

DUNDEE CITY COUNCIL

REPORT TO: Social Work Committee - 21st June 2004

REPORT ON: The Mental Health (Care and Treatment) (Scotland) Act 2003 - Tayside Joint Local Implementation Plan

REPORT BY: Director of Social Work

REPORT NO: 425 - 2004

1.0 PURPOSE OF THE REPORT

- 1.1 To inform members of The Mental Health (Care and Treatment) (Scotland) Act 2003, Tayside Joint Local Implementation Plan, a copy of the plan has been passed to each of the Group Secretaries and is available for inspection in the Members' Lounge.
- 1.2 To inform members of proposals to implement the plan locally.

2.0 RECOMMENDATIONS

It is recommended that the Social Work Committee:-

- 2.1 notes the content of this report
- 2.2 notes the content of the Tayside Joint Local Implementation Plan
- 2.3 notes the proposals for implementing the plan

3.0 FINANCIAL IMPLICATIONS

- 3.1 The Scottish Executive has included resources within the Local Government Finance Settlement to enable local authorities to meet their new responsibilities arising from the Mental Health Act. Dundee City Council's budgeted allocation is £34k in 2003/04, £309k in 2004/05 and £320k in 2005/06. The cost of those proposals within the plan which affect Dundee City Council will be met from these additional resources.

4.0 LOCAL AGENDA 21 IMPLICATIONS

- 4.1 The new Mental Health Act Tayside Joint Local Implementation Plan will ensure that the Social Work Department provides an equitable service which protects and improves the lives of local citizens with mental health problems.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

- 5.1 All persons subject to the new legislation as implemented locally will be given respect and dignity and will be provided with equality of service.

6.0 MAIN TEXT

6.1 Introduction

A previous Social Work Committee Report (Report No. 200-2004) tabled on 15th March 2004 informed members of the Mental Health (Care and Treatment) (Scotland) Act 2003 (the 2003 Act) which is due to come into force on 4th April 2005. That report outlined the main provisions of the new Act; new responsibilities on local authorities to provide services; and increased responsibilities on mental health officers. Report No. 200-2004 also informed members that the Scottish Executive had asked Chief Executives of NHS Boards to produce, in collaboration with their local authority partners, a joint implementation plan by 31 March 2004, indicating how the Boards intend jointly with their partner authorities to ensure that services will be ready to meet the requirements of the 2003 Act.

It was recommended in Report No. 200-2004 that members endorse proposed action by the Social Work Department with particular regard to developing guidance and training for local authority staff, including mental health officers, on the 2003 Act and its implications for practice.

It was also recommended that members endorse the proposal that a joint project board convened with partner authorities, including NHS Tayside, should consider the implications arising from the 2003 Act, and should prepare a joint implementation plan in accordance with Scottish Executive requirements.

6.2 The Tayside Joint Local Implementation Plan

Accordingly, the joint local implementation plan was prepared by the project board, and endorsed by the Chief Executives of NHS Tayside, and of the three partner local authorities, and submitted to the Scottish Executive on 31st March 2004.

The introductory statement from the implementation plan is attached to this report as Appendix 1. This statement outlines the approach taken by the project board to developing the plan, as well as underlining the commitment from all the partner agencies to work together to achieve the necessary changes to the nature, range and availability of services. A copy of the full plan is available in the members lounge.

6.3 Implementing the Plan

The joint local implementation plan has identified key tasks, and key areas where development work needs to be undertaken as a consequence of the new requirements of the 2003 Act.

The plan is on the agenda of the Mental Health Strategic Planning Group, which will report to the Health and Local Authority Management Group, which will ensure that the necessary implementation work is progressed. The implementation plan project board, the membership of which is listed at Item 12 of the plan, will continue to play an important part in guiding the implementation work taking account of feedback from the Scottish Executive regarding the plan's details.

7.0 CONSULTATION

7.1 The Chief Executive, the Depute Chief Executive (Finance) and Depute Chief Executive (Support Services) have been consulted in the preparation of this report.

8.0 BACKGROUND PAPERS

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing the above report

Alan G Baird
Director of Social Work

Date: 9 June 2004

INTRODUCTION

This document provides the detail of the actions, timetable and responsibilities that require to be met in order that NHS Tayside and its partner local authorities Angus Council, Dundee City Council and Perth & Kinross Council are able to conform to the requirements of the Act from 1st April 2005.

The modernisation of mental health services has been underway across Tayside since the mid 1990's and the implementation plan necessarily relates and refers to the detail of a wide range of plans and developments. The document in a number of places summarises these for the sake of brevity and comprehension and a list of the related service reviews, development plans etc. is provided and their relationship with the implementation plan is indicative throughout.

It should be noted that unless a topic or task within the plan is specific to a care group then the entry should be considered to apply to all care groups to whom the legislation applies; including children, adolescents, adults of all ages and people with a learning disability.

There are specific tasks identified to deliver an inclusive approach to service design and delivery in order that service users and their carers become more involved. There is also a task identifying the need to remove barriers to services that may exist for people from ethnic minorities. As well as these specific actions the whole plan is predicated by an assumption that involvement and inclusion underpins all of the envisaged actions.

Wherever possible lead officers have been identified to take forward the tasks within the plan. In a number of areas there is currently no one person who has the delegated authority to complete the task. Where this is the case the name of the chairpersons of the local joint management group (or equivalent) has been entered in italics with the understanding that they will ensure that the task is suitably delegated.

The Tayside Local Implementation Plan does not sit in isolation from other strategic plans and service developments. A number of these associated actions require to be negotiated amongst community planning partners, funding streams have to be identified, and appropriate authorisation sought through the various governance mechanisms of the NHS and the local authorities. The nature of some of the changes and the levels of investment required will necessitate a lengthy implementation period (e.g. reprovision of NHS in-patient services). For these reasons it is not possible to produce a comprehensive financial framework that could reasonably be "signed off" by all the partner agencies. We have, however, identified the cost of changes and developments where such information exists from sources such as service reviews, business plans and committee reports.

There is a commitment from all the agencies to achieve the necessary changes to the nature, range and availability of services and they will work together to achieve these.

There is also a commitment from the partner agencies to make staff available to oversee and implement the plan, a joint implementation group is already in place and a wide range of staff including those identified as lead officers will be charged with carrying out the various functions described.

**Chief Executive
Angus Council**

**Chief Executive
Dundee City Council**

**Chief Executive
Perth & Kinross Council**

**Chief Executive
NHS Tayside**

Date:

Date:

Date:

Date: