

On 1 April 2011 a new independent  
scrutiny and improvement body  
replaced the Care Commission –  
**Social Care and Social Work  
Improvement Scotland (SCSWIS).**

Contact SCSWIS on **0845 600 9527**  
or visit **www.scswis.com**



**The Scottish  
Government**

**nationalcarestandards**  
housing support services

october 2009

dignity —

privacy —

choice —

safety —

realising potential —

equality and diversity —



national **care** standards  
housing support services

dignity

privacy

choice

safety

realising potential

equality and diversity

© Crown copyright 2009

ISBN 978 0 7559 8135 9

The Scottish Government  
St Andrew's House  
Edinburgh  
EH1 3DG

Produced for the Scottish Government by RR Donnelley B61242 09/09

First published by the Scottish Executive, January 2002

Revised March 2005

New edition published by the Scottish Government, September 2009

Further copies are available from  
Blackwell's Bookshop  
53 South Bridge  
Edinburgh  
EH1 1YS

The text pages of this document are printed on recycled paper and are 100% recyclable

# Contents

<b>Introduction</b>	<b>3</b>
<b>Before using the service (standards 1 to 4)</b>	<b>13</b>
1 Informing and deciding	15
2 Your legal rights	16
3 Management and staffing arrangements	17
4 Housing support planning	19
<b>Using the service (standards 5 to 8)</b>	<b>21</b>
5 Lifestyle – social, cultural and religious belief or faith	23
6 Choice and communication	24
7 Exercising your rights	25
8 Expressing your views	26
<b>Choosing to leave or end the service (standard 9)</b>	<b>27</b>
9 Choosing to leave or end the service	28
<b>Annex A: Glossary</b>	<b>29</b>
<b>Annex B: Useful reference material</b>	<b>31</b>



# Introduction

national **care** standards  
housing support services

# Introduction

## Housing support services

Housing support services have developed over a number of years as an imaginative response to a wide range of needs. Housing support services should help people to live independently in the community, regardless of their tenure. Having and keeping a stable place to live is essential for many vulnerable people who want to stay in their own home.

At the moment, the largest group of people who receive housing support is older people living in sheltered housing which includes features to help make their lives easier. There is usually a community alarm or telecare service in case of a fall or other emergency, and some schemes have their own warden or sheltered housing manager.

However, a wide range of people with particular needs can receive housing support services, including homeless people, refugees, women escaping domestic violence, people with a chronic illness, people with a physical impairment or learning disability, ex-offenders, people with drug and alcohol related problems, and others who need support. They may use these services when their accommodation is temporary (for example, in a crisis) or when they are being re-housed.

There is a wide range of supported accommodation models, including sheltered housing with 30 or 40 self-contained units of accommodation with on-site warden support, communal facilities and call systems; homeless hostels; group homes where people share accommodation supported by residential or visiting housing support workers; individual scattered or clustered dwellings with floating (flexible) support; and 'wet houses' for people with substance misuse problems.

At the moment, housing support services are provided or commissioned by a landlord as part of a tenancy agreement. Some services are delivered to people who live in accommodation that is registered with the local authority under the terms of their occupancy agreement. Housing support services can range from around one hour a week to 24-hour residential support.

## **What is housing support?**

Housing support services help people to live as independently as possible in the community. They can either be provided in your own home or in accommodation such as sheltered housing or a hostel for homeless people. Housing support services help people manage their home in different ways. These include assistance to claim welfare benefits, fill in forms, manage a household budget, keep safe and secure, get help from other specialist services, obtain furniture and furnishings, and help with shopping and housework. The type of support that is provided will aim to meet the specific needs of an individual person.

## **New legislative framework**

The Scottish Government has introduced a new policy and funding framework which also covers, for the first time, regulation of housing support services. 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. This means that people living in owner-occupied housing will also be eligible. The regulations which are made under this section of the Housing Act Prescribed Housing Support Services SSI 444/2002 will contain detailed definitions of housing support services. Section 2 (27) of the Regulation of Care (Scotland) Act 2001 provides for the regulation of these services.

## **The national care standards**

Scottish Ministers set up the National Care Standards Committee (NCSC) to develop national standards. The NCSC carried out this work with the help of a number of working groups. These groups included people who use services, their families and carers, along with staff, professional associations, regulators from health and social care, local authorities, health boards and independent providers. Many others were also involved in the consultation process.

As a result, the standards have been developed from the point of view of people who use the services. They describe what each individual person can expect from the service provider. They focus on the quality of life that the person using the service actually experiences.



The standards are grouped under headings which follow the person's journey through the service. These are as follows.

### **Before using the service (standards 1 to 4)**

- 1 Informing and deciding
- 2 Your legal rights
- 3 Management and staffing arrangements
- 4 Housing support planning

### **Using the service (standards 5 to 8)**

- 5 Lifestyle – social, cultural and religious belief or faith
- 6 Choice and communication
- 7 Exercising your rights
- 8 Expressing your views

### **Choosing to leave or end the service (standard 9)**

- 9 Choosing to leave or end the service

### **Using the national care standards**

If you are thinking about using housing support services, you will want to refer to the standards to help you decide. You may want to discuss the standards with:

- your social worker or care manager, if you have one; or
- someone acting on your behalf, for example, your lawyer or other independent representative.

If things go wrong, you can refer to the standards to help you raise concerns or make a complaint. (See 'Expressing your views', standard 8.)

Providers will use the standards to find out what is expected of them in offering housing support services. The standards make it clear that everything about the service should lead to you enjoying a good quality of life. They should guide the owner or manager over who to employ and how they should manage the service.

In a small number of cases, people may be subject to compulsory orders under The Mental Health (Scotland) Act 1984 or The Adults with Incapacity

(Scotland) Act 2000. These orders may affect the way in which some of the standards are delivered. If this affects you, then anything in the standards that has to be different, and the legal reasons for that difference, will be shown in your personal plan. It will be in line with the principles and legal requirements of the current legislation.

### **The principles behind the standards**

The standards are based on a set of principles. The principles themselves are not standards but reflect the recognised rights which you enjoy as a citizen. These principles are the result of all the contributions made by the NCSC, its working groups and everyone else who responded to the consultations on the standards as they were being written. They recognise that services must be accessible and suitable for everyone who needs them, including people from black and ethnic minority communities. They reflect the strong agreement that your experience of receiving services is very important and should be positive, and that you have rights.

### **The main principles**

The principles are dignity, privacy, choice, safety, realising potential and equality and diversity.

#### **Dignity**

##### **Your right to:**

- be treated with dignity and respect at all times; and
- enjoy a full range of social relationships.

#### **Privacy**

##### **Your right to:**

- have your privacy and property respected, and to receive the time, the space and the facilities you need and want; and
- be free from intrusion as long as it is safe for you and everyone else.

## Choice

### Your right to:

- make informed choices, while recognising the rights of other people to do the same;
- know about the range of choices; and
- get help to fully understand all the options and choose the one that is right for you.

## Safety

### Your right to:

- feel safe and secure in all aspects of life, including health and wellbeing;
- enjoy safety but not be over-protected; and
- be free from exploitation and abuse.

## Realising potential

### Your right to have the opportunity to:

- achieve all you can;
- make full use of the resources that are available to you; and
- make the most of your life.

## Equality and diversity

### Your right to:

- live an independent life, rich in purpose, meaning and personal fulfilment;
- be valued for your ethnic background, language, culture, and faith;
- be treated equally and to live in an environment which is free from bullying, harassment and discrimination; and
- be able to complain effectively without fear of victimisation.

### **The Scottish Commission for the Regulation of Care**

The Regulation of Care (Scotland) Act 2001 ('the Act') set up the Care Commission, which registers and inspects all the services regulated under the Act, taking account of the national care standards issued by Scottish Ministers. The Care Commission has its headquarters in Dundee, with regional offices across the country. It will assess applications from people who want to provide housing support services. It will inspect the services to make sure that they are meeting the regulations and in doing so will take account of the national care standards. You can find out more about the Care Commission and what it does from its website ([www.carecommission.com](http://www.carecommission.com)).

