

MORAY COUNCIL
ENVIRONMENTAL SERVICES DEPARTMENT

Housing Support Services Policy

1. Scope of the policy

- 1.1 This policy encompasses the management and delivery of Moray Council's Housing Support Services which includes housing support, sheltered housing and hostel accommodation. The service provides assistance to those who are at risk of homelessness and vulnerable people who require help in sustaining their accommodation and maintaining independence.
- 1.2 Housing Support Services provide support and encouragement to service users aged 16 and over to enable them to live independent, safe, secure and respected lives in their accommodation for as long as possible (regardless of tenure type). Housing Support Services can be provided in a person's home or in temporary accommodation or other forms of supported accommodation. The type of support that is provided will aim to meet the specific needs of an individual person.
- 1.3 A wide range of people with particular needs receive Housing Support Services, including people living in sheltered housing, homeless people, *people* escaping domestic violence, people with a chronic illness, people with a physical impairment or learning disability, *ex-armed services personnel (including merchant navy personnel who have served on operations) with vulnerabilities*, ex-offenders, people with drug and alcohol related problems, and others who need minimal support.
- 1.4 The Housing Support Services, includes the following areas of service provision:
- Accessing the housing support service;
 - Starting and stopping of housing support;
 - Personal planning;

- Risk management;
- Contingency cover arrangements;
- Maintaining confidentiality;
- Regulation of access to personal information;
- Quality assurance and evaluation;
- Ensuring the equality of opportunity;
- Use of volunteers and students;
- Complaints handling;
- Regulation of the service; and
- Performance monitoring.

This list is not exhaustive.

1.5 The provision of Housing Support Services will be flexible and tailored to the individual service user. The service is needs driven and is focussed on outcomes rather than processes.

1.6 The Council will work in partnership with other agencies to ensure the effective implementation and delivery of the Housing Support Services Policy.

2. Local Housing Strategy/Corporate Development Plan/ Service Improvement Plan

2.1 The Housing Support Services Policy will assist the Council to meet Moray 2026 – a Plan for the Future, the Moray Integration Joint Board Strategic Plan and will assist the Council to fulfil Priority 2 and 3 of the Local Housing Strategy, ‘to meet our legal duties to homeless households’ and ‘to assist people with particular housing needs’.

2.2 The Council will ensure that the policy complies with the aims of community planning by adopting a multi agency approach. The policy promotes sustainable development and aims to maximise the potential of individuals and ensure that all sections of the community are safe and feel safe.

2.3 The Housing Support Services Policy will operate alongside the Housing Customer Feedback Policy and Tenant Participation Strategy. It recognises the positive impact that enabling people to participate in the decisions and actions that affect their lives has upon service delivery.

2.4 The policy seeks to provide a high quality service which meets the needs of the service user, based on dignity and respect, compassion, inclusiveness, responsive care and support and well-being. This commitment is detailed in the Charter of Rights (**Appendix I**).

3. Objectives and principles of the policy

3.1 The overall aim of Moray Council's Housing Support Services Policy is to assist vulnerable people improve their quality of life by providing a stable environment and to enable them to live as independently as possible in the community.

3.2 The specific objectives of the Housing Support Services Policy are to:

- help people live as independently as possible in the community, sustaining their accommodation and achieving and maintaining independence;
- provide a customer focused service which meets identified individual needs;
- provide high quality housing support to service users who are vulnerable, homeless or who are threatened with homelessness; and
- assist in the prevention and alleviation of homelessness.

3.3 The principles underpinning the Housing Support Services Policy are to:

- provide a service based on dignity and respect, compassion; inclusiveness, responsive care and support and well being;
- provide a policy framework that allows best practice to be pursued to the fulfilment of the legal powers and duties imposed upon the Council by legislation in force at the time;

- implement detailed procedures and agreed practices uniformly across the service and provide staff training to ensure that staff are equipped to carry out the roles expected of them; and
- communicate with service users using “plain language” and make clear who the appropriate officer is to contact in the case of queries.

