Health and Care (Staffing) (Scotland) Act 2019 2025-2026 Annual Report

City of Edinburgh Council Registered Care Services

Overview

The Health and Care (Staffing) (Scotland) Act 2019 provides a statutory basis for the provision of appropriate staffing in health and care services, enabling safe and high-quality care and improved outcomes for service users.

The provisions of the Act came into force on 1 April 2024. The Health and Care (Staffing) (Scotland) Act 2019 places duties on Local Authorities in Scotland to ensure appropriate staffing levels in health and care services, focusing on safety, quality, and the wellbeing of both staff and service users.

The Act also requires Local Authorities to publish annual reports detailing how they have met their staffing duties in relation to newly commissioned services in the relevant financial year.

This report relates to services newly commissioned by City of Edinburgh Council within the 2025/2026 financial year only and refers to the planning and securing of services.

The Edinburgh Health and Social Care Partnership provide a separate report for services commissioned, planned and secured by them.

Legislative responsibilities

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

- the guiding principles in the Act (section 1 of the Act)
- the requirement on care service Providers to have regard to the guiding principles (section 3(1) of the Act)
- the duty on care service providers to ensure appropriate staffing (section 7 of the Act)
- the requirement on care service providers with regard to training of staff (section 8 of the Act)
- the requirement on care service providers to have regard to guidance issued by the Scottish Ministers (section 10 of the Act)
- the duties on care service providers under Chapter 3 of Part 5 of the Public Services Reform (Scotland) Act 2010
- the duties on care service providers under Chapter 3A of Part 5 of the Public Services Reform (Scotland) Act 2010

1. Compliance with Section 3 (2) of Health and Care (Staffing) (Scotland) Act 2019

1.1 Commissioned services in scope for 25/26 report

One housing support service and one support service are in scope. Appendix One details how we commissioned these services with regard to their staffing duties under the Act.

Fourteen foster services are in scope. Appendix Two details how we commissioned these services with regard to their staffing duties under the Act.

Ten Residential Care services are in scope. Appendix Three details how we commissioned these services with regard to their staffing duties under the Act.

Provider	**Service name**	**Care Service Number**	**Care service type**	**Date commenced**
Link Living	The Cedar Project		Housing Support service	1 April 25
Cyrenians	Cyrenians Communities – Accommodation with support for young people	CS2017355106	Support Service	1 April 25
Aberlour Child Care Trust	Aberlour Fostering	CS2010272271	Foster Care	1 August 25
Action For Children	Action For Children – foster care	CS2004082471	Foster Care	1 August 25
Barnardos Scotland	Barnardo's Scotland Fostering (Edinburgh)	CS2005096418	Foster Care	1 August 25
Carevisions Fostering Ltd	Carevisions Fostering	CS2004080447	Foster Care	1 August 25
Dean & Cauvin Trust	Dean & Cauvin Fostering	CS2016347836	Foster Care	1 August 25
Foster Care Associates Scotland Limited	Foster Care Associates Scotland	CS2004083526	Foster Care	1 August 25
Fostering People Scotland Limited	Fostering People Scotland Limited	CS2012311047	Foster Care	1 August 25
Fosterplus Fostercare Ltd	Fosterplus Fostercare Ltd	CS2004080743	Foster Care	1 August 25
Fostering Relations Limited	Fostering Relations Limited	CS2007145923	Foster Care	1 August 25

National Fostering Agency	National Fostering Agency (Scotland)	CS2005098696	Foster Care	1 August 25
SWIIS Foster Care Scotland Ltd	SWIIS Foster Care Scotland	CS2004080882	Foster Care	1 August 25
Scottish Adoption Association	Scottish Adoption - Fostering Service	CS2005086628	Foster Care	1 August 25
The Adolescent and Childrens Trust	The Adolescent and Childrens Trust	CS2007162713	Foster Care	1 August 25
JMT/MA One Foster Care	JMT Fostering	CS2009196557	Foster Care	1 August 25
Aberlour	Residential care	CS2010272726	Residential care	1st April 2025
Aberlour	Residential care	CS2012308613	Residential care	1st April 2025
Action for Children	Residential care	CS2015334879	Residential care	1st April 2025
Action for Children	Residential care	CS2015334879	Residential care	1st April 2025
Applied Care & Development	Residential care	CS2003015103	Residential care	1st April 2025
Applied Care & Development	Residential care	CS2013317845	Residential care	1st April 2025
Applied Care & Development	Residential care	CS2005101942	Residential care	1st April 2025
Applied Care & Development	Residential care	CS2003015103	Residential care	1st April 2025
Capability Scotland	Residential care	CS2019377305	Residential care	1st April 2025
Capability Scotland	Residential care	CS2019377305	Residential care	1st April 2025

