

Executive Summary and Introduction

The **Health and Care (Staffing) (Scotland) Act 2019** (referenced as ‘the Act’ throughout this summary) makes provisions about staffing in the NHS and in care services. It aims to ensure safe high-quality care and improved outcomes for people, whilst supporting the health, wellbeing and safety of patients, and the wellbeing of staff.

The Act specifies a number of duties that Health Boards, Councils, Integration Authorities, Healthcare Improvement Scotland, Care Inspectorate and Scottish Ministers need to report publicly on.

NHS Grampian is required to report annually to Scottish Ministers on how we have carried out the duties in the Act in relation to all **health** aspects, using a detailed template. Every Health Board must also publish their report. This document provides a summary of NHS Grampian’s **health** report for the 2024/25 financial year, which was submitted to NHS Grampian Board in April 2025 and can be accessed via the following link: **2025 Board Papers**.

The Annual Report was approved by the NHS Grampian Chief Executive Team, Staff Governance Committee and Board prior to the submission to Scottish Government on 30 April 2025.



“NHS Grampian has fantastic colleagues who work incredibly hard to make a real difference to the health of our population every single day. I am pleased to see the progress we have collectively made with the implementation of the Act helping us to improve the experience and safety of both patients and colleagues. I believe we have put in place robust foundations that we can continue to build year-on-year. My thanks to everyone who has been involved.”

Dr Adam Coldwells, Interim Chief Executive



Intent of the Act

The Act was passed by the Scottish Parliament and received Royal Assent in 2019 however due to the COVID-19 pandemic, it did not formally commence until 1st April 2024.

The Act intends to:

- Enable safe, high-quality care and improved outcomes for people; and
- Supports the health, wellbeing and safety of patients, as well as the wellbeing of staff.

What does it mean for the public?

For NHS Grampian's citizens, the Act ensures that health and care services are accountable for having appropriate staffing in place. This means having the right staff in terms of numbers, professions and skill mix, at all times, so that patients receiving care achieve their best possible health and wellbeing outcomes.

When considering appropriate numbers and skill mix of staff, NHS Grampian needs to consider:

- the kind of health care being provided;
- local context in which it is being provided;
- the number of patients being provided care;
- the needs of patients being provided care; and
- appropriate clinical advice regarding staffing.

What does it mean for our staff?

The Act recognises the link between increased staff wellbeing and the safety and quality of care. For NHS Grampian colleagues, the Act builds on existing policies and procedures and aims to embed a culture of openness and transparency, ensuring staff are informed about decisions relating to staffing and able to raise concerns.

The Act applies to approximately 13,000 staff across NHS Grampian, from 16 different clinical disciplines. These different clinical disciplines are known as the 'roles in scope'. A number of the duties within the Act are in place to ensure there are robust processes in place, with clear lines of escalation and consistent means of recording risks and decisions.

The reporting requirements of the Act will support both local and national workforce planning and encourage service redesign and innovation where appropriate. The legislation does not seek to prescribe a uniform approach to workload or workforce planning.

Year One Achievements and Progress

The primary focus in the first year of commencement has been increasing our understanding and gathering information on the systems and processes that are already in place and being used across NHS Grampian. Through a variety of different ways, we have been gathering this intelligence and trying to understand how our current processes meet the requirements of the Act.

When gathering all of the required information, it has given NHS Grampian new opportunities to connect various pieces of work together and increase the visibility of information relating to our workforce across the health and care system.

NHS Grampian has continued and progressed a number of initiatives which have contributed towards our aim to improve the outcomes of our patients whilst supporting their health, wellbeing and safety.

While many of the things below directly support our colleagues working across NHS Grampian, these steps will allow our colleagues to provide safe, high-quality care and improve outcomes for the citizens of Grampian. In year two of commencement, we hope to be able to explore further what difference this has made to our citizens.