### **The Scottish Social Services Council**

The Act created the Scottish Social Services Council ('the Council') which was established on 1 October 2001. It also has its headquarters in Dundee. The Council has the duty of promoting high standards of conduct and practice among social services workers, and in their education and training. To deliver its overall aims of protecting service users and carers and securing the confidence of the public in social services, the Council has been given five main tasks. These are: to establish registers of key groups of social services staff; to publish codes of practice for all social services staff and their employers; to regulate the conduct of registered workers; to regulate the training and education of the workforce; to undertake the functions of the National Training Organisation for the Personal Social Services. The Council has issued codes of practice for social service workers and employers of social service workers. These describe the standards of conduct and practice within which they should work. The codes are available from the Council website ([www.sssc.uk.com](http://www.sssc.uk.com)).

### **How standards and regulations work together**

The Act gives Scottish Ministers the power to publish standards which the Care Commission must take into account when making its decisions. It also gives Scottish Ministers the power to make regulations imposing requirements in relation to housing support services.

The standards will be taken into account by the Care Commission in making any decision about applications for registration (including varying or removing a condition that may have been imposed on the registration of the service). All providers must provide a statement of function and purpose

when they are applying to register their service. On the basis of that statement, the Care Commission will determine which standards will apply to the service that the provider is offering.

The standards will be used to monitor the quality of services and their compliance with the Act and the regulations. If, at inspection, or at other times, for example, as a result of the Care Commission looking into a complaint, there are concerns about the service, the Care Commission will take the standards into account in any decision on whether to take enforcement action and what action to take.

If the standards were not being fully met, the Care Commission would note this in the inspection report and require the service manager to address this. The Care Commission could impose an additional condition on the service's registration if the provider persistently, substantially or seriously failed to meet the standards or breached a regulation. If the provider does not then meet the condition, the Care Commission could issue an improvement notice detailing the required improvement to be made and the timescale for this. Alternatively, the Care Commission could move straight to an improvement notice. The Care Commission would move to cancel the registration of any service if the improvement notice does not achieve the desired result. In extreme cases (i.e. where there is serious risk to a person's life, health or wellbeing) the Care Commission could take immediate steps to cancel the registration of any service without issuing an improvement notice.

Regulations are mandatory. In some cases not meeting a regulation will be an offence. This means a provider may be subject to prosecution. Not meeting or breaching any regulation is a serious matter.

Decisions by the Care Commission on what to do when standards or regulations are not met will take into account all the relevant circumstances and be proportionate.

You can get information on these regulations from the Regulation of Care (Scotland) Act 2001, which is available from the Stationery Office Bookshop. You can also see the Act on-line (see Annex B for the address).

You can also see the Scottish Statutory Instruments for the Regulation of Care Regulations 2002 on-line (see Annex B for the address).

## **Comments**

If you would like to comment on these standards you can visit our website and send a message through our mailbox:

[www.scotland.gov.uk/health/standardsandsponsorship](http://www.scotland.gov.uk/health/standardsandsponsorship)

You can also contact us at:

Care Standards and Sponsorship Branch  
Community Care Division  
Primary and Community Care Directorate  
St Andrew's House  
Regent Road  
Edinburgh EH1 3DG  
Tel: 0131 244 5387  
Fax: 0131 244 4005



# 1-4

Before using the service

- 1 Informing and deciding
- 2 Your legal rights
- 3 Management and staffing arrangements
- 4 Housing support planning

national **care** standards  
housing support services



## **Before using the service**

### **Introduction to standards 1 to 4**

Standards in this section are grouped around those aspects of the service that are in place before you use the service, which you will use to make a judgement about how the service will improve your quality of life.

### **Informing and deciding**

You must have proper information to help you reach a decision. You can expect it to be up to date and reliable, in a format and language that you can easily understand and keep. Information about the services should be backed up by details of management and staffing, to give you confidence that the service will meet your housing support needs.