4. Legal framework

- 4.1 Moray Council will ensure that the Policy complies with current legislation, promotes good practice. A detailed list of relevant legislation is contained in **Appendix II.**

5. Access to housing support services

- 5.1 Housing Support Services help people to live as independently as possible in the community, regardless of tenure. The service will enable service users to develop skills as appropriate, to meet their specific needs and abilities. These will vary on a daily basis and the service must be able to respond to these changing needs. For example, support an individual to access community resources when able but provide relevant support within their home when required.
- 5.2 Housing Support Services can be accessed through a variety of routes. These include through a referral to the Housing Support Team or an assessment for specialist accommodation (for example, in accordance with the Allocations Policy which determines who is eligible and has most need for sheltered housing). Referrals can be from sections within Housing and Property Services, partner agencies and self-referrals.
- 5.3 Support may simply be advice and guidance or a more detailed person centred plan covering accommodation, health, emotional support, finance, practical skills, social issues, education training and employment. Housing Support Services can also facilitate access to other appropriate services such as community care, addictions, mental health, debt advice services and Women’s Aid.

5.4 Housing Support Services will ensure that information on the service is available for service users and that all information will be written in plain language in order to assist users to make informed choices.

6. Leaving or ending housing support

6.1 The service will adopt best practice in the provision and management of housing support and will ensure that service users, who choose to end or leave the service, can do so, subject to the terms and conditions of their tenancy. Where the service user is accommodated in specialist accommodation and decides to leave the service, the service user may be deemed to be in breach of the terms and conditions of their tenancy/occupancy agreement.

6.2 Generally, it is the personal choice of the service user whether to engage with and receive housing support. However, restrictions do apply depending on the type of accommodation the service user occupies. Any restrictions are detailed within the terms of the service user's tenancy/occupancy agreement. The Housing Support Service will ensure that:

- an assessment of a service user's housing support needs will be undertaken prior to housing support being provided; and
- housing support is provided within 24 hours of a referral, when required, for example in a crisis situation; and
- service users are aware that stopping housing support may have implications in the sustainability of their accommodation.

6.3 Eligible service users can request to start or stop receiving housing support at any time. Choosing to end or leave the service should be a positive experience for service users. To ensure this, a planned approach will be agreed with the service user.

6.4 Requests made to leave or end the service are managed by ensuring that:

- requests are made verbally or in writing to the support worker/warden and are then documented;
- a written acknowledgement of the request and appropriate arrangements to withdraw from the service will be sent to the service user within 7 working days of receipt of the request;
- service users are made aware of the implications of leaving the service; and
- service users who have stopped housing support may re-establish support in the future by contacting the relevant Housing Support Services manager.

6.5 A service user who has requested to end or leave housing support will be advised that they can re-establish housing support at any time.

7. Housing assessment and personal support plans

7.1 Moray Council will ensure that service users receive a high quality service which meets the Health and Social Care Standards developed by the Scottish Government.

7.2 In order to deliver an effective housing support service, the Council will provide a service which is most appropriate for the applicant's needs. This will be promoted by the service user's participation in the assessment process.

7.3 Staff will endeavour to complete housing support assessments/support plans within 7 days of notification of a service user to the appropriate service but this would be subject to the engagement of the service user.

7.4 Residents of specialist accommodation will be made aware of the cost implications and a financial assessment of their ability to pay will be undertaken.

7.5 A housing support plan will detail the service that will be provided to the service user, as agreed by the service user and the housing support worker/warden. A

housing support plan will reflect the level of support to be provided and will change as a service users need for housing support changes.