- ✓ The first Community Appointment Day delivered as part of Putting People First and involving a range of clinical disciplines, third sector organisations and those with lived experience have proved to be extremely popular, with more than 120 people attending the first event.
- ✓ The Feedback Service continues to receive a range of feedback from citizens of Grampian. The experienced team utilise communication skills to help identify what really matters to Grampian's citizens to help NHS Grampian make positive changes and identify any issues.
- ✓ NHS Grampian continues to share feedback gathered from Care Opinion on our public facing website. This demonstrates our transparency and dedication to improvement and listening to how our citizens feel about their experiences with our health and care system.
- ✓ NHS Grampian has a patient representation network through Public Representatives. This allows the views of our citizens to be considered when making decisions directly related to care, which will help improve services and acknowledges lived experiences.
- ✓ Our commitment to achieving both Magnet Recognition and Pathway to Excellence designations for Nursing colleagues continues. These demonstrate our dedication to delivering outstanding care to our citizens while creating a supportive and enriching work environment for our colleagues. Our journey towards these recognitions reflects our passion for creating an environment where nurses and midwives can thrive.





- ✓ NHS Grampian recognises the link between increased staff wellbeing and the safety and quality of care provided to service users. NHS Grampian continues to develop resources to support staff wellbeing including the introduction of a weekly 'Wellbeing, Culture and Development' update to all colleagues. This includes signposting colleagues to a range of internal and external support.
- ✓ A collaboration by NHS Grampian's Area Clinical Forum and Area Partnership Forum launched "At your best with rest" in 2024 to support all colleagues to take breaks during working hours and to plan and take annual leave across the year. This ensures colleagues have opportunity to rest and recover.
- ✓ A targeted piece of work to improve Resident Doctor Rotas includes the appointment of Break Facilitators and development of materials to support Resident Doctors in achieving natural breaks throughout shifts. While this is still at an early stage, progress has been positive.
- ✓ International Recruitment is well established in NHS Grampian. In 2024 we had the first International Recruitment Nursing cohort in Scotland for Learning Disability and our fifth cohort for Mental Health Nursing. The third cohort of CESR Fellowship Programme was also completed – a process which commenced to improve recruitment into Medical Psychiatry Consultant posts.
- ✓ NHS Grampian continues its Accountability & Assurance process, sharing reports regularly with leadership teams across NHS services. This process encourages teams to consider their processes and compliance around a number of things such as risks, staffing, clinical outcomes and health and safety.
- ✓ The previous NHS Grampian Professional Assurance Framework (a document that details NHS Grampian's assurance systems and processes for clinical professional groups) has been updated to reflect current professional leadership structures along with relevant references following commencement of the Act.
- ✓ Duties, requirements and national resources relating to the Act continue to be shared across NHS Grampian during all relevant engagement, feedback and learning sessions. Shared learning between services and professional groups also takes place through the multi-professional Implementation Team.
- ✓ NHS Grampian identified that one of our IT systems can be used across in-patient and community nursing teams and physiotherapy teams as a mechanism for real-time staffing risk assessment. A checklist was developed for areas not using an IT system yet, to support our colleagues as they consider the required steps to assess and manage everyday staffing levels.

What does the Annual Report for 2024/25 tell us?

NHS Grampian recognises that progress towards compliance has been made since the Act commenced. As of March 2025, we identify that improvement is required to our governance, risk management and the controls put in place, to effectively manage risks and achieve full implementation of the Act. This places us at having 'Limited Assurance' with the Act overall, based on the declarations provided by Scottish Government.

What might stop us fully implementing the Act?

There are a number of things which may prevent us fully progressing with all aspects of the Act. The key ones are outlined below. We will monitor and help minimise these so they do not stop us delivering safe, high-quality care at all times.

	Competing System Pressures	Teams across the organisation are delivering care in a very busy system where other pieces of work may require immediate or urgent action. As a result, this impacts on the time our colleagues have to develop and deliver the necessary processes required by the Act.
	Financial Challenge	The challenging financial position nationally and specifically for us in NHS Grampian, continues to have the potential to impact progress with our overall assurance level. Our progress to date reflects the realities of our financial position as we work towards achieving financial balance.
	Consistency of Processes	The level of variation across the organisation continues to have the potential to impact progress with our overall assurance level. We are required to submit the annual report on behalf of all clinical professions and all NHS functions. Although progress has been made across various clinical professions and individual duties, we are asked to provide information on NHS Grampian's overall position and the consistency in which the duties are applied across the organisation.
	Complex Systems	Whilst we have made significant progress in adopting IT systems used to support the visibility of available staffing, its wider deployment is dependent on the resolution at national level of some compatibility issues with other established systems, which is out with our direct control.

