



Health and Care (Staffing) (Scotland) Act 2019
Annual Report 1st April 2025 – 31st March 2026

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1. Introduction

North Lanarkshire Council have legislative responsibilities under the scope of the Health and Care (Staffing) (Scotland) Act 2019.

As a provider of registered care and support services, the Act 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.

North Lanarkshire Council comply with the guiding principles of the Act through the application of safer recruitment principles, effective deployment of staff, provision of training and by responding to feedback from stakeholders, including the Care Inspectorate. Effective workforce planning including staff contingency arrangements, underpin the application of robust governance frameworks, to ensure people in receipt of care and support provided directly by North Lanarkshire Council, can meet their agreed outcomes.

This annual report centres on North Lanarkshire Council's duty to pay regard to defined factors outlined within Section 3(2) of the Health and Care (Staffing) (Scotland) Act 2019, when planning or securing the provision of a care service from a third party.

North Lanarkshire Council has implemented robust contact monitoring processes which take account of the requirements of the Act. Contract monitoring is not an aspect of annual reporting but an important assurance to reference. Qualitative and quantitative data is analysed by North Lanarkshire Council throughout the contract duration and in doing so indicators of concern such as non-compliance with the Act, can be identified, allowing for early intervention.

Commissioned services are viewed as equal and valued partners and there is an established commitment to coproducing and designing existing and new service models and initiatives. This philosophy encourages transparency and enables the care and support of people to be central to decision making.

2. Legislative Responsibilities

Section 3(2) of the Health and Care (Staffing) (Scotland) Act 2019

Under section 3(2) of the [Health and Care \(Staffing\) \(Scotland\) Act 2019](#) (“the Act”), every local authority and integration authority must have regard to a number of listed factors when planning or securing the provision of a care service from a third party:

- the guiding principles in the Act (section 1 of the Act);
- the requirement on care service providers to have regard to the guiding principles (section 3(1) of the Act);
- the duty on care service providers to ensure appropriate staffing (section 7 of the Act);
- the requirement on care service providers with regard to training of staff (section 8 of the Act);
- the requirement on care service providers to have regard to guidance issued by the Scottish Ministers (section 10 of the Act);
- the duties on care service providers under [Chapter 3 of Part 5 of the Public Services Reform \(Scotland\) Act 2010](#), for example with regard to registration of care services; and
- the duties on care service providers under Chapter 3A of Part 5 of the Public Services Reform (Scotland) Act 2010, for example with regard to the use of any prescribed staffing methods or staffing tools. Note that the [Health and Care \(Staffing\) \(Scotland\) Act 2019](#) inserted chapter 3A into the Public Services Reform (Scotland) Act.

Section 3(6) of the Health and Care (Staffing) (Scotland) Act 2019

Section 3(6) of the Act states that relevant organisations must publish information annually on the steps they have taken to comply with the requirement in section 3(2) regarding the planning and securing of care services and any ongoing risks that may affect their ability to comply with this requirement.

3. Reporting Guidance

This template should be used by local authorities and integration authorities to publish the information required and should be read in conjunction with the statutory guidance that accompanies the Act, specifically chapter 15.

The information in this template should relate to the financial year, i.e. 01 April to 31 March. All reports must be published by 30 June at the latest each year.

In order to collate the information published, the Scottish Government also requests that you send the completed template to hcsa@gov.scot.

4. Declaration

Name of local authority / integration authority: North Lanarkshire Council
Report authorised by:

Name Maria Barry

Designation Interim Chief Officer (Getting it Right for everyone)

Date: 29th June 2026

Please mark all relevant boxes to show which services have been taken account in this report:

X	Support services
X	Care home services
	School care accommodation services
	Nurse agencies
	Child care agencies
	Secure accommodation services
	Offender accommodation services
	Adoption services
	Fostering services
X	Adult placement services
	Child minding
	Day care of children
X	Housing support service

Details of where the report will be published: [Safe Staffing | North Lanarkshire Council](#) and [About Us | Health and Social Care North Lanarkshire](#)

5. Compliance with section 3 (2) of the Health and Care (Staffing)(Scotland) Act 2019

Please detail the steps you have taken as an organisation to comply with section 3(2) of the Health and Care (Staffing) (Scotland) Act 2019:

3(2) In planning or securing the provision of a care service from another person under a contract, agreement or other arrangements, every local authority and every integration authority (within the meaning of section 59 of the Public Bodies (Joint Working) (Scotland) Act 2014) must have regard to—

- (a) the guiding principles for health and care staffing, and*
- (b) the duties relating to staffing imposed on persons who provide care services—*
 - (i) by virtue of subsection (1) and sections 7 to 10, and*
 - (ii) by virtue of Chapters 3 and 3A of Part 5 of the Public Services Reform (Scotland) Act 2010.*

Care Homes National Care Home Contract (NCHC)

North Lanarkshire Council did not plan or secure care homes under this contract between 1st April 2025 to 31st March 2026.