- 7.6 Housing support assessments and support plans will be confidential to the service user and the staff who provide support on a 'need to know' basis. Information contained in the support plan will only be shared with others with the consent of the service user (please refer to Section 10).
- 7.7 Housing support assessments and support plans will be reviewed in accordance with identified service users' needs. This will be undertaken at a minimum period of every 4 weeks and a maximum of every 12 weeks, in order to ensure that the information remains up to date. Service users will be asked to inform their Housing Support worker/warden of any major changes in circumstances, including financial circumstances, so that necessary alterations can be made support plan. Any change in financial circumstances may result in a further financial assessment.
- 7.8 Amendments to housing support plans resulting from reviews and/or information supplied by the service user will be completed within 3 days of notification to the relevant Officer/Manager. In the event that there are financial implications associated with the cost of the service, the service user will initially be advised verbally, followed by confirmation in writing.
- 7.9 Service users will receive a signed copy of their assessment, support plan and any amended housing support plan.
- 7.10 A service user may request a further copy of their individual assessment and plan at any time.
- 7.11 Housing Support Assessments, Support Plans and any related information will be stored securely (please refer to Section 10).

8. Risk management

- 8.1 Moray Council will ensure that the Housing Support Service adopts best practice in the identification, evaluation, cost effective control and management of risks to ensure that they are eliminated or reduced to an acceptable level.
- 8.2 The Housing Support Service seeks to ensure staff and service user safety by implementing a process of risk assessment and risk management planning as well as staff training and support.
- 8.3 The Housing Support Service will provide staff with sufficient knowledge, skills, training and support to equip them to recognise hazards and identify risks. This includes observing for signs of behavioural issues that could indicate a person's illness or inability to cope. Staff, students and volunteers will work in accordance with Moray Council health and safety policies.
- 8.4 The Housing Support Service will assist service users to alleviate and/or control potential risks and ensure that service users live in a safe, secure environment and retain a high degree of independence within their homes.
- 8.5 In certain circumstances, for example where a service user may present a risk of violence towards staff, or others, service user records will indicate the potential risk.

9. Contingency cover arrangements

- 9.1 Moray Council will ensure that there is adequate support provision for service users in the event of an unexpected contingency arising which affects the service provided by the Housing Support Service.
- 9.2 Cover arrangements
 - 9.2.1 The Housing Support Service will strive to ensure uninterrupted provision to service users, even in the event of disruption or emergency.

- 9.2.2 The Housing Support Service operates a system of programmed appointments in line with the support requirements detailed in the service user's personal assessment and housing support plan. These contain information on how to contact a service user if there is a need to organise contingency arrangements for the continued provision of support.
- 9.2.3 Where contact arrangements have failed, a relevant trained support worker/warden will attempt to visit the service user to ensure the continuity of support provision.
- 9.2.4 If an emergency/crisis situation arises necessary support may involve supported accommodation for the service user, e.g. at a nearby bed and breakfast, hostel, residential home, or hospital. Relatives and other services involved will be informed of the temporary address as soon as possible (normally within 24 hours) and of the reasons for the service user's removal to that address.
- 9.2.5 The contact details of alternative emergency services which are known to Housing Support worker/wardens will be updated regularly to ensure accuracy and prevent any delay in the event of an emergency.

10. Maintaining confidentiality

- 10.1 Confidential information is defined as information given by and stored by the Housing Support Service, about service users and former service users, applicants for housing, tenants/residents, employees, prospective and former employees, contractors, suppliers and other agencies.
- 10.2 In order to deliver appropriate housing support, it may be necessary to work in partnership with (and source support from) other services and agencies. Confidential information will be requested and retained and managed, in accordance with Moray Council's Records and Information Management Policy and Strategy, to ensure that the support given is suitable to the service users needs. Ensuring the information remains confidential will be achieved by:

- Ensuring all interviews and conversations with service users and/or support agencies regarding personal, confidential or contentious issues will be completed in private;
- Storing any information held, in respect of service users, former service users, employees and support providers, in a confidential locked system, with controlled access. All records will be stored with controlled access and the arrangements for the transfer and disposal of records will be in accordance with Data Protection legislation.
- Ensuring that any personal or contractual information is requested, recorded and retained, only if it is relevant to the purpose it is given and it is in the interest of all parties for the service to hold such information.

