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<b>Report To:</b>	<b>Inverclyde Council</b>	<b>Date:</b>	<b>19 February 2015</b>
<b>Report By:</b>	<b>Head of Legal &amp; Property Services</b>	<b>Report No:</b>	<b>LP/034/15</b>
<b>Contact Officer:</b>	<b>Gerard Malone</b>	<b>Contact No:</b>	<b>01475 712710</b>
<b>Subject:</b>	<b>Health and Social Care Integration Administrative and Governance Arrangements</b>		

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## 1.0 PURPOSE

- 1.1 The purpose of this report is to seek approval of administrative and governance issues arising from the implementation of Health and Social Care Integration in Inverclyde.

## 2.0 SUMMARY

- 2.1 At the previous meeting of 29 January 2015, the Council approved the Integration Scheme for submission to the Scottish Government for approval in line with the requirements of the Public Bodies (Joint Working ) (Scotland) Act 2014.
- 2.2 Once the Integration Scheme has been approved by the Scottish Ministers, the Inverclyde Integration Joint Board will be established by Order of the Scottish Ministers.
- 2.3 Community Health Partnerships will be removed by statute on 1 April 2015.
- 2.4 The establishment of the Inverclyde Integration Joint Board and subsequent delegation of functions will have implications for the Council's governance arrangements. This includes potential changes to the Council's governance structures – e.g. re-evaluating the role of the Health & Social Care Committee and the abolition of the ICHCP Sub-Committee.

## 3.0 RECOMMENDATION

- 3.1 It is recommended that the Council:

(1) approves the proposal that, once the Inverclyde Integration Joint Board is established, the Health & Social Care Committee will meet regularly as a Standing Committee in terms of the Council's meetings cycle, with the role of overseeing the Council's relationship with the Inverclyde Integration Joint Board;

(2) either

- (i) re-appoints the existing Members of the Health and Social Care Committee; or
- (ii) appoints a new set of Members to the Health & Social Care Committee, having due regard to paragraph 5.4 (political balance) of the Council's Scheme of Administration and to appoint a Convener and a Vice-Convener to that Committee;

(3) agrees that the Inverclyde Community Health Care Partnership Sub-Committee be disbanded from 31 March 2015;

(4) agrees that a Shadow Inverclyde Integration Joint Board be established with effect from 1 April 2015 until the Inverclyde Integration Joint Board is established by Order of the Scottish Ministers;

- (5) agrees that those functions listed in appendix 1 accompanying the report are delegated to the Inverclyde Integration Joint Board, effective from the date it is established by Order of the Scottish Ministers;
- (6) notes the services listed in appendix 2 accompanying the report which are to be integrated for the purposes of the delivery of the functions listed in appendix 1;
- (7) offers to provide secretariat and administrative assistance as is necessary, including the provision of legal advice on procedural and governance arrangements at meetings, to the Shadow Integration Joint Board and, once established, the Inverclyde Integration Joint Board, all to be reviewed in due course with the representative officers of the Integration Joint Board, and that the Municipal Buildings, Greenock be offered as a venue for formal meetings of both the shadow and established Integration Joint Board;
- (8) delegates authority to the Head of Legal and Property Services to negotiate a Service Level Agreement with the representative officers of the Integration Joint Board in relation to the secretariat, administrative assistance, advice and meetings arrangements for the integration Joint Board and to review this in terms of developing arrangements in the course of the next year and to report thereon to the Policy and Resources Committee in due course;
- (9) delegates authority to the Head of Legal and Property Services in consultation and liaison with representatives from Greater Glasgow and Clyde Health Board to draft governance documents to regulate the procedure and business of the Shadow Integration Joint Board;
- (10) authorises the Head of Legal & Property Services to make any consequent changes to the Council's Standing Orders, Scheme of Administration and Scheme of Delegation arising from the Council's decision.

