

2016 No. 15

PUBLIC HEALTH

SOCIAL CARE

The Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Amendment Regulations 2016

Made - - - - - *13th January 2016*

Laid before the Scottish Parliament *15th January 2016*

Coming into force - - - *31st August 2016*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 1(6) of the Public Bodies (Joint Working) (Scotland) Act 2014^(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Amendment Regulations 2016 and come into force on 31st August 2016.

Amendment of the Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Regulations 2014

2.—(1) The Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Regulations 2014^(b) are amended as follows.

(a) 2014 asp 9. Section 68(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made.

(b) S.S.I. 2014/344.

(2) In Schedule 1 (functions prescribed for the purposes of section 1(6) of the Act), after the entry relating to the Patient Rights (Scotland) Act 2011, in Column A insert—

“Children and Young People (Scotland) Act 2014

All functions of Health Boards conferred by, or by virtue of, Part 4 (provision of named persons) and Part 5 (child’s plan) of the Children and Young People (Scotland) Act 2014^(a).”.

St Andrew’s House,
Edinburgh
13th January 2016

SHONA ROBISON
A member of the Scottish Government

(a) 2014 asp 8.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Regulations 2014 to prescribe additional functions for the purpose of section 1(6) of the Public Bodies (Joint Working) (Scotland) Act 2014 (“the 2014 Act”).

The 2014 Act requires Health Boards and local authorities to agree arrangements for joint working in their area in relation to certain of their statutory functions. These joint working arrangements will involve the delegation of functions by the local authority or by the Health Boards or both. A Health Board may, by virtue of Section 1(6) of the 2014 Act, only delegate functions that are prescribed in regulations.

The Children and Young People (Scotland) Act 2014 confers functions on Health Boards. By virtue of the amendment made by Regulation 2, the functions of Health Boards in relation to a named person service for pre-school children (Part 4 of that Act) and the preparation of a child’s plan for certain pre-school children (Part 5 of that Act) may be delegated by a Health Board for the purposes of joint working arrangements under the 2014 Act.

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