

Agenda Item	15
Report No	HC/7/18

## HIGHLAND COUNCIL

**Date:** 8 March 2018

**Report Title:** **The Highland Partnership Integration Scheme:  
Revision in line with the Carers (Scotland) Act 2016**

**Report By:** Bill Alexander, Director of care and Learning  
Jan Baird, Director of Adult Care, NHS Highland

### **1. Purpose/Executive Summary**

- 1.1 This report introduces necessary changes to the Integration Scheme for health and social care services with NHS Highland

### **2. Recommendations**

- 2.1 Members are asked to:
- i. Agree the revised Highland Integration Scheme be submitted for approval by Scottish Ministers.

### **3 Background**

- 3.1 The Scottish Government requires every Integration Authority to revise its Integration Scheme to include the functions enshrined in the Carers (Scotland) Act 2016, which will take effect from April 1st 2018.
- 3.2 Regulations have been set out in The Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment Regulations 2017 and in The Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No 2) Regulations 2017.
- 3.3 The revised Integration Scheme needs to be agreed with NHS Highland Board and the Highland Council before being submitted to Scottish Government in March 2018. It will then be laid before Parliament awaiting ministerial approval.
- 3.4 The changes are highlighted in italics in Appendix 1, which is an extract from the scheme.

### **4 The Act**

- 4.1 The Carers (Scotland) Act 2016 <http://www.gov.scot/Topics/Health/Support-Social-Care/Unpaid-Carers/Implementation/Carers-scotland-act-2016> which takes effect from April 1st 2018, is part of the Scottish Government's vision of a healthier and fairer Scotland, and sits alongside related policy on the integration of Health and Social Care, new social security powers; and the Fair Work agenda.
- 4.2 The Act confers 7 duties on Partnerships namely –
  - prepare adult carer support plans
  - prepare young carer statements
  - set local eligibility criteria
  - provide support
  - involve carers in carer services
  - prepare a local strategy
  - provide information and advice services
- 4.3 The Act also requires Ministers to prepare a Carers Charter.

### **5. Implementation:**

- 5.1 The Carers Improvement group has been progressing the work required for implementation, namely the development and testing of new processes, awareness raising and training and exploration of new models of care and support delivery.
- 5.2 The group includes memberships from across the sectors as well as carer representatives. *Connecting Carers* have been instrumental in ensuring that carers across Highland have been engaged and kept up to date with

developments, and able to comment on all drafts of guidance, regulations and charters.

## **6 Implications**

### **6.1 Resources**

As yet the full financial impact of the Act is unknown, and further work is required to review existing budgets, develop new models and improve efficacy. Some additional funding was allowed in the settlement for social care in the 2018/19, and passed to NHS Highland for adult carers.

### **6.2 Legal**

This is a significant piece of legislation which fits with the strategic direction of the Highland Partnership and reflects the objective of Highland Council in supporting carers.

The Scottish Government regulations require the parent bodies to approve the necessary additions to the Integration Scheme.

### **6.3 Community (Equality, Poverty and Rural)**

No EQIA is required for these changes to the Integration Scheme

### **6.4 Risk**

The Joint Monitoring Committee retains the oversight of continuing implementation of the Integration Scheme and associated risks.

### **6.5 Gaelic/Climate Change**

There are no implications

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Date:	12 February 2018
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## **Public Bodies (Joint Working) (Scotland) Act 2014**

