

Referenced Legislation	Prescribed Legislative Functions	Services
Health		
<p>National Health Service (Scotland) Act 1978</p>	<ul style="list-style-type: none"> • Duty of Health Board, Special Health Board, the Agency and HIS to promote health improvements • Duty to encourage public involvement • Functions of Health Boards: primary medical services • Equal Opportunities • Duty of quality • Health Boards: co-operation with other Health Boards, Special Health Boards and the Agency • Co-operation between Health Boards and other authorities • Co-operation in planning of services for disabled persons, the elderly and others • Assistance to voluntary organisations • Power to make payments towards expenditure on community services • Financial Assistance by the Secretary of State to voluntary organisations • Personal medical or dental services • Use of accommodation • Arrangements for the provision of general dental services • Arrangements for the provision of general ophthalmic services • Arrangements for the provision of pharmaceutical services • Arrangements for providing additional pharmaceutical services • Remuneration for Part II services • Accommodation and services • Prevention of illness, care and after-care • Care of mothers and young children • Breastfeeding • Family planning • Health education • Control of spread of infectious disease 	<ul style="list-style-type: none"> • Health Promotion • Drug and Alcohol Partnership • General Medical Services Contract • Borders Community Emergency Service • Public Involvement Team • Equality and Diversity Team • Resource Transfer • Change Fund • Grants/donations made to voluntary organisations • Community & Day Hospitals • Community Nursing • Ward 10 • MKU • Allied Health Professionals • GP Prescribing • Community Dental Services • Salaried Dental Services • Accommodation Costs • Non Cash Limited Dental Service • Non Cash Limited Ophthalmic Service • Non Cash Limited Pharmaceutical Service • Community Pharmacy Services • Pharmacy Services

	<ul style="list-style-type: none"> • Permission for use of facilities in private practice • Remission and repayment of charges and payment of travelling expenses • Charges in respect of non-residents 	<ul style="list-style-type: none"> • Public Health • Screening • Immunisation • Audiology • Visual Aids • Borders Ability Store • Specialist Nurses • Community Midwifery • Health Visiting • School Nurses • Sexual Health Service • Health Living Network • Smoking Cessation • Infection Control • Patient's Travel • Services to Non Borders Residents • Patient Safety Programme
Disabled Persons (Services, Consultation and Representation Act 1986	<ul style="list-style-type: none"> • Persons discharged from hospital 	
Mental Health (Care and Treatment)(Scotland) Act 2003 (asp 13)	<ul style="list-style-type: none"> • Duties of Scottish Ministers, local authorities and others as respects Commission • Provision of services and accommodation for certain patients under 18 • Provision of services and accommodation for certain mothers with post-natal depression • Assistance from Health Boards and others • Inquiries under Section 33: co-operation • Request for assessment of needs: duty on local authorities and Health Boards 	<ul style="list-style-type: none"> • Mental Health Services • Commissioned Mental Health Services
Protection of Vulnerable Groups (Scotland) Act	<ul style="list-style-type: none"> • Information held by public bodies etc • Meaning of "protected adult" 	

2007		
Certification of Death (Scotland) Act 2011	<ul style="list-style-type: none"> • Duty to co-operate 	
Adults with Incapacity (Scotland) Act 2000	<ul style="list-style-type: none"> • General principles and fundamental definitions • Application of Part 4 (Management of Residents' finances) • Residents whose affairs may be managed • Matters which may be managed • Authorisation of named manager to withdraw from resident's account • Resident ceasing to be resident of authorised establishment • Appeal, revocation etc • Repayment of funds • Limitation of liability 	<ul style="list-style-type: none"> • Learning Disability Services • Commissioned Learning Disability Services
Referenced Legislation	Prescribed Legislative Functions	Services
Local Authority		
National Assistance Act 1948	<ul style="list-style-type: none"> • Charges to be made for accommodation • Charges to be made for accommodation • Recovery in cases of misrepresentation or non-disclosure • Duty of councils to provide temporary protection for property of persons admitted to hospitals etc 	
Disabled Persons (Employment) Act 1958	<ul style="list-style-type: none"> • Provision of sheltered employment by local authorities 	
Social Work (Scotland) Act 1968	<ul style="list-style-type: none"> • Local authorities for the administration of the Act • Provisions relating to performance of functions by local authorities • Powers of Secretary of State • Research • Financial and other assistance to voluntary organisations, etc for 	<ul style="list-style-type: none"> • Older Peoples Services • Adults with Learning Disabilities • People with Physical Disabilities • Adults with Mental Health

