contrary to this clinical advice and judgement to be recorded, risks mitigated and compliance with the duties outlined in the legislation to be reported. We would expect a detailed definition of appropriate clinical advice to be included in guidance.

The RCN has championed the unique role of Senior Charge Nurses (SCNs), and their equivalents in the community, in delivering the aspirations of the Bill and the impact recognising their contribution and protecting their role could have on patient safety and improved outcomes. Our members set out a compelling case for SCNs to be non-caseload holding as prescribed in section 12IAD ([read our briefing for more on the role of SCNs](#)).

Amendment 18 in the name of the Cabinet Secretary



