

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

## Annual Report 2025/26

Name of local authority / integration authority: Dundee Integration Joint Board / Dundee City Council

Report authorised by: Dundee Integration Joint Board (24 June 2026) and Dundee City Council (City Governance Committee) (22 June 2026)

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Designation: Chief Officer, Dundee Integration Joint Board / Interim Executive Director, Children and Families Service, Dundee City Council

Date: 24 June 2026

Details of where the report will be published:

- [Publications | Dundee Health and Social Care Partnership](#)
- [Children's and Community Justice Social Work | Dundee City Council](#)

Services which have been taken into account in this report:

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

# 1. Context

## 1.1 Local Governance Arrangements

The Dundee Integration Joint Board (IJB) was established on 1 April 2016. In Dundee, adult health and social care functions have been delegated to the IJB; a full list is set out in the Dundee Health And Social Care Integration Scheme 2022. Children’s health and social care functions remain with NHS Tayside and Dundee City Council respectively.

The IJB is a separate legal body, independent of NHS Tayside and Dundee City Council. It is responsible for planning adult health and social care services, including services secured through contracts, agreements or other arrangements with third-party providers.

Dundee City Council is responsible for planning children’s social care, social work and early years services, including those delivered by third-party providers. Both the IJB and the Council also have a role in planning housing support services.

The IJB cannot enter into contracts directly with third-party providers. Where it plans to commission a service, it directs Dundee City Council or NHS Tayside to procure it and put the necessary contractual arrangements in place.

In Dundee, a dedicated Social Care Contracts Team supports the commissioning and procurement of social care, social work, early years and housing support services planned by the IJB or Dundee City Council.

In relation to the services listed under Section 47 (1) of the Public Services Reform (Scotland) (Act) 2010 local arrangements for the planning and procurement of services are summarised below:

Services planned for by Dundee IJB	Services planned for by Dundee City Council
<p>a support service (adults only);  a care home service (adults only);  a nurse agency;  an adult placement service; and  a housing support service.</p>	<p>a support service (children and community justice only);  a care home service (children only);  a school care accommodation service;  a child care agency;  a secure accommodation service;  an offender accommodation service;  an adoption service;  a fostering service;  child minding;  day care of children; and  a housing support service.</p>
Services secured (procured) by Dundee City Council	
<p>a support service;  a care home service;  a school care accommodation service;  a child care agency;  a secure accommodation service;  an offender accommodation service;</p>	<p>an adoption service;  a fostering service;  an adult placement service;  child minding;  day care of children; and,  a housing support service.</p>

Section 3(6) of the *Health and Care (Staffing) (Scotland) Act 2019* requires each local authority and integration authority to publish an annual report on the steps taken to comply with the Act when planning and securing services, and on any ongoing risks to compliance. Dundee IJB and Dundee City Council have agreed to produce a single annual report covering all social care and social work services, including early years and housing support services.

## 1.2 Local Planning and Commissioning Arrangements

### 1.2.1 Adult Services

The IJB is responsible for the strategic commissioning of delegated adult health and social care functions. It must publish a strategic commissioning plan and review it every three years. The current strategic framework, published in 2023, is the: [IJB Strategic Commissioning Framework 2023-2033](#). It sets out the main priorities and strategic shifts for adult health and social care services, including support services, care home services, adult placement services and housing support services.

The framework is supported by a range of other planning documents, including strategic plans for specific care groups such as mental health and wellbeing and carers. Individual services within Dundee Health and Social Care Partnership also maintain service plans, setting out in more detail their delivery priorities and areas for improvement.

### 1.2.2 Children and Families Services (including Community Justice)

The Children and Families Service Improvement Plan 2023–27 has been developed in line with the priorities set out in the Tayside Plan for Children, Young People and Families and in the Council Plan and City Plan, alongside statutory requirements, policy drivers, best practice research, demographic trends, and a review of recent performance and improvement needs.

Implementation of the plan is monitored by the Children and Families Service Senior Leadership Team, working with early learning and childcare settings, primary, secondary and special schools, and social work teams. Where progress depends on partner services, including commissioned services, monitoring is carried out with the relevant organisations and formal partnership groups.

Individual services, including commissioned early learning and childcare services such as day care of children and childminding, must also develop and monitor their own annual improvement plans.

### 1.2.3 Neighbourhood Services

The IJB Strategic Commissioning Framework sets out the overall priorities and strategic directions for our external housing support services, ensuring that these services are person-centred and comply with legislative requirements, thereby reflecting the Guiding Principles of the Health and Care (Staffing) (Scotland) Act 2019.

The Rapid Rehousing Transition Plan (RRTP) supports the strategic commissioning framework and involves collaboration with our Health and Social Care partnership and the third sector accommodation providers to ensure that individuals experiencing homelessness can access suitable accommodation with the appropriate support to suit their needs. In 2025/26, Dundee City Council also approved a new Local Housing Strategy and formally declared a housing emergency, strengthening the strategic context for housing support and homelessness services across the city.

## 1.2.4 Commissioning and Procurement

All commissioning and procurement activity for social care services is supported by a specialist Social Care Contracts Team. As part of the Strategic Commissioning Cycle, the team contributes to strategic planning and advises on and supports all procurement activity. Procurement activity is carried out inline with:

Procurement law framework	Socia care procurement / commissioning
Public Contracts (Scotland) Regulations 2015 – sets out a set of light touch rules for procuring services valued at over £663,540.	Social Work (Scotland) Act 1968 – key underlying legislation relevant to social care.
Procurement Reform (Scotland) Act 2014 – sets out rules for procuring services valued at between £50,000 and £663,540.	Social Work (Scotland) Act 1968 – key underlying legislation relevant to social care.
Procurement (Scotland) Regulations 2016 – set out rules for procuring services valued at between £50,000 and £663,540.	Regulation of Care (Scotland) Act 2001 – to improve the standards of social care services.
	Community Care and Health (Scotland) Act 2002 – introduces free personal care for older people and rights for unpaid carers.
	Mental Health (Care and Treatment) (Scotland) Act 2003 – to develop community-based mental health services and involve service users in decisions.
	Adult Support and Protection (Scotland) Act 2007 – gives greater protection to adults at risk of harm or neglect.
	Social Care (Self Directed Support) (Scotland) Act 2013 – key legislation relevant to Self-Directed Support.
	Community Justice (Scotland) Act 2016 – to improve community justice outcomes.
	Carers (Scotland) Act 2016 – to improve support for all carers.
	Local Government in (Scotland) Act 2003 – key legislation relevant to local authorities achieving best value in all that they do.

*Reproduced from: Coalition of Care and Support Providers in Scotland: A Brief Guide for procuring Social Care services*

Procurement routes and options for social care services (including early years and housing support services) include:

- Competitive tender
- Flexible frameworks / mini competitions
- Outcome-based contract and monitoring
- Public Social Partnerships
- Alliance Contracts
- Participatory budgeting

- Direct awards

All procurement activity is carried out in line with the legislative framework and the relevant provisions of Dundee City Council's Standing Orders. A draft Social Care Procurement Policy has also been developed to reflect the requirements of the 2019 Act.

Once procurement is complete, the Social Care Contracts Team and Legal Services support the agreement of contracts and the associated contract monitoring arrangements. All services are covered by a contract, although the form this takes varies depending on the value of the award, the nature of the service, and the funding source. Most arrangements use a model social care contract, although frameworks and funding agreements may also be used where appropriate.

### 1.3 Planning and Procurement Activity – 01 April 2025 – 31 March 2026

All social care contracts with providers are reviewed on an annual basis and renewed where contract monitoring outcomes and strategic planning activity supports this. This annual cycle reflects the budgetary cycles followed by both the Dundee IJB and Dundee City Council. In summary for 2025/26 this included:

- 223 social care services with an anticipated total annual value of just over £78.5 million.  
Including:
  - 41 services purchased for children's social care, including awards made via the Education Support Services and Counselling in Schools Frameworks (valued at £5.5 million per annum).
  - 182 services purchased for adult social care.
- 38 Early Learning and Childcare Services (including childminders) contracted to offer funded ELC (valued at £6 million per annum).

In addition to this, Care Home Services are secured via the National Care Home Contract which is administered by Scotland Excel.

## 2. Compliance - Section 3 (2) of the Health and Care (Staffing) (Scotland) Act 2019:

### 2.1 Guiding Principles

#### 2.1.1 Adult Social Care and Social Work

The Guiding Principles of the 2019 Act<sup>1</sup> closely reflect the principles that already underpin a wide range of legislation, national standards and outcomes, and regulation and scrutiny frameworks for adult social care and social work services, including:

- [National Health and Wellbeing Outcomes: A framework for improving the planning and delivery of integrated health and social care services](#)
- [Health and Social Care Standards: My support, my life](#)
- Public Bodies (Joint Working) (Scotland) Act 2014
- Equality Act 2010
- Care Inspectorate Quality Frameworks for adult support and protection, care homes for adults and older people, support services, housing support services and nurse agencies (available at: [Quality frameworks and KQ7s](#))

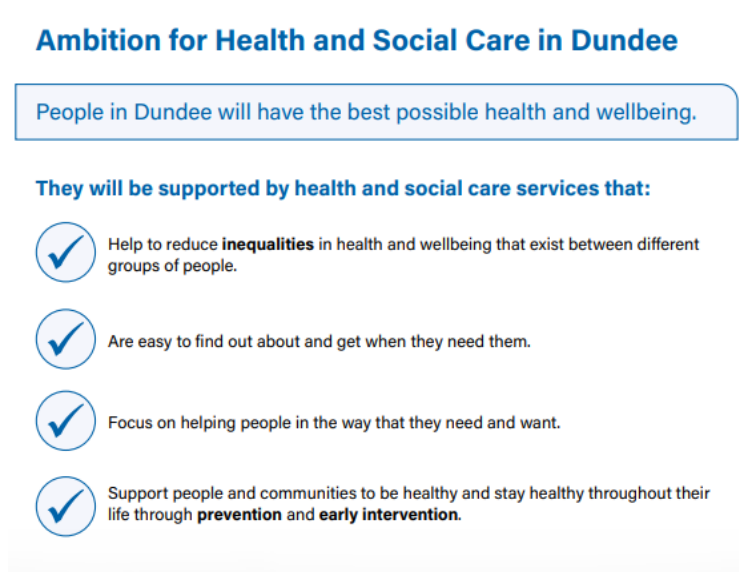


Figure 1 IJB Ambition for Health and Social Care in Dundee

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<sup>1</sup> The Guiding Principles are:

