

Health and Care (Staffing) (Scotland) Act 2019

Annual Report 2024/25

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

Report authorised by: Dundee Integration Joint Board (18 June 2025) and Dundee City Council (City Governance Committee) (23 June 2025)

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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](#)

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 of delegated functions can be found at: [Dundee Health And Social Care Integration Scheme 2022](#). Children's health and social care functions have been retained by Dundee City Council and NHS Tayside.

The IJB operates as a separate legal body acting independently of NHS Tayside and Dundee City Council. The IJB is therefore responsible for the planning of adult health and social care services, including planning for services to be secured via a contract, agreement or other arrangements from a third-party service provider. Whilst Dundee City Council is responsible for the planning of children's social care, social work and early years services, including those secured from third party providers. Both Dundee City Council and Dundee IJB are involved in planning of housing support services.

The IJB does not have the authority to enter a contract with a third party to provide a service. Where the IJB plans for the commissioning of a service from a third party it will direct Dundee City Council or NHS Tayside to procure the service, including all required contractual arrangements.

In Dundee a dedicated Social Care Contracts Team supports the commissioning and procurement of all social care services (including adults and children's social care and social work services and early years services) that are planned for by the IJB or by Dundee City Council. The team also supports the commissioning and procurement of housing supports services planned for by the IJB or the 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 every local authority and integration authority to publish information annually on the steps they have taken to comply with the requirements of the Act in relation to planning and securing services and any ongoing risks that may affect their ability to comply with these requirements. Dundee IJB and Dundee City Council have agreed to produce an integrated annual report covering all social care and social work services (including early years services 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. They must publish a strategic commissioning plan and review this plan every three years. The IJB's current strategic framework was published in 2023: [IJB Strategic Commissioning Framework 2023-2033](#). The framework sets out the overall priorities and strategic shifts for adult health and social care services, including for support services, care home services, adult placement services and housing support services.

The Strategic Commissioning 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), as well as plans for functions such as property and workforce planning.

In addition, individual operational services within the Dundee Health and Social Care Partnership maintain their own service plans. These set out in further detail areas for delivery and improvement in terms of specific areas of service delivery.

1.2.2 Children and Families Services (including Community Justice)

The Children and Families Service Improvement Plan 2023-27 has been developed in the context of the priorities outlined in the Council Plan and City Plan, alongside existing statutory requirements, policy drivers, research on best practice, demographic trends and a review of recent performance and areas for improvement.

The implementation of this plan is monitored by the Children and Families Service Senior Leadership Team in collaboration with all early learning and childcare settings, primary, secondary and special schools and social work teams. Where progress is dependent upon partner services, including in respect of commissioned services, monitoring will occur in partnership with individual organisations and/or formal partnership groups.

Individual services including commissioned Early Learning and Childcare (ELC) Services (Day Care of Children and Childminding) are required to develop and monitor their own service Improvement Plan which sets out areas for improvement on an annual basis.

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.

1.2.4 Commissioning and Procurement

All commissioning and procurement activity for social care services is supported via a specialist Social Care Contracts Team. As part of the implementation of the Strategic Commissioning Cycle the team contribute to strategic planning for and advise on and support 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 undertaken in line with the legislative framework as well as the relevant provisions within Dundee City Council's Standing Orders. A draft Social Care Procurement Policy has been developed, and it is anticipated that this will be submitted to the relevant bodies for approval during 2025/26; the draft policy fully reflects and incorporates the requirements of the 2019 Act.

Following the conclusion of procurement activity the Social Care Contracts Team, alongside Legal Services, support the process of agreeing contracts and subsequent contract monitoring arrangements. All services are subject to a contract, however the format of this can vary depending on the overall financial value of the award, the nature of the service and the source of funding. The vast majority of contractual arrangements are implemented via a model social care contract, however frameworks and funding agreements might also be used where appropriate.

1.3 Planning and Procurement Activity – 01 April 2024 – 31 March 2025

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 2024/25 this included:

- 137 social care services with an anticipated total annual value of just under £65 million. Including:
 - 44 services purchased for children's social care, including awards made via the Children and Families Framework (valued at £1 million per annum).
 - 89 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 Act¹ 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](#))

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.