	<p>social work</p> <ul style="list-style-type: none"> • General social welfare services of local authorities • Duty of local authority to assess need • Assessment of ability to provide care • Duty of local authority to provide information to carer • Power of local authorities to assist persons in need in disposal of produce of their work • Residential accommodation with nursing • Provision of care and after-care • Home help and laundry facilities • Supervision and care of persons put on probation or released from prisons, etc • Grants in respect of community service facilities • Burial or cremation of the dead • Power of local authority to defray expenses of parent etc visiting persons or attending funerals • Provision of residential and other establishments by local authorities, and maximum period for repayment for sums borrowed for such provision • Adjustments between authorities providing accommodation, etc and authority of area of residence • Charges that may be made for services and accommodation 	<p>Needs</p> <ul style="list-style-type: none"> • Grants to Voluntary Organisations • Assessment and Care Management • Reviewing • Carer Support Respite & Short Breaks • Residential Care and Nursing Care • Day Services • Community Based Services • Borders Ability Equipment Store • Bordercare • Housing Support • Care at Home • Hosted Clients • Charging _ Care Resource? • Community Care Assessment
Local Government and Planning (Scotland) Act 1982	<ul style="list-style-type: none"> • Islands or district councils functions in relation to the provision of gardening assistance for the disabled and the elderly 	
Health and Social Services and Social Security Adjudications Act 1983	<ul style="list-style-type: none"> • Recovery of sums due to local authority where persons in residential accommodation have disposed of assets • Arrears of contributions charged on interest in land in England and Wales • Arrears of contributions secured over interest on land in Scotland 	<ul style="list-style-type: none"> • Part of Assessment & Charging
Disabled Persons (Services, Consultation and	<ul style="list-style-type: none"> • Rights of authorised representatives of disabled persons • Assessment by local authorities of needs of disabled persons 	<ul style="list-style-type: none"> • Care at Home • Reablement

Representation) Act 1983	<ul style="list-style-type: none"> • Persons discharged from hospital • Duty of local authority to take into account abilities of carer 	<ul style="list-style-type: none"> • Occupational Therapy • Carer Support
Housing (Scotland) Act 1987	<ul style="list-style-type: none"> • Power of local authorities to provide furniture, etc • Power of local authority to provide board and laundry facilities • Power of local authority to provide welfare services • Part II (Homeless persons) 	
Adults with Incapacity (Scotland) Act 2000	<ul style="list-style-type: none"> • Functions of local authorities • Investigations • Residents whose affairs may be managed • Matters which may be managed • Supervisory bodies • Duties and functions of managers of authorised establishment • Authorisation of named manager to withdraw from resident's account • Statement of resident's affairs • Resident ceasing to be resident of authorised establishment • Appeals, revocation, etc 	<ul style="list-style-type: none"> • Adults with Mental Health Needs
Housing (Scotland) Act 2000	<ul style="list-style-type: none"> • Homelessness strategies • Advice on homelessness, etc • Duty of registered social landlord to provide accommodation • Duty of registered social landlord: further provision • Common housing registers • Assistance for housing purposes 	
Community Care and Health (Scotland) Act 2002	<ul style="list-style-type: none"> • Local authority arrangements for residential accommodation outwith Scotland • Deferred payments of accommodation costs • Payments by local authorities towards expenditure by NHS bodies on prescribed functions 	<ul style="list-style-type: none"> • Residential Care • Residential Nursing Care
Mental Health (Care and Treatment)(Scotland) Act	<ul style="list-style-type: none"> • Duties of Scottish Ministers, local authorities and others as respects Commission 	<ul style="list-style-type: none"> • Adults with Mental Health Needs