1. Improving standards and outcomes for service users; 2. Taking account of the particular needs, abilities, characteristics and circumstances of different service users; 3. Respecting the dignity and rights of service users; 4. Taking account of the views of staff and service users; 5. Ensuring the wellbeing of staff; 6. Being open with staff and service users about decisions on staffing; 7. Allocating staff efficiently and effectively; and, 8. Promoting multi-disciplinary services as appropriate.

Subsequently these Guiding Principles have also been incorporated into the IJB's Strategic Commissioning Framework and are reflected both in the IJB's ambition for health and social care in Dundee, in the IJB's values and in their Strategic Priorities (and related strategic shifts). This means that the Guiding Principle are central to all Strategic Commissioning activity led by the IJB, including planning for the procurement of services from third party providers.

The Integration Joint Board's Values	
<b>Human rights</b>	Making sure that everything we do promotes and protects the human rights of everyone in Dundee.
<b>Equality and fairness</b>	Working in a way that understands the differences between people and communities so that everyone gets the help that they need to have good health and wellbeing.
<b>Whole life</b>	Contributing to good health and wellbeing from birth to death, including supporting people to have a good death. Supporting other public services in their leadership of work to promote good health and wellbeing in the early years and throughout childhood.
<b>Collaborative</b>	Making sure that we listen to and work together with people who use health and social care services, <b>unpaid carers</b> and the workforce.
<b>Innovative</b>	Testing new, improved and better approaches to promoting health and wellbeing.
<b>Compassionate</b>	Making sure that we treat everyone with kindness, compassion and dignity. This includes people who use health and social care services, <b>unpaid carers</b> and the health and social care workforce.
<b>Transparent</b>	Making sure that we communicate clearly with the public about the decisions we make, why we have made them and the impact they have had on health and wellbeing.
<b>Empowering</b>	Working with people and communities to share power, make decisions and support them to access the things they need to meet their own health, wellbeing and social care needs.
<b>Sustainability</b>	Investing in services and supports that make the best use of the money and other <b>resources</b> that the <b>IJB</b> has just now to reduce the future demand on health and social care services. Using evidence about 'what works' to help the <b>IJB</b> to do this. Working in a way that helps to reduce the impact of climate change on the future health and social care needs of people.

Figure 2 IJB Values



Figure 3 IJB Strategic Priorities

**Guiding Principles 2 and 3** - All IJB decisions about planning health and social care services, including those involving services purchased from third-party providers, are subject to Equality Impact Assessment in line with the Equality Act 2010. These assessments are published in an accessible format.

**Guiding Principle 4** - As required by the Public Bodies (Joint Working) (Scotland) Act 2014 and related guidance, the IJB's Strategic Commissioning Framework was developed through engagement with people who use health and social care services, unpaid carers, local communities, and the workforce. The statutory review of the framework carried out in 2025/26 also included engagement with these groups. Further information is available in the: [Strategic Commissioning Framework 2023-2033 - Statutory Review](#) (from page 13).

**Guiding Principle 4** - In 2025/26, the IJB also carried out a public consultation to inform the 2026/27 budget-setting process. This included proposals relating to social care and social work services, including services purchased from the third and independent sectors. Changes were made to the consultation process in response to feedback from the previous year, including in-person and online sessions for providers, the workforce and the public. Further information is available in the: [Dundee IJB Budget Consultation - Results Report](#)

**Guiding Principle 5** – Dundee IJB and Dundee Health and Social Care Partnership have adopted a whole-system approach to staff wellbeing, regardless of employer. This means staff employed by Dundee City Council, NHS Tayside, and third and independent sector organisations can access workforce wellbeing resources developed for the Partnership. These include learning and development opportunities, self-care resources, signposting and referral information, and tailored team support from Learning and Organisational Development colleagues.

**Guiding Principles 4 -8** - In June 2025, the Dundee IJB approved a fully updated version of the *Dundee Health and Social Care Partnership Integrated Workforce Plan 2025–2028*. The revised plan reflects the requirements of the 2019 Act and its Guiding Principles, with stronger focus on workforce arrangements within third and independent sector providers. It identifies several key challenges, including an ageing workforce, gaps in workforce data, high absence levels, workforce communication and engagement, workforce availability, succession planning, access to shared staffing tools, capacity for change and transformation, and access to learning and development resources. Further information is available in the [DHSCP Integrated Workforce Plan 2025-2028](#)

**Guiding Principles 5 and 7** – The IJB's Strategic Risk Register was also fully updated in 2025/26 (see page 111 at: [DIJB February 2026](#)). It now includes three risks directly relevant to the 2019 Act: workforce capacity, external provider sustainability, and engagement. These reflect ongoing challenges linked to recruitment, retention and staff wellbeing identified through the review of the Integrated Workforce Plan. The IJB, through its Performance and Audit Committee, monitors strategic risks quarterly and uses this information to inform strategic planning and commissioning.