Care Visions	Residential care	CS2013321888	Residential care	1st April 2025
Care Visions	Residential care	CS2018369681	Residential care	1st April 2025
Dean & Cauvin	Residential care	CS2003011205	Residential care	1st April 2025
Dean & Cauvin	Residential care	CS2003011204	Residential care	1st April 2025
Harmeny	Residential care	CS2003011066	Residential care	1st April 2025
Spark of Genius	Residential care	CS2015342800	Residential care	1st April 2025
Spark of Genius	Residential care	CS2023000256	Residential care	1st April 2025
Spark of Genius	Residential care	CS2007164226	Residential care	1st April 2025
Spark of Genius	Residential care	CS2005093148	Residential care	1st April 2025
Spark of Genius	Residential care	CS2014332161	Residential care	1st April 2025
Spark of Genius	Residential care	CS2017355339	Residential care	1st April 2025
Spark of Genius	Residential care	CS2008169073	Residential care	1st April 2025

Appendix One: Housing Support and Support Services

1 Values and Principles

1.1 Background

The City of Edinburgh Council (the Council) contracts accommodation with housing support services to support people aged 16+ who are homeless and have complex or multiple needs. The service will take clients of any age as long as they meet the service criteria.

The young people will have been assessed as having the skills to live in independent accommodation but require support to develop their independent living skills and to integrate into their new community.

1.2 Aims, Objectives and Principles

To provide accommodation within Edinburgh which enables the Council to provide accommodation for adult single households / individuals and couples experiencing homelessness. People who require the service must have support needs and require housing support. People using the service may have a range of support needs but should not require personal care. People who require the service must be experiencing mental ill health.

Support needs can include one or more of the following:

- Mental Health issues
- Personality disorder
- Physical Health problems
- Challenging behaviour
- History of non-engagement with services
- Homelessness or housing issue (including failed tenancies)
- Poverty
- Social Isolation
- Trauma (physical, psychological or social)

To provide accommodation that does not breach the Unsuitable Accommodation Order by providing either self-contained properties within a block with staff on site 24 hours a day, self-contained accommodation with staff on site for a set period and access to telephone or online support out of hours, or self- contained accommodation with visiting support.

To be deemed as suitable, accommodation must also be accessible 24 hours a day.

1.3 Governance

The City of Edinburgh Council (the Council) has a legal statutory duty to provide temporary accommodation to people that are homeless, to meet its obligations under Part II of the Housing (Scotland) Act 1987 – Homelessness Provisions (as amended, substituted or supplemented from time to time).

The Council is seeking to maximise accommodation that does not breach the Unsuitable Accommodation Order. Priority will be given to accommodation that does not breach this order. It may be necessary to take on accommodation that does not fully meet this but will only be considered after all suitable accommodation is utilised.

This service is for the provision of homeless accommodation with support to individuals who are homeless and require additional support to sustain temporary accommodation and to move to more permanent accommodation

The scope for housing support and support is to resolve and prevent Homelessness required by the Housing (Scotland) 2010 Act and the Housing Support Services (Homelessness) (Scotland Regulations 2012.

2 Safer Staffing Requirements and Guiding Principles

2.1 Care Inspectorate Registration

Providers shall have the appropriate Care Inspectorate registration and must comply with all conditions of registration and the Care Inspectorate's policies and procedures for delivering relevant services.

We expect Providers to achieve a minimum of grade 4 'good' at inspection. If the grade drops below 4, Providers are required to provide an improvement plan for consideration by the Commissiong and Contracts team.

2.2 Compliance with the Health and Social Care Standards

The Council and the Care Inspectorate's expectations are aligned to the Health and Social Care National Standards of dignity and respect; compassion; to be included; responsive care and support; wellbeing. All services will comply with the Health and Social Care Standards

2.3 Scottish Social Services Council (SSSC)

Staff involved in the provision of services will either be registered with the Scottish Social Services Council and/or any other appropriate body. The Provider and their workforce will comply with the SSSC Codes of Practice available from the SSSC.

2.4 Health and Safety

As detailed in the conditions of contracts, all services will be delivered in line with Health and Safety legislation and best practice. The Provider will ensure their staff are appropriately trained in health and safety requirements to be able to support people.

2.5 PVG compliance

All staff will hold an appropriate PVG.

2.6 Staffing

The City of Edinburgh Council is committed to the delivery of high-quality public services and recognises that this is critically dependent on a workforce that is well rewarded, well-motivated, well-led, has access to appropriate opportunities for training and skills development, is diverse and is engaged in decision making. These factors are also important for workforce recruitment and retention, and thus continuity of service. To ensure the highest standards of service quality in this Contract, we expect the Provider to take a similarly positive approach to fair work practices as part of a fair and equitable employment and reward package.

The Service Provider must ensure all staff they have in employment have met the legal requirements to work in the UK, all the appropriate relevant documentation must be completed and produced when requested.

The Service Provider must hold an appropriate sponsorship licence if employing individuals from outside the UK, this includes Citizens of the EU, Iceland, Lichtenstein, Norway and Switzerland who arrived in the UK after 31 December 2020. For up to date guidance and exemptions please refer to: https://www.gov.uk/uk-visa-sponsorship-employers

All new staff must be reported to the Councils designated Contract Manager.

