POLICY NOTE

THE PUBLIC BODIES (JOINT WORKING) (PRESCRIBED LOCAL AUTHORITY FUNCTIONS ETC.) (SCOTLAND) AMENDMENT REGULATIONS 2017

SSI 2017/XXX

1. The above instrument is made in exercise of the powers conferred by section 1(7) of the Public Bodies (Joint Working) (Scotland) Act 2014 ("the Act"). This instrument is subject to affirmative resolution procedure.

Policy Objectives

2. The Act requires that Health Boards and local authorities agree arrangements for joint working in relation to certain statutory functions. Certain statutory functions may be delegated to the bodies responsible for delivering the joint working arrangements (generally known as "integration joint boards"), and certain functions can be prescribed as mandatory for delegation. The purpose of these amending regulations is to specify the function on a local authority to prepare local eligibility criteria under section 21 of the Carers (Scotland) Act 2016 as one which must be delegated to integration joint boards.

3. Section 21 of the Carers (Scotland) Act 2016 requires that local authorities must set local eligibility criteria which applies to its area. This is the criteria which a local authority must use to determine whether it is required to provide support to carers to meet carers' identified needs.

Consultation

4. No consultation has been carried out on this instrument as this is a consequential amendment which is being carried out as a result of the Carers (Scotland)Act 2016.

Impact Assessments

5. An Equality Impact Assessment (EQIA), Privacy Impact Assessment (PIA) and Children's Rights and Wellbeing Impact Assessment (CRWIA) is being carried out in relation to the Carers (Scotland) Act 2016 and an EQIA has already been completed on the Public Bodies (Joint Working) (Scotland) Act 2014. It was not deemed necessary to complete a further EQIA in relation to this instrument.

Financial Effects

6. The Business and Regulatory Impact Assessment (BRIA) is being reviewed for the Carers (Scotland) Act 2016 and no action is required in relation to this instrument.

Scottish Government
Health and Social Care Integration Directorate
Integration Division
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