## 2.1.2 Children and Families Services (including Community Justice)

The Guiding Principles of the 2019 Act<sup>2</sup> closely reflect the principles that already underpin a wide range of legislation, national standards and outcomes, and regulation and scrutiny frameworks for Children and Families services (including Community Justice), including:

- The Children (Scotland) Act 1995
- Children and Young People (Scotland) Act 2014
- Children (Care and Justice) (Scotland) Act 2024
- Adoption and Children (Scotland) Act 2007
- Community Justice (Scotland) Act 2016
- Working with children in conflict with the law 2021: standards
- Secure care: pathway and standards
- National Care Standards: Foster Care and Family Placement Services
- Social work services in the criminal justice system: National Outcomes and standards
- Care Inspectorate Quality Frameworks for children and young people in need of care and protection, childcare agencies introducing and supplying childcare staff, secure accommodation services, care homes for children and young people and school care accommodation (special residential schools), support services (not care at home), fostering, adoption and adult placement services, (available at: [Quality frameworks and KQ7s](#))

The Guiding Principles are built into all aspects of commissioning within Children and Families Services, including Community Justice. This is supported through regular engagement and discussion with commissioned services to ensure support and interventions meet the assessed needs of children, young people and their families. Monitoring of commissioned services focuses on outcomes and identifying unmet need, helping to inform future service development. The Guiding Principles also support Dundee City Council's aim of making sure children, young people and families get the right support at the right time, with a whole-family and place-based approach.

The guiding principles are evidenced throughout Dundee City Councils strategic plans, including:

- [Dundee City Plan](#)
- [Dundee Council Plan](#)
- Protecting People Delivery Plans
- [Community Justice Outcome Improvement Plan](#)
- Children's Services Partnership Plan 2026-2029

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<sup>2</sup>The Guiding Principles are:

1. Improving standards and outcomes for service users; 2. Taking account of the particular needs, abilities, characteristics and circumstances of different service users; 3. Respecting the dignity and rights of service users; 4. Taking account of the views of staff and service users; 5. Ensuring the wellbeing of staff; 6. Being open with staff and service users about decisions on staffing; 7. Allocating staff efficiently and effectively; and, 8. Promoting multi-disciplinary services as appropriate.

**Guiding Principle 1** - We improve standards and outcomes for service users by ensuring compliance with service-specific regulations and standards, which are central to our commissioning and monitoring discussions with partner providers. The impact of support is reviewed for each child through Child's Plan Meetings, and this informs ongoing monitoring. Outcomes are also measured through regular audit and self-evaluation.

**Guiding Principle 2** - We take account of the different needs, abilities, characteristics and circumstances of service users through regular analysis of data, helping us identify emerging patterns of need and vulnerability. Participation and engagement also help us better understand families' experiences of support. This informs future planning and discussions with partner providers about the type and level of services required.

**Guiding Principle 3** - We respect the dignity and rights of service users by ensuring our own compliance, and that of partner providers, with data protection legislation and confidentiality requirements. We also make sure robust complaints processes are in place, clearly communicated to families, and used to capture and act on learning. Where appropriate, we support people to access legal advice. Families' experiences of services, including complaints, are reflected in monitoring discussions with providers.

**Guiding Principle 4** – We gather the views of service users in ways that work best for them. Children and families are regularly involved in planning through Child Planning Meetings, including Team Around the Child, Looked After Child Reviews and Core Group Meetings. Their views are gathered through direct contact, advocacy and a range of approaches designed to help children express themselves. We have also developed a framework to capture the views of children living in our residential houses and their families. This includes children who are non-verbal because of age or disability. Staff views are gathered through surveys, focus groups and annual conferences, and are used to inform the development and review of services.

**Guiding Principle 6** – We are open with staff and service users about commissioning and staffing decisions, and aim to communicate these clearly through both regular and targeted engagement. Safer staffing is considered in all commissioning and monitoring arrangements, and is also proactively addressed when children are placed away from their family through placement-matching discussions.

**Guiding Principle 7** – We work with commissioned providers to allocate staff efficiently and effectively, based on a clear understanding of the needs of children, young people and families. Providers are expected to have robust recruitment processes in place, with regular review of the skills required for each role and arrangements to identify ongoing development needs through supervision.