10.3 Sharing of confidential information

10.3.1 It will be necessary for certain information to be exchanged with other agencies with which the service works. This will be carried out in accordance with the terms of Data Protection legislation and any agreed guidelines and/or with respect to any information sharing protocols. This includes statutory agencies such as the Social Work, NHS services, the police and any other relevant voluntary agencies. The sharing of information will be achieved by:

- Informing service users of their right to confidentiality at their initial interview and asking them to sign the consent to share or withhold information form;
- Ensuring that information will not be disclosed to third parties without the written consent of the service user. This will not apply if failing to share the information would be likely to put the service user, children or other people at risk or harm, or is required by law; if it would prejudice the prevention of crime; and
- Access to information held on computer or file will only be shared with staff and other persons or agencies where there is a need to know.

11. **Regulation of access to personal information**

11.1 Housing Support Services will ensure that each service user has open and equal access to his/her individual records by complying with the requirements of Data Protection legislation and by working in accordance with Moray Council's policies and procedures.

12. Quality assurance and evaluation

12.1 The Housing Support Service will provide a good quality support service which will assist service users to live independently within their temporary accommodation or their own accommodation. This is achieved by:

- Ensuring that any identified shortcomings are remedied as quickly as possible;
- Benchmarking the quality of service provided against other providers; and
- Regularly measuring service user satisfaction.

12.2 The Housing Support Service will adopt best practice in the identification, assessment, cost effective control and management of quality assurance and evaluation to ensure that those who use support services receive good quality support.

12.3 Practice of quality assurance and evaluation

12.3.1 The Council will continue to seek feedback from and consult with service users in accordance with the Housing Customer Feedback Policy. Where appropriate, the Service will use a variety of methods to seek feedback and consult with service users, including service user forums, consultation groups, working groups etc. This is achieved by:

- Surveys and discussions with service users to gauge the quality of the service provided and to measure the level of satisfaction;
- Analysing survey outcomes for any patterns; and
- Management will consider ideas and suggestions for improvements to the service resulting from surveys and discussions.

13. Ensuring the equality of opportunity

13.1 The Moray Council believes in and is committed to the principle of equality of opportunity. The Council recognises the diversity in the community and that all groups do not have the same resources, situations and needs. It recognises its responsibilities, as a service provider, to encourage the fair treatment of all service users and the benefits this will bring to users, the Council and its employees.

13.2 The Housing Support Service will endeavour to ensure that no person, or group of people, are treated unfairly due to their:

- Age;
- Disability;
- Race;
- Religion and/or beliefs;
- Sex (whether they are male or female);
- Pregnancy and/or maternity;
- Sexual orientation (lesbian, gay or bisexual);
- Gender reassignment (people who are changing their gender);
- Marital status; or
- Political beliefs.

13.3 The Housing Support Service will ensure that, in accordance with legislation and good practice, there is no discrimination in service provision.

13.4 All managers and employees in the Housing Support Service will accept their responsibilities for good equal opportunities practices and work together towards a positive approach and a culture of fairness and equal treatment for all.

14. Use of volunteers and students

- 14.1 The Council will ensure that only those who are sufficiently trained will undertake the provision of Housing Support Services to service users. In addition to staff, this can include students and volunteers.
- 14.2 The use of students and volunteers in the Housing Support Service provides practical skills based experience and also ensures appropriate service delivery to service users. It provides practical training opportunities for people seeking relevant work experience and enhances and improves the skills of employees who will provide support to volunteer and student placements.
- 14.3 The Housing Support Service will ensure that when involving students and volunteers:
- PVG checks will be completed prior to commencement of any student or volunteer placement to ensure compliance with the Protection of Vulnerable Groups (Scotland) Act 2007;
 - Volunteers have completed a Volunteer Specification form and provided two character references; and
 - A Student or Volunteer Placement Agreement is agreed by all parties prior to the commencement of training.
- 14.4 When students and volunteers are on placement within Housing Support Services, the following will apply:
- Unsupervised visits or interviews by volunteers and students will only be permitted subject to the approval of the manager of the service and the service user;
 - Volunteers and students carrying out housing support visits will have appropriate identification and be aware of risk management processes; and
 - All students and volunteers will be expected to comply with all Moray Council corporate and Housing Service policies.