Despite these challenges, there have been many opportunities for learning throughout the first year of the Act commencing. It has also raised a number of questions that we will need to consider going forward, to ensure we are meeting all of the requirements of the Act in an appropriate and meaningful way.

“As Clinical Directors, a key aspect of our role is ensuring that health and care services are appropriately staffed in line with the HCSA. This legislation is crucial in enabling the delivery of safe, high-quality care that leads to better patient outcomes and an improved patient experience. Over the past year, we have developed and strengthened our systems, governance structures, and processes to ensure closer alignment with the Act. This ongoing work allows us to uphold the highest standards of care while continuously improving service provision.”

Dr June Brown, Executive Nurse Director



The Act specifies a number of duties that we need to report on. A summary of our progress against each one, is captured below.

Duty to ensure appropriate staffing and guiding principles

This overarching duty seeks to ensure safe, high quality, person-centred care through having the right staffing in place. This means having the right people, with the right skills, in the right place, at the right time to provide care. This duty must be discharged alongside the guiding principles of the Act. These principles are based on the Staff Governance Standard and the Health and Social Care Standards.

While recognising the progress made in the first year of Act commencement, particularly following a Self-Assessment process and internal reports, NHS Grampian has not been able to progress all necessary requirements. This is primarily driven by the lack of consistency in which necessary systems and processes are robustly in place and utilised.

Duty to have real-time staffing assessment in place – and – Duty to have risk escalation process in place

Having processes in place to identify risks relating to staffing and then mitigating these or escalating them as required.

While it is acknowledged that all clinical professions do have a mechanism for determining real-time staffing risks and risk escalation, the processes are not consistently documented so further work is required. A checklist has been developed locally to support teams so they can consider the necessary processes required.

Duty to have arrangements to address severe and recurrent risks

Having processes in place on how information on staffing risks will be gathered, analysed, recorded and managed to try limit how often they occur again in the future or reduce the severity.

A dashboard has been created using Microsoft Power BI to visualise real-time severe and recurrent risks from one of our IT systems. These are formally reviewed each quarter at the NHS Grampian Clinical Risk Meeting. NHS services consider severe staffing risks through the internal Accountability and Assurance processes. Services delivered by our Health and Social Care Partnerships look at new high or very high risks monthly via governance structures for awareness and support with mitigations.

Duty to seek clinical advice on staffing

Having processes in place to consider and have regard of clinical advice when making staffing decisions and having arrangements for recording and explaining decisions that conflict with that clinical advice.

Clinical advice can be sought and is available during the working day and on-call systems. NHS Grampian's Professional Assurance Framework details the professional leadership and assurance structures across all regulated clinical professionals. Processes to enable raising a disagreement where actions conflict with advice requires further work to ensure consistency in discussions and documentation of these. Current documentation may be across a range of different ways.

Duty to ensure adequate time given to clinical leaders

Giving sufficient time and resources to clinical leaders so they can carry out their leadership responsibilities.

Our IT systems can help identify Clinical Leaders and these systems can report on their planned leadership time. This also includes when this leadership time is taken away for them to deal with real-time staffing risks. For teams that do not have these IT systems in place, there is no consistent process to understand if sufficient time for clinical leaders is planned. Job Planning for Consultants does incorporate time for medical leadership and this includes educational and clinical supervisor commitments.

Duty to ensure appropriate staffing: training of staff

Ensuring that staff are provided with information and training to make sure they are suitably qualified and competent in their role and able to implement the duties required in the Act.

NHS Grampian aims to provide appropriate time and resource for staff to attend training and development opportunities that will be of benefit to the individual, their patients and the wider organisation. Internal resources include Statutory and Mandatory Training Framework, Corporate Induction, TURAS Appraisal, TURAS Learn and Manager Development. NHS Grampian's Professional Assurance Framework describes the relevant training requirements for all regulated clinical professionals.