**Guiding Principle 8** - We actively promote multi-agency working through partnership planning at both strategic and operational level. This begins at the first point of contact through the Multi-Agency Screening Hub and continues across the full continuum of support through GIRFEC approaches, from Team Around the Child meetings to Child Protection, Looked After Children and Care and Risk Management processes. Multi-agency data is used to inform service delivery,

supported by a range of partnership-led initiatives and policies that strengthen collaborative working, including:

- Chief Officers Group
- Chief Officer Group for Protecting People
- Children at Risk Committee
- Alcohol and Drugs Strategic Group
- Children, Families and Communities Committee
- Local Community Planning Partnership
- Risk and Assurance Board
- Child Poverty Executive Board
- Dundee's Young people Strategic Group
- Our Promise Partnership
- GIRFEC Leadership Group

### 2.1.3 Early Learning and Childcare

The Guiding Principles of the 2019 Act closely reflect the principles that already underpin a wide range of legislation, national standards and outcomes, and regulation and scrutiny frameworks for Early Learning and Childcare (ELC) services, including:

- [Funding follows the child and the national standard for early learning and childcare providers: operating guidance 2025](#)
- [Quality improvement framework for the early learning and childcare sectors](#)
- The Education (Scotland) Act 1980
- The Children and Young People (Scotland) Act 2014
- [Health and Social Care Standards: My support, my life](#)

All ELC providers including Local Authority Nurseries and Funded Providers are expected to give ongoing consideration to the guiding principles outlined in the Health and Care (Staffing) (Scotland) Act 2019 as exemplified below:

#### **Improving standards and outcomes for service users. Sources of evidence:**

- Meeting the ELC National Standard.
- Developing and implementing an annual Improvement Plan and Standards and Quality report.
- Ongoing, collaborative self-evaluation which seeks or takes account of the view of children, families and staff – regular consultation with families is encouraged.
- Regular and ongoing quality assurance processes/audits which reflects 'A quality improvement framework for the early learning and childcare sectors'.

#### **Taking account of the needs, abilities, characteristics and circumstances of different service users. Sources of evidence:**

- Adhering to Care Inspectorate Personal Planning Guidance.
- Having robust planning and evaluation processes in place that reflects
- A quality improvement framework for the early learning and childcare sectors'.

- Individual planning, where required / appropriate, taking account of Getting it Right for Every Child (GIRFEC) approach.
- Child protection training takes place annually and at the point of induction to ensure that children are safe and protected.

**Respecting the dignity and rights of service users. Sources of evidence:**

- Adhering to Care Inspectorate Personal Planning Guidance.
- Ongoing development, review and implementation of establishment level vision, values and aims.

**Taking account of the views of staff and service users. Sources of evidence:**

- Regular questionnaires, staff surveys and meeting with parents.
- Children’s voice is regularly sought in responsive planning, learning journals and Team Around the Child processes.
- Ongoing, collaborative self-evaluation which involves children, families and staff, taking account of ‘A quality improvement framework for the early learning and childcare sectors’.
- Families are involved in planning to meet their child’s needs through a GIRFEC approach, including Team Around the Child Meetings.
- Settings are encouraged to seek the views of families in a range of ways, including both formal and informal approaches.
- Regular staff meetings and staff development activity supports staff to share their voice and views in a range of ways.

**Ensuring the wellbeing of staff. Sources of evidence:**

- Staff are supported through an annual appraisals/Quality Conversations/ PRD approach.
- Staff development is relevant to the staff’s needs and the service improvement plan, building staff competence and capacity.
- Induction processes refer to the National Induction Resource.
- Ongoing quality assurance/auditing provides staff with feedback to support continuous improvement.
- A range of well-being resources are available for Local Authority staff.

**Being open with staff and service users about decisions on staffing. Sources of evidence:**

- Handbooks/ foyer displays reflect the staff team and are visible / available to families.
- Changes to the staff team are shared with families through appropriate forms of communication, including newsletters / updates.

**Allocating staff efficiently and effectively. Sources of evidence**

- Senior leadership teams deploy staff across the setting, taking account of children’s needs and staff skills and knowledge.
- A range of posts ensures that children have access to suitably qualified staff.

### Promoting multidisciplinary services as appropriate. Sources of evidence:

- Multi – disciplinary working is promoted and supported through a GIRFEC approach, including Team Around the Child Meetings.
- Any referral to another agency is with permission from families.
- Individual planning is in place where required.

#### 2.1.4 Neighbourhood Services

The Health and Social Care Standards set out what is required for support services in Scotland and describe the standard of care a person can expect. The standards in conjunction with the 5 principles of dignity and respect, compassion, be included, responsive care and support and wellbeing align with the guiding principles in the act.

Support services for people experiencing homelessness are all registered services with the Care Inspectorate and the work they do is already reflected in the care inspectorate standards and inspections.

Where there is not complete alignment through Health and Social Care standards, support contracts incorporate and reflect the Guiding Principles of the 2019 Act both through service specifications constructed for individual services and standard contractual clauses that reflect both the expectations of Dundee City Council from the service provider and references to a range of legislative requirements relevant to the provision of social care.

## 2.2 Commissioning and Procurement

### 2.2.1 Social Care, Social Work and Housing Support

All social care services purchased by the Council (either on its own behalf or following direction by the IJB) are subject to a contractual arrangement. For the majority of services model contract specific to social care services is used<sup>3</sup>, which incorporates:

- **Section A** – Terms and conditions, governance arrangements, including requirement to report significant events, complaints etc.
- **Section B** – Service Specification, applicable to service, details expectations for service, aims and objectives and outcomes.
- **Section C** – Monitoring – outlines roles and responsibilities of monitoring group members, monitoring format, reporting requirements and agreed timescales for monitoring.