### **Your legal rights**

The principle of safety highlights how important it is for you to feel safe wherever you live. You must be confident that the service is managed properly in line with relevant legislation and guidelines. You must know what would happen in an emergency or if the housing support service was to close.

### **Management and staffing arrangements**

The standards in this section reflect the importance of knowing that the people who are responsible for your housing support have all the necessary experience, skills and training to meet your needs. If they are to provide you with the best possible service, they must be familiar with all the current good practice guidance. They must be able to put the guidance into practice.

Because your needs may change over time, the provider must make sure that the management and staffing arrangements can always meet these needs. This is reflected in the standards. They do not set exact requirements about the number and skills mix of the staff but make it clear that the service must always meet the needs of the people using it.

### **Housing support planning**

The way in which the housing support service is provided should be in keeping with your needs and should promote your independence. For some people the service will provide little more than background support while for other people it will offer greater assistance. You can expect that your personal plan will reflect the level of support you need and that it will change as your need for housing support changes.

## Informing and deciding

### Standard 1

**You have all the information you need to help you decide about using the service.**

- 1 You have an introductory pack which clearly explains how the service works. Everything is written in plain English or in a language and format that is suitable for you. It should include:
  - the housing support service brochure;
  - how to use the service;
  - any charges for the service, what these are and to whom you should pay them;
  - what is available in the housing support service;
  - how the quality of housing support service is monitored;
  - the complaints procedure;
  - a statement of your rights and responsibilities as a person who uses the housing support service;
  - policies and procedures for managing risk and recording and reporting accidents and incidents;
  - the relevant policies and procedures of the housing support service; and
  - the most recent Care Commission inspection report.
- 2 If you agree, your family, carer, friends, staff and managers will be involved in discussions with you.

## Your legal rights

### Standard 2

You will receive a written agreement which clearly defines the service that will be provided to meet your needs. This will set out the terms and conditions for receiving the service, and arrangements for changing or ending the agreement.

- 1 You will have a copy of this written agreement in a format that you can understand.
- 2 You will be able to look at the Care Commission's inspection reports that relate to the housing support service.

## **Management and staffing arrangements**

### **Standard 3**

**You experience good quality housing support. This is provided by management and staff whose professional training and expertise allow them to meet your needs. The service operates in line with all applicable legal requirements and best-practice guidelines.**

- 1** You can be assured that the provider has policies and procedures which cover all legal requirements, including:
  - staffing and training;
  - ‘whistle-blowing’;
  - managing risk; and
  - proper record-keeping, including recording incidents and complaints.
- 2** You can be confident that staff know how to put these policies and procedures into practice. They have regular training to review this and to learn about new guidance.
- 3** You can be confident that the staff providing your housing support have the knowledge and skills gained from the experience of working with people whose needs are similar to yours. If they are new staff, they are being helped to get this experience as part of a planned training programme.
- 4** You can be confident that all the staff use methods that reflect up to date knowledge and best practice guidance, and that the management is continuously striving to improve practice.
- 5** You know that the provider’s staff and managers are all recruited and selected through a process which includes:
  - taking up references;
  - criminal records checks where required; and
  - cross-reference to the registers of the Scottish Social Services Council, the United Kingdom Central Council for Nurses, Midwives and Health Visitors (UKCC), or other professional organisations, where appropriate.

- 6 You can be confident that at all times the number of staff who are trained and who have the necessary skills will be sufficient to meet your housing support needs. The levels are agreed between the Care Commission and the provider.
- 7 You know that the service has a staff development strategy and an effective yearly training plan for all its staff.
- 8 You know that whenever staff are involved in any financial transaction, it will be carefully recorded. This will be done in a way that can be checked by the Care Commission.