All full time and relief accommodation provision staff must hold a current Basic Disclosure form 'Disclosure Scotland'.

Adherence to the HMO licence requirements regarding 'fit and proper' persons to hold an HMO licence are a pre-requirement of securing this contract.

It is a legal requirement that all staff are paid the UK Minimum Wage, it is the Providers responsibility to ensure the relevant rate is paid age dependant. Similarly, the Provider should review the living wage requirement and adhere to increases annually.

Workplace pensions should be offered in line with the UK governments requirements.

2.7 Data protection

Services will be delivered in line with data governance processes.

3 Quality Assurance and contract monitoring

There is a Commissioning and Contracts Officer for each service who manages the contract and ensures that monitoring information is collected and accurate, and that the service is meeting the designated outcomes

Outcomes and quality shall be monitored on an ongoing four weekly basis.

The Council may monitor the performance of the Service Provider by conducting activities such as, but not limited to, those listed below:

- Conducting monitoring visits
- Checking four weekly and Quarterly returns
- Attending feedback meetings offered by the Care Inspectorate after a Care Inspectorate Inspection
- Checking management and audited accounts
- Checking service user case files
- Checking the achievement of targets as outlined in the Service Specification and Pricing Schedule
- Gathering feedback from Service Users

In addition, a quarterly outcomes meeting will be held to monitor Key Performance Indicators.

A service review will be held one year after the start of the service and 6 months prior to the end of the contract. The review will include feedback from the service, service users, and all partners involved in the service.

4 How is it Commissioned

Contracts are awarded following a rigorous tender submission and evaluations process.

5 Risks

Recruitment Challenges: Providers report difficulties not only with attracting the volume of applicants necessary but them being suitably qualified. Despite this it has not affected the safe delivery of the contract awarded in 2025/26.

Financial: Providers are experiencing exceptional financial challenges including National Insurance increase, cost of living, inflation, housing benefit evaluations.

Housing Emergency: Providers report that clients are staying longer in accommodation with limited move on options due to finance and the suspension of allocations. Turnover of clients in services has now slowed with people waiting longer to access supported accommodation.

Appendix Two: Fostering Services

1 Values and Principles

1.1 Background

Foster care provides a safe, stable, and nurturing environment for children and young people who cannot safely live with their birth families. It is essential for protecting children and young people from abuse and neglect, while giving them the chance to heal from trauma and reach their full potential

A diverse range of children and teenagers require foster care, spanning from newborns to those approaching adulthood

Safety and Protection: Many children are placed in foster care because their birth families are struggling with issues like domestic violence, substance misuse, severe mental health problems, or a lack of parenting skills. Fostering removes them from harm's way.

Trauma Recovery: Children who have suffered neglect or abuse often live with trauma. Foster carers provide specialized, trauma-informed care to help these young people regulate their emotions, build trust, and recover from difficult past.

Stability and Development: Care provides consistency, allowing children to focus on their education, health, and social well-being in a normal family setting.

Keeping Siblings Together: Fostering services aim to place brothers and sisters in the same home whenever it is safe to do so, preventing them from being separated during a stressful time.

The core principles of fostering focus entirely on the rights, safety, and well-being of the child. These concepts guide every decision made by local authorities, fostering agencies, and foster carer.

Corporate Parenting: Public bodies must cooperate to provide the same care a loving parent would

Child's Welfare First: The child’s safety and well-being are always the top priority in any decision.

The Child's Voice**:** Children must be listened to and have their views considered according to their age.

Minimum Intervention: The court or council should only step in if it directly benefits the child.

Continuing Care: Young people can remain with foster families up to age 21 to ease transition.

1.2 Aims, Objectives and Principles

The principles of Getting It Right for Every Child is at the heart of all Children, Education and Communities services. The Council and Providers work in partnership to commission and deliver Fostering services that will fully support children and young people as they grow and develop, helping them to be:

- Safe… protected from abuse, use, neglect, or harm.

- Healthy … experiencing the highest standards of physical and mental health and supported to make healthy safe choices.
- Achieving … receiving support and guidance in their learning – boosting their skills, confidence, and self-esteem.
- Nurtured … having a nurturing and stimulating place to live and grow.
- Active …offered opportunities to take part in a wide range of activities – helping them to build a fulfilling and happy future.
- Respected … to be given a voice and involved in the decisions that affect their well-being.
- Responsible … taking an active role within their schools and communities.
- Included … receiving help and guidance to overcome social, educational, physical, and economic inequalities; accepted as full members of the communities in which they live and learn.

The five foundations and principles of The Promise; Voice, Family, Care, People and Scaffolding are at the heart of this service. The Council work in partnership to commission and deliver services that will fully support children and young people as they grow and develop.

1.3 Governance

All services must, where appropriate, link with the Edinburgh Promise, GIRFEC, Imperatives – Pathways, Closing the PRAG (Poverty Related Attainment Gap) in Literacy and Numeracy, Attendance, Health, and Wellbeing.