**Gerard Malone**  
**Head of Legal & Property Services**

## **4.0 BACKGROUND**

- 4.1 The Public Bodies (Joint Working) (Scotland) Act 2014 (“the Act”) establishes the legal framework for integrating health and social care in Scotland and requires each Health Board and Local Authority to delegate some of their functions to a third party, known as an Integration Joint Board, in order to deliver nationally agreed outcomes for health and social care.
- 4.2 The Council has committed to the creation of the Inverclyde Integration Joint Board. This will be a new legal entity to which the Council’s functions in respect of adult and children’s social care will be transferred. The Act requires the Council and the Health Board to prepare jointly an Integration Scheme setting out how the joint working arrangements are to be achieved in the partnership area.
- 4.3 The Council approved the Inverclyde Integration Scheme for submission to the Scottish Government on 29 January 2015.
- 4.4 Once the Integration Scheme has been approved by the Scottish Ministers, the Inverclyde Integration Joint Board (which has distinct legal personality) will be established by Order of the Scottish Ministers. It is anticipated that the Inverclyde Integration Joint Board will be established for 1 April 2015 or soon thereafter, but this is dependent upon Scottish Government approval.
- 4.5 The establishment of the Inverclyde Integration Joint Board and subsequent delegation of functions will have implications for the Council’s governance arrangements. This includes potential changes to the Council’s governance structures – e.g. re-evaluating the role of the Health & Social Care Committee and the disbanding of the CHCP Sub-Committee.
- 4.6 A separate report requesting the Council appoint representatives to the Inverclyde Integration Joint Board will be presented to this Council meeting.

## **5.0 ESTABLISHMENT OF THE INVERCLYDE INTEGRATION JOINT BOARD AND DELEGATION OF FUNCTIONS**

- 5.1 At present, the current CHCP Sub-Committee has the additional role of operating informally as the shadow Integration Joint Board during the first transitional period of integration, with the current membership and with the current Scheme of Establishment and Standing Orders regulating its governance arrangements.
- 5.2 While it is expected that the Scottish Government will be able to formally constitute the Inverclyde Integration Joint Board by Order on 1 April 2015, it is possible that there may be a slight delay, meaning that the Inverclyde Integration Joint Board will not be effective until a slightly later date.
- 5.3 Given both the possible delay in formally establishing the Inverclyde Integration Joint Board and the fact that Community Health Partnerships are to be abolished by statute on 1 April 2015, it is now thought to be appropriate to take steps to move to a formal Shadow Integration Joint Board arrangement with membership and governance arrangements more aligned to those which will come into operation once the Inverclyde Integration Joint Board is formally established.
- 5.4 The Head of Legal and Property Services will in liaison with relevant officers from Greater Glasgow and Clyde NHS Board, prepare governance documents to regulate the procedure and business of the Shadow Integration Joint Board. The Head of Legal & Property Services also requires to be authorised to make consequential changes to the Council’s governance documents at the time the Inverclyde Integration Joint Board formally comes into existence. The functions detailed in appendix 1 accompanying this report will be delegated at that time to the newly created Inverclyde Integration Joint Board. The services which will be integrated for the purposes of the delivery of the functions are detailed in appendix 2.

5.5 For the purposes of the Shadow Integration Joint Board and, thereafter, the Inverclyde Integration Joint Board the Council can offer to provide the appropriate secretariat and administrative assistance for purposes of convening and holding meetings and circulating reports and dealing with diary arrangements and procedures. The Council can also provide advice at meetings on procedural and governance arrangements. This will be negotiated in terms of a Service Level Agreement with appropriate payment from the Integration Joint Board for the performance of these functions and the procedures for this can be delegated to the Head of Legal & Property Services in liaison with the representative officers of the Integration Joint Board.

## **6.0 HEALTH & SOCIAL CARE COMMITTEE**

6.1 When the current Inverclyde CHCP was originally established in 2010, it was agreed that the CHCP Sub-Committee would sit in place of the Health & Social Care Committee on four out of its five scheduled meetings in each cycle of meetings. At present, the Health & Social Care Committee meets once per year. The Health & Social Care Committee currently has the corporate responsibility for monitoring the activities of the Inverclyde CHCP Sub-Committee. The CHCP Sub-Committee has full delegated authority to undertake the functions of the Health and Social Care Committee and decisions are treated as if they had been made by the Health and Social Care Committee.

