

## Dundee Integration Scheme

### Annex 1

#### Part 1

#### Functions delegated by the NHS Tayside to the Dundee Integration Joint Board

Set out below is the list of functions that will be delegated by NHS Tayside to the Integration Joint Board as set out in the Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Regulations 2014. The functions in this list are being delegated only in respect of the services described in Annex 1 part 2(a) and Part 2(b)

#### Functions prescribed for the purposes of section 1(8) of the Act

<i>Column A</i>	<i>Column B</i>
<b>The National Health Service (Scotland) Act 1978</b>	
All functions of Health Boards conferred by, or by virtue of, the National Health Service (Scotland) Act 1978	Except functions conferred by or by virtue of—
	section 2(7) (Health Boards);
	section 2CB(a)( functions of Health Boards outside Scotland);
	section 9 (local consultative committees);
	section 17A (NHS contracts);
	section 17C (personal medical or dental services);
	section 17 I(b) (use of accommodation)
	section 17J (Health Boards' power to enter into general medical services contracts);
	section 28A (remuneration for Part II services);
	section 38 (c ) (care of mothers and young children);
	section 38A(d) (breastfeeding);
	section 39(e) (medical and dental inspection supervision and treatment of pupils and young persons);
	section 48 residential and practice accommodation);

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	section 55(f) (hospital accommodation on part payment);
	section 57 (accommodation and services for private patients);
	section 64 permission for use of facilities in private practice);
	section 75A(a) (remission and repayment of charges and payment of travelling expenses);
	section 75B(b) (reimbursement of the cost of services provided in another EEA state );
	section 75BA(c ) reimbursement of the cost of services provided in another EEA state where expenditure is incurred on or after 25 October 2013);
	section 79 (purchase of land and moveable property);
	section 82(d) (use and administration of certain endowments and other property held by Health Boards);
	section 83(e) (power of Health Boards and local health councils to hold property on trust);
	section 84A(f) (power to raise money, etc., by appeals, collections etc.);
	section 86 (accounts of Health Boards and the Agency);
	section 88 (payment of allowances and remuneration to members of certain bodies connected with the health services);
	Section 98(g) (payment of allowances and remuneration to members of certain bodies connected with the health services);
	paragraphs 4, 5, 11A and 13 of Schedule 1(c ) to the Act (Health Boards);
	and functions conferred by—
	The National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989(h);
	The Health Boards (Membership and Procedure) (Scotland) Regulations 2001/302
	The National Health Service (Clinical Negligence and Other Risks Indemnity Scheme) (Scotland) Regulations 2000;
	The National Health Services (Primary Medical Services Performers Lists) (Scotland) Regulations 2004;

	The National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004;
	The National Health Service (Discipline Committees)(Scotland) Regulations 2006;
	The National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006;
	The National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009and
	The National Health Service (General Dental Services) (Scotland) Regulations 2010; and
	The National Health Service(Free Prescriptions and Charges for Drugs and Appliances)(Scotland) Regulations 2011(a)
<b>Disabled Persons (Services, Consultation and Representation) Act 1986 (a)</b>	
Section 7 (Persons discharged from hospital)	
<b>Community Care and Health (Scotland) Act 2002(b)</b>	
All functions of Health Boards conferred by, or by virtue of, the Community Care and Health (Scotland) Act 2002.	
<b>Mental Health (Care and Treatment) (Scotland) Act 2003 (c )</b>	
All functions of Health Boards conferred by, or	Except functions conferred by—