Providers must adhere to all current and relevant legislation which will include at minimum legislation noted in service specifications. This includes being responsible for reviewing this legislation and making required changes as needed.

- Children and Young People Act (Scotland 2014)
- The Age of Legal Capacity (Scotland) Act 1991
- The Children (Scotland) Act 2020
- The Children (Scotland) Act 1995
- The Human Rights Act 1998
- United Nation Convention on the Rights of the Child (UNCRC)
- The Protection of Children Act 2003
- Protection of Vulnerable Groups (Scotland) Act 2007
- The Looked after Children (Scotland) Amendment Regulations 2009
- The Carers (Scotland) Act 2016
- City of Edinburgh service Plan Children and Families (2026 – 2030)
- Children and Young People (Scotland) Act 2014
- Child Poverty (Scotland) Act 2017

- The Equality Act 2010
- Edinburgh Integrated Plan for Children and Young Person's services
- The Promise 2021
- Getting it right for Every Child
- Looked After Children and Young People: We Must and Can Do better' (2007) (Published by the Scottish Executive, January 2007)
- Getting it Right for every Child: Guidance on Overnight Stays for Looked After and Accommodated Children. (Published by the Scottish Government, January 2008)
- Protecting Children and Young People: The Charter (Published by the Scottish Executive, April 2004)
- National Guidance for Child Protection in Scotland 2010 (Published by the Scottish Government in 2010)
- Sweet Sixteen? The Age of Leaving Care in Scotland (Published by Scotland's Commissioner for Children and Young People, March 2008)
- Supporting Young People Leaving Care in Scotland: Regulations and Guidance 2004 (Published by the Scottish Executive, March 2004)
- Continuing Care (Scotland) Order 2015
- Go Outdoors! Guidance and good practice on encouraging outdoor activities in residential Childcare (Issued by SIRCC, SCCYP and the Scottish Government, 2010)
- Health Promotion Guidance: Nutritional Guidance for Children and Young People in Residential Care Settings (Published by the Scottish Government in 2011)
- Suicide Prevention for Looked After Children and Young People – the Care Inspectorate. (Published by the Care Inspectorate in 2011)
- End of life care and planning for Children and Young People with life-limiting conditions

Providers promote the principles behind the "Promise" and the Health and Social Care Standards, which include dignity, privacy, choice, safety, realising potential, equality, and diversity. The Provider shall comply with the Health and Social Care Standards for Residential Care Homes for Children and Young People or for School Care Accommodation services. 2016.

2 Safer Staffing Requirements and Guiding Principles

2.1 Care Inspectorate Registration

Providers shall have the appropriate Care Inspectorate registration and must comply with all conditions of registration and the Care Inspectorate's policy and procedures for delivering relevant services.

We expect Providers to achieve a minimum of grade 4 'good' at inspection. If the grade drops below 4, Providers are required to provide an improvement plan for the consideration of the Planning and Commissioning team. The plan is shared with service managers to ensure that due diligence and the continuation of the service is reviewed at senior management level. Service managers must agree that they are satisfied with the content of the improvement plan. The plan is then reviewed at each of the monitoring meetings.

2.2 Compliance with the Health and Social Care Standards

The Council and the Care Inspectorate's expectations are aligned to the Health and Social Care National Standards of dignity and respect; compassion; to be included; responsive care and support; wellbeing. All services will comply with the Health and Social Care Standards and Fostering Standards.

2.3 Scottish Social Services Council (SSSC)

Staff involved in the provision of services will either be registered with the Scottish Social Services Council or any other appropriate body. The Provider and their workforce will comply with the SSSC Codes of Practice, available from the SSSC.

2.4 Health and Safety

As detailed in the conditions of contracts, all services will be delivered in line with Health and Safety legislation and best practice. The Provider will ensure their staff are appropriately trained in health and safety requirements to be able to support people.

2.5 PVG compliance

All staff will hold an appropriate PVG.

2.6 Recruitment of staff

Staff will be recruited based on the principles of safer recruitment including PVG screening and referencing of candidates, with particular regard to the protection of children and young people.

2.7 Staffing

Providers shall employ sufficient staff and ensure that all staff employed or to be employed by a Provider are suitably qualified, trained and experienced to deliver the Service, and meet all requirements of the contract.

Providers shall ensure that all staff have or will, undertake training on awareness of the principals of Trauma Informed Practice and psychologically informed environments.

Relevant staff will be registered with the Scottish Social Services Council (SSSC) or with the General Teaching Council for Scotland (GTCS), whichever is applicable.

Providers must ensure Protecting Vulnerable Groups and checks (or the equivalent throughout duration of contract) are conducted prior to any staff member commencing regulated work. The Council may require additional checks and/or compliance with registration of applicable bodies by the Provider and its staff throughout the duration of the contract. The Provider shall be fully responsible for ensuring these requirements and any costs are met.

