MENTAL HEALTH (SCOTLAND) BILL; FINANCIAL MEMORANDUM
SUBMISSION FROM SOUTH LANARKSHIRE 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, South Lanarkshire Council did take part in the consultation exercise. It was not however possible to quantify the actual financial impact of the proposals contained in the Bill other than to recognise that costs would increase.

If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?
2. Refer to the response to question 1 and question 4.

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. Section 2 of the Act introduces a new duty requiring MHO’s to prepare a report. The FM suggests that this will apply to 20 cases throughout Scotland at an additional cost of £9,000. However further information gained from The Mental Welfare Commission and included in the Social Work Scotland Mental Health Sub Group Response states that this will apply to 1789 reports (2012/13) and this would then result in an additional cost of £850,000 across Scotland. It is not possible at this stage to quantify the financial impact on South Lanarkshire Council as a result of the new duty.

Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?
5. Further clarification is required based on the evidence provided by Social Work Scotland. If this evidence is accurate then the Financial memorandum has significantly underestimated both the costs that will be incurred and the MHO workload implications.

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. The Adult Support and Protection Act, the Mental Health Act and the Adults with Incapacity Act have all greatly extended the protective, monitoring and investigative functions of local authorities. The Bill proposes further increases to the duties and responsibilities of MHO’s, and there is an increasing requirement to review the national MHO workforce and workload capacity. Taking into consideration the financial challenges currently being experienced across the public sector, a significant increase in cost would further add to the budget pressures within Social Work. Consideration should therefore be given to the availability of additional funding.
from the Scottish Government to meet these new cost pressures emanating from the new duty.

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. Please refer to the response to question 1 and question 4.

Wider Issues
Do you believe that the FM reasonably captures any costs associated with the Bill? If no, which other costs might be incurred and by whom?
8. No. Please refer to the response to question 1 and question 4 specifically the uncertainty in respect of the impact on workloads and the number of reports.

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. This is not known at this stage.