## **Housing support planning**

### **Standard 4**

**You will be fully involved in developing your personal plan and in any later reviews. You will receive copies of these that have been signed and dated by the housing support service provider.**

- 1** Your personal plan will set out the way the service is shaped to meet your needs.
- 2** Your personal plan will contain information about:
  - what you prefer to be called;
  - who should be involved in reviewing of your care;
  - any special communication needs you may have;
  - what communication arrangements need to be put in place if your first language is not English;
  - any housing support you need to help you with financial or administrative arrangements;
  - when, and in what circumstances, friends, relatives and carers will be contacted;
  - which other services must be contacted if there is an important change in your health or personal circumstances;
  - an independent person to contact if you want to make a complaint or raise a concern;
  - who else is contributing to your support and care; and
  - when the housing support is provided and who provides it.
- 3** You know how to change your personal plan for either planned or unplanned events (for example, going to hospital, or on holiday, or on a day out), or how to end your housing support service.

- 4 You can be confident the housing support service provider will check with you regularly (within three months of the service starting and at least once a year after that) that the service meets your needs that are identified in your personal plan.
- 5 You are told about any unexpected changes to your housing support as soon as possible.
- 6 You know about any changes to charges and how and when these will happen.
- 7 You know how to contact the housing support service provider if your housing support worker does not appear when you are expecting her or him.

# 5-8

Using the service

- 5 Lifestyle – social, cultural and religious belief or faith
- 6 Choice and communication
- 7 Exercising your rights
- 8 Expressing your views

national **care** standards  
housing support services



# Using the service

## Introduction to standards 5 to 8

### **Lifestyle – social, cultural and religious belief or faith**

The standards in this section make it clear that you can continue to live your life in keeping with your own social, cultural or religious beliefs or faith when you are using housing support services.

### **Choice and communication**

People may use different languages or methods of communication for a variety of reasons. As a result they may have difficulty in making themselves understood. But being able to communicate is an essential part of taking part in daily life and you should be able to choose to get help to do so. You have the right to make decisions about your life, helped and supported by the housing support service.

### **Exercising your rights – expressing your views**

The housing support service staff must always respect and promote your rights. They must make sure that you can express your views about the quality of the service and your experience of it, and take your comments, concerns and complaints seriously. They are your way of contributing to and influencing how the services are delivered.

## **Lifestyle – social, cultural and religious belief or faith**

### **Standard 5**

Your social, cultural and religious belief or faith are respected by the provider in supplying the service. You can live your life in keeping with these beliefs.

- 1 You are treated as an individual with unique needs.
- 2 Staff will know what your social, cultural and religious belief or faith will mean for how you live your life.
- 3 Where necessary, you have help to take part in religious, cultural and spiritual activities.
- 4 Your sexuality is accepted and your legitimate sexual needs and preferences are viewed as being important to you.

## Choice and communication

### Standard 6

**You can be helped by housing support staff to make choices about the service that is provided and how it links to your personal and social life.**

- 1** You are given good information about the choices that are available to you and the effect they will have on you. If you want, you can ask for an independent representative or for specialist advice.
- 2** You are free to carry out these choices unless any specific legal provision applies to you.
- 3** You can be confident that the housing support service provider has clear ways of communicating your wishes to your housing support staff so you do not have to repeat things.

## **Exercising your rights**

### **Standard 7**

#### **You keep your rights as an individual.**

- 1 Your personal plan explains your rights and responsibilities as a user of the service, and you know what is expected of you and what you can expect of housing support staff.
- 2 You will not suffer any form of abuse from housing support staff.
- 3 You have the right to confidentiality, unless any specific legal provision applies. Your personal plan explains how information about you will be handled and how your confidentiality will be protected.
- 4 You do not have to give the housing support provider any information which is not essential for your housing support services. The housing support provider will tell you why they need information about you.
- 5 Your personal information will be kept secure and easily available to you and anyone else you want to be able to look at it.
- 6 Your housing support worker will respect your privacy when talking to you and when talking to other people living in or visiting your house.
- 7 Your housing support worker will not gossip about you, your home or your family.
- 8 You will have a housing support worker who will be your usual contact with the housing support service provider.
- 9 Your housing support worker will deal with your requests for help politely and quickly.