Providers will fulfil its statutory obligations concerning the employment of Staff and at all times will have on duty a sufficient number of suitably trained, qualified and competent Staff in

accordance with Good Social Care Practice, the Law and Guidance of the relevant regulatory bodies, and any requirements set out in the Service Specification.

2.8 Data protection

Services will be delivered in line with data governance processes.

3 Quality Assurance and contract monitoring

There is a Commissioning Lead Officer for each service, as well as a Contracts Advisor who is fundamental in gathering information for thorough contract monitoring from different sources involved in children and young people's care.

Additionally, when we monitor Foster Care Providers, we have allocated representatives for each organisation. The contract manager and a link worker from CEC services such as Family Based Care, who is involved in the day-to-day supervision of foster placements attend the monitoring meetings

Each Provider is required to submit a six-monthly report on individual placements and to attend a review meeting to discuss the care/support/education of the child / young person. Within the agenda are set items against which KPI have been identified.

Providers are sent KPI forms, which must be completed for each individual in their care. These are then sent to the social worker and independent reviewing officer involved with the young person, for their review and comments. Education Placements also request the input of the Educational Psychologist. The forms request the following information:

- Name of Child/Young Person
- SWIFT reference number
- Date of Birth
- Placement Start Date
- Placement end date (if applicable)
- Social worker and their team
- Placement type
- Whether placement is Emergency, short-term, or long-term
- Planned/unplanned ending
- If unplanned did an action/support meeting take place?
- Date of meeting (if applicable)
- Whether a transition plan was in place or not
- Whether a Child's Plan is in place and operational
- Whether there have been any restraint or safe holding incidents, seclusion or restrictive practice (In line with The Promise)

- Education absences (if applicable)
- Whether a young person is on a full or part time timetable
- Number of days away from placement
- Reason for absence, family visit, friends, respite?
- Whether placement is ongoing or has ended
- Whether there have been any Child Protection Investigations
- Details of any other incident that is detrimental to the health and welfare of the child or young person in placement, including Periods of Missing from Placements / Not returning
- Unexpected Respite Provision
- Number of Complaints Raised by Child / Young Person
- Details of any additional services, including agreed time frame and the aims and objectives of the additional Services
- Any interventions and support given and the impact of any additional Services
- Care Inspectorate: The date of last inspection and overall grading. If the provision has fallen below the required grade 4 "Good", the Provider must report this immediately to CEC commissioning Team and provide a copy of their improvement plan
- Education Scotland: The date of last inspection and overall grading. If the provision has fallen below the required grade 4 "Good" the Provider must report this immediately to CEC Commissioning Team and provide a copy of their improvement plan
- The Promise – In respect of the child / young person in their care, Providers are asked to tell us how they are meeting the 5 principles: Voice; Family; Care; People; Scaffolding
- Educational Placement – The Provider is required to tell us about the Learning level of achievement; absence and exclusion from school
- Transitions – Information is requested about the transition and any relevant comments, including the destination of the transition, for example, returned home to family, natural end to placement etc. If no Transition plan was put in place, we request the reasons why this was not completed

The above information is discussed at the 6 monthly contract monitoring meeting, alongside the comments from the social worker, reviewing officer; and educational psychologist (if applicable).

Additionally, at the meeting, we discuss the following:

- Additional Support
    - Details of any additional funding, including agreed time frame, cost, aims, and outcomes
    - Details of any 1:1 Support

    - Description of interventions and support given and impact of any additional funding
    - Whether additional funding is still required
- Supplier Business Review and Updates
    - New Developments
    - Legislative Updates/Impact
    - Lessons learned
    - Community Benefits
    - Financial Update
    - PVG
    - Insurances
- GDPR: discussion on any data sharing updates / concerns / requests

Contract Management Oversight report

Produced on an annual basis (minimum), to provide an update to senior management on the status of a contract, ensuring senior management oversight on contract performance and helping to safeguard management of contracts and contract performance to support budget requirements.

Lessons Learned Collaborative Meeting

As Corporate Parent and our commitment to keep the Promise and take a trauma informed approach, CEC want to ensure that any lessons learned in the event of disruption to a placement can be captured and taken forward for further discussions, and potential implementation / inclusion on any policy or practice related issues.

Multi Agency Quality Assurance group

The Children's Services Multi-Agency Quality Assurance (MAQA) Group was convened in response to recommendations from the review of the response to the Gordon Collins Significant Case Review and the report from the Edinburgh Secure Services whistleblowing investigation.

City of Edinburgh Council has a duty of care to ensure that children and young people are safe and protected in their contact with services, whether provided by the council directly or through contractual arrangements with external Providers.

The purpose the group is to share information about the quality of provision in residential and secure establishments; and identify patterns and trends where there are issues with either service provision and/or the practice of individuals.

4 How is it Commissioned

Contracts are awarded following a rigorous tender submission and evaluations process.

5 Risks

Recruitment Challenges: Providers report difficulties not only with attracting the volume of applicants necessary but them being suitable qualified. This has not affected the safe delivery of the contract awarded in 2025/2026.