15. Regulation of Housing Support Services

15.1 Moray Council's Housing Support Services are regulated by the Care Inspectorate, an independent body which is responsible for scrutiny and improvement for care and support services in Scotland. The aim of the Care Inspectorate is to ensure that the people receive high quality care, that services promote and protect their rights and ensure that services meet the requirements of the law and published care standards. These standards are based on the following principles:

- Dignity and respect;
- Compassion;
- Be included;
- Responsive care; and
- Support and well being

The principles themselves are not standards or outcomes but reflect the way that everyone should expect to be treated.

15.2 The Care Inspectorate inspects Housing Support Services and a report is written after each inspection visit. The inspection report details what is good about the service and highlights any areas which need to be improved upon.

15.3 Scottish Social Services Council

15.3.1 The Scottish Social Services Council (SSSC) has the responsibility of regulating and monitoring housing support staff. The SSSC have set a minimum qualification framework for staff employed within Housing Support Services. All housing support staff are required to register with the SSSC. All new staff have to be registered with the SSSC within 6 months of commencing employment. All employees once registered will be responsible for re-registering annually with the SSSC. The Housing Support Service will work with the SSSC to comply with the requirements of registration which will include meeting the minimum qualification framework, meeting the code of practice for housing support staff and ensuring that staff are employed within the terms of their SSSC registration.

15.3.2 As a social service employer, the service will promote the SSSC's Codes of Practice to social service workers, service users and carers and co-operate with the SSSC's proceedings. The service will:

- make service users and carers aware of the Codes of Practice and inform them about how to raise issues.
- take account of the SSSC's Code of Practice for Social Service Workers in making any decisions that relates to the conduct of workers.
- inform the SSSC of about any misconduct by registered social service workers that might call into question their registration and inform the worker that a report has been made to the SSSC.

16. Complaints

16.1 Housing Support Services recognise the rights of service users and employees to make complaints about the services they receive or deliver.

16.2 The Council will ensure that complaints are dealt with positively and within agreed timescales in accordance with its Complaints Policy. In addition, complaints may be made to the Care Inspectorate regarding the quality of the service provided by the Housing Support Service.

16.3 Making a Complaint

16.3.1 Any person wishing to make a complaint about the service provided by the Housing Support worker/warden within the Council's Housing Support Services, should in the first instance, contact the Housing Needs Operations Manager (Housing Needs)/Supported Accommodation Manager.

16.3.2 If the complainant is not satisfied with the Service response, he/she may use the Council's Complaints Procedure. Leaflets giving further information and contact details are available from the Housing Support Worker/Warden, or any Council Office.

16.3.3 Alternatively, complaints can be made to the Care Inspectorate online, by phone or in writing. The Care Inspectorate has developed a leaflet, “Unhappy about a care service” which details what a services user should do if they are not satisfied with a care service. Copies are available on the Care Inspectorate website or from the Support worker/warden or directly from the Care Inspectorate at the address given below. It is available in large print, audio tape or in other languages as required. Their full address is:

Care Inspectorate
Compass House
11 Riverside Drive
Dundee
DD1 4NY
Phone: 01382 207100
Enquiries: 0345 6009527
Email: enquiries@careinspectorate.com
Website: www.careinspectorate.com

16.3.4 As a last resort, a complaint can be submitted either by the complainant or the Council to the Scottish Public Services Ombudsman. The complaint must be submitted to the Ombudsman within twelve months of the complainant first notifying the Council about the complaint. The complainant must complete a complaints form, either using an online complaints form or by requesting a hard copy. The Ombudsman may carry out an independent inquiry into the conduct of the Council in relation to a complaint or grievance. If so the service user will receive a written report on the Ombudsman’s findings.