Ambition for Health and Social Care in Dundee

People in Dundee will have the best possible health and wellbeing.

They will be supported by health and social care services that:



Help to reduce **inequalities** in health and wellbeing that exist between different groups of people.



Are easy to find out about and get when they need them.



Focus on helping people in the way that they need and want.



Support people and communities to be healthy and stay healthy throughout their life through **prevention** and **early intervention**.

Figure 1 IJB Ambition for Health and Social Care in Dundee

¹ 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.

The Integration Joint Board's Values	
Human rights	Making sure that everything we do promotes and protects the human rights of everyone in Dundee.
Equality and fairness	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.
Whole life	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.
Collaborative	Making sure that we listen to and work together with people who use health and social care services, unpaid carers and the workforce.
Innovative	Testing new, improved and better approaches to promoting health and wellbeing.
Compassionate	Making sure that we treat everyone with kindness, compassion and dignity. This includes people who use health and social care services, unpaid carers and the health and social care workforce.
Transparent	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.
Empowering	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.
Sustainability	Investing in services and supports that make the best use of the money and other resources that the IJB has just now to reduce the future demand on health and social care services. Using evidence about 'what works' to help the IJB 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

Inequalities
Support where and when it is needed most.
 Targeting **resources** to people and communities who need it most, increase **life expectancy** and reduce differences in health and wellbeing.

Self Care
Supporting people to look after their wellbeing.
 Helping everyone in Dundee look after their health and wellbeing, including through **early intervention** and **prevention**.

Open Door
Improving ways to access services and supports.
 Making it easier for people to get the health and social care supports that they need.

Planning together
Planning services to meet local need.
 Working with communities to design the health and social care supports that they need.

Workforce
Valuing the workforce.
 Supporting the health and social care workforce to keep well, learn and develop.

Working together
Working together to support families.
 Working with other organisations in Dundee to prevent poor health and wellbeing, create healthy environments, and support families, including **unpaid carers**.

Figure 3 IJB Strategic Priorities

Guiding Principles 2 and 3 - All decisions made by the IJB in relation to the planning of health and social care services, including those that result in the purchasing of services from a third-party provider, are subject to Equality Impact Assessment (as required by the Equality Act 2010). Following audit activity undertaken by the Equality and Human Rights Commission in 2022, the IJB has worked throughout 2023 and 2024 to make improvements to the process for and quality of impact assessments (see: [DIJB1-2023.pdf](#)). Improvements made over this period have focused on ensuring that all decisions are supported by an impact assessment, that the quality of impact assessments is sufficient to support the IJB in their decision making and that impact assessments are published in an accessible manner.

Guiding Principle 4 - As required by the Public Bodies (Joint Working) (Scotland) Act 2014 and associated guidance, the IJB's Strategic Commissioning Framework was developed through engagement with people who use health and social care services, unpaid carers, wider communities and the health and social care workforce. More information can be found about this process in the Framework. [IJB Strategic Commissioning Framework 2023-2033](#).

Guiding Principle 4 - During 2024/25 the IJB also undertook a public consultation to inform the 2025/26 budget setting process. This included consultation regarding elements of the budget relating to social care and social work services, including services purchased from the third and independent sector. Further information regarding the budget consultation process and outcomes can be found at: [Dundee IJB Budget Consultation Results 2025/26 | Dundee Health and Social Care Partnership](#).

Guiding Principle 5 – The Dundee IJB and Dundee Health and Social Care Partnership has adopted a whole system approach to supporting staff wellbeing, regardless of employer. This means that members of the workforce employed by Dundee City Council, NHS Tayside and within organisations in the third and independent sector are able to access workforce wellbeing and support resources that have been developed for the Partnership. Workforce wellbeing encompasses a wide range of learning and development opportunities, self-care resources, sign-posting and referral information, and tailored team inputs led by Learning and Organisational Development colleagues.