6.2 As the Inverclyde Integration Joint Board will become a separate legal entity upon establishment, the Council requires to determine the best method to oversee and scrutinise its activities. It is proposed that it is appropriate that this function is carried out by the Health & Social Care Committee, which would increase its frequency of meetings from one to five occasions per annum.

6.3 As this is a developing approach as the Integration Joint Board progresses, it is essential for efficacy and efficiency purposes that the Health and Social Care Committee review this arrangement and its new function after a period of 12 months.

6.4 The Health & Social Care Committee would therefore be re-constituted as a Standing Committee, meeting on a regular basis with effect from the date of establishment of the Inverclyde Integration Joint Board. Its membership would be open to those Members appointed to serve on the Inverclyde Integration Joint Board.

6.5 The Council's Standing Orders and Scheme of Administration will require to be amended to allow the Health & Social Care Committee to increase its frequency of meetings and to set out its terms of reference.

6.6 Members can either decide to keep the current membership of the Health & Social Care Committee in place or consider changing the membership arrangements to reflect the Council's representation on the Inverclyde Integration Joint Board. A list of current members of the Health and Social Care Committee is set out below:-

1. Councillor MacLeod
2. Councillor McCabe
3. Councillor Grieve
4. Councillor McCormick
5. Councillor Brennan
6. Councillor Campbell-Sturgess
7. Councillor Jones
8. Councillor McIlwee
9. Councillor Ahlfeld
10. Councillor Dorrian
11. Councillor Rebecchi

**Convener:** Councillor McIlwee

**Vice-Convener:** Councillor Dorrian

- 6.7 It is anticipated that the Shadow Integration Joint Board and, thereafter, the Inverclyde Integration Joint Board will continue to have the same frequency of meetings as the CHCP Sub-Committee. It should be noted that since the Shadow Integration Joint Board is not yet a separate legal entity, there is no need for the Health and Social Care Committee to meet any more frequently than it does at present. Once the Inverclyde Integration Joint Board is formally established, the Health and Social Care Committee will increase its frequency of meetings as stated in paragraph 6.2 above in order to discharge its new remit.
- 6.8 It should be noted that the proposals for changes to the Council's Standing Orders, Scheme of Administration and Scheme of Delegation, as well as the proposals to increase the frequency of meetings and amend the terms of reference of the Health & Social Care Committee will not take effect until 1 April 2015.
- 6.9 Greater Glasgow and Clyde Health Board are aware of the Council's approach to the matters referred to in this report.

## 7.0 IMPLICATIONS

### Finance

- 7.1 None

#### Financial Implications:

##### One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

##### Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

### Legal

- 7.2 The requirement for the Council to delegate functions to the new Inverclyde Integration Joint Board and the associated changes to the Council's governance arrangements have been brought about by legislative changes associated with the delivery of health and social care services in terms of the Public Bodies (Joint Working) (Scotland) Act 2014.

### Human Resources

- 7.3 None

### Equalities

- 7.4 There are no equalities implications at this time. The need for equality impact assessments will be considered as integration progresses.

### Repopulation

- 7.5 None

## **8.0 CONSULTATIONS**

8.1 The Corporate Director, Inverclyde Community Health & Care Partnership has been consulted in the preparation of this report.

## **9.0 LIST OF BACKGROUND PAPERS**

9.1 Integration Scheme V12 – 28<sup>th</sup> January 2015.

9.2 Public Bodies (Joint Working) (Scotland) Act 2014.

# APPENDIX 1

## Part 1

### Functions Delegated by the Council to the Integration Joint Board

Set out below is the list of functions that must be delegated by the Council to the Integration Joint Board as set out in the Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Regulations 2014. Further local authority functions can be delegated in terms of Section 1(5) of the Public Bodies (Joint Working) (Scotland) Act 2014 as long as they fall within the relevant sections of the Acts set out in the Schedule to the said Act and these optional functions are set out in Part 2 below;