The Ombudsman’s postal address is FREEPOST SPSO (no stamp is needed)
Phone: 0800 377 7330
E-mail: ask@spsso.org.uk
Website: www.spsso.org.uk

17. Performance monitoring

17.1 The following will be monitored and analysed quarterly at operational team meetings:

- Number of service users receiving support by service type;
- Number of service users leaving Housing Support Service by service type;
and
- Number of complaints received under the Council's Complaints procedure, relating to Housing Support Services.

Charter of Rights

This Charter states our commitment to providing you with high quality Housing Support Services. Our services strive to make sure that you get a service, which will meet your needs.

What you can expect from us

You will have the right to have your needs assessed even if we cannot directly provide the services you need. We will strive to make sure that our services are focused on improving people's experience of care and are based on five outcomes:

- You experience high quality care and support that is right for you.
- You are fully involved in all decisions about your care and support.
- You have confidence in the people who support and care for you.
- You have confidence in the organisation providing your care and support.
- You experience a high quality environment if we provide the premises.

These outcomes are underpinned by the following five principles:

Dignity

- Your human rights are respected and promoted.
- You are respected and treated with dignity as an individual.
- You are treated fairly and do not experience discrimination.
- Your privacy is respected.

Compassion

- You experience warm, compassionate and nurturing care and support.
- Your care is provided by people who understand and are sensitive to my needs and my wishes.

Be included

- You receive the right information, at the right time and in a way that you can understand.
- You are supported to make informed choices, so that you can control your care and support.
- You are included in wider decisions about the way the service is provided, and your suggestions, feedback and concerns are considered.
- You are supported to participate fully and actively in your community.

Responsive care and support

- Your health and social care needs are assessed and reviewed to ensure you receive the right support and care at the right time.
- Your care and support adapts when your needs, choices and decisions change.
- You experience consistency in who provides your care and support and in how it is provided.
- If you make a complaint it is acted on.

Wellbeing

- You are asked about your lifestyle preferences and aspirations and you are supported to achieve these.
- You are encouraged and helped to achieve your full potential.
- You are supported to make informed choices, even if this means you might be taking personal risks.
- You feel safe and you are protected from neglect, abuse or avoidable harm.

You have the right to complain effectively using the Council's Complaints Procedure or directly to the Care Inspectorate without fear of victimisation.

What we expect from you

We expect you to:

- tell us your needs and preferences as clearly as possible, with active support if required;
- ask for help and/or advice as soon as you need it;
- be aware of the rights of other service users and to respect the opinions of others, regardless of differences in race, national or ethnic origin, colour, age, religion, gender, mental or physical disability;
- let us know quickly if we have not provided the service we promised, or if there are any other problems; and
- keep appointments which have been arranged or let your support worker know as soon as possible if you cannot attend.

How you should treat people who represent our service

We need to make sure that anyone representing our service – staff, volunteers or others – are not placed at risk by service users who act in an unacceptable manner. We expect you to treat representatives of our service with courtesy and respect and behave in a reasonable manner.

We know that people may act out of character at times of trouble and distress. There may have been upsetting or distressing circumstances leading up to a contact with our service, and we understand these pressures.

We do not view behaviour as unacceptable just because a service user is forceful or determined. If a service user is continually abusive or makes unreasonable demands or threats, they may be considered to be showing unacceptable behaviour towards representatives of our service. This behaviour will not be tolerated.

Examples of unacceptable behaviour include:

- aggressive or abusive behaviour (something that you do or say that may cause representatives to feel afraid, threatened or abused);

- physical violence; and
- personal verbal abuse.

This list is not exhaustive.

Repeated incidences of such behaviour can lead to support being withdrawn and may also lead to Police involvement and loss of accommodation. Each case will be assessed on its own merits and will be dealt with according to individual circumstances.

Legislation

In addition to complying with the following legislation, Housing Support Services will meet the mandatory regulations of the Care Inspectorate at all times.

The Adults with Incapacity (Scotland) Act 2000

Under this Act anything that is done on behalf of an adult with incapacity will have to:

- benefit her or him;
- take account of the person's wishes and those of her or his nearest relative, carer, guardian or attorney; and
- achieve the desired purpose without unduly limiting the person's freedom.