Children's Residential Care and Education, including Short Break, Services –

North Lanarkshire Council purchase from this framework which is owned and managed by Scotland Excel. There were no new services planned or secured under this contract between 1st April 2025 to 31st March 2026.

Fostering and continuing Care

North Lanarkshire Council purchase from this framework which is owned and managed by Scotland Excel. There were no new services planned or secured under this contract between 1st April 2025 to 31st March 2026.

Self-Directed Support (SDS), including Care at Home Services

North Lanarkshire Council detailed in the Health and Care (Staffing) (Scotland) Act 2019 Annual Report 2024 – 2025, procurement activity relating to Entry Point 4 of the Self-Directed Support (SDS), including Care at Home Services Framework. Tender submissions from organisations were invited from December 2024 with a contract start date of 1st April 2025. This year we can confirm that 26 providers were added to this framework. Details of providers and associated lots are below:

Service Name	CI Registration Number	Self-Directed Support - Adults	Self-Directed Support - Children	Self-Directed Support – Care at Home
24 7 Elite Healthcare Ltd	CS2024000210	x		x
Amaris Care Ltd	CS2018365454	x		x
Baal-Perazim Care Services Ltd	CS2019373072	x		x
Caring Hearts	CS2013316709	x		x
Caring Spirit Group	CS2022000354	x		x
Carluke Dignity Care	CS2023000263	x		x
Cluaran HCS Limited	CS2021000098	x		x
Compcare	CS2003054298	x		x
Crosspoint Care Agency Ltd	CS2024000062	x		x
DKL	CS2024000233			x
Easdale Healthcare	CS2024000300	x		x
Epitome Home Care	CS2017359115			x
Flexible Healthcare One Solutions Ltd	CS2024000057	x		x
Greymate Care Ltd	CS2022000233	x		x
Imperial Care HCS Ltd	CS2024000237	x		x
Katvic Ltd	CS2023000353	x		x
Lerue Healthcare	CS2024000139	x		x
Medd Care Services	CS2023000221	x		x
Melbird Care	CS2024000078	x		x
Newcross Healthcare	CS2020380764	x	x	x
Nursing 24/7 Ltd	CS2024000222	x		x

Safe at Home Care Support Ltd	CS2024000251	x		x
Stoneywood Care Services Ltd (now known as Gateways Housing Support)	CS2019378301	x		x
Surecare Glasgow	CS2024000328	x		x
The No1 Care Agency	CS2017358049	x		x
Trust Housing	CS2004062641			x

The Self-Directed Support (SDS), including Care at Home Services Framework is owned by North Lanarkshire Council. It is a ten-year framework which runs from 2021, and it will expire in 2031. There is annual entry points built into the Framework, at which times organisations can submit tender applications. Entry Point 5 will open in 2026.

Procurement

All organisations tendering to be an approved provider on the Self-Directed Support (SDS), including Care at Home Services Framework must include evidence of being registered with the Care Inspectorate to provide care at home services. Registration with the Care Inspectorate provides assurance of the following:

- Staffing levels have been assessed and defined. The [assessment-of-staffing-levels-in-premises-based-care-services](#) is used by the Care Inspectorate at the time of registering building-based services but serves as a useful guide during follow up Inspections or contract monitoring visits.
- suitability to deliver care at home services
- applicant and manager of the proposed care service are fit to provide or manage a care service. This includes assessing a potential provider's integrity, character, and financial background and, where the applicant will also manage the service, assessing their skills, knowledge, and experience
- premises in which the proposed care service will be provided are fit to be used for that purpose
- the proposed service will make all the proper provisions for the health, welfare, independence, choice, privacy, and dignity of everyone using the service.
- Declarations and references completed for all relevant individuals (directors, committee members etc) directly associated with the applicant
- financial information/declarations satisfactory
- aims and objectives of the service are suitable

- All plans and reports approved (for example, environmental health report, planning permission, building warrant, completion certificate or permission from landlord)
- Suitable policies/procedures relating to complaints, child and/or adult protection, medication, infection control, food and nutrition, promoting positive behaviour / use of restrictive practices (service dependant), recruitment (only applicable to childminders where they are employing an assistant).
- Additional policies requested as deemed appropriate by the Care Inspectorate approved.