Functions prescribed for the purposes of section 1(7) of the Public Bodies (Joint Working) (Scotland) Act 2014

<b>Column A Enactment conferring function</b>	<b>Column B Limitation</b>
<b>National Assistance Act 1948</b>	
Section 48 (Duty of councils to provide temporary protection for property of persons admitted to hospitals etc.)	
<b>The Disabled Persons (Employment) Act 1958</b>	
Section 3 (Provision of sheltered employment by local authorities)	
<b>The Social Work (Scotland) Act 1968</b>	
Section 1 (Local authorities for the administration of the Act.)	So far as it is exercisable in relation to another integration function.
Section 4 (Provisions relating to performance of functions by local authorities.)	So far as it is exercisable in relation to another integration function.
Section 8 (Research.)	So far as it is exercisable in relation to another integration function.
Section 10 (Financial and other assistance to voluntary organisations etc. for social work.)	So far as it is exercisable in relation to another integration function.
Section 12 (General social welfare services of local authorities.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 12A (Duty of local authorities to assess needs.)	So far as it is exercisable in relation to another integration function.
Section 12AZA (Assessments under section 12A - assistance)	So far as it is exercisable in relation to another integration function.
Section 12AA (Assessment of ability to provide care.)	
Section 12AB (Duty of local authority to provide information to carer.)	

Column A Enactment conferring function	Column B Limitation
Section 13 (Power of local authorities to assist persons in need in disposal of produce of their work.)	
Section 13ZA (Provision of services to incapable adults.)	So far as it is exercisable in relation to another integration function.
Section 13A (Residential accommodation with nursing.)	
Section 13B (Provision of care or aftercare.)	
Section 14 (Home help and laundry facilities.)	
Section 28 (Burial or cremation of the dead.)	So far as it is exercisable in relation to persons cared for or assisted under another integration function.
Section 29 (Power of local authority to defray expenses of parent, etc., visiting persons or attending funerals.)	
Section 59 (Provision of residential and other establishments by local authorities and maximum period for repayment of sums borrowed for such provision.)	So far as it is exercisable in relation to another integration function.
<b>The Local Government and Planning (Scotland) Act 1982</b>	
Section 24(1) (The provision of gardening assistance for the disabled and the elderly.)	
<b>Disabled Persons (Services, Consultation and Representation) Act 1986</b>	
Section 2 (Rights of authorised representatives of disabled persons.)	
Section 3 (Assessment by local authorities of needs of disabled persons.)	
Section 7 (Persons discharged from hospital.)	In respect of the assessment of need for any services provided under functions contained in welfare enactments within the meaning of section 16 and which have been delegated.
Section 8 (Duty of local authority to take into account abilities of carer.)	In respect of the assessment of need for any services provided under functions contained in welfare enactments (within the meaning set out in section 16 of that Act) which are integration functions.
<b>The Adults with Incapacity (Scotland) Act 2000</b>	
Section 10 (Functions of local authorities.)	



<b>Column A Enactment conferring function</b>	<b>Column B Limitation</b>
Section 12 (Investigations.)	
Section 37 (Residents whose affairs may be managed.)	Only in relation to residents of establishments which are managed under integration functions.
Section 39 (Matters which may be managed.)	Only in relation to residents of establishments which are managed under integration functions.
Section 41 (Duties and functions of managers of authorised establishment.)	Only in relation to residents of establishments which are managed under integration functions
Section 42 (Authorisation of named manager to withdraw from resident's account.)	Only in relation to residents of establishments which are managed under integration functions
Section 43 (Statement of resident's affairs.)	Only in relation to residents of establishments which are managed under integration functions
Section 44 (Resident ceasing to be resident of authorised establishment.)	Only in relation to residents of establishments which are managed under integration functions
Section 45 (Appeal, revocation etc.)	Only in relation to residents of establishments which are managed under integration functions
<b>The Housing (Scotland) Act 2001</b>	
Section 92 (Assistance to a registered for housing purposes.)	Only in so far as it relates to an aid or adaptation.
<b>The Community Care and Health (Scotland) Act 2002</b>	
Section 5 (Local authority arrangements for of residential accommodation out with Scotland.)	
Section 14 (Payments by local authorities towards expenditure by NHS bodies on prescribed functions.)	
<b>The Mental Health (Care and Treatment) (Scotland) Act 2003</b>	
Section 17 (Duties of Scottish Ministers, local authorities and others as respects Commission.)	
Section 25 (Care and support services etc.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 26 (Services designed to promote well-being and social development.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 27 (Assistance with travel.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 33 (Duty to inquire.)	
Section 34 (Inquiries under section 33: Co-operation.)	

