
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2023 No.

**The Health and Care (Staffing) (Scotland)
Act 2019 Amendment Regulations 2023**

Amendment of the Health and Care (Staffing) (Scotland) Act 2019

3.—(1) The Health and Care (Staffing) (Scotland) Act 2019 is amended in accordance with paragraphs (2) to (4).

(2) In section 4(2) (NHS duties in relation to staffing)—

- (a) in inserted section 12IC(2)(d) of the 1978 Act (duty to have real-time staffing assessment in place), after “(a)” insert “, (b)”,
- (b) in inserted section 12ID(2)(h) of the 1978 Act (duty to have risk escalation process in place), for “(f)” substitute “(g)”,
- (c) in inserted section 12IL(e)(ii) of the 1978 Act (training and consultation of staff), for “(b) and (c)” substitute “(b), (c) and (d)”.

(3) In section 5(5)(c) (application of duties to certain Special Health Boards), in each place it occurs for “12IA, 12IC and 12ID” substitute “12IA, 12IC, 12ID, 12IE, 12IF, 12IH and 12II”.

(4) In section 12(2) (functions of SCSWIS in relation to staffing methods), in inserted section 82C(3) of the 2010 Act (review and redevelopment of staffing methods), after “(5)” insert “, (6)”.