## Expressing your views

### Standard 8

**You are encouraged and helped to make your views known on any aspects of the housing support service.**

- 1** You know how to make a complaint or comment to the housing support provider about the service. You are also aware of the procedure for making complaints directly to the Care Commission.
- 2** You do not have to give your name when you make a comment or complaint.
- 3** You will know how the housing support provider monitors the quality of support it offers.
- 4** You can be confident that the housing support service provider deals with concerns and complaints quickly and sympathetically, and provides full information about what will happen as a result of the complaint.
- 5** If you want, you are helped and supported to use an independent and confidential advocacy service that can act for you. Staff will have information about any service that would help you in this way.
- 6** If you have an independent representative (for example, an independent advocate), staff will listen to what she or he has to say on your behalf, as if you were expressing the views yourself.
- 7** You can play a part in the Care Commission's inspection of your service.
- 8** You know that the manager of the housing support service will make available a copy of each inspection report so that you and your representative can look through it.

# 9

Choosing to leave or end the service

9 Choosing to leave or end the service

national **care** standards  
housing support services

# Choosing to leave or end the service

## Introduction to Standard 9

Choosing to leave or end the service should be a positive experience. You should be able to choose when to leave or end the service.

If choosing to end the service is to be successful, you must be able to take your time. You must be supported by the people around you.

## Standard 9

**You and the housing support service provider will plan and discuss how to end the service.**

- 1 You will know about any action that is being taken (usually with your agreement) to end a contract, service or housing support arrangement.
- 2 You will have discussed ending your housing support service at your personal plan reviews.
- 3 Your housing support service provider will help you if you decide to use a different service.
- 4 You can end your housing support service after talking about this with your housing support provider.
- 5 You will know what will happen to any records that relate to you when the housing support service ends or changes. If your records have to be passed on to a new housing support provider, they will be complete and up to date, and will have been put together with your involvement and agreement.

# Annex A

national **care** standards  
housing support services



## **Annex A**

### **Glossary**

#### **Advocate or Advocacy**

A person who is independent of any aspect of the service or of any of the statutory agencies involved in paying for, or providing, the service. They act on behalf of, and in the interests of, the person using the service. The advocate helps the person to express herself or himself.

#### **Carer**

A person who looks after family, partners or friends who need help because they are ill, frail or have a disability. The care they provide is unpaid.

#### **Complaints process**

Clear procedures that help the person using the service or others to comment or complain about any aspect of the service.

#### **Format**

Information presented in a layout that is suitable for you. This could be in easy-read language, braille, on tape or on disk.

#### **Personal plan**

A plan of how the housing support service will be provided, agreed between you (and/or your representative) and the service provider.

#### **Whistle-blowing**

The disclosure by an employee (or professional) of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the workplace, be it of the employer or of his fellow employees. (Lord Barrie QC 1995)

# Annex B

national **care** standards  
housing support services

## Annex B

### Useful reference material

#### Legal

##### **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 Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupation) Order 2000**

This order 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 Disability Discrimination Act 1995**

This wide-ranging Act, which came into force in 1996, makes it illegal to discriminate against disabled people in employment, access to goods, services, transport and education.

### **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 of this Act makes provision for local authorities to administer and purchase housing support services within certain limits which will be set out in regulation. These arrangements will come into operation in April 2003. Housing support services which include general counselling and support are aimed at helping people to stay in their own homes in the community. In some circumstances there may be an overlap between these services and services provided through care at home. Providers of housing support services will also be regulated under the Regulation of Care (Scotland) Act 2001.

### **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**

Currently under review, the Act provides for the compulsory detention and treatment of people with a mental disorder.

### **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 1985 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 the Scottish Criminal Record Office to issue criminal record information certificates to individuals and organisations.

### **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 Race Relations Act 1976**

The Act makes racial discrimination illegal in employment, service delivery, training and other areas.

### **The Race Relations (Amendment) Act 2000**

The Act makes racial discrimination illegal in public activities that were not previously covered. It puts a general duty on public organisations to promote race equality.