Financial: Providers are experiencing exceptional financial challenges due to the National Insurance increase, cost of living, inflation, etc.

These are the current main risks however Children, Education and Communities Directorate risk register is kept updated with ongoing and emerging risks.

Appendix Three: Residential Care Services

1 Values and Principles

1.1 Background

Residential care provides a safe, stable, and nurturing environment for children and young people who cannot safely live with their birth families. It is essential for protecting children and young people from abuse and neglect, while giving them the chance to heal from trauma and reach their full potential

A diverse range of children and teenagers require residential care, spanning from primary school age to those approaching adulthood

- Safety and Protection: Many children are placed in Residential care because their birth families are struggling with issues like domestic violence, substance misuse, severe mental health problems, or a lack of parenting skills. Fostering removes them from harm's way

- Trauma Recovery: Children who have suffered neglect or abuse often live with trauma. Residential care provides specialized, trauma-informed care to help these young people regulate their emotions, build trust, and recover from difficult past

- Stability and Development: Care provides consistency, allowing children to focus on their education, health, and social well-being in a normal family setting

- Keeping Siblings Together: Residential Care services aim to keep brothers and sisters in the same home whenever it is safe to do so, preventing them from being separated during a stressful time

- The core principles of Residential Care focus entirely on the rights, safety, and well-being of the child. These concepts guide every decision made by local authorities, Residential Care services

- Corporate Parenting: public bodies must cooperate to provide the same care a loving parent would

- Child's Welfare First: The child's safety and well-being are always the top priority in any decision

- The Child's Voice**:** Children must be listened to and have their views considered according to their age

- Minimum Intervention: The court or council should only step in if it directly benefits the child

- Continuing Care: Young people can remain within their residential homes up to age 21 to ease transition

1.2 Aims, Objectives and Principles

The principles of Getting It Right for Every Child is at the heart of all Children, Education and Communities services. The Council and Providers work in partnership to commission and deliver residential care services that will fully support children and young people as they grow and develop, helping them to be:

- Safe… protected from abuse, use, neglect, or harm
- Healthy … experiencing the highest standards of physical and mental health and supported to make healthy safe choices
- Achieving … receiving support and guidance in their learning – boosting their skills, confidence, and self-esteem
- Nurtured … having a nurturing and stimulating place to live and grow
- Active …offered opportunities to take part in a wide range of activities – helping them to build a fulfilling and happy future
- Respected … to be given a voice and involved in the decisions that affect their well-being
- Responsible … taking an active role within their schools and communities
- Included … receiving help and guidance to overcome social, educational, physical, and economic inequalities; accepted as full members of the communities in which they live and learn

The five foundations and principles of The Promise; Voice, Family, Care, People and Scaffolding are at the heart of this service. The Council work in partnership to commission and deliver services that will fully support children and young people as they grow and develop.

1.3 Governance

All services must, where appropriate, link with the Edinburgh Promise, GIRFEC, Imperatives – Pathways, Closing the PRAG (Poverty Related Attainment Gap) in Literacy and Numeracy, Attendance, Health, and Wellbeing.

Providers must adhere to all current and relevant legislation which will include at minimum legislation noted in service specifications. This includes being responsible for reviewing this legislation and making required changes as needed.

- The Education (Scotland) Act 2016
- The Education (Additional Support for Learning) (Scotland) act 2004 as amended
- Children and Young People Act (Scotland 2014)
- The Age of Legal Capacity (Scotland) Act 1991
- The Children (Scotland) Act 2020
- The Children (Scotland) Act 1995
- The Human Rights Act 1998
- United Nation Convention on the Rights of the Child (UNCRC)
- The Standards in Scotland's Schools, etc. Act 2000
- The Protection of Children Act 2003

- School Education (Ministerial Powers and Independent Schools) (Scotland) Act 2004
- Education (Additional Support for Learning) (Scotland) Acts 2009
- Protection of Vulnerable Groups (Scotland) Act 2007
- The schools (Health Promotion and Nutrition) (Scotland) Act 2007
- The Looked after Children (Scotland) Amendment Regulations 2009
- The Public services Reform (Scotland) Act 2010
- Social Care (Self Directed Support) (Scotland) Act 2013
- The Carers (Scotland) Act 2016
- City of Edinburgh service Plan Children and Families (2023 – 2025)
- Children and Young People (Scotland) Act 2014
- Edinburgh 2050 Vision (2017)
- Child Poverty (Scotland) Act 2017
- The Equality Act 2010
- Edinburgh Integrated Plan for Children and Young Person's services
- Edinburgh Children's Partnership Children's services plan 2017-20
- 2018 national improvement framework and improvement plan
- Developing a positive whole-school ethos and culture – Relationships, Learning and Behaviour, Scottish Government (2018)
- Consultation on Excellence and Equity for All: Guidance on the Presumption of Mainstreaming (November 2017)
- Curriculum for Excellence
- The Promise 2021
- Getting it right for Every Child
- Looked After Children and Young People: We Must and Can Do better' (2007) (Published by the Scottish Executive, January 2007)
- Getting it Right for every Child: Guidance on Overnight Stays for Looked After and Accommodated Children. (Published by the Scottish Government, January 2008)
- Protecting Children and Young People: The Charter (Published by the Scottish Executive, April 2004)
- National Guidance for Child Protection in Scotland 2010 (Published by the Scottish Government in 2010)
- Included, engaged, and involved part 2: a positive approach to managing school exclusions (Published by the Scottish Government, March 2011)