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<p>by virtue of, the Mental Health (Care and Treatment) (Scotland) Act 2003.</p>	<p>section 22 (Approved medical practitioners);</p> <p>section 34 (inquiries under section 33:co-opertaion)(b);</p> <p>section 38(duties on hospital managers: examination, notification etc.) (c );</p> <p>section 46(hospital managers' duties: notifications)(a);</p> <p>section 124(transfer to other hospital);</p> <p>section 228(request for assessment of needs: duty on local authorities and Health Boards);</p> <p>section 230 (appointment of patient's responsible medical officer);</p> <p>section 260 (provision of information to patient);</p> <p>section 264(detention in conditions of excessive security: state hospitals);</p> <p>section 267 (orders under sections 264 to 266:recall)</p> <p>section 281(b) (correspondence of certain persons detained in hospital);</p> <p>and functions conferred by-</p> <p>The Mental Health(Safety and Security)(Scotland) Regulations 2005(c )</p> <p>The Mental Health ( Cross border transfer: patients subject to detention requirement or otherwise in hospital) (Scotland) Regulations 2005(d);</p> <p>The Mental Health (Use of Telephones) (Scotland) regulations 2005 (e); and</p> <p>The Mental Health (England and Wales Cross border transfer: patients subject to requirements other than detention) (Scotland) Regulations 2008(f).</p>
<p><b>Education (Additional Support for Learning) (Scotland) Act 2004</b></p>	
<p>Section 23 (other agencies etc. to help in exercise of functions under this Act)</p>	

<b>Public Services Reform (Scotland) Act 2010</b>	
All functions of Health Boards conferred by, or by virtue of, the Public Services Reform (Scotland) Act 2010	Except functions conferred by—
	section 31(Public functions: duties to provide information on certain expenditure etc.); and
	section 32 (Public functions: duty to provide information on exercise of functions).
<b>Patient Rights (Scotland) Act 2011</b>	
All functions of Health Boards conferred by, or by virtue of, the Patient Rights (Scotland) Act 2011	Except functions conferred by The Patient Rights (complaints Procedure and Consequential Provisions) (Scotland) Regulations 2012/36(a).
<b><u>Carers (Scotland) Act 2016</u></b>	
<b><u>Section 31</u></b> <b><u>(duty to prepare local carer strategy)</u></b>	

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## PART 2(a)

Services currently provided by NHS Tayside which are to be integrated. The functions listed in Annex 1 Part 1 are delegated only in relation to these services

- Accident and emergency services provided in a hospital (***in Dundee this will include children and young people***)
- Inpatient hospital services relating to the following branches of medicine:
  - General medicine
  - Geriatric medicine
  - Rehabilitation medicine
  - Respiratory medicine
  - Psychiatry of learning disability.
  
- Inpatient hospital services provided by general medical practitioners
- Palliative care services provided in a hospital
- Services provided in a hospital in relation to an addiction or dependence on any substance
- Mental health services provided in a hospital, except secure forensic mental health services
- District nursing services
- Services provided out with a hospital in relation to addiction or dependence on any substance
- Allied health professionals in an outpatient department, clinic, or out with a hospital
- Public dental services (***In Dundee this will include children and young people***)
- Primary medical services (***In Dundee this will include children and young people***)
- General dental services (***in Dundee this will include children and young people***)
- Ophthalmic services (***in Dundee this will include children and young people***)
- Pharmaceutical services (***in Dundee this will include children and young people***)
- Primary care out-of-hours (***in Dundee this will include children and young people***)
- Geriatric medicine
- Palliative care
- Community learning disability services (***in Dundee this will include children and young people***)
- Mental health services provided out with a hospital
- Continence services provided out with a hospital
- Home renal dialysis services (***in Dundee this will include children and young people***)
- Services provided by health professionals that aim to promote public health (***in Dundee this will include children and young people***)

## Part 2(b)

The following services, which are currently planned and delivered on a pan Tayside basis, will also be delegated and the Parties recommend that they are hosted by **Dundee Integration Joint Board** on behalf of the other Tayside Integration Joint Boards;

### Psychology services

- Sexual and Reproductive Health services (**in Dundee this will include children and young people**)
- Homeopathy service
- Specialist Palliative Care
- The Centre for Brain Injury Rehabilitation (CBIRU)
- Eating disorders
- Dietetics
- Medical Advisory Service
- Tayside Health Arts Trust
- Keep Well
- Psychotherapy