Column A Enactment conferring function	Column B Limitation
Section 228 (Request for assessment of needs: duty on local authorities and Health Boards.)	
Section 259 (Advocacy.)	
<b>The Housing (Scotland) Act 2006</b>	
Section 71(1)(b) (Assistance for housing purposes.)	Only in so far as it relates to an aid or adaptation.
<b>The Adult Support and Protection (Scotland) Act 2007</b>	
Section 4 (Council's duty to make inquiries.)	
Section 5 (Co-operation.)	
Section 6 (Duty to consider importance of providing advocacy and other.)	
Section 11 (Assessment Orders.)	
Section 14 (Removal orders.)	
Section 18 (Protection of moved person's property.)	
Section 22 (Right to apply for a banning order.)	
Section 40 (Urgent cases.)	
Section 42 (Adult Protection Committees.)	
Section 43 (Membership.)	
<b>Social Care (Self-directed Support) (Scotland) Act 2013</b>	
Section 3 (Support for adult carers.)	Only in relation to assessments carried out under integration functions.
Section 5 (Choice of options: adults.)	
Section 6 (Choice of options under section 5: assistances.)	
Section 7 (Choice of options: adult carers.)	
Section 9 (Provision of information about self-directed support.)	

<b>Column A Enactment conferring function</b>	<b>Column B Limitation</b>
Section 11 (Local authority functions.)	
Section 12 (Eligibility for direct payment: review.)	
Section 13 (Further choice of options on material change of circumstances.)	Only in relation to a choice under section 5 or 7 of the Social Care (Self-directed Support) (Scotland) Act 2013.
Section 16 (Misuse of direct payment: recovery.)	
Section 19 (Promotion of options for self-directed support.)	

Functions, conferred by virtue of enactments, prescribed for the purposes of section 1(7) of the Public Bodies (Joint Working) (Scotland) Act 2014

<b>Column A Enactment conferring function</b>	<b>Column B Limitation</b>
<b>The Community Care and Health (Scotland) Act 2002</b>	
Section 4 The functions conferred by Regulation 2 of the Community Care (Additional Payments) (Scotland) Regulations 2002	

## Part 2

### Additional Council Functions to be Delegated

#### Section 1(5) of the Public Bodies (Joint Working) (Scotland) Act 2014

Functions conferred by enactments listed in Part 1 of the Schedule to the Public Bodies (Joint Working) (Scotland) Act 2014.

<b>Column A Enactment conferring function</b>	<b>Column B Limitation</b>
<b>National Assistance Act 1948</b>	
Section 45 (Recovery in cases of misrepresentation or non-disclosure)	
Section 48 (Duty of councils to provide temporary protection for property of persons admitted to hospitals etc.)	
<b>Disabled Persons (Employment) Act 1958</b>	
Section 3 (Provision of sheltered employment by local authorities)	
<b>Matrimonial Proceedings (Children) Act 1958</b>	
Section 11 (Reports as to arrangements for future care and upbringing of children)	
<b>Social Work (Scotland) Act 1968</b>	
Section 1 (Local authorities for the administration of the Act.)	
Section 4 (Provisions relating to performance of functions by local authorities.)	
Section 5 (Powers of Secretary of State).	
Section 6B (Local authority inquiries into matters affecting children)	
Section 8 (Research.)	
Section 10 (Financial and other assistance to voluntary organisations etc. for social work.)	
Section 12 (General social welfare services of local authorities.)	
Section 12A (Duty of local authorities to assess needs.)	