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<sup>3</sup> Where a framework or funding letter is used as an alternative to the model contract this will include terms and conditions and services specifications that are aligned to the content of the model contract.

- **Section D** – Finance – detailing contract values, payment schedule and financial monitoring template.

Overall, contracts reflect the Guiding Principles of the 2019 Act through both service specifications for individual services and standard contract clauses. These set out Dundee City Council’s expectations of providers and refer to the legislative requirements relevant to social care, social work and early years services. In relation to specific Guiding Principles the 2024/25 model contract key clauses include:

Table 1:

Guiding Principle	Contract Clauses
1. Improving standards and outcomes	<p>A requirement for providers to implement quality assurance systems to ensure effective working practices and required standards.</p> <p>A requirement for providers to have in place a recognised form of external accreditation, such as the Good Governance Award.</p> <p>A requirement to regularly review all policies and procedures in line with best practice.</p> <p>Detailed requirements for contract monitoring.</p>
2. Taking account of individual needs, abilities and characteristics	<p>A requirement on providers to have in place clear policy statements and procedures in relation to all aspects of public protection.</p> <p>Requirements to provide information to service users prior to the service commencing and to regularly review care and support plans.</p> <p>Requirements to ensure the provider complies with the Human Rights Act 1998 and Equality Act 2010.</p>
3. Respecting dignity and rights	<p>Requirements in relation to maintaining the confidentiality of people using the service and to comply with data protection legislation.</p> <p>A requirement on providers to have in place a robust complaints procedure.</p>

Guiding Principle	Contract Clauses
	Requirements to ensure the provider complies with the Human Rights Act 1998 and Equality Act 2010.
4. Taking account of the views of staff and people	A requirement on providers to utilise advocacy and interpretation, or other communication supports, where required to enable service users to utilise the service.
5. Ensuring the wellbeing of staff	<p>A requirement on providers to pay due regard to the Council's Fair Work Charter when employing staff.</p> <p>A requirement on providers to comply with the Scottish Social Services Council Employers' Code of Practice.</p> <p>A requirement on providers to have a clear policy statement and procedures to support them to be a Carer Positive employer.</p> <p>Requirements to have in place appropriate insurances.</p>
6. Being open with staff, individuals and families about staffing	A requirement on providers to ensure compliance with Duty of Candour.
7. Allocating staff effectively and efficiently	<p>Requirements in relation to employment of staff undertaking Regulated Work (PVG).</p> <p>A requirement on providers to ensure sufficient qualified, trained and experienced staffing is in place at all times, and in particular to meet staffing requirements agreed by the Care Inspectorate where applicable.</p> <p>A requirement to utilise agency staff only in exceptional circumstances, and not to utilise volunteers to substitute for employed staff in any circumstance.</p> <p>A requirement on providers to follow safer recruitment practices.</p>

Guiding Principle	Contract Clauses
	<p>A requirement on providers to comply with any requirement for staff to register with the Scottish Social Services Council.</p> <p>A requirement on providers to comply with the Health and Care (Staffing) (Scotland) Act 2019.</p>

Service specifications for individual services also reflect a person-centred approach and the principles set out in the national *Health and Social Care Standards*. They describe the service being commissioned, including its purpose, scale, aims, service user group and level of need. They also set out staffing arrangements, including relevant staff roles and any expectations about the number of people supported or hours of service to be provided. Where services are registered with the Care Inspectorate, specifications also reflect the staffing ratios set for that service area. Alongside the contractual clauses set out in sections 5 and 7 of Table 1, this helps meet the requirements of section 7 of the 2019 Act.

Although the 2019 Act does not require Dundee IJB and Dundee City Council to evidence ongoing monitoring of safer staffing in contracted services, all services are subject to robust contract monitoring and to registration and scrutiny by the Care Inspectorate and the Scottish Social Services Council. The IJB, through the HSCP, and Dundee City Council work closely with both bodies and take assurance from their scrutiny and inspection activity.

Provider Forums are also in place for care home, care at home and learning disability services. These are independently chaired, include multi-agency representation, and provide a forum to discuss shared issues such as workforce planning, recruitment, retention and safer staffing. An all-provider email system is also in place to share national and local information, with a dedicated mailbox for providers to use. Providers are also given information about relevant learning and workforce development sessions that they can attend.

### 2.2.2 Early Learning and Childcare

Education authorities' duties to secure education for children under school age are set out in the *Education (Scotland) Act 1980*. Under section 47(1) of the 2014 Act, education authorities must ensure that the statutory funded early learning and childcare entitlement is available to every eligible child in their area. The Children and Families Service regularly monitors demand and capacity across public, private and third sector provision to make sure eligible children can access their entitlement.

To support high-quality delivery of funded ELC, the Scottish Government introduced the *Funding Follows the Child* approach alongside the expansion of entitlement. This is a provider-neutral

approach, underpinned by a National Standard that all settings must meet to deliver funded ELC, regardless of whether they are in the public, private or third sector, including childminders.

This means families can access funded ELC with the provider of their choice, provided that the setting meets the National Standard, wishes to deliver the funded entitlement, has capacity, and has or is willing to enter into a contract with the local authority.

