

**nationalcarestandards**  
services for people in criminal justice supported accommodation

dignity

privacy

choice

safety

realising potential

equality and diversity



SCOTTISH EXECUTIVE

**Making it work together**



national **care** standards  
services for people in criminal justice supported accommodation

dignity —

privacy —

choice —

safety —

realising potential —

equality and diversity —



# Contents

Page

<b>Introduction</b>	<b>3</b>
<b>Standards on information about the service</b>	<b>13</b>
Standard 1	14
<b>Standards on arrival</b>	<b>15</b>
Standard 2	16
<b>Universal standards</b>	<b>19</b>
Standard 3 Privacy	20
Standard 4 Health and wellbeing	21
Standard 5 Safety and security	23
Standard 6 Participation and choice	25
Standard 7 Lifestyle	26
<b>Standards on review and move-on arrangements</b>	<b>27</b>
Standard 8	28
<b>Annex A: Useful reference material</b>	<b>29</b>



# Introduction

national**care**standards  
services for people in criminal justice supported accommodation

## Introduction

It is important to be clear about the nature and purpose of services for people in criminal justice supported accommodation. The services are normally provided for people under a statutory order or licence who are assessed as unable, at this time, to live independently in the community. Individuals not subject to such supervision make their own arrangements to find accommodation. The support or supervision allows people to take part in community-based programmes, and it also aims to reduce the likelihood and scale of re-offending by helping to promote the stability which often comes from additional staff support, and links to family and communities. It is in this way that services for people in criminal justice accommodation are focused on building safe communities.

### **The supported accommodation that is provided**

The number of supported accommodation places for offenders that are funded by the Scottish Executive is very small. There are about 200 beds in the various forms of criminal justice supported accommodation in Scotland. The needs of most offenders are met outwith services for people in criminal justice supported accommodation.

### **Access to supported accommodation**

People normally use criminal justice accommodation as a condition of an order or licence. A social worker may, however, decide that a person in their care (under statutory supervision) would benefit from the extra support and supervision which these services offer, if this would help the overall objectives of the order, licence or other statutory package of supervision and support.

## Forms of supported accommodation

There are a number of different types of criminal justice accommodation. They include 24-hour staffed hostels, supported tenancies (individual or group), supported landlady schemes, and bed and breakfast places. Also, criminal justice funds may be used to pay for places in specialist residential projects dealing with addiction or mental health problems, if it is directly relevant to an individual's offending behaviour.

The distinguishing feature of services to people in criminal justice supported accommodation is the arrangement of accommodation as part of a package of support, supervision and/or surveillance, according to individual needs. The service helps to achieve the overall aims of the statutory order or licence.

## Principles

A number of specific principles should apply to services for people in criminal justice accommodation. These include:

- equal access where supported accommodation is needed;
- targeting resources to specific groups and areas of greatest risk or need;
- providing flexible services to meet individual needs and circumstances, including those of the highest-risk offenders;
- value for money, by delivering services effectively and efficiently;
- getting offenders involved in the community again; and
- securing the confidence of the public, the courts and Parole Board in the supported accommodation options available for offenders.

About half of the present number of bed spaces are in the hostels provided in seven local authority areas – Aberdeen, Dundee, Edinburgh, Fife, Glasgow, Highland and Orkney. Access to hostels is generally limited to people who come from the surrounding areas. However, there is no consistent policy on this and, if there are appropriate funding arrangements between authorities, offenders from outwith the immediate neighbouring authorities can be accommodated.

### **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. For services for people in criminal justice supported accommodation, the working group included a Justice Department administrator.

A consultation event was held in Glasgow on 9 May 2001 when people were asked to consider a draft of the care standards for services for people in criminal justice supported accommodation. Service users and staff from three providers based in Glasgow – Sacro, the Talbot Association and the Church of Scotland (Dick Stewart Hostel) – took part. The event was well attended and received, providing helpful and reassuring discussion on the draft material at that stage, together with useful new suggestions.