2003	<ul style="list-style-type: none"> • Care and support services etc • Services designed to promote wellbeing and social development • Assistance with travel • Duty to inquire • Inquiries under Section 33: co-operation • Request for assessment of needs: duty on local authorities and Health Boards • Advocacy 	
Housing (Scotland) Act 2006	<ul style="list-style-type: none"> • Assistance for housing purposes 	
Adult Support and Protection (Scotland) Act 2007	<ul style="list-style-type: none"> • Council's duty to make inquiries • Co-operation • Duty to consider importance of providing advocacy and other services • Visits • Interviews • Medical examinations • Examination of records etc • Assessment orders • Removal orders • Right to move adult at risk • Protection of removed person's property • Right to apply for banning order • Urgent cases • Adult Protection Committees • Membership 	
Social Care (Self-directed Support)(Scotland) Act 2013	<ul style="list-style-type: none"> • Support for adult carers • Choice of options: adults • Choice of options under section 5: assistance • Choice of options: adult carers • Choice of options: children and family members • Provision of information about self-directed support • Provision of information: children under 16 	<ul style="list-style-type: none"> • SDS & Direct Payments

	<ul style="list-style-type: none"> • Local authority functions • Eligibility for direct payment: review • Further choice of options on material change of circumstances • Misuse of direct payment recovery • Promotion of options for self-directed support 	
Other Referenced Legislation	Prescribed Legislative Functions	Services
Protection of Vulnerable Groups (Scotland) Act 1968	Learning Disability Services	
	Commissioned Learning Disability Services	
		Older Peoples Services Adults with Learning Disabilities People with Physical Disabilities Adults with Mental Health Needs
Social Work (Scotland) Act 1968	Administration of the Act	n/a
	Performance of functions by local authorities	Older Peoples Services Adults with Learning Disabilities People with Physical Disabilities Adults with Mental Health Needs
	Powers of Secretary of State	n/a
	Research	n/a
	Financial and other assistance to voluntary organisations, etc for social work	Grants to Voluntary Organisations
	Duty of local authority to assess need – Assessment and Care Management	Assessment and Care Management
	Assessment of ability to provide care	Reviewing
	Support and information to carer	Carer Support Respite & Short Breaks
	Assistance in the disposal of produce of work	n/a
	Residential accommodation with nursing care	Residential Care Residential Nursing Care
	Provision of care and after-care	Day Services
		Community Based Services
		Borders Ability Equipment Store
		Bordercare

		Housing Support
		Occupational Therapy
	Home help and laundry facilities	Care at Home
	Power of local authority to defray expenses of parent etc visiting persons or attending funerals	n/a
	Provision of residential and other establishments by local authorities, and maximum period for repayment for sums borrowed for such provision	n/a
	Adjustments between authorities providing accommodation, etc and authority of area of residence	Hosted Clients
	Charges that may be made for services and accommodation	Charging – Care Resource Community Care Assessment
Health and Social Services and Social Security Adjudications Act 1983	Recovery of sums due to local authority where persons in residential accommodation have disposed of assets	Part of Assessment and Charging
	Arrears of contributions secured over interest on land in Scotland	n/a
Disabled Persons (Services, Consultation and Representation) Act 1983	Rights of authorised representatives of disabled persons	People with Physical Disabilities Adults with Learning Disabilities
	Assessment by local authorities of needs of disabled persons	Assessment and Care Management
	Persons discharged from hospital	Care at Home Reablement Occupational Therapy
	Duty of local authority to take into account abilities of carer	Carer Support
Adults with Incapacity (Scotland) Act 2000	Functions of local authorities	Adults with Mental Health Needs
	Investigations	Adults with Mental Health Needs
	Residents whose affairs may be managed	Guardianship Corporate Appointeeships Access to Funds Adults with Mental Health Needs
	Matters which may be managed	Adults with Mental Health Needs
	Supervisory bodies	Adults with Mental Health Needs
	Duties and functions of managers of authorised establishment	Adults with Mental Health Needs
	Authorisation of named manager to withdraw from resident's account	Adults with Mental Health Needs
	Statement of resident's affairs	Adults with Mental Health Needs
	Resident ceasing to be resident of authorised establishment	Adults with Mental Health Needs