On a bi-annual basis the Children and Families Service opens an application process for eligible services who wish to deliver the funded entitlement. The framework remains in place for four years, after which a full re-tendering process is undertaken. Applicants must show how they meet, and will continue to meet, the National Standard for ELC for the duration of the contract. These requirements are aligned with the *Health and Care (Staffing) (Scotland) Act 2019*.

By entering into a commissioned agreement, funded providers agree to meet a number of requirements. These include delivering a high-quality ELC service in line with the National Standard, ensuring funded hours are free at the point of access, and paying the real Living Wage to staff delivering the funded entitlement.

At application stage, services must provide evidence of compliance, which is assessed by the Children and Families central team and the Social Care Contracts Team before contracts are awarded. This includes evidence of compliance with the 2019 Act. Relevant questions and sources of evidence are outlined below:

Table 2:

Questions	Evidence required
<p>Care Inspectorate quality evaluations are good or better on key questions that relate to quality of staff teams and leadership.</p> <p>If you are a current provider in a Service Improvement Period</p> <p>If your service has not yet been inspected – please tick N/A in the Eligibility Questionnaire and continue to question 1.2</p>	<p>Copy of most recent Care Inspection report</p> <p>Copy of most recent Care Inspection report If grade below Good (4) - Copy of Service Improvement Plan including details of when you anticipate re-inspection</p>
<p>All staff included in the ratio and delivering funded provision for 3- and 4-year-olds, and eligible 2-year-olds, will hold the relevant benchmark qualification or be working towards it if within the first period of registration with SSSC</p>	<p>Provide details/ evidence that includes employee name, position held, age group working with, type of contract, SSSC number and registration category, qualification held, requirements to meet registration requirements and date of completion, number of years relevant experience</p> <p>Most recent Care Inspectorate Registration</p>
<p>Adult: child ratio for 3- and 4-year-olds is 1:8 as per CI requirements</p>	<p>Care Inspectorate Registration Certificate Staffing Structure</p>

Questions	Evidence required
Adult: child ratio for 2-year-olds is 1:5 as per CI requirements	
All SSSC registered staff are achieving the continuous professional learning as set by the SSSC.	Staff training plan Copy of previous years CPD record for all staff working with funded children
That all new staff delivering the funded entitlement within the last year are familiar with the content of the most up-to-date version of the national induction resource	Confirm yes/ no  Upload /provide details/ evidence e.g. Copy of Induction Plan
Care Inspectorate quality evaluations are good or better on the key question that relates to quality of care, play and learning.  If you are a current provider in a Service Improvement Period  If your service has not yet been inspected – please tick N/A in the Eligibility Questionnaire and continue to question 2.2	Copy of most recent Care Inspection report  If grade below Good (4) - Copy of your Service Improvement Plan including details of when you anticipate re-inspection
Do you have a framework to support children’s learning that is informed by national guidance and is appropriate to support individual children’s development and learning through child centred play pedagogy?	Please upload/ provide details/ evidence of your framework that takes cognisance of national guidance and supports individual child development and learning through child-centred play pedagogy e.g. curriculum rationale, vision, values and aims, learning framework, curriculum guide, learning and teaching and assessment policy.
Care Inspectorate quality evaluations are good or better on the key question that relates to quality of the setting.  If you are a current provider in a Service Improvement Period  If your service has not yet been inspected – please tick N/A in the Eligibility Questionnaire and continue to question 2.2	Copy of most recent Care Inspection report  If grade below Good (4) - Copy of your Service Improvement Plan including details of when you anticipate re-inspection
The setting uses relevant national self-evaluation frameworks to self-evaluate and systematically identify strengths and areas for improvement	Copy of latest self-evaluation or details/evidence of how you identify strengths and areas for improvement
The service has a service improvement plan developed in line with self -evaluation evidence, evidence from Education Scotland and Care Inspectorate scrutiny activities, research and national practice guidance, to	Copy of most recent service improvement plan and standards and quality report

Questions	Evidence required
continuously improve the quality of provision and outcomes for children and families	
The setting must comply with the duties under the Equality Act 2010 and related Health and Social Care Standards	Copy of your Equalities Policy and/ or Inclusion Policy and Admissions Policy
The setting will be willing to provide appropriate support, including making any reasonable changes to the care and learning environment, in order to meet the individual needs of the child.	Copy of your ASN Policy, including statements in relation to GIRFEC and Staged Intervention (Team Around the Child/Child's Planning).
Children Occupancy Information	Children occupancy information  Actual numbers for last 3 years Projected numbers for next year commencing August 2025
Fair work practices, including payment of the Real Living Wage	Please provide a statement regarding your approach to fair working practices including your agreement to paying at least the Real Living Wage to all staff who are delivering funded early learning and childcare. Documents may include: <ul style="list-style-type: none"> <li>• Policy documents</li> <li>• Induction documentation</li> <li>• Ongoing training and development information</li> <li>• Statement on rates of pay</li> <li>• Terms and conditions of employment contracts</li> <li>• A qualitative statement on Fair Work Practices, including payment of the Real Living Wage</li> <li>• Appraisal plans</li> <li>• Employment contracts</li> <li>• Statements of vision, values and aims</li> </ul>

## 2.3 Ensuring Appropriate Staffing

Information on how strategic commissioning plans and the model social care contract are used to help ensure third-party services have appropriate, suitably qualified and competent staff is set out in section 2.2 of this report, as required by section 7 of the 2019 Act.

