SCOTTISH STATUTORY INSTRUMENTS

2025 No. 43

NATIONAL HEALTH SERVICE

The National Health Service (Common Staffing Method) (Scotland) Amendment Regulations 2025

Made - - - -	*18th February 2025*
Laid before the Scottish Parliament	*20th February 2025*
Coming into force - -	*1st April 2025*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 12IJ(3) and 105(7) of the National Health Service (Scotland) Act 1978(**a**) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the National Health Service (Common Staffing Method) (Scotland) Amendment Regulations 2025 and come into force on 1 April 2025.

Amendment of the National Health Service (Common Staffing Method) (Scotland) Regulations 2024

2.—(1) The National Health Service (Common Staffing Method) (Scotland) Regulations 2024(**b**) are amended in accordance with this regulation.

(2) In Regulation 4 (Professional judgement tool), for "Version 2", substitute "Version 3(**c**)".

(3) In the second column of the table in the schedule (Staffing level tools)—

(a) in each place it appears, for "Version 3", substitute "Version 4(**d**)",

(**a**) 1978 c. 29. Section 12IJ was inserted by section 4(1) and (2) of the Health and Care (Staffing) (Scotland) Act 2019 (asp 6) and section 105(7) was amended by the Health Services Act 1980 (c. 53), schedule 6, paragraph 5(1) and schedule 7, the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), section 29(1) and schedule 9, Part 1, paragraph 24 and the Health Act 1999 (c. 8), schedule 4, paragraph 60. Section 108(1) contains definitions of "regulations" and "prescribed" which are each relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**b**) S.S.I. 2024/43.

(**c**) Version 3 was developed by Healthcare Improvement Scotland. It comprises a methodology which was made available at https://www.healthcareimprovementscotland.scot/wp-content/uploads/2024/10/HSP-RWW-recommendations-Appendix-1-Staffing-Tool-January-2025.pdf.

(**d**) Version 4 was developed by Healthcare Improvement Scotland. It comprises a methodology and a multiplier which were made available online at https://www.healthcareimprovementscotland.scot/wp-content/uploads/2024/10/HSP-RWW-recommendations-Appendix-1-Staffing-Tool-January-2025.pdf.

(b) for "Maternity Staffing Level Tool Version 2", substitute "Maternity Staffing Level Tool Version 3(**a**)",

(c) for "SCAMPS - Scottish Children's Acuity Measurement in Paediatric Settings Version 2", substitute "SCAMPS - Scottish Children's Acuity Measurement in Paediatric Settings Version 3(**b**)", and

(d) other than provided for in paragraphs (b) and (c), in each place it appears, for "Version 2", substitute "Version 3(**c**)".

NEIL GRAY
A member of the Scottish Government

St Andrew's House
Edinburgh
18th February 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Common Staffing Method) (Scotland) Regulations 2024 ("2024 Regulations") which make provision in relation to the common staffing method. The common staffing method was introduced into the National Health Service (Scotland) Act 1978 ("1978 Act") by section 4 of the Health and Care (Staffing) (Scotland) Act 2019 and includes, among other things, the use of a "staffing level tool" and a "professional judgement tool" in determining the appropriate staffing levels for particular kinds of health care provision.

Regulation 2 makes amendments to provisions in the 2024 Regulations which prescribe, for the purposes of section 12IJ(3) of the 1978 Act, the professional judgement tool and the staffing level tools.

The professional judgement tool and the staffing level tools are publicly available online on Healthcare Improvement Scotland's website at https://www.healthcareimprovementscotland.scot/wp-content/uploads/2024/10/HSP-RWW-recommendations-Appendix-1-Staffing-Tool-January-2025.pdf and, for ease, can also be opened and used in digital form by those who have been granted access ("registered users") via an IT platform currently hosted by the Scottish Standard Time System (a system used within the NHS). Registered users can access the IT platform at https://workforce.mhs.scot.nhs.uk/eyou/Authentication/Login.aspx.

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ISBN 978-0-11-106221-0

£5.78

http://www.legislation.gov.uk/id/ssi/2025/43

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