Where a provider registered with the Care Inspectorate has been awarded grades of weak (2) or above, when entering the framework, North Lanarkshire Council support the provider to make the required improvements prior to the issuing of any call offs from the framework.

Care Inspectorate reports are scrutinised and improvement plans taken forward with the provider,

Tender applications focus on values and principles, the health and wellbeing of people, training, on-going professional development, pricing methodology, recruitment and retention of staff.

Serious organised crime checks are carried out by Police Scotland for Directors of new providers.

North Lanarkshire Council have signposted all those with responsibilities for planning or securing services with a third party, to relevant training outlining the scope of the Act. They are in the process of developing their own e-learning module which will be mandatory for all social work staff.

Contracting

Contractual terms and conditions which apply to North Lanarkshire Self-Directed Support (SDS), including Care at Home Services Framework, outline the following:

The Contractor shall: -

- provide the services in accordance with the specification and the National Care Standards.

- where requested to do so, provide the council with a list of the names of all the contractor's staff who may be involved in delivering services and giving such other particulars as the council may reasonably require;
- at all times allocate sufficient resources with the appropriate expertise to provide the services in accordance with this agreement;
- ensure that all staff involved in the provision of the services:
 - are appropriately qualified, trained and experienced to provide the services with all reasonable skill, care and diligence;
 - act in accordance with good industry practice and, where applicable, the Standards; and
 - comply with all reasonable requirements of the council concerning conduct at the premises for the performance of the services; and clearly display an identity card showing the name and address of the contractor and bearing the name and photograph of the member of staff or some form of identifying corporate wear while providing the Services;
 - retain overall control of the contractor's staff at all times so that the contractor's staff shall not be deemed to be employees, agents or contractors of the council;
 - notify the council immediately of any change in the number of staff involved in the delivery of the services which will or is likely to impact on the delivery of the services and agree with the Council the steps the contractor is required to take to ensure that there is no detriment to the provision of the services;
 - use all reasonable endeavours to minimise the number of changes in the contractor's staff; and
 - replace (temporarily or permanently, as appropriate) at its cost any contractor's staff as soon as practicable if they have been removed or are unavailable for any reason whatsoever.
- If the Council reasonably believes that any of the contractor's staff are unsuitable to undertake work in respect of this agreement, it may by written notice to the Contractor direct the Contractor to end the involvement of the provision of the Services of the relevant person(s).

Contract Mobilisation

During the contract mobilisation period North Lanarkshire Council carry out a series of visits to the provider premises and at this time documentation is sampled. This may include staff rotas, and schedules, records of stakeholder feedback about staff deployment, experience and conduct, service development plans, application of safer recruitment and the overall application and knowledge of the guiding principles of the Act. An initial action plan is agreed with the provider at this time for follow up during contract mobilisation, or before dependent on risk assessment.

6. Compliance Risks

Please detail any ongoing risks that may affect your ability to comply with the duty set out in section 3(2).

North Lanarkshire Council have a Self-Directed Support (SDS) Framework including Care at Home Services. This is a 10-year framework with annual entry points, as referenced above. This framework has been live since 2021 and will continue until 2031. Substantial modifications cannot be made to the tendering phase throughout the remaining entry points which limits the scope to expand on the evaluation of the providers commitment and knowledge of the Act.

The Care Inspectorate do not define training requirements for a provider at the time of registration. Staff training is determined by the needs of the people being supported which is a fluid and dynamic process. To include training requirements as part of any competitive tendering process may not achieve the desired outcome as a result. North Lanarkshire Council take a person-centred approach to the expectations of providers to update their training plans as and when the needs and aspirations of people change.

The experience of the social care workforce continues to pose a challenge which is in most cases unlikely to be reflected in its entirety, within a provider's day to day staffing

ratios. Financial sustainability of providers impacts significantly on staffing levels and how these are assessed, with many providers notably continuing to focus their assessments solely on dependency tools, rather than taking account of the wider guiding principles.

The sector is hugely dependent on the employment of International Workers whereby there is a need for more intensive and focused training to minimise the impact of potential cultural differences on people. International workers are committed and caring individuals however would benefit from more nurturing, coaching, mentoring styles of on-the-job learning. This approach has resource implications, especially in care at home settings when there is little supervision of staff available.