Procurement processes assess both quality and cost, with significantly greater weight given to quality. Method statement templates are used so providers can show how they will meet the

published service specification, including staffing requirements such as staffing levels, staff skills, and staff support and wellbeing. Method statements are evaluated against set scoring criteria, with a quality threshold to ensure all providers meet a minimum standard. Where available, providers are expected to use evidence from Care Inspectorate scrutiny and inspection activity in their submissions.

Where a provider is awarded a service or accepted onto a framework, due diligence checks are then carried out. This may include agreeing staffing levels where these have not already been confirmed. This is more common under an ethical commissioning approach, where there is a stronger focus on outcomes, innovation and flexibility, and staffing levels may need to be finalised once the preferred model of service delivery has been identified.

## 2.4 Ensuring Appropriate Training

The model contract requires providers to comply with Scottish Social Services Council (SSSC) registration requirements. This is important in ensuring staff have ongoing access to the training and qualifications needed to carry out their role, as required by section 8 of the 2019 Act.

In adult social care services, work has taken place with the Care at Home sector since 2022 to implement Fair Work Principles across all new and renewed contracts. Where providers meet these principles, including support for training and further qualifications, they are paid for the full care shift. Evaluation of this approach shows that staff have greater financial security, feel more valued and respected, have higher motivation and morale, and experience less anxiety. Reported benefits for service users include more personalised support, better continuity of care, and quicker access to services, contributing to reduced inequalities in outcomes.

As the Care Inspectorate has not yet published staffing tools for the social care, social work or early years sectors, there was no activity in 2025/26 relating to training on staffing tools.

## 2.5 Implementation of National Guidance

As at 31 March 2026, the Care Inspectorate had not published any staffing tools for social care, social work or early years services, and the Scottish Government had not issued any additional guidance for these sectors. The statutory guidance has informed the revision of the HSCP Workforce Plan, the statutory review of the IJB Strategic Commissioning Framework 2023–2033, and the content of this annual report. Dundee IJB and Dundee City Council will continue to monitor any future guidance or staffing tools to support ongoing compliance with section 10 of the 2019 Act in planning and securing services under contract, agreement or other arrangements.

The Social Care Contracts Team and the Early Years Central Team work closely with the Care Inspectorate and maintain oversight of scrutiny and inspection outcomes for all contracted services.

Where concerns are identified about service quality, including staffing arrangements, these are addressed through contract monitoring. This is done collaboratively with the Care Inspectorate and the provider to agree improvement actions, timescales and follow-up arrangements.

### 3. Risks and Challenges to Compliance

Having considered the requirements of the 2019 Act, Dundee City Council and Dundee IJB have identified a small number of current and potential future challenges in relation to compliance with the requirements of the Act.

**Financial pressures and provider sustainability** - The Council and the IJB recognise that social care, social work, and early learning and childcare providers are operating in a very difficult financial climate. These services rely heavily on staff, so most of their costs are linked to pay. At the same time, Councils and IJBs are working within reducing budgets while trying to protect the quality and availability of services for the public. This has a direct impact on front-line care. No extra funding has been provided to support the new duties introduced by the 2019 Act, including additional regulation and more specialist training for staff. Looking ahead, there is also concern that future staffing tools developed by the Care Inspectorate, if approved by Scottish Ministers, could increase the number of staff providers are expected to have, adding further financial pressure.

**Workforce challenges** – Recruitment and retention remain significant issues across social care, social work, and early learning and childcare. There are particular concerns about how attractive these roles are, especially where pay and wider financial incentives remain limited. This makes it harder to build and keep a stable workforce. Although there has been a stronger focus on staff wellbeing and workforce planning, providers are still likely to face ongoing difficulties in recruiting and retaining skilled staff. This in turn makes it more challenging to maintain safe and appropriate staffing levels.

**Legislative clarity and expectations** – Dundee IJB and Dundee City Council would welcome clearer and more detailed guidance from the Scottish Government on the requirements of the 2019 Act, including reporting expectations. Guidance tailored to social care, social work, and early learning and childcare would help services understand what is expected and support consistent compliance. It should also reflect the day-to-day governance arrangements within IJBs and HSCPs, which can make implementation more complex. More detailed sector-specific guidance on planning, securing, and reporting duties would be especially helpful.

**Duplication of requirement and reporting** – Many of the duties set out in the 2019 Act for social care, social work, and early learning and childcare are already covered by existing legislation, guidance, and scrutiny arrangements. For example, there is overlap with regulation and inspection by the Care Inspectorate and the Scottish Social Services Council. Reporting requirements also duplicate information already included in other key reports, such as the Care Inspectorate annual return for early learning and childcare services, the IJB's statutory Annual Performance Report, and the Chief Social Work Officer's Annual Report. Streamlining these requirements would support a more efficient approach to implementation and reporting, while also making information on compliance clearer and easier for the public to understand.