Column A Enactment conferring function	Column B Limitation
Section 12AZA (Assessments under section 12A - assistance)	
Section 12AA (Assessment of ability to provide care.)	
Section 12AB (Duty of local authority to provide information to carer.)	
Section 13 (Power of local authorities to assist persons in need in disposal of produce of their work.)	
Section 13ZA (Provision of services to incapable adults.)	
Section 13A (Residential accommodation with nursing.)	
Section 13B (Provision of care or aftercare.)	
Section 14 (Home help and laundry facilities.)	
Section 27 (supervision and care of persons put on probation or released from prison etc.)	
Section 27 ZA (advice, guidance and assistance to persons arrested or on whom sentence deferred)	
Section 28 (Burial or cremation of the dead.)	
Section 29 (Power of local authority to defray expenses of parent, etc., visiting persons or attending funerals.)	
Section 59 (Provision of residential and other establishments by local authorities and maximum period for repayment of sums borrowed for such provision.)	
Section 78A (Recovery of contributions).	
Section 80 (Enforcement of duty to make contributions.)	
Section 81 (Provisions as to decrees for aliment)	
Section 83 (Variation of trusts)	
<b>Children Act 1975</b>	
Section 34 (Access and maintenance)	
Section 39 (Reports by local authorities and probation officers.)	

Column A Enactment conferring function	Column B Limitation
Section 40 (Notice of application to be given to local authority)	
Section 50 (Payments towards maintenance of children)	
<b>The Local Government and Planning (Scotland) Act 1982</b>	
Section 24(1) (The provision of gardening assistance for the disabled and the elderly.)	
<b>Health and Social Services and Social Security Adjudications Act 1983</b>	
Section 21 (Recovery of sums due to local authority where persons in residential accommodation have disposed of assets)	
Section 22 (Arrears of contributions charged on interest in land in England and Wales)	
Section 23 (Arrears of contributions secured over interest in land in Scotland)	
<b>Foster Children (Scotland) Act 1984</b>	
Section 3 (Local authorities to ensure well-being of and to visit foster children)	
Section 5 (Notification by persons maintaining or proposing to maintain foster children)	
Section 6 (Notification by persons ceasing to maintain foster children)	
Section 8 (Power to inspect premises)	
Section 9 (Power to impose requirements as to the keeping of foster children)	
Section 10 (Power to prohibit the keeping of foster children)	
<b>Disabled Persons (Services, Consultation and Representation) Act 1986</b>	
Section 2 (Rights of authorised representatives of disabled persons.)	
Section 3 (Assessment by local authorities of needs of disabled persons.)	

Column A Enactment conferring function	Column B Limitation
Section 7 (Persons discharged from hospital.)	
Section 8 (Duty of local authority to take into account abilities of carer.)	
<b>Housing (Scotland) Act 1987</b>	
Section 4 (Power of local authority to provide furniture, etc.)	
Section 5(1) (Power of local authority to provide board and laundry facilities)	
Section 5A(1) (Power of local authority to provide welfare services)	
Part II (Homeless Persons)	
<b>Children (Scotland) Act 1995</b>	
Section 17 (Duty of local authority to child looked after by them)	
Sections 19 (Local authority plans for services for children)	
Section 20 (Publication of information about services for children)	
Section 21 (Co-operation between authorities)	
Section 22 (Promotion of welfare of children in need)	
Section 23 (Children affected by disability)	
Section 24 (Assessment of ability of carers to provide care for disabled children)	
Section 24A (Duty of local authority to provide information to carer of disabled child)	
Section 25 (Provision of accommodation for children etc.)	
Section 26 (Manner of provision of accommodation to children looked after by local authority)	
Section 27 (Day care for pre-school and other children)	
Section 29 (After-care)	