- Included, engaged, and involved part 2: a positive approach to managing school exclusions (Published by the Scottish Government, March 2011)
- Sweet Sixteen? The Age of Leaving Care in Scotland (Published by Scotland's Commissioner for Children and Young People, March 2008)
- Supporting Young People Leaving Care in Scotland: Regulations and Guidance 2004 (Published by the Scottish Executive, March 2004)
- Continuing Care (Scotland) Order 2015
- Extra support at school: the rights of looked after Children (Enquire Briefing)
- Curriculum for Excellence. In particular: - Building the Curriculum 1: - 5
- These are our bairns; a guide for community planning partnerships on being a good corporate parent. (Published by The Scottish Government in 2008)
- Go Outdoors! Guidance and good practice on encouraging outdoor activities in residential Childcare (Issued by SIRCC, SCCYP and the Scottish Government, 2010)
- Health Promotion Guidance: Nutritional Guidance for Children and Young People in Residential Care Settings (Published by the Scottish Government in 2011)
- Suicide Prevention for Looked After Children and Young People – the Care Inspectorate. (Published by the Care Inspectorate in 2011)
- End of life care and planning for Children and Young People with life-limiting conditions

Providers promote the principles behind The Promise and the Health and Social Care Standards, which include dignity, privacy, choice, safety, realising potential, equality, and diversity. The Provider shall comply with the Health and Social Care Standards for Residential Care Homes for Children and Young People or for School Care Accommodation services.

2 Safer Staffing Requirements and Guiding Principles

2.1 Care Inspectorate Registration

Providers shall have the appropriate Care Inspectorate registration and must comply with all conditions of registration and the Care Inspectorate's policies and procedures for delivering relevant services.

We expect Providers to achieve a minimum of grade 4 'good' at inspection. If the grade drops below 4, Providers are required to provide an improvement plan for the consideration of our Planning and Commissiong team. The plan is shared with service managers to ensure that due diligence and the continuation of the service is reviewed at senior management level. Service managers must agree that they are satisfied with the content of the improvement plan. The plan is then reviewed at each of the monitoring meetings.

2.2 Compliance with the Health and Social Care Standards

The Council and the Care Inspectorate's expectations are aligned to the Health and Social Care National Standards of dignity and respect; compassion; to be included; responsive care and support; wellbeing. All services will comply with the Health and Social Care Standards and Fostering Standards.

2.3 Scottish Social Services Council (SSSC)

Staff involved in the provision of services will either be registered with the Scottish Social Services Council or any other appropriate body. The Provider and their workforce will comply with the SSSC Codes of Practice.

2.4 Health and Safety

As detailed in the conditions of contracts, all services will be delivered in line with Health and Safety legislation and best practice. The Provider will ensure their staff are appropriately trained in health and safety requirements to be able to support people.

2.5 PVG compliance

All staff will hold an appropriate PVG.

2.6 Recruitment of staff

Staff will be recruited based on the principles of safer recruitment including PVG screening and referencing of candidates, with particular regard to the protection of children and young people.

2.7 Staffing

Providers shall employ sufficient staff and ensure that all staff employed or to be employed by a Provider are suitably qualified, trained and experienced to deliver the Service, and meet all requirements of the contract.

Providers shall ensure that all staff have or will, undertake training on awareness of the principals of Trauma Informed Practice and psychologically informed environments.

Relevant staff will be registered with the Scottish Social Services Council (SSSC) or with the General Teaching Council for Scotland (GTCS), whichever is applicable.

Providers must ensure Protecting Vulnerable Groups and checks (or the equivalent throughout duration of contract) are conducted prior to any staff member commencing regulated work. The Council may require additional checks and/or compliance with registration of applicable bodies by the Provider and its staff throughout the duration of the contract. The Provider shall be fully responsible for ensuring these requirements and any costs are met.

Providers will fulfil its statutory obligations concerning the employment of Staff and at all times will have on duty a sufficient number of suitably trained, qualified and competent Staff in accordance with Good Social Care Practice, the Law and Guidance of the relevant regulatory bodies, and any requirements set out in the Service Specification.

2.8 Data protection

Services will be delivered in line with data governance processes.

3 Quality Assurance and contract monitoring

There is a Commissioning Lead Officer for each service, as well as a Contracts Advisor who is fundamental in gathering information for thorough contract monitoring from different sources involved in children and young people's care.

Each Provider is required to submit a six-monthly report on individual placements and to attend a review meeting to discuss the care/support/education of the child / young person. Within the agenda are set items against which KPI have been identified.