	Appeals, revocation, etc	Adults with Mental Health Needs
Community Care and Health (Scotland) Act 2002	Local authority arrangements for residential accommodation out-with Scotland	Residential Care Residential Nursing Care
	Deferred payments of accommodation costs	n/a
	Payments by local authorities towards expenditure by NHS bodies on prescribed functions	n/a
Mental Health (Care and Treatment)(Scotland) Act 2003	Duties of Scottish Ministers, local authorities and others as respects Commission	Adults with Mental Health Needs
	Care and support services etc	Adults with Mental Health Needs
	Services designed to promote wellbeing and social development	Adults with Mental Health Needs
	Assistance with travel	Adults with Mental Health Needs
	Duty to inquire	Adults with Mental Health Needs
	Inquiries under Section 33: co-operation	Adults with Mental Health Needs
	Request for assessment of needs: duty on local authorities and Health Boards	Adults with Mental Health Needs
	Advocacy	Adults with Mental Health Needs
Social Care (Self-directed Support)(Scotland) Act 2013	Support for adult carers	Carer Support
	Choice of options: adults	SDS and Direct Payments
	Choice of options under section 5: assistance	SDS and Direct Payments
	Choice of options: adult carers	SDS and Direct Payments
	Choice of options: children and family members	SDS and Direct Payments
	Provision of information about self-directed support	SDS and Direct Payments
	Provision of information: children under 16	SDS and Direct Payments
	Local authority functions	SDS and Direct Payments
	Eligibility for direct payment: review	SDS and Direct Payments
	Further choice of options on material change of circumstances	SDS and Direct Payments
	Misuse of direct payment recovery	SDS and Direct Payments
	Promotion of options for self-directed support	SDS and Direct Payments
Social Work (Scotland) Act 1968	General social welfare services	t.b.c.
National Assistance Act 1948	Charges to be made for accommodation	t.b.c.
	Charges to be made for accommodation	t.b.c.
	Recovery in cases of misrepresentation or non-disclosure	t.b.c.
	Duty of councils to provide temporary protection for property of persons admitted to hospitals etc	t.b.c.

Disabled Persons (Employment) Act 1958	Provision of sheltered employment by local authorities	t.b.c.
Social Work (Scotland) Act 1968	Supervision and care of persons put on probation or released from prisons, etc	t.b.c.
	Grants in respect of community service facilities	t.b.c.
	Burial or cremation of the dead	t.b.c.
Housing (Scotland) Act 1987	Power of local authorities to provide furniture, etc	t.b.c.
	Power of local authority to provide board and laundry facilities	t.b.c.
	Power of local authority to provide welfare services	t.b.c.
	Part II (Homeless persons)	t.b.c.
Housing (Scotland) Act 2000	Homelessness strategies	t.b.c.
	Advice on homelessness, etc	t.b.c.
	Duty of registered social landlord to provide accommodation	t.b.c.
	Duty of registered social landlord: further provision	t.b.c.
	Common housing registers	t.b.c.
	Assistance for housing purposes	t.b.c.
Housing (Scotland) Act 2006	Assistance for housing purposes	t.b.c.
Adult Support and Protection (Scotland) Act 2007	Council's duty to make inquiries	t.b.c. – Adult Support & Protection
	Co-operation	t.b.c. – Adult Support & Protection
	Duty to consider importance of providing advocacy and other services	t.b.c. – Adult Support & Protection
	Visits	t.b.c. – Adult Support & Protection
	Interviews	t.b.c. – Adult Support & Protection
	Medical examinations	t.b.c. – Adult Support & Protection
	Examination of records etc	t.b.c. – Adult Support & Protection
	Assessment orders	t.b.c. – Adult Support & Protection
	Removal orders	t.b.c. – Adult Support & Protection
	Right to move adult at risk	t.b.c. – Adult Support & Protection
	Protection of removed person's property	t.b.c. – Adult Support & Protection
	Right to apply for banning order	t.b.c. – Adult Support & Protection
	Urgent cases	t.b.c. – Adult Support & Protection
	Adult Protection Committees	t.b.c. – Adult Support & Protection
	Membership	t.b.c. – Adult Support & Protection