The Children (Scotland) Act 1995

The Act puts children first. Each child has the right to:

- be treated as an individual;
- form and express views on matters affecting her or him; and
- be protected from all forms of abuse, neglect or exploitation.

Parents and local authorities have rights and responsibilities in achieving the balance of care.

The Children and Young People (Scotland) Act 2014

The Act makes provision in relation to aspects of children's services so as to:

- Improve the way services work to support children, young people and families by: ensuring there is a single planning approach for children who need additional support from services; creating a single point of contact around every child or young person; ensuring coordinated planning and delivery of services with a focus on outcomes, and providing a holistic and shared understanding of a child's or young person's wellbeing; and
- Ensure better permanence planning for looked after children by: extending corporate parenting across the public sector; clarifying eligibility of care leavers who are entitled to corporate parenting and aftercare support; extending support to young people leaving care for longer (up to and including the age of 25);

entitling 16 year olds in foster, kinship or residential care the right to stay in care until they are 21 years old; supporting families and the parenting role of kinship carers through new legal entitlements; and putting Scotland's National Adoption Register on a statutory footing.

The Housing (Scotland) Act 2006, Part 5 (Licensing of Houses in Multiple Occupation)

This Act requires that owners of properties let on a multiple occupancy basis must acquire a licence from the relevant local authority. The licence is only issued where the property meets the required standards and the landlord has necessary management policies in place.

The Data Protection Act 1998

The Act covers how information about living, identifiable people is used. All organisations that hold or process personal data must comply.

The Equality Act 2010

The Equality Act 2010 received Royal Assent on 8 April 2010. Its main aim is to combine and consolidate different strands of antidiscrimination legislation that have developed over the past 40 years. The main provisions of the Act came into force on 1 October 2010 which establishes the basic framework of protection against direct and indirect discrimination, harassment and victimisation in services and public functions, premises, work, education, associations, and transport.

The 2010 Act brings together the different strands of discrimination that currently exist into protected characteristics:

- age;
- disability;
- gender;
- gender reassignment;
- marriage and civil partnership;

- maternity;
- race and ethnicity;
- religion or belief; and
- sexual orientation.

The Health and Safety at Work etc Act 1974

The Act is the basic piece of health and safety law that covers everyone who is affected by work activity. It places the burden of legal responsibility for health and safety at work with the employer.

The Housing (Scotland) Act 2001

Section 91(8) of the Housing (Scotland) Act 2001 gives local authorities the power to fund Housing Support Services that are provided for a person's sole or main residence.

The Housing (Scotland) Act 2001 (Housing Support Services) Regulations 2002 (SSI 444/2002) contain detailed definitions of Housing Support Services.

The Housing (Scotland) Act 2010

The legislation which established the housing support duty (Section 32B of the of the Housing (Scotland) Act 1987 inserted by Housing (Scotland) Act 2010) states there is a duty on local authorities to conduct a housing support assessment for applicants who are unintentionally homeless or threatened with homelessness and that they have 'reason to believe' need the housing support services prescribed in regulations. 'The regulations' are the Housing Support Services (Homelessness) (Scotland) Regulations 2012.

The purpose of the housing support duty is to help prevent further homelessness among people that the local authority believes may have difficulties in sustaining their tenancy.

The Housing Support Services (Homelessness) (Scotland) Regulations 2012

These regulations make provision in relation to the duty of local authorities to assess whether certain homeless applicants or applicants threatened with homelessness need housing support services.

If a local authority has reason to believe that an applicant may be in need of a prescribed housing support services, it must assess whether the applicant, or any person residing with the applicant, is in need of such support.

The Scottish Government issued guidance to assist local authorities and their partners in implementing the housing support duty.