### **The Regulation of Care (Scotland) Act 2001**

The Act establishes a new system of care service regulation including the registration and inspection of care services which takes account of national care standards. The Act also creates two new national, independent bodies, the Scottish Commission for the Regulation of Care, to regulate care services, and the Scottish Social Services Council, to regulate the social service workforce and to promote and regulate its education and training.

You can visit these websites for information:

- Regulation of Care (Scotland) Act 2001  
[www.scotland-legislation.hmso.gov.uk/legislation/scotland/acts2001/20010008.htm](http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/acts2001/20010008.htm)
- Regulation of Care (Scotland) Act 2001 Statutory Instruments  
[www.scotland-legislation.hmso.gov.uk/legislation/scotland/s-200201.htm](http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/s-200201.htm)

### **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.

### **The Sex Discrimination Act 1975**

The Sex Discrimination Act 1975 makes it unlawful to discriminate on grounds of sex or marital status in recruitment, promotion and training.

The Act also covers education, the provision of housing, goods and services and advertising.

## **Policy**

### **Aiming for Excellence: Modernising Social Work Services in Scotland 1999**

The White Paper sets out the proposals to strengthen the protection of children and vulnerable adults and to make sure high quality services are provided. The Scottish Commission for the Regulation of Care is an independent regulator set up for this purpose.

### **Our National Health 2000**

The health plan aims to improve Scotland’s health and close the health gap between rich and poor, restoring the NHS as a national service and improving care and standards.

### **Other useful reference material**

*Best Value in Housing Care and Support: Guidance and Good Practice*, Department of Employment Transport and the Regions (DETR), January 2001.

*Low intensity support: preventing dependency*, Joseph Rowntree Foundation (JRF) Foundations 159, January 1999.

*Low intensity support services: a systematic literature review*, Deborah Quilgars, The Policy Press, 2000.

Evaluation of Anchor Housing Corporation initiative on community care and housing for older people – publication pending.

*What price independence: Independent living and people with high support needs*, Ann Kestenbaum, The Policy Press, 1999.

*A life in the community: Home-Link – Supporting people with mental health problems in ordinary housing*, Deborah Quilgars, The Policy Press, 1988.

*That bit of help: The importance of 'low level' preventive services to older people*, Heather Clark, Sue Dyer and Jo Horwood, The Policy Press, 1988.

*Blurring the boundaries: A fresh look at housing and care provision for older people*, Christine Oldman, Pavilion Publishing, 2000.

*An ordinary home: housing and support for people with learning disabilities*, Maurice Harker and Nigel King, IDEA Publications, 1999.

*Living Support Networks – the services provided by Keyring*, Ken Simons, Pavilion Publishing 1998.

*The Open House Programme for people sleeping rough: an evaluation*, Nicholas Pleace, Centre for Housing Policy, 1998.

*Supporting people with acquired brain injury in their own homes*, Gail Cunningham, Moira Wilson and Sarah Whitely, The Policy Press, 1998.

*Supported accommodation for ex-offenders: Identifying effective practice*, Dr Gill McIvor and Mary Taylor, Department of Applied Social Science, University of Stirling, 1995.

*Between ambition and achievement: Young black disabled people's views and experiences of independence and independent living*, Tracey Bignall and Jabeer Butt, The Policy Press, 2000.

*Living independently with support*, Ann Douglas, Charlotte MacDonald and Mary Taylor, The Policy Press, 1998.





© Crown copyright 2009

This document is also available on the Scottish Government website:  
[www.scotland.gov.uk](http://www.scotland.gov.uk)

RR Donnelley B61242 10/09

Further copies are available from  
Blackwell's Bookshop  
53 South Bridge  
Edinburgh  
EH1 1YS

Telephone orders and enquiries  
0131 622 8283 or 0131 622 8258

Fax orders  
0131 557 8149

Email orders  
[business.edinburgh@blackwell.co.uk](mailto:business.edinburgh@blackwell.co.uk)

ISBN 978-0-7559-8135-9

