MENTAL HEALTH (SCOTLAND) BILL; FINANCIAL MEMORANDUM

SUBMISSION FROM EAST AYRSHIRE COUNCIL

Consultation

Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?
1. Yes.

If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?
2. The only other implication which may impact on MHO activity is the proposal for MHO’s to become more involved in activity under section 136 which is the transfer of prisoners for treatment for mental disorder.

This is where an adult held in custody is deemed to require treatment in hospital for mental illness. Again this is not an activity MHO’s would traditionally be involved in but the suggestion again is that this is a relevant event in terms of the legislation and should warrant an MHO report.

In practice this is not a common occurrence but the increase in capacity required to undertake this duty, while numbers within individual council areas may be small, the potential for travel out with area is high and consideration requires to be given to where this MHO provision should come from – either the council where the patient/prisoner currently resides or the originating area.

This could become complex due to the geography of prisons/hospitals. MHO’s from East Ayrshire may require travelling to Prisons at some distance or indeed respond, as MHO for prisoners held within their local authority area –i.e. HMP Kilmarnock.

Did you have sufficient time to contribute to the consultation exercise?
3. Yes.

Costs

If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.
4. Yes, however, please see comments above at question 2.

Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?
5. Yes, welcome amendments in reducing multiple tribunal hearings.

If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?
6. Financial resources should be available, however, concerns over recruitment and retention of MHO’s remain (recognised as a national problem but particularly impacts within East Ayrshire).
Does the FM accurately reflect the margins of uncertainty associated with the Bill’s estimated costs and with the timescales over which they would be expected to arise?
7. Yes, report makes an accurate reflection of uncertainty associated with Bill’s estimated costs and reflects unpredictability at the timescale of changes

Wider Issues
Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?
8. As per question 2, travel costs and MHO staff cover costs could both have a financial impact on the service.

Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?
9. Difficult to comment at this point. Further details of subordinate legislation will be required to consider at a later date.