Guiding Principles 4 -8 - Dundee IJB approved the Dundee Health and Social Care Partnership's first [workforce plan](#) in June 2022 in response to national workforce planning guidance issued by the Scottish Government. In December 2024 the Scottish Government set out the requirement for a further workforce plan submission to be made to them in March 2025. In early 2025, an internal audit of [Dundee IJB Workforce](#) (see page 129) was completed and made recommendations for improvements to the approach used to deliver workforce planning in the Partnership. Taken together, these developments provided an important opportunity to undertake a full update of the Integrated Workforce Plan. Significant progress has been made in revising the workforce plan during the final quarter of 2024/25 and it is anticipated that the updated plan will be submitted to the IJB for approval in June 2025. The revised plan will fully reflect the requirements on the 2019 Act, including the Guiding Principles, and expands the focus on workforce arrangements within third and independent sector providers of health and social care services.

Guiding Principles 5 and 7 – During 2024/25 Dundee IJB's Strategic Risk Register included two risks with direct relevance to the 2019 Act: Staff Resource and, Viability of External Providers (see page

145 at [ijb160425ag.pdf](#)). Both of these risks reflect the ongoing challenges associated with workforce recruitment, retention and wellbeing in the context of wider financial pressures within the adult health and social care sector. The IJB, via its Performance and Audit Committee, monitors strategic risks on a quarterly basis, and utilised information from the risk register to inform strategic planning and commissioning activity.

2.1.2 Children and Families Services (including Community Justice)

The Guiding Principles of the 2019 Act² 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 schoolcare 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 incorporated into all aspects of commissioning within Children and Families Services (including Community Justice) through regular engagement and discussion with commissioned services to ensure that support and intervention meets the assessed needs of children, young people and their families. The monitoring and overview process around commissioned services focuses on measuring the outcome of intervention, and identification of unmet need, which informs further development of services. The guiding principles support Dundee City Council's aim in ensuring that children, young people and their families receive the right support at the right time, and that there is a whole family focus to support, which ensures that the relevant supports are in place.

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

²The Guiding Principles are:

2. 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.

- [Tayside Plan for Children, Young People and Families 2023-26](#)
- [Dundee City Plan](#)
- [Dundee Council Plan](#)
- Protecting People Delivery Plans
- [Community Justice Outcome Improvement Plan](#)
- Our Promise Partnership Plan 2023- 2025

Guiding Principle 1 - We Improve standards and outcomes for service users through compliance with our service specific regulations and standards which are at the forefront of our commissioning and monitoring discussions with partner providers. We ensure that the impact of support is reviewed at an individual level through Child's Plans Meetings and this then informs monitoring discussions. Impact and outcomes are measured through regular audit and self-evaluation activity.

Guiding Principle 2 - We take account of the particular needs, abilities, characteristics and circumstances of different service users through regular interrogation of data which ensures we are aware of the emerging patterns of needs and vulnerabilities of our families. Through participation and engagement, we are able to have a better understanding of how our families experience the supports and this allows us to future plan what services are needed and where, informing monitoring discussions with partner providers in relation to types and levels of service provision.

Guiding Principle 3 - We respect the dignity and rights of service users through ensuring our own and partner compliance in data protection legislation by maintaining the confidentiality of all those using our services. We ensure robust complaint systems are in place, that these are communicated effectively to our families and that we capture and act on any learning arising from complaints. Where appropriate, we actively encourage and support people to obtain legal advice. Families' experiences of services, including complaints are factored into monitoring discussions with providers.

Guiding Principle 4 – We take account of the views of service users through a variety of methods based on what works best for them. Children and their families' views are regularly sought and incorporated into planning within Child Planning Meetings (Team around the Child, LAC Review, Core Group Meetings) through direct contact, use of advocacy and a number of different methods specifically designed to allow children to share their views. We ensure that we consider the views of children who are non-verbal through age or disability. We take account of the views of staff through surveys, focus groups and annual conferences. When considering the development of new services or reviewing existing services, we ensure the views of frontline staff are collated and incorporated.

Guiding Principle 6 – We are open with staff and service users about decisions on commissioning and staffing, and aim to communicate this effectively both on a regular and bespoke basis. We ensure safer staffing conversations are incorporated into all commissioning and monitoring arrangements and proactively considered whenever a child is being placed outwith the care of their family within placement matching discussions.