Duty to follow the Common Staffing Method (CSM), including training and consultation of staff

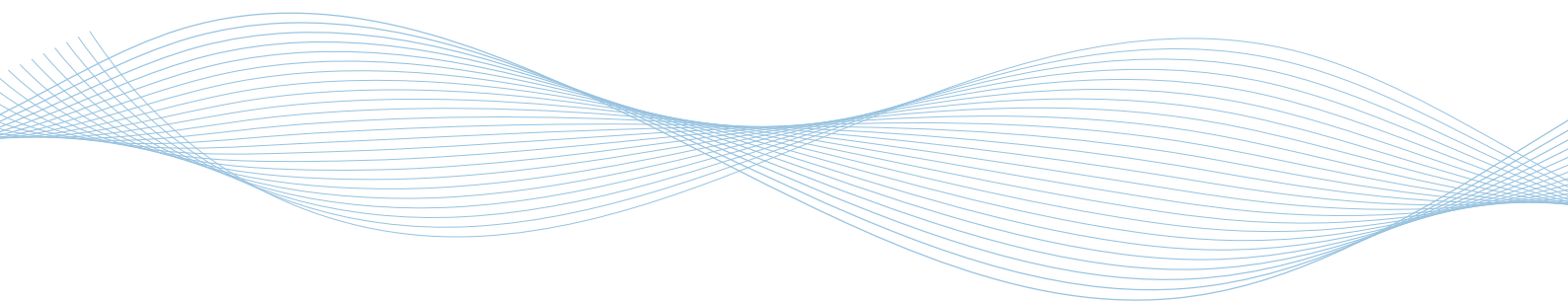
The CSM is a consistent process with nine components that determines the staffing provision required for certain types of health care. This includes using specific staffing level tools and professional judgement tools and a range of other considerations. The Act requires the entire process to be completed a minimum of once per year and staff should be appropriately trained and consulted on the entire process. Currently this is only relevant for nursing, midwifery and medical colleagues in Emergency Department.

NHS Grampian's agreed processes for staff who follow the Common Staffing Method were not consistently applied across the first half of 2024/25. The inconsistency resulted in missing intelligence and oversight. A group of different staff from across NHS Grampian have developed a Standard Operating Procedure (SOP) that will ensure processes are followed correctly and consistently. This SOP is ready to implement for the start of 2025/26.

Planning and Securing Services

The aim of this requirement is to ensure that service users receive safe, high-quality care and the best outcomes regardless of who the healthcare provider is. This could be private healthcare providers, third sector or healthcare from another health board.

With a strong culture of staff governance and Partnership working, the guiding principles and appropriate staffing arrangements are considered when planning services from others. However, these considerations are not fully documented, and development of robust processes will require further consideration. NHS Grampian supports Fair Work First criteria when planning and securing services from a third party.



What happens after April 2025?

We will continue to progress implementation of the Act and follow our route to substantial assurance - what we call locally our pathway to green. Working towards our pathway to green on all aspects of the Act will continue beyond the first year of commencement.

We will continue to report our progress (and any challenges) to the Grampian NHS Board and Staff Governance Committee regularly, and to Scottish Ministers on an annual basis.

Throughout the next year we plan to take on board the learning from our first Annual Report and continue to support teams and services to progress and share good practice. Local action plans will help us implement and continue our pathway to green.

"Our Health and Social Care Partnership (HSCP) teams continue to do amazing work across the wide range of support and care we provide in partnership and we're incredibly appreciative of the hard work that's been done to date to assess our progress with implementing the principles of the Health and Care Staffing Act in order to improve experience for both patients and our staff. As HSPCs, with significant commissioning and social care provision responsibilities, we continue to work as both social care providers and our commissioned services to ensure we continue to address our duties and, through that, improve the experience and outcomes of people accessing those services."

Judith Proctor - Moray HSCP Chief Officer, and Fiona Mitchelhill - Aberdeen City HSCP Chief Officer



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