

# Regulation 18: Staffing

## Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 18

The intention of this regulation is to make sure that providers deploy enough suitably qualified, competent and experienced staff to enable them to meet all other regulatory requirements described in this part of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014. To meet the regulation, providers must provide sufficient numbers of suitably qualified, competent, skilled and experienced staff to meet the needs of the people using the service at all times and the other regulatory requirements set out in this part of the above regulations. Staff must receive the support, training, professional development, supervision and appraisals that are necessary for them to carry out their role and responsibilities. They should be supported to obtain further qualifications and provide evidence, where required, to the appropriate regulator to show that they meet the professional standards needed to continue to practise.

CQC cannot prosecute for a breach of this regulation or any of its parts, but we can take regulatory action. See the [offences section](#) for more detail.

CQC must refuse registration if providers cannot satisfy us that they can and will continue to comply with this regulation.

### The regulation in full

18.—

1. Sufficient numbers of suitably qualified, competent, skilled and experienced persons must be deployed in order to meet the requirements of this Part.
2. Persons employed by the service provider in the provision of a regulated activity must—
  - a. receive such appropriate support, training, professional development, supervision and appraisal as is necessary to enable them to carry out the duties they are employed to perform,
  - b. be enabled where appropriate to obtain further qualifications appropriate to the work they perform, and
  - c. where such persons are health care professionals, social workers or other professionals registered with a health care or social care regulator, be enabled to provide evidence to the regulator in question demonstrating, where it is possible to do so, that they continue to meet the professional standards which are a condition of their ability to practise or a requirement of their role.

## Guidance

This sets out the guidance providers must have regard to against the relevant component of the regulation.

**18(1)** Sufficient numbers of suitably qualified, competent, skilled and experienced persons must be deployed in order to meet the requirements of this Part.

Guidance on 18(1)

- Providers must deploy sufficient numbers of suitably qualified, competent, skilled and experienced staff to make sure that they can meet people's care and treatment needs and therefore meet the requirements of Section 2 of these regulations (the fundamental standards).
- Providers should have a systematic approach to determine the number of staff and range of skills required in order to meet the needs of people using the service and keep them safe at all times. The approach they use must reflect current legislation and guidance where it is available. In determining the number of staff and range of skills required to meet people's needs, they should consider the different levels of skills and competence required to meet those needs, the registered professional and support workers needed, supervision needs and leadership requirements.
- Staffing levels and skill mix must be reviewed continuously and adapted to respond to the changing needs and circumstances of people using the service.
- There should be procedures to follow in an emergency that make sure sufficient and suitable people are deployed to cover both the emergency and the routine work of the service.

**18(2)** Persons employed by the service provider in the provision of a regulated activity must—

**18(2)(a)** receive such appropriate support, training, professional development, supervision and appraisal as is necessary to enable them to carry out the duties they are employed to perform,

Guidance on 18(2)(a)

- Providers must ensure that they have an induction programme that prepares staff for their role.
- Training, learning and development needs of individual staff members must be carried out at the start of employment and reviewed at appropriate intervals during the course of employment. Staff must be supported to undertake training, learning and development to enable them to fulfil the requirements of their role.
- Where appropriate, staff must be supervised until they can demonstrate required/acceptable levels of competence to carry out their role unsupervised.
- Staff should receive appropriate ongoing or periodic supervision in their role to make sure competence is maintained.
- Providers must ensure that all staff receive training in how to interact appropriately with people with a learning disability and autistic people, at a level appropriate to their role.
- Staff should be supported to make sure they are can participate in:
  - Statutory training.
  - Other mandatory training, as defined by the provider for their role.
  - Any additional training identified as necessary to carry out regulated activities as part of their job duties and, in particular, to maintain necessary skills to meet the needs of the people they care for and support.
  - Other learning and development opportunities required to enable them to fulfil their role. This includes first aid training for people working in the adult social care sector.

- All learning and development and required training completed should be monitored and appropriate action taken quickly when training requirements are not being met.
- Staff should receive regular appraisal of their performance in their role from an appropriately skilled and experienced person and any training, learning and development needs should be identified, planned for and supported.
- Staff must receive appropriate supervision in their role to ensure they demonstrate and maintain competence in understanding the needs of people with a learning disability and autistic people, including knowing how to support them in the best way.
- Health, social and other care professionals must have access to clinical or professional supervision as required, in line with the requirements of the relevant professional regulator.

**18(2)(b)** be enabled where appropriate to obtain further qualifications appropriate to the work they perform, and

### Guidance on 18(2)(b)

- Providers must support staff to obtain appropriate further qualifications that would enable them to continue to perform their role.
- Providers must not act in a way that prevents or limits staff from obtaining further qualifications that are appropriate to their role.

**18(2)(c)** where such persons are health care professionals, social workers or other professionals registered with a health care or social care regulator, be enabled to provide evidence to the regulator in question demonstrating, where it is possible to do so, that they continue to meet the professional standards which are a condition of their ability to practise or a requirement of their role.

### Guidance on 18(2)(c)

- Where registration with a professional body is a requirement of the role, providers must make sure that staff are able to meet the requirements of the relevant professional regulator throughout their employment, such as requirements for continuing professional development.
- Staff should be supported to join Accredited Voluntary Registers if they wish. Providers must have appropriate systems in place to support this, such as revalidation and meeting codes of practice.
- Providers must not act in a way that prevents, limits or would result in staff not meeting requirements required by professional regulators.