Guiding Principle 7 – We allocate staff efficiently and effectively in partnership with commissioned providers through understanding the needs of our families and the services they require to have

their needs met. All providers are required to have in place robust recruitment practice, this ensures regular review of desired and essential skills required and ongoing development needs are identified through supervision arrangements.

Guiding Principle 8 - We proactively promote multi-disciplinary services through partnership planning at both strategic and operational level and through our interventions. This happens at the very first point of contact with our service through our Multi-Agency Screening Hub and is evidenced across the continuum of intervention through GIRFEC approaches ranging from Team around the Child Meetings to Child Protection, Looked After Children and Care and Risk Management. Multi-agency data is analysed and used to inform service delivery, and we have a number of initiatives and policies based on partnership approaches which drive and oversee multi agency collaboration and service delivery 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 2023](#)
- [Care Inspectorate quality framework for daycare of children, childminding and school-aged childcare March 2022](#)
- [How good is our Early Learning and Childcare](#)
- 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 reflect the Care Inspectorate Quality Framework, and How Good is our Early learning and Childcare (HGIOEL&CC).

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 the Care Inspectorate Quality Framework and HGIOEL&CC.
- 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 the Care Inspectorate Quality Framework and HGIOELCC.
- 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 used³, 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.
- **Section D** – Finance – detailing contract values, payment schedule and financial monitoring template.

As a whole, 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, 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	A requirement for providers to implement quality assurance systems to ensure effective working practices and required standards. A requirement for providers to have in place a recognised form of external accreditation, such as the Good Governance Award. A requirement to regularly review all policies and procedures in line with best practice. Detailed requirements for contract monitoring.

³ 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.

Guiding Principle	Contract Clauses
<p>2. Taking account of individual needs, abilities and characteristics</p>	<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>
<p>3. Respecting dignity and rights</p>	<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> <p>Requirements to ensure the provider complies with the Human Rights Act 1998 and Equality Act 2010.</p>
<p>4. Taking account of the views of staff and people</p>	<p>A requirement on providers to utilise advocacy and interpretation, or other communication supports, where required to enable service users to utilise the service.</p>
<p>5. Ensuring the wellbeing of staff</p>	<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>

Guiding Principle	Contract Clauses
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> <p>A requirement on providers to comply with any requirement for staff to register with the Scottish Social Services Council.</p> <p><i>The model contract will be updated for 2025/26 to include a specific requirement on providers to comply with the 2019 Act.</i></p>

In addition, service specifications for individual services will reflect a person-centred approach to service provision and the principles and approach set out in the national Health and Social Care Standards. This will also incorporate details of the service being purchased (including the nature, size, aims and objectives of the services and number and needs of service users), including the detail of specific staff posts and any expectations relating to the number of service users to be supported / hours of service to be provided aligned to that staffing group. Where services are registered services with the Care Inspectorate this will also reflect the staffing ratios they have set for the relevant service area. This element of the Contract, taken alongside contractual clauses outlined in sections 5 and 7 of Table 1 are integral to meeting the requirements of Section 7 of the 2019 Act.

Although the 2019 Act does not require the IJB and Dundee City Council to evidence ongoing monitoring of safer staffing within contracted services, it is important to note that all services are subject to robust, ongoing contract monitoring arrangements and in addition are subject to registration and scrutiny requirements via both the Care Inspectorate and Scottish Social Services Council. The IJB and Dundee City Council work closely with both of these regulatory bodies and take

assurance from the outcome of their scrutiny and inspection activities. As part of the post-contract interface with providers local Provider Forums are in place for Care Home, Care at Home and Learning Disability Services, which are chaired independently from the IJB / HSCP but have multi-agency representation and provide a forum to discuss common experiences, including issues in relation to workforce planning, recruitment, retention and safer staffing. An all-provider email has been established to ensure a mechanism to share national and local information, with an all-provider email box available for all providers to use. Providers are given information about learning and workforce development sessions which are open for them to attend if relevant.