Providers are sent KPI forms, which must be completed for each individual in their care. These are then sent to the social worker and independent reviewing officer involved with the young person, for their review and comments. Education Placements also request the input of the Educational Psychologist. The forms request the following information:

- Name of Child/Young Person
- SWIFT reference number
- Date of Birth
- Placement Start Date
- Placement end date (if applicable)
- Social worker and their team
- Placement type
- Whether placement is Emergency, short-term, or long-term
- Planned/unplanned ending
- If unplanned did an action/support meeting take place?
- Date of meeting (if applicable)
- Whether a transition plan was in place or not
- Whether a Child's Plan is in place and operational
- Whether there have been any restraint or safe holding incidents, seclusion or restrictive practice (In line with The Promise)
- Education absences (if applicable)
- Whether a young person is on a full or part time timetable
- Number of days away from placement
- Reason for absence, family visit, friends, respite?
- Whether placement is ongoing or has ended
- Whether there have been any Child Protection Investigations

- Details of any other incident that is detrimental to the health and welfare of the child or young person in placement, including Periods of Missing from Placements / Not returning
- Unexpected Respite Provision
- Number of Complaints Raised by Child / Young Person
- Details of any additional services, including agreed time frame and the aims and objectives of the additional Services
- Any interventions and support given and the impact of any additional Services
- Care Inspectorate: The date of last inspection and overall grading. If the provision has fallen below the required grade 4 "Good", the Provider must report this immediately to CEC commissioning Team and provide a copy of their improvement plan
- Education Scotland: The date of last inspection and overall grading? If the provision has fallen below the required grade 4 "Good" the Provider must report this immediately to CEC Commissioning Team and provide a copy of their improvement plan
- The Promise – In respect of the child / young person in their care, Providers are asked to tell us how they are meeting the 5 principles: Voice; Family; Care; People; Scaffolding
- Educational Placement – The Provider is required to tell us about the Learning level of achievement, absence and exclusion from school
- Transitions – Information is requested about the transition and any relevant comments, including the destination of the transition, for example, returned home to family, natural end to placement etc. If no Transition plan was put in place, we request the reasons why this was not completed

The above information is discussed at the 6 monthly contract monitoring meeting, alongside the comments from the social worker, reviewing officer, and educational psychologist (if applicable).

Additionally, at the meeting, we discuss the following:

- Additional Support
    - Details of any additional funding, including agreed time frame, cost, aims, and outcomes
    - Details of any 1:1 Support
    - Description of interventions and support given and impact of any additional funding
    - Whether additional funding is still required
- Supplier Business Review and Updates
    - New Developments
    - Legislative Updates/Impact

    - Lessons learned
    - Community Benefits
    - Financial Update
    - PVG
    - Insurances
- GDPR: Discussion on any data sharing updates / concerns / requests

Contract Management Oversight report

Produced on an annual basis (minimum), to provide an update to senior management on the status of a contract, ensuring senior management oversight on contract performance and helping to safeguard management of contracts and contract performance to support budget requirements.

Lessons Learned Collaborative Meeting

As Corporate Parent and our commitment to keep The Promise and take a trauma informed approach, CEC want to ensure that any lessons learned in the event of disruption to a placement can be captured and taken forward for further discussions, and potential implementation / inclusion on any policy or practice related issues.

Multi Agency Quality Assurance group

The Children's Services Multi-Agency Quality Assurance (MAQA) Group was convened in response to recommendations from the review of the response to the Gordon Collins Significant Case Review and the report from the Edinburgh Secure Services whistleblowing investigation.

City of Edinburgh Council has a duty of care to ensure that children and young people are safe and protected in their contact with services, whether provided by the council directly or through contractual arrangements with external Providers.

The purpose the group is to share information about the quality of provision in residential and secure establishments; and identify patterns and trends where there are issues with either service provision and/or the practice of individuals.

The Resources Allocation and Review Group (RARG) oversees and reports on each individual child/ young person who resides in a residential care home to ensure that all placements continue to meet the needs of the child / young person and is attended by senior managers.

4 How is it Commissioned

Contracts are awarded following a rigorous tender submission and evaluations process.

5 Risks

Recruitment Challenges: Providers report difficulties not only with attracting the volume of applicants necessary but them being suitable qualified. This has not affected the safe delivery of the contract awarded in 2025/2026.

Financial: Providers are experiencing exceptional financial challenges due to the National Insurance increase, cost of living, inflation, etc.

These are the current main risks however Children, Education and Communities Directorate risk register is kept updated with ongoing and emerging risks.

6 Declaration

Name of Local Authority	City of Edinburgh Council
Report prepared by	Yvonne McWhirr
Designation	Regulation Officer
Contact email	yvonne.mcwhirr@edinburgh.gov.uk
Date	29 June 2026
Report authorised by	Janine McGowan Interim Chief Social Work Officer
Details of where the report will be published	City of Edinburgh Council website