

DIRECTION FROM PERTH & KINROSS INTEGRATION JOINT BOARD

1	Reference Number	6/2019-20/190927
2	Date of direction issued by Integration Joint Board	27 September 2019
3	Date from which direction takes effect	1 April 2019
4	Direction to:	NHS Tayside (NHST)
5	Does this direction supersede, amend or cancel a previous direction – if yes, include the reference number (s)	No
6	Functions covered by direction	Inpatient Mental Health Services
7	Full text of direction	NHST will carry out the functions set out in Appendix A, and will deliver those services listed in Appendix B, where those services are included in the Inpatient Mental Health Services Financial Plan. Those services not included in the Financial Plan will be the subject of further separate directions in due course.
8	Budget allocated by Integration Joint Board to carry out direction	£23.078m
9	Performance monitoring arrangements	Performance will be monitored in accordance with the regular financial monitoring to the IJB.
10	Date direction to be reviewed.	31 March 2020

Functions Covered by Direction¹

<i>Column A</i>	<i>Column B</i>
The National Health Service (Scotland) Act 1978	
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 (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 (use of accommodation)
	section 17J (Health Boards' power to enter into general medical services contracts);
	section 28A (remuneration for Part II services);
	section 38 (care of mothers and young children);
	section 38A (breastfeeding);
	section 39 (medical and dental inspection supervision and treatment of pupils and young persons);
	section 48 (residential and practice accommodation);
	section 55 (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 (remission and repayment of charges and payment of travelling expenses);
	section 75B (reimbursement of the cost of services provided in another EEA state);
	section 75BA (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);

¹ Perth & Kinross Integration Scheme – Part 1 of Annex 1

Appendix 4

Column A	Column B
	section 82 (use and administration of certain endowments and other property held by Health Boards);
	section 83 (power of Health Boards and local health councils to hold property on trust);
	section 84A (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 (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;
	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 2009; and
	The National Health Service (General Dental Services) (Scotland) Regulations 2010; and

Column A	Column B
	The National Health Service(Free Prescriptions and Charges for Drugs and Appliances)(Scotland) Regulations 2011
Disabled Persons (Services, Consultation and Representation) Act 1986	
Section 7 (Persons discharged from hospital)	
Community Care and Health (Scotland) Act 2002	
All functions of Health Boards conferred by, or by virtue of, the Community Care and Health (Scotland) Act 2002.	
Mental Health (Care and Treatment) (Scotland) Act 2003	
All functions of Health Boards conferred by, or by virtue of, the Mental Health (Care and Treatment) (Scotland) Act 2003.	Except functions conferred by— section 22 (Approved medical practitioners); section 34 (inquiries under section 33:co-operation); section 38(duties on hospital managers: examination, notification etc.); section 46 (hospital managers' duties: notifications); section 124 (transfer to other hospital); section 228 (request for assessment of needs: duty on local authorities and Health Boards); section 230 (appointment of patient's responsible medical officer); section 260 (provision of information to patient); section 264 (detention in conditions of excessive security: state hospitals); section 267 (orders under sections 264 to 266:recall) section 281 (correspondence of certain persons detained in hospital); and functions conferred by- The Mental Health (Safety and Security) (Scotland) Regulations 2005 The Mental Health (Cross border transfer:

Column A	Column B
	<p>patients subject to detention requirement or otherwise in hospital) (Scotland) Regulations 2005;</p> <p>The Mental Health (Use of Telephones) (Scotland) Regulations 2005; and</p> <p>The Mental Health (England and Wales Cross border transfer: patients subject to requirements other than detention) (Scotland) Regulations 2008.</p>
Education (Additional Support for Learning) (Scotland) Act 2004	
Section 23 (other agencies etc. to help in exercise of functions under this Act)	
Public Services Reform (Scotland) Act 2010	
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).
Patient Rights (Scotland) Act 2011	
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.
Carers (Scotland) Act 2016	
Section 31 (duty to prepare local carer strategy)	

**Services currently provided by NHS Tayside which are to be integrated.
The functions listed in Appendix 1 are delegated only in relation to these services:²**

Accident and emergency services provided in a hospital

Inpatient hospital services relating to the following branches of medicine:

- General medicine
- Geriatric medicine;
- Rehabilitation medicine;
- Respiratory medicine;
- Psychiatry of learning disability.

Palliative care services provided in a hospital

Inpatient hospital services provided by general medical practitioners

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 outwith a hospital in relation to an addiction or dependence on any substance

Service provided by allied health professionals in an outpatient department, clinic, or outwith a hospital

Public dental services

Primary medical services provided under a general medical services contract, and arrangements for the provision of services made under section 17C of the National Health Service (Scotland) Act 1978, or an arrangement made in pursuance of section 2C(2) of the National Health Service (Scotland) Act 1978

General dental services provided under arrangements made in pursuance of section 25 of the National Health (Scotland) Act 1978

² Perth & Kinross Integration Scheme – Part 2 of Annex 1

Ophthalmic services provided under arrangements made in pursuance of section 17AA or section 26 of the National Health Service (Scotland) Act 1978

Pharmaceutical services and additional pharmaceutical services provided under arrangements made in pursuance of sections 27 and 27A of the National Health Service (Scotland) Act 1978

Primary medical services out-of-hours

Geriatric medicine outwith a hospital

Palliative care outwith a hospital

Community learning disability services

Mental health services provided outwith a hospital.

Home renal services

Continence services provided outwith a hospital.

Services provided by health professionals that aim to promote public health