The national care standards are based on a set of principles. The principles themselves are not care 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.

### **The main principles are:**

- dignity;
- privacy;
- choice;
- safety;
- realising potential; and
- equality and diversity.

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

The Regulation of Care (Scotland) Act 2001 ('The Act') set up the Scottish Commission for the Regulation of Care ('the Care Commission'). The Care Commission will register and inspect all the services to be regulated against 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 registered services. It will inspect the services to make sure that they are meeting the standards and the regulations.

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

The Act created the Scottish Social Services Council ('the Council') which was established on 1 October 2001. It will also have its headquarters in Dundee. The Council will have 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 four 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 training and education of the workforce; to undertake the functions of the National Training Organisation for the Personal Social Services.

## 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 Ministers the power to make regulations imposing requirements in relation to care 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 care 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 on 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 time scale 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.

### **European Convention on Human Rights key articles**

The National Care Standards Committee adopted an approach which aims to balance the individual's rights and responsibilities. This is a particularly helpful and realistic approach for services for people in criminal justice supported accommodation, taking account of the Human Rights Act 2000 and the European Convention on Human Rights.

#### **Article 3**

No one shall be subjected to torture or inhuman or degrading treatment or punishment.

#### **Article 8**

- 1 Everyone has the right to respect for his private and family life, his home and correspondence.
- 2 There shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic wellbeing of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

#### **Article 9**

- 1 Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in a community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.

2 Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

### **Article 10**

- 1 Everyone has the right to freedom of expression.
- 2 'The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society in the interests of ...public safety, for the prevention of disorder or crime, for the protection of the health or morals or for the protection of the rights and freedoms of others...'

### **Article 11**

- 1 'Everyone has the right to peaceful assembly and to freedom of association with others ...'
- 2 'No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others...'

### **The effects on the care standards**

All the articles above are relevant to this form of service. Offenders and ex-prisoners generally do not have much choice about using criminal justice supported accommodation services, because they may go to prison if they do not comply or it may be a specific requirement of a court order or licence. These conditions often limit the offender's freedom or choice. In all circumstances, the time spent in supported accommodation is intended to be a period of transition, that is, it allows the person to be supervised in the community and to make the progress needed to move to more independent living arrangements.

The purpose of the service is to sustain the viability of community supervision of offenders and ex-prisoners and to help them to develop an independent and crime-free lifestyle. Any restriction on the liberty or choice of the individual has therefore to be compatible with those purposes. Such restrictions should be to the minimum level necessary to realise the objectives of supervision and so contribute to public safety. Although any requirement to live in supported accommodation for these purposes restricts freedom and choice, it should not be seen as a form of punishment. It should help the individual to follow the terms and conditions of supervision and to develop and maintain an appropriate pro-social lifestyle. Articles 3, 8, 9, 10 and 11 of the European Convention are helpful in recognising the importance of a balance between the rights of the individual and their responsibilities towards the safety and wellbeing of others.

For whatever reasons offenders are in supported accommodation, they are entitled to care as well as supervision. These standards explain the level of care that people should receive within the service. In this respect, offenders and ex-prisoners are no different from other client groups. As individuals they have a right to be treated with care, respect and dignity. They have a right to privacy and to exercise as full a range of choices as can be made available to them.

Issues of involvement and social inclusion (being included in society) are particularly important in work with offenders. It is essential that services for people in criminal justice supported accommodation do all they can to get service users involved in activities and services in the wider community, for example, employment, training and education, health, leisure and civil rights.

## **Legislation**

Section 27 of *The Social Work (Scotland) Act 1968* places a duty on the local authority to supervise and care for persons on a court order, released from prison on licence or order, or to assist those who request voluntary assistance within 12 months of release from prison or detention.

A range of specific legislation is relevant to different forms of supervision of offenders and ex-prisoners and how these services are provided. This includes:

- *Prisoners and Criminal Proceedings (Scotland) Act 1993*
- *Criminal Procedure (Scotland) Act 1995*
- *Crime and Disorder Act 1998.*

Annex A gives other useful legislation, policy and reference material.