The following services, which are currently planned and delivered on a pan Tayside basis, will also be delegated and the Parties recommends that they are hosted by **Angus Integration Joint Board** on behalf of the other Tayside Integration Joint Boards;

- Locality Pharmacy
- Primary Care Services (excludes the NHS Board administrative, contracting and professional advisory functions)
- GP Out of Hours
- Forensic Medicine
- Continence service
- Speech and Language Therapy

The following services, which are currently planned and delivered on a pan Tayside basis, will also be delegated and the Parties recommends that they are hosted by **Perth and Kinross Integration Joint Board** on behalf of the other Tayside Integration Joint Boards:

- Learning Disability inpatient services
- Substance misuse inpatient services (Rannoch)
- Public Dental Services/Community Dental Services
- General Adult Psychiatry (GAP) Inpatient services
- Prisoner Healthcare
- Podiatry

# Dundee Health and Social Care Integration Scheme

## PART 1

## Annex 2

### Functions delegated by Dundee City Council to the Dundee Integration Joint Board

Set out below is the list of functions that will be delegated by Dundee City Council to the Dundee Integration Joint Board as set out in the Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Regulations 2014.

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

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
<b>National Assistance Act 1948(a)</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)</b>	
Section 3 (Provision of sheltered employment by local authorities)	
<b>The Social Work (Scotland) Act 1968(c)</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.



<i>Column A Enactment conferring function</i>	<i>Column B Limitation</i>
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.
<del>Section 12AA (assessment of ability to provide care.)</del>	
<del>Section 12AB (duty of local authority to provide information to carer.)</del>	
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(a)</b>	
Section 24(1) (The provision of gardening assistance for the disabled and the elderly.)	

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<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
<b>Disabled Persons (Services, Consultation and Representation) Act 1986(b)</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 are integration functions.
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(c)</b>	
Section 10 (functions of local authorities.)	
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

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
<b>The Housing (Scotland) Act 2001(a)</b>	
Section 92 (assistance 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)</b>	
Section 5 (local authority arrangements for of residential accommodation outwith 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(c)</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.)	
Section 228 (request for assessment of needs: duty on local authorities and Health Boards.)	
Section 259 (advocacy.)	
<b>The Housing (Scotland) Act 2006(a)</b>	
Section 71(1)(b) (assistance for housing purposes.)	Only in so far as it relates to an aid or adaptation.

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<i>Column A Enactment conferring function</i>	<i>Column B Limitation</i>
<b>The Adult Support and Protection (Scotland) Act 2007(b)</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 persons 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(a)</b>	
<del>Section 3 (support for adult carers.)</del>	<del>Only in relation to assessments carried out under integration functions.</del>
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.)	

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
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.)	
<b><u>Carers (Scotland) Act 2016</u></b>	
<b><u>Section 6</u></b> <b><u>(duty to prepare adult carer support plan)</u></b>	
<b><u>Section 24</u></b> <b><u>(duty to provide support)</u></b>	
<b><u>Section 25</u></b> <b><u>(provision of support to carers)</u></b>	
<b><u>Section 31</u></b> <b><u>(duty to prepare local carer strategy)</u></b>	
<b><u>Section 34</u></b> <b><u>(information and advice service for carers)</u></b>	
<b><u>Section 35</u></b> <b><u>(short breaks services statement)</u></b>	

# Dundee Health and Social Care Integration Scheme

## PART 2

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

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

### Part 3

#### **Services currently provided by Dundee City Council which are to be integrated**

- 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 (Including Strategy Development, Staff Development, Protecting People, Finance, Human Resources)
- Care home services
- Adult placement services
- Health improvement services
- Aspects of housing support, including aids and adaptations and those areas of housing support that involve an indistinguishable overlap between personal care and housing support)
- Day services
- Local area co-ordination
- Respite provision
- Occupational therapy services
- Re-ablement services, equipment and telecare

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