Column A Enactment conferring function	Column B Limitation
Section 30 (Financial assistance towards expenses of education or training)	
Section 31 (Review of case of child looked after by local authority)	
Section 32 (Removal of child from residential establishment)	
Section 36 (Welfare of certain children in hospitals and nursing homes etc.)	
Section 38 (Short-term refuges for children at risk of harm)	
Section 76 (Exclusion orders)	
<b>Criminal Procedure (Scotland) Act 1995</b>	
Section 51 (Remand and committal of children and young persons).	
Section 203 (Reports)	
Section 234B (Drug treatment and testing order).	
Section 245A (Restriction of liberty orders).	
<b>Adults with Incapacity (Scotland) Act 2000</b>	
Section 10 (Functions of local authorities.)	
Section 12 (Investigations.)	
Section 37 (Residents whose affairs may be managed.)	
Section 39 (Matters which may be managed.)	
Section 40 (Supervisory bodies)	
Section 41 (Duties and functions of managers of authorised establishment.)	
Section 42 (Authorisation of named manager to withdraw from resident's account.)	



Column A Enactment conferring function	Column B Limitation
Section 43 (Statement of resident's affairs.)	
Section 44 (Resident ceasing to be resident of authorised establishment.)	
Section 45 (Appeal, revocation etc.)	
<b>Housing (Scotland) Act 2001</b>	
Section 1 (Homelessness strategies)	
Section 2 (Advice on homelessness etc.)	
Section 5 (Duty of registered social landlord to provide accommodation)	
Section 6 (Duty of registered social landlord: further provision)	
Section 8 (Common housing registers)	
Section 92 (Assistance for Housing Purposes)	So far as it is exercisable in relation to another integration function.
<b>Community Care and Health (Scotland) Act 2002</b>	
Section 5 (Local authority arrangements for residential accommodation out with Scotland.)	
Section 6 (Deferred payment of accommodation costs)	
Section 14 (Payments by local authorities towards expenditure by NHS bodies on prescribed functions.)	
<b>The Mental Health (Care and Treatment) (Scotland) Act 2003</b>	
Section 17 (Duties of Scottish Ministers, local authorities and others as respects Commission.)	
Section 25 (Care and support services etc.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 26 (Services designed to promote well-being and social development.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 27 (Assistance with travel.)	Except in so far as it is exercisable in relation to the provision of housing support services.

Column A Enactment conferring function	Column B Limitation
Section 33 (Duty to inquire.)	
Section 34 (Inquiries under section 33: Co-operation.)	
Section 228 (Request for assessment of needs: duty on local authorities and Health Boards.)	
Section 259 (Advocacy.)	
<b>Management of Offenders etc. (Scotland) Act 2005</b>	
Section 10 (Arrangements for assessing and managing risks posed by certain offenders)	
Section 11 (Review of arrangements)	
<b>Housing (Scotland) Act 2006</b>	
Section 71 (Assistance for housing purposes)	So far as it is exercisable in relation to another integration function.
<b>Adoption and Children (Scotland ) Act 2007</b>	
Section 1 (Duty of local authority to provide adoption service)	
Section 4 (Local authority plans)	
Section 5 (Guidance)	
Section 6 (Assistance in carrying out functions under sections 1 and 4)	
Section 9 (Assessment of needs for adoption support services)	
Section 10 (Provision of services)	
Section 11 (Urgent provision)	
Section 12 (Power to provide payment to person entitled to adoption support service)	
Section 19 (Notice under section 18: local authority's duties)	
Section 26 (Looked after children: adoption not proceeding)	

Column A Enactment conferring function	Column B Limitation
Section 45 (Adoption support plans)	
Section 47 (Family member's right to require review of plan)	
Section 48 (Other cases where authority under duty to review plan)	
Section 49 (Reassessment of needs for adoption support services)	
Section 51 (Guidance)	
Section 71 (Adoption allowance schemes)	
Section 80 (Permanence Orders)	
Section 90 (Precedence of certain other orders)	
Section 99 (Duty of local authority to apply for variation or revocation)	
Section 101 (Local authority to give notice of certain matters)	
Section 105 (Notification of proposed application for order)	
<b>Adult Support and Protection (Scotland) Act 2007</b>	
Section 4 (Council's duty to make inquiries.)	
Section 5 (Co-operation.)	
Section 6 (Duty to consider importance of providing advocacy and other.)	
Section 7 (Visits)	
Section 8 (Interviews)	
Section 9 (Medical examinations)	
Section 10 (Examination of records etc)	
Section 11 (Assessment Orders.)	