### **The Highland Partnership (The Highland Council, NHS Highland)**

## **Integration Scheme**

**April 2015 – March 2020**

***Includes revision for Carers(Scotland) Act 2018***

## Annex 2

### Part 1

#### Functions delegated by the Local Authority to the Health Board (Adult Services and Housing)

Column A (function)	Column B (services)
<p>Ss 1, 2(1), Chronically Sick and Disabled Persons Act 1970;</p> <p>Ss 4, 5A, 5B, 12, 12A, 12AA, 12AB, 13ZA, 13A, 13B, 14, 27, 27ZA, 28, 29, 59, 87 Social Work (Scotland) Act 1968;</p> <p>Ss 22 and 23 of the Health and Social Services and Social Security Adjudications Act 1983;</p> <p>Ss 3, 4, 7, 8, Disabled Persons (Services, Consultation and Representation) Act 1986;</p> <p>S 6, Community Care and Health (Scotland) Act 2002</p> <p><b><u>Carers(Scotland) Act 2016</u></b></p> <p><u>Section 6</u> <u>(Duty to prepare of adult carer support plan)</u></p> <p><u>Section 21</u> <u>(duty to set local eligibility criteria)</u></p> <p><u>Section 24</u> <u>(Duty to provide support)</u></p> <p><u>Section 25</u> <u>(Provision of support to carers: breaks from caring)</u></p> <p><u>Section 31</u> <u>(Duty to prepare local carer strategy)</u></p> <p><u>Section 34</u> <u>(Information and advice service for carers)</u></p>	<p>Respite</p>

Column A (function)	Column B (services)
<p><u><i>Section 35</i></u> <u><i>(Short breaks services statements)</i></u></p>	
<p>Ss 1, 2(1), Chronically Sick and Disabled Persons Act 1970;</p> <p>Ss 4, 5A, 5B, 12, 12A, <del>12AA, 12AB</del>, 13, 13ZA, 13A, 13B, 14, 27, 27ZA, 28, 29, 59, 87 Social Work (Scotland) Act 1968;</p> <p>Ss 22 and 23 of the Health and Social Services and Social Security Adjudications Act 1983;</p> <p>S48, National Assistance Act 1948;</p> <p>Ss 3, 4, 7, 8, Disabled Persons (Services, Consultation and Representation) Act 1986;</p> <p>Part 1 Adult Support and Protection (Scotland) Act 2007;</p>	<p>Adult Social Work Teams</p>
<p>Ss 12, 12A, 12AA, 12AB, 13B, 14, Social Work (Scotland) Act 1968;</p> <p>S2(1), Chronically Sick and Disabled Persons Act 1970;</p> <p>Ss 25, 26, 27, Mental Health (Care and Treatment) (Scotland) Act 2003;</p> <p>Ss 22, 23, 24, 24A, Children (Scotland) Act 1995</p> <p>Ss 3, 4, 7, 8 Disabled Persons (Services, Consultation and Representation) Act 1986.</p>	<p>Care at Home</p>
<p>Ss 12, 12A, 12AA, 12AB, 13B, 14, Social Work (Scotland) Act 1968;</p> <p>s2(1), Chronically Sick and Disabled Persons Act 1970;</p> <p>Ss 22, 23, 24, 24A, Children (Scotland) Act 1995</p>	<p>Sensory</p>

Column A (function)	Column B (services)
Ss 3, 4, 7, 8, Disabled Persons (Services, Consultation and Representation) Act 1986.	
<p>Ss 12, 12A, 12AA, 12AB, 13ZA, 13A, 13B, 59, 87, Social Work (Scotland) Act 1968;</p> <p>Ss 22 and 23 of the Health and Social Services and Social Security Adjudications Act 1983;</p> <p>Ss 25, 26, 27, Mental Health (Care and Treatment) (Scotland) Act 2003;</p> <p>S 6, Community Care and Health (Scotland) Act 2002</p>	Care Homes
<p>Ss 12, 12A, 12AA, 12AB, 13ZA, 13B, 59, 87 Social Work (Scotland) Act 1968;</p> <p>Ss 22 and 23 of the Health and Social Services and Social Security Adjudications Act 1983;</p> <p>S2(1), Chronically Sick and Disabled Persons Act 1970;</p> <p>Ss 25, 26, 27, Mental Health (Care and Treatment) (Scotland) Act 2003;</p> <p>Ss 3, 4, 7, 8, Disabled Persons (Services, Consultation and Representation) Act 1986.</p>	Day Care
<p>S12, Social Work (Scotland) Act 1968;</p> <p>S2(1), Chronically Sick and Disabled Persons Act 1970.</p>	Community Development Officers
<p>Ss 25, 26, 27, 33, Mental Health (Care and Treatment) (Scotland) Act 2003;</p> <p>Ss 3, 4, 7, 8, Disabled Persons (Services, Consultation and Representation) Act 1986.</p>	Community Mental Health Teams
Ss 1 to 8 of Part I, Part II and Part XIII, Housing (Scotland) Act 1987;	Housing Support

Column A (function)	Column B (services)
Part 1, Housing (Scotland) Act 2001	
The Housing (Scotland) Act <b>2006(a)</b> Section 71(1)(b)	(assistance for housing purposes) Only in so far as it relates to an aid or adaptation. This includes the Care and repair service.
The Housing (Scotland) Act 2001(a) Section 92	(assistance for housing purposes) Only in so far as it relates to an aid or adaptation. This relates to registered social landlords and housing associations.
The Local Government and Planning (Scotland) Act 1982(a) Section 24(1)	(The provision of gardening assistance for the disabled and the elderly) This is an optional service for Local Authorities which is not currently delivered.
Ss 12, 12A, 12AA, 12AB, Social Work (Scotland) Act 1968;  S2(1), Chronically Sick and Disabled Persons Act 1970;  Ss 3, 4, 7, 8, Disabled Persons (Services, Consultation and Representation) Act 1986.	Support Work
Ss 12, 12A, 12AA, 12AB, 12B, 12C, Social Work (Scotland) Act 1968.  <u><a href="#">Social Care( Self-directed Support)(Scotland)Act 2013</a></u>	Self Directed Support Team
S 5A, 12, Social Work (Scotland) Act 1968.	Reviewing Team
Ss 5A, 12, Social Work (Scotland) Act 1968.	Change Support Team
Ss 12, 13B, 14, Social Work (Scotland) Act 1968;  S2(1), Chronically Sick and Disabled Persons Act 1970;  Ss 3, 4, 7, 8, Disabled Persons (Services, Consultation and	Handypersons



<b>Column A (function)</b>	<b>Column B (services)</b>
Representation) Act 1986;	
S12, Social Work (Scotland) Act 1968; S2(1), Chronically Sick and Disabled Persons Act 1970.	Equipment Stores
Section 71, Housing (Scotland) Act 2006	Assistance for Housing Purposes
Section 92, Housing (Scotland) Act 2001	Assistance for Housing Purposes
Section 24, Local Government and Planning ( Scotland) Act 1982	Provision of Gardening assistance for the disabled and the elderly.

### **Adult services Support Arrangements:**

HC and NESH recognise that in progressing the development of integrated services, there is an impact on the current levels of central support services.

The Partners commit to ensure that all central support required to deliver safe and sustainable services will continue from and after the Commencement Date and that this may require services to continue to support staff and functions which have transferred organisations, as an interim measure.

This may, in some situations, where the impact on capacity will be felt from day one of transfer, require staff to work across existing organisational boundaries, again as an interim measure.

HC and NESH agree to plan a review of all these services to ensure all opportunities afforded by the integration agenda are considered and prioritised so that longer term solutions can be reached.

