

CHIEF OFFICER, ADULT HEALTH AND SOCIAL CARE

HEAD OF ADULT SOCIAL CARE SERVICES

- 1) To provide home help facilities in terms of Section 14 of the Social Work (Scotland) Act 1968.
- 2) To bury or cremate any person who was in the care of or receiving help from the Council immediately before their death or was a child being looked after by the local authority and recover expenses in terms of Section 28 of the Social Work (Scotland) Act 1968.
- 3) To defray expenses of parents, relatives or other connected persons in respect of visiting a person, other than a child, in the care of the authority or receiving assistance from the authority or a child who is being looked after by the authority, or attending the funeral of such a person in terms of Section 29 of the Social Work (Scotland) Act 1968 as amended by paragraph 15(13) of Schedule 4 of the Children (Scotland) Act 1995.
- 4) To remove persons from establishments in terms of the Social Work (Scotland) Act 1968.
- 5) To inspect establishments registerable under the Social Work (Scotland) Act 1968.
- 6) To ensure that persons in establishments in the Council's area are visited from time to time in terms of the Social Work (Scotland) Act 1968.
- 7) To recover any charges for services provided in terms of the Social Work (Scotland) Act 1968 and the Mental Health (Scotland) Act 1984 or under or by virtue of Part II of the Children (Scotland) Act 1995 all in terms of Section 87 and Section 78A of the Social Work (Scotland) Act 1968.
- 8) To prepare a plan for the provision of community care services in the Council's area in terms of Section 5A of the Social Work (Scotland) Act 1968 as inserted by Section 52 of the National Health Service and Community Care Act 1990.
- 9) To operate a procedure as approved by the Council for the receipt and investigation of complaints in terms of Section 5B of the Social Work (Scotland) Act 1968.
- 10) To make arrangements with voluntary or other organisations or persons for residential accommodation where nursing is provided for people who appear to need such accommodation in terms of Section 13A of the Social Work (Scotland) Act 1968 as inserted by Section 56 of the National Health Service and Community Care Act 1990.

- 11) To provide services to chronically sick and disabled persons in terms of Section 2 of the Chronically Sick and Disabled Persons Act 1970.
 - 1) To assess needs when requested to do so by a disabled person or their carer in terms of Section 4 of the Disabled Persons (Services, Consultation and Representation) Act 1986.
 - 2) To assess the ability of carers to provide care in terms of Section 12A of the Social Work (Scotland) Act 1968.
 - 3) To provide information on Social Work Department services and any relevant services of other authorities or organisations in terms of Section 1 of the Chronically Sick and Disabled Persons Act 1970.
 - 4) To have the power to make direct payments under Section 12B of the Social Work (Scotland) Act 1968.
- 12) To make arrangements for the provision, equipping and maintenance of residential accommodation and the care of the person for the time being resident in accommodation so provided in terms of the Mental Health (Scotland) Act 1984.
- 13) To make arrangements for the exercise by the Council of its functions in respect of persons under guardianship in terms of the Mental Health (Scotland) Act 1984.
- 14) To make arrangements for the provision of any ancillary or supplementary services in terms of Section 7(1)(c) of the Mental Health (Scotland) Act 1984.
- 15) To make arrangements for the supervision of persons suffering from mental handicap who are neither liable to detention in a hospital nor subject to guardianship in terms of the Mental Health (Scotland) Act 1984.
- 16) To provide after care services for any persons who are or have been suffering from mental disorder in terms of the Mental Health (Scotland) Act 1984.
- 17) To appoint Mental Health Officers in terms of the Mental Health (Scotland) Act 1984.
- 18) To receive patients who have attained the age of 16 years into guardianship in terms of the Mental Health (Scotland) Act 1984.
- 19) To provide or secure the provision of suitable training and occupation for persons suffering from mental handicap who are over school age within the meaning of the Education (Scotland) Act 1980 in terms of the Mental Health (Scotland) Act 1984.
- 20) To petition for the appointment of a curator bonis and to carry out duties in respect of protection of property of patients in terms of the Mental Health (Scotland) Act 1984.
- 21) To authorise Mental Health Officers to enter and inspect premises and to provide information for the purpose of the issue of a warrant to search for and remove patients in terms of Section 117 of the Mental Health (Scotland) Act 1984.

- 22) To make arrangements for the exercise by the Council of its functions in respect of persons under the Mental Health (Care and Treatment) (Scotland) Act 2003 and the Adults with Incapacity (Scotland) Act 2000 including
 - a) To make arrangements for the provision, equipping and maintenance of residential accommodation and the care of the person for the time being resident in accommodation so provided
 - b) To apply for and implement welfare and financial guardianships or intervention orders and any other ancillary or supplementary services or orders under the Adults with Incapacity (Scotland) Act 2000
 - c) To appoint Mental Health Officers
 - d) To make arrangements for the supervision and provision of services for people who are the subject of Compulsory Treatment Orders whether community or hospital based
 - e) To make arrangements for provision of any ancillary or supplementary services.
- 23) To apply for orders under Section 47 of the National Assistance Act 1948 removing people in need of care and attention to suitable premises.
- 24) To provide temporary protection under Section 48 of the National Assistance Act 1948 for the moveable property of people admitted to hospital, residential establishments and other places.
- 25) To supervise and care for persons put on probation, released from prison or subject to a Community Service Order and to provide the necessary social background reports and other reports to the Court as required in terms of Section 27 of the Social Work (Scotland) Act 1968.
- 26) To provide supervision for the purpose of assisting and advising an offender in regard to payment of a fine in terms of Section 217 of the Criminal Procedure (Scotland) Act 1995.
- 27) To supervise people placed on a Supervised Attendance Order for default of a fine in terms of Section 235, 236 or 237 of the Criminal Procedure (Scotland) Act 1995.
- 28) To supervise people placed on a Drug Treatment and Testing Order in terms of Sections 89-95 of the Crime and Disorder Act 1998.
- 29) To jointly establish arrangements with other Responsible Authorities for the assessment and management of the risks posed by certain high risk offenders as defined by Section 10 of the Management of Offenders etc (Scotland) Act 2005.
- 30) To provide a throughcare service to prisoners during their period of imprisonment and who will be subject to supervision following release as specified by Section 71 of the Criminal Justice (Scotland) Act 2003.
- 31) Jointly with Scottish Ministers to establish arrangements for the assessment of management of the risks posed by custody and community prisoners in accordance with Section 7 of the Custodial Sentences and Weapons Act 2007.

- 32) To make provision for the safeguarding of vulnerable adults in terms of the Adult Support and Protection (Scotland) Act 2007.
- 33) To make provision for and enable access to self directed support across care groups in terms of the Social Care (self-directed Support) (Scotland) Act 2013.
- 34) To agree funding for care packages subject to the agreed financial guidance.
- 35) To consider each application for Home Care on its merits and to vary the charge at their discretion.