# 1

Standards on information about the service

national**care**standards  
services for people in criminal justice supported accommodation

## Standards on information about the service

### Standard 1

**You will be given comprehensive information about the service you will receive. Any period of stay should be discussed beforehand with you and relate fully to a supervision or support plan.**

- 1 You receive information on the service and have it explained to you in plain English or a language or format you can easily understand. The information includes:
  - admission processes and conditions;
  - the purpose of the service;
  - any charges liable;
  - clear conditions for access to or exclusion from the service; and
  - your rights and responsibilities as a service user.
- 2 Your admission to the service is part of an overall supervision, pre-release or support plan based on an assessment of your needs and any risks. You contribute to this in discussion with your supervising officer.
- 3 Where possible, you have a visit to the service in advance, with your supervising social worker. Where this is not possible, there will be a policy of pre-release visits by the service provider to prison establishments for long-term prisoners.

# 2

Standards on arrival

national**care**standards  
services for people in criminal justice supported accommodation

## Standards on arrival

### Standard 2

**You will be assisted to understand your rights and responsibilities and all policies and procedures operating within the service during a process of welcome and introduction.**

- 1 You are assisted to understand information on the function of the service (including any decisions made about you) and your rights and responsibilities as a user of the service.
- 2 Within 48 hours, you receive information in a language or format you can easily understand relating to:
  - confidentiality and sharing of information;
  - rights and responsibilities;
  - curfew or restrictions on liberty;
  - any programme of activity;
  - any specific conditions of order or licence;
  - the current Care Commission inspection report for the service;
  - the service's drug and alcohol policy, and how to access services for advice and support on these issues;
  - the service's complaints system and how you can make a complaint without recourse to staff and without fear of victimisation;
  - the service's anti-bullying policy;
  - availability of local services;
  - specified individual rights to occupy a specific living area;
  - the service's policy on the use of protective restraint; and
  - any circumstances in which you will be required to leave the service.

- 3 You are welcomed to the service and staff help you to understand how to make best use of it and take part in the wider community.
- 4 You are introduced (normally within 48 hours of arrival) to your key worker allocated to take particular responsibility for you, and have his or her role explained to you. You can approach him or her if you have questions or concerns. If you want, you can ask to change your key worker at any time. In the absence of your key worker, you have access to another member of staff.
- 5 You know how to contact staff.
- 6 You are safe from bullying or victimisation and know that bullying and abusive behaviour are not tolerated.
- 7 You are asked who you would want to be contacted if you had a serious illness or accident.
- 8 You have an individual supervision plan which is up to date and includes an assessment of your health needs.



# 3-7

Universal standards

- 3 Privacy
- 4 Health and wellbeing
- 5 Safety and security
- 6 Participation and choice
- 7 Lifestyle

national**care**standards  
services for people in criminal justice supported accommodation

# Privacy

## Standard 3

**Your individual rights to privacy and personal space will be fully respected.**

- 1** You are consulted on any planned formal visits to the service.
- 2** Staff knock and wait for permission to enter your living area, except when there is an assessed risk to yourself or others.
- 3** You understand clearly if the service has a policy about the management and opening of mail, where the mail is opened but not read. Staff explain this clearly to you from the start, and they regularly repeat it. The arrangements will include a secure facility for receiving personal mail and access to a mail collection point.
- 4** You can entertain family, friends and visitors in private (in line with a visitors' policy, where applicable). Young children who come to visit you will have somewhere safe to play and be looked after.
- 5** Staff respect confidentiality. Any necessary disclosures to third parties of confidential information relating to you are discussed with you and your consent sought, where possible. Where your consent to disclosure is required by law, it will be sought and no disclosure made without it.
- 6** You have access to your records in accordance with appropriate legislation, other than where there is information from a third party which has been disclosed on a confidential basis or where there is concern for the safety of a third person.
- 7** You can spend time in a communal environment or in privacy and quiet.