2.2.2 Early Learning and Childcare

Education authorities' functions to secure education for children under school age are provided for in the Education (Scotland) Act 1980. Under section 47(1) of the 2014 Act, an education authority must ensure that the statutory amount of funded early learning and childcare entitlement is made available for each eligible child belonging to its area. The Children and Families Service regularly monitors demand and overall capacity to ensure all eligible children can access their entitlement across the public, private and third sector context.

In order to ensure that the funded entitlement is delivered in high quality ELC settings, a Funding Follows the Child approach was introduced by the Scottish Government alongside the statutory roll-out of the expanded entitlement. Funding Follows the Child ensures the delivery of high quality funded ELC. The approach is 'provider neutral' and is underpinned by a National Standard that all settings – regardless of whether they are in the public, private or third sector, including childminders – have to meet in order to be able to deliver funded ELC.

For families this means that they will be able to access funded ELC with the provider of their choice – in the public, private, or third sector, including childminders – if that provider meets the criteria set out in the National Standard, wishes to deliver the funded entitlement, has a space available, is able to offer the funded hours, and has or is willing to enter into a contract with their local authority to deliver the funded hours.

On a bi-annual basis and once every three plus one plus one years, the Children and Families Service opens an application process for eligible services who wish to deliver the funded entitlement. On application, Services are required to evidence how they meet/ will continue to meet the criteria outlined in the National Standard for ELC for the duration of the contract. The criteria are suitably aligned with the Health and Care (Staffing) (Scotland) Act 2019.

By entering into a commissioned agreement with the local authority to deliver the funded entitlement, funded providers accept the expectations on them to comply with certain requirements. The detailed requirements are agreed with the local authority when entering into the agreement and include:

- a guaranteed standard of high quality ELC for children, including continued compliance with the National Standard criteria;

- ensuring that all funded hours are free at the point of access; and,
- a commitment to pay the real Living Wage to staff delivering the funded entitlement.

At the point of application, Services are required to submit evidence that is assessed for compliance by the Children and Families central team and Social Care Contracts Team before contracts are awarded. The evidence illustrates the Service’s compliance with the Health and Care (Staffing) (Scotland) Act 2019. Relevant questions and sources of evidence are outlined below:

Table 2:

Questions	Evidence required
Care Inspectorate quality evaluations good or better on themes that relate to quality of staffing, management and leadership	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
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 5 years of registration with SSSC	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- exemplar grid is contained within eligibility questionnaire Most recent Care Inspectorate Registration
Adult: child ratio for 3- and 4-year-olds is 1:8 as per CI requirements Adult: child ratio for 2-year-olds is 1:5 as per CI requirements	Staffing Structure grid
All SSSC registered staff are achieving a minimum of 12 hours per year of continuous professional learning	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 good or better on the theme relating to quality of care of care and support	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	Please upload/ provide details/ evidence of your framework that takes cognisance of national guidance and supports individual child development and learning focused on active

Questions	Evidence required
and learning focussed on active learning through play?	learning through play e.g. Curriculum rationale, vision, values, aims, curriculum guide, learning and teaching policy.
Care Inspectorate quality evaluations are good or better on themes that relate to quality of environment	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
Children have daily access to outdoor play and do they regularly experience outdoor play in a natural environment as part of their funded ELC offer	Please upload/ provide details/ evidence either statement on access to outdoor play or outdoor play policy
The setting uses relevant national self-evaluation frameworks to self-evaluate and systematically identify strengths and areas for improvement	Copy of latest self- evaluation If no, provide 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 continuously improve the quality of provision and outcomes for children and families	Copy of most recent service improvement plan and standards and quality report If no, provide details/ evidence of how you plan for continuously improving quality of your service
There is open and regular communication with parents and carers	Statement on how you undertake open and regular communication with parent and carers about the work of the setting and how families are meaningfully involved in influencing change
Parents and carers are supported to engage in their child’s learning and development	Statement of how parents and carers are supported to engage in their child's learning and development including support for families to help them to engage in a variety of learning opportunities which meet their individual needs
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, to ensure that children’s additional support needs do not provide a barrier to them accessing a full range of experiences and meets their individual needs	Copy of your ASN Policy, policies in relation to Staged Intervention (Team Around the Child/ Child’s planning) and a statement of how you have/ will participate in the Council’s Staged Intervention Process (Team Around the Child/ Child’s planning) as required.
Fair work practices	A statement on the Scottish Living Wage and detail your commitment to working towards this wage commitment to the Scottish Living Wage for all staff who are delivering funded early learning and childcare. Documents may include:

Questions	Evidence required
	<ul style="list-style-type: none"> • Policy documents • Induction documentation • Ongoing training and development information • Statement on rates of pay • Terms and conditions of employment contracts • Statements of vision, values and aims

2.3 Ensuring Appropriate Staffing

Information regarding the use of strategic commissioning plans and the model social care contract to ensure that appropriate, suitably qualified and competent staff is in place for third party services is contained within section 2.2 of this report (as required by Section 7 of the 2019 Act).

Procurement processes include an assessment of both quality and costs aspects for the services being purchased, with significantly greater weight given to quality criteria. Method statement templates are used to enable providers to evidence how they will meet the published service specification, including staffing requirements (which can include both staffing levels as well as quality of staffing and staff support and wellbeing). It is normal practice to assess each method statement to be evaluated using a set scoring criteria, with a quality bar applied to ensure that all providers meet a minimum standard. It is expected that providers will utilise information from scrutiny and inspection processes undertaken by the Care Inspectorate, where this is available, as part of the evidence included in their method statement.

Where a provider is awarded a service or accepted onto a framework following a procurement process due diligence checks are subsequently carried out. This can include discussion and agreement of specific staffing levels where this has not already been agreed at an early stage; this is more commonly required as an Ethical Commissioning approach is implemented where there is a greater focus on outcomes, innovation and creativity and appropriate staffing levels will require to be agreed once the procurement process has identified the model of service delivery to be adopted to provide the desired outcomes within the service specification.

Hope Point Dundee

An example of a commissioning for outcomes approach is the recent tender exercise to secure the support service for Hope Point in Dundee. This was a development which was identified, in terms of need, via a range of strategic planning discussions alongside advocacy from several bereaved affected carers, who were clearly expressing their support and the need for a 24/7 Community Wellbeing Centre Support Service. A Steering Group and Stakeholder Group was established at the onset with consultation co-ordinated via Dundee Volunteer and Voluntary Action who provided a consistent third sector interface. Following several planned and co-ordinated consultation events, a service brief was compiled. With a clear outline of the aims, objectives and aspirations of those

consulted, the Steering Group felt the best way to ensure the voice of stakeholders was heard was to use this service brief in the tender exercise. This was also felt to be the best way to encourage creativity and innovation from those bidding. The tender panel also included a “lived experience” representative who was involved at each stage of the process.

On completion of the tender exercise, a formal contract is now in place with the successful provider. The service brief is incorporated into this contract with a caveat that this would be closely monitored and updated in the longer term to capture the development of the service. Robust monitoring is in place and focused discussions take place regarding safe staffing and workforce risk. The service continues to thrive and has exceeded many expectations. At the start of the year, there was a celebration event with stakeholders to mark the progress and the end of the formal stakeholder group.

2.4 Ensuring Appropriate Training

The requirement placed on providers via the model contract to comply with registration requirements set out by the SSSC is integral to ensuring that staff have ongoing access to the relevant training to perform their work (as required by Section 8 of the 2019 Act). In Adult Social Care Services work has taken place specifically with the Care at Home Sector to implement Fair Work Principles across all contracts (new and renewal) since 2022. Where providers comply with Fair Work principles, including supporting access to training and further qualifications, they are paid for the full care shift. An evaluation of this approach has evidence that the workforce has improved financial security, feel more valued and respected, have improved motivation and morals and reduced anxiety. For services users, reported benefits have included a more personalised service, continuity of care and more rapid access to support leading to reduced inequalities in outcomes.

As the Care Inspectorate has not yet published any staffing tools for the social care, social work or early years sectors there has not been any activity in terms of access to training on staffing tools during 2024/25. However, communication and engagement arrangements with the third and independent sector for adult health and social care have been used to raise awareness of the 2019 Act, the Guiding Principles and key provisions including through provider communications and provider forums.