The Human Rights Act 1998

The Act incorporates the European Convention on Human Rights into Scots and English law in relation to the acts of public bodies. Its purpose is to protect human rights and to maintain and promote the ideals and values of a democratic society. The Articles of Convention include:

- freedom of thought, conscience and religion;
- freedom of expression;
- freedom of assembly and association;
- the right to have respect for private and family life; and
- the right to marry.

The Mental Health (Care and Treatment) (Scotland) Act 2003

This Act sets out how a person can be treated if they have a mental illness, learning disability or related condition and what their rights are.

The Misuse of Drugs Act 1971

The Act is the main law for drugs control in the UK. It prohibits the possession, supply and manufacture of medicinal and other products except where these have been made legal by the Misuse of Drugs Regulations 1985.

The legislation is concerned with controlled drugs and puts these into five separate schedules. Anyone who is responsible for storing or administering controlled drugs should be aware of the content of the Misuse of Drugs Regulations 2001 and the Misuse of Drugs (Safe Custody) Regulations 1973.

The Police Act 1997

Part V of the Police Act 1997 was implemented in April 2002. This provides for Disclosure Scotland to issue criminal record information certificates to individuals and organisations.

The Protection of Vulnerable Groups (Scotland) Act 2007

The Protection of Vulnerable Groups (Scotland) Act 2007 creates the legislative framework for a strengthened, robust and streamlined vetting and barring scheme for those working with children and protected adults in Scotland. For ease of reference, the Scottish Government is referring to this as the PVG Scheme. The PVG Scheme will ensure that those who either have regular contact with vulnerable groups through the workplace, or who are otherwise in regulated work, do not have a history of abusive behaviour. It will also deliver a fair and consistent system that will be quick and easy for people to use.

It will exclude people who are known to be unsuitable, on the basis of past behaviour, from working with children and/or protected adults and detect those who become unsuitable while in the workplace.

The Public Bodies (Joint Working (Scotland) Act 2014

The Public Bodies (Joint Working) (Scotland) Act 2014 received Royal Assent on 1 April 2014. The aim of the Act is to integrate health and social care in Scotland, to improve services for people who use them. Integration aims to ensure that health and social care provision across Scotland is joined-up and seamless, especially for people with long term conditions and disabilities.

It will put in place:

- Nationally agreed outcomes, which will apply across health and social care, and for which NHS Boards and Local Authorities will be held jointly accountable
- A requirement on NHS Boards and Local Authorities to integrate health and social care budgets

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- A requirement on Partnerships to strengthen the role of clinicians and care professionals, along with the third and independent sectors, in the planning and delivery of services

Partnerships will be jointly accountable to Ministers, Local Authorities, NHS Board Chairs and the public for delivering the nationally agreed outcomes.

The Public Interest Disclosure Act 1998

The Act protects workers who 'blow the whistle' about wrongdoing. It mainly takes the form of amendments to the Employment Rights Act 1996, and makes provision about the kinds of disclosures which may be protected; the circumstances in which such disclosures are protected; and the persons who may be protected.

The Public Services Reform (Scotland) Act 2010

The Act defines a “housing support service” as a service which provides support, assistance, advice or counselling to a person who has particular needs, with a view to enabling that person to occupy residential accommodation as a sole or main residence; but a service may be excepted from this definition by regulations and such residential accommodation does not include accommodation specified as excepted accommodation in regulations under section 91(9) of the Housing (Scotland) Act 2001 (asp 10).

The Care Inspectorate was created by the Public Services Reform (Scotland) Act 2010. The Act sets out general principles, in accordance with which the Care Inspectorate must exercise its functions. The Care Inspectorate uses the above housing support definition and this guides the way that the Care Inspectorate set out its registration categories.

In contrast to the arrangements under the previous legislation; the Regulation of Care (Scotland) Act 2001, the Act does not stipulate how often registered care services must be inspected - inspections must, however, take place in terms of a plan approved by the Scottish Ministers.

The Rehabilitation of Offenders Act 1974

The Act enables some criminal convictions to become 'spent' or ignored, after a rehabilitation period. The rehabilitation period is a set length of time from the date of conviction.