Column A Enactment conferring function	Column B Limitation
Section 14 (Removal orders.)	
Section 16 (Right to move adult at risk)	
Section 18 (Protection of moved person's property.)	
Section 22 (Right to apply for a banning order.)	
Section 40 (Urgent cases.)	
Section 42 (Adult Protection Committees.)	
Section 43 (Membership.)	
<b>Children's Hearings (Scotland) Act 2011</b>	
Section 35 (Child assessment orders)	
Section 37 (Child protection orders)	
Section 42 (Parental responsibilities and rights directions)	
Section 44 (Obligations of local authority)	
Section 48 (Application for variation or termination)	
Section 49 (Notice of application for variation or termination)	
Section 60 (Local authority's duty to provide information to Principal Reporter)	
Section 131 (Duty of implementation authority to require review)	
Section 144 (Implementation of compulsory supervision order: general duties of implementation authority)	
Section 145 (Duty where order requires child to reside in certain place)	
Section 166 (Review of requirement imposed on local authority)	
Section 167 (Appeals to Sheriff Principal: Section 166)	

Column A Enactment conferring function	Column B Limitation
Section 180 (Sharing of information: panel members)	
Section 183 (Mutual Assistance)	
Section 184 (Enforcement of obligations on health board under Section 183)	
<b>Social Care (Self- Directed Support)(Scotland) Act 2013</b>	
Section 3 (Support for adult carers.)	Only in relation to assessments carried out under integration functions.
Section 5 (Choice of options: adults.)	
Section 6 (Choice of options under section 5: assistances.)	
Section 7 (Choice of options: adult carers.)	
Section 9 (Provision of information about self-directed support.)	
Section 11 (Local authority functions.)	
Section 12 (Eligibility for direct payment: review.)	
Section 13 (Further choice of options on material change of circumstances.)	Only in relation to a choice under section 5 or 7 of the Social Care (Self-directed Support) (Scotland) Act 2013.
Section 16 (Misuse of direct payment: recovery.)	
Section 19 (Promotion of options for self-directed support.)	
Functions conferred by virtue of enactments listed in Part 2 of the Schedule to the Public Bodies (Joint Working) (Scotland) Act 2014.	
<b>The Community Care and Health (Scotland) Act 2002</b>	
Section 4 (The functions conferred by Regulation 2 of the Community Care (Additional Payments) (Scotland) Regulations 2002)	
<b>Children’s Hearings (Scotland) Act 2011</b>	
(Secure accommodation: regulations)	

## APPENDIX 2

### Services currently provided by the Local Authority which are to be integrated

Scottish Ministers have set out in guidance that the services set out below must be integrated. Further services can be added where they relate to delegated functions;

- Social work services for adults and older people
- Services and support for adults with physical disabilities and learning disabilities
- Mental health services
- Drug and alcohol services
- Adult protection and domestic abuse
- Carers support services
- Community care assessment teams
- Support services
- Care home services
- Adult placement services
- Health improvement services
- Aspects of housing support, including aids and adaptations
- Day services
- Local area co-ordination
- Respite provision for adults and young people
- Occupational therapy services
- Re-ablement services, equipment and telecare

In addition Inverclyde Council will delegate:

- Criminal Justice Services
  - Criminal Justice Social Work
  - Prison Based Social Work
  - Unpaid Work
  - MAPPA
- Children & Families Social Work Services
  - Child Protection
  - Fieldwork Social Work Services for Children and Families
  - Residential Child Care including Children's Homes
  - Looked After & Accommodated Children
  - Adoption & Fostering
  - Kinship Care
  - Services for Children with Additional Needs

- Throughcare
- Youth Support / Youth Justice
- Young Carers
  
- Services for People affected by Homelessness
  
- Advice Services
  
- Strategic & Support Services
  - Health Improvement & Inequalities
  - Quality & Development (including training and practise development, contract monitoring and strategic planning)
  - Business Support