2.5 Implementation of National Guidance

As at 31 March 2025, no staffing tools have been published for social care, social work or early years services by the Care Inspectorate and no additional guidance relevant to these sectors has been issued by the Scottish Government. The Statutory Guidance has informed the development of the IJB Workforce Plan, Strategic Commissioning Framework 2023-2033 and the content of this Annual Report. Both the Dundee IJB and Dundee City Council will continue to monitor the publication of future guidance and / or staffing tools to ensure ongoing compliance with Section 10 of the 2019 Act

in terms of activity to plan and secure relevant services under a contract, agreement or other arrangement.

The Social Care Contracts Team and the Early Years Central Team have a robust interface with the Care Inspectorate, including maintaining oversight of the outcomes of scrutiny and inspection activity in relation to all contracted services. Where outcomes indicate concerns about service quality, including staffing arrangements, this will be addressed in the first instance through contract monitoring arrangements. A collaborative approach is used, working closely with the Care Inspectorate and the Provider to identify required improvement actions, timescales and arrangements for follow-up.

During 2024/25 both the Children and Families Service and Health and Social Care Partnership have continued to consider the implications of the [Setting the Bar](#) report and the recently published [Review of Social Work Governance and Assurance in Scotland](#) in terms of their implications for safe staffing arrangements both in internal services and for the planning and procurement of services from third party providers.

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 - Both the Council and the IJB recognise the extremely challenging environment for all social care, social work and early learning and childcare providers in relation to wider public sector fiscal pressures. Providers in these sectors incur a very high proportion of costs directly in relation to staffing, at the same time that Councils and IJBs are seeking to manage reducing budgets without impacting on the availability or quality of services available to the public. This affects front-line care delivery, and no additional resources have been provided to support the implementation of the 2019 Act which has introduced additional regulation and the need for more specialised training for staff. Looking forward, there is recognition of the potential fiscal impact on providers if new staffing tools are developed by the Care Inspectorate and approved by Scottish Ministers that identify the need for additional staff.

Workforce challenges – across the social care, social work and early learning and childcare sectors, there are ongoing challenges with staff recruitment and retention. In particular there are ongoing concerns about the lack of attractiveness and financial incentives for social care staff, which exacerbates workforce instability. Whilst there has been a significant focus on workforce wellbeing following the pandemic and improved approach to workforce planning, it is expected that challenges attracting and retaining high quality staff will continue to impact of providers. This creates a direct challenge in maintaining appropriate staffing levels.

Legislative clarity and expectations – both Dundee IJB and Dundee City Council would welcome further specific guidance from the Scottish Government regarding the provisions of the 2019 Act, including reporting requirement. Tailored guidance for social care, social work and early learning and childcare services would be helpful in supporting compliance and should reflect the day-to-day governance arrangements for IJB / HSCP that can add further complexity to implementation. Detailed sector specific guidance on planning, securing and reporting elements would be helpful in supporting future compliance.

Duplication of requirement and reporting – many of the requirements placed on Councils and IJBs in the 2019 Act in relation to social care, social work and early learning and childcare services are already incorporated into other legislative, guidance and scrutiny arrangements for these sectors. There is particular overlap with arrangements for the regulation and inspection of services and the workforce by the Care Inspectorate and the SSSC. Reporting requirements also overlap with the required content of reports such as the Care Inspectorate Annual return for ELC services, IJB's statutory Annual Performance Report and the Chief Social Work Officer's Annual Report. Any opportunity to streamline both implementation and reporting arrangements would allow a more effective and efficient approach to implementation and reporting, as well as making reports on compliance more accessible to members of the public.

Reporting deadline – it would be helpful if the reporting deadline for Annual Reports in relation to the 2019 Act were aligned to reflect those for other statutory annual reports (primarily the IJB Annual Performance Report and CSWO Annual Report). If reporting deadlines were aligned this would allow a more streamlined approach to both the production and publication of reports and also allow the content in relation to the 2019 Act to be reported within the context of wider developments, improvements, pressures and risks. It would also help to rationalise the number of reports, making this more accessible to and transparent to the public.