## Part 2

### Services currently provided by the Local Authority which are to be integrated (Children's Services)

Column A (function)	Column B (services)
S2A, Standards in Scotland's Schools etc. Act 2000.	Public Health/Health Improvement posts re Health Promoting Schools Health Improvement Posts Early Years Health Improvement Post Nutrition
Part II, Children (Scotland) Act 1995;  S34, Standards in Scotland's Schools etc. Act 2000;  S1 Education (Scotland) Act 1980.	Childcare and Early Education Services
Part II, Children (Scotland) Act 1995.	Early Years workers
Included within children's social work/health visiting/nursery services (i.e. no separate treatment required)	Pre-school visiting service
Ss 12, 27, 27A Social Work (Scotland) Act 1968;  Part II, Children (Scotland) Act 1995;  Antisocial Behaviour etc. (Scotland) Act 2004.	Youth Action Team
Education (Additional Support for Learning) (Scotland) Act 2004 .	Specialist Additional Support for Learning education service
Ss 4, 5A, 5B, 6B, 12, 12A, 12AA, 12AB, 13A, 27, 28, Social Work (Scotland) Act 1968;  Part II, Children (Scotland) Act 1995;  S125A, Education (Scotland) Act 1980;  Antisocial Behaviour etc. (Scotland) Act 2004;  Ss 203, 245(11A), Criminal Procedure (Scotland) Act 1995;  Ss 1, 2(1), Chronically Sick and Disabled Persons Act 1970;	Children and families Social work teams

Column A (function)	Column B (services)
<p>Ss 25, 26, 27, 33, Mental Health (Care and Treatment) (Scotland) Act 2003;</p> <p>S48, National Assistance Act 1948;</p> <p>S11, The Matrimonial Proceedings (Children) Act 1958;</p> <p>Ss 3, 4, 7, 8, Disabled Persons (Services, Consultation and Representation) Act 1986;</p> <p>S50, Children Act 1975.</p> <p><b><u>Children and Young People (Scotland) Act 2014</u></b>  <u>All functions of Health Boards conferred by, or by virtue of, Part 4 (provision of named persons) and Part 5 (child's plan) of the Children and Young People (Scotland) Act 2014.</u></p>	
<p>Ss 59, 78, 78A, 79, 80, 81, 82, 83, Social Work (Scotland) Act 1968;</p> <p>Part II, Children (Scotland) Act 1995;</p> <p>S125A, Education (Scotland) Act 1980;</p>	Residential care workers
Foster Children (Scotland) Act 1984.	Fostering service
Adoption and Children (Scotland) Act 2007.	Adoption service
<p>Part II, Children (Scotland) Act 1995;</p> <p>S125A, Education (Scotland) Act 1980.</p>	Through care and after care services
<p>S4, Education (Scotland) Act 1980;</p> <p>Ss 5, 8, 8A, Education (Additional Support for Learning) (Scotland) Act 2004.</p>	Educational Psychology
<p>S12, 12A, 12AA, 13ZA, 27, 27ZA, Social Work (Scotland) Act 1978;</p> <p>Antisocial Behaviour etc. (Scotland) Act 2004;</p>	Social Work Out of Hours Service

Column A (function)	Column B (services)
Part 1 Adult Support and Protection (Scotland) Act 2007;  Part II, Children (Scotland) Act 1995;  Ss 25, 26, 27, 33, Mental Health (Care and Treatment)	
<u><b>Carers (Scotland) Act 2016</b></u>  <u>Section 12 (duty to prepare young carer statement)"</u>  <u>Section 31 (duty to prepare local carer strategy)</u>	

The interface arrangements and associated governing principles outlined in this part of the Integration Scheme are not exhaustive.

Where posts are not located in the Lead Agency yet deliver services to the population served by the Lead Agency there is a need to ensure that services are delivered within the service descriptor for the service being delivered. For example, Family Health Nurses, Out of Hours Social Work etc .

Where posts are not located in the Lead Agency yet deliver services which are required by individuals who are also accessing services from the Lead Agency, there is a need to:-

- maintain the integrity of patient journeys for example: joint clinics between Allied Health Professionals and clinical colleagues located in the NHS;
- maintain access to Bank Staff in the Lead Agency;
- maintain equipment to the required standard (for example calibration of weighing scales);
- maintain access to funding for equipment and aids across service interfaces utilising agreed mechanisms and as detailed in service descriptors

The expectation is that where working networks and interfaces are established that they are continued to benefit patients and carers.