## Health and wellbeing

### Standard 4

**You will be provided with a healthy environment in which to live, encouraged to pursue a healthy lifestyle and assisted in accessing appropriate healthcare and other services.**

- 1** You receive information on your rights and how to register with a GP, together with a list of GP services in the area where you are living. This information includes an explanation of your legal rights for accessing your GP medical record.
- 2** You receive information on a healthy lifestyle, or have explained to you how to access the information. You receive encouragement and support to follow this healthy lifestyle, including opportunities to be involved in regular exercise and having access to smoke-free areas where you are staying.
- 3** You know that staff are qualified, trained and experienced to meet your needs and to assist you in exercising your rights and responsibilities.
- 4** You are treated with respect and dignity by the service at all times.
- 5** You live in a comfortable and homely environment which is, as far as possible, free from disturbing noise levels. The accommodation is appropriately maintained and decorated.
- 6** Staff of the service are encouraging and supportive in their approach to you.
- 7** You know that staff will not generally discuss or share anything they know about your health problems with others. If they need to do so, this will be with your consent, wherever possible.
- 8** You can have consultations with healthcare personnel in private, that are not overheard and are without unwanted intrusion.
- 9** You can undertake personal, intimate and health-related activities in private.

- 10** You are treated with sensitivity from staff about health-related issues.
- 11** Where meals are provided, you can choose from menus that reflect a balanced, nutritional diet, and any special dietary needs that you have will be met. The menus reflect your choices and preferences, including ethnic, cultural and faith or religious ones.
- 12** Staff support and advise you about your personal hygiene, if necessary.
- 13** You have help to keep and develop appropriate contact with family and friends and to receive visits.
- 14** You can discuss any concerns about the quality of care you are receiving with staff. You know that your concerns will be treated seriously.
- 15** If you take medication regularly and need help with taking it, and staff of the service cannot provide that help, then you are helped to make appropriate arrangements.
- 16** If you are legally required to take or to be given your medication as directed and you fail to do so, you know and understand that the staff must report this to the relevant authorities. Staff will work in line with legal powers<sup>1</sup> that allow other people to give permission to receive treatment if it is necessary for your health and welfare (see note below).
- 17** If your children are staying with you, their needs will be considered separately. You have help to access health, education and social services for your children. There will be a separate care plan for each child and facilities suitable for his or her age.

---

<sup>1</sup> Adults with Incapacity Act 2000; Mental Health (Scotland) Act 1984.

## Safety and security

### Standard 5

**You will receive the service in a safe and secure environment.**

- 1** You receive the service in an environment which:
  - is safe and secure;
  - matches your assessed needs and risks; and
  - meets all health and safety requirements.
- 2** You know what to do in the event of fire, identification of a hazard to safety in the premises, or other emergency.
- 3** You know that staff make on-going risk assessments on all residents.
- 4** You learn about the boundaries of acceptable behaviour in and outside the premises. You know that the service provides sensitive and competent management of individuals with challenging behaviour to themselves and/or others.
- 5** You know that, where required, police checks are made on staff and volunteers.
- 6** There is a written record giving precise details of any necessary instances of protective restraint.
- 7** The service has an accessible and credible procedure for recording, reporting and investigating serious incidents.
- 8** You have a key to your room and secure storage for your own belongings.
- 9** Staff advise you how best to maintain the security of your personal belongings.
- 10** You know how staff will deal with visitors to the premises who may pose a risk to the residents or staff.

- 11** You will only take part in potentially hazardous pursuits arranged by the service after risks have been assessed.
- 12** You know the service policy and procedures and staff responses to preventing injury and serious damage to property.

## Participation and choice

### Standard 6

**Your participation and choice will be promoted in order to maximise potential for social inclusion and personal development.**

- 1** Staff give you information and encourage you to take part in education and vocational and life skills training, occupation or employment interests.
- 2** You choose how you organise your personal living space.
- 3** You have information on and access to independent advice and advocacy.
- 4** Staff assist you to exercise your civil rights and choices.
- 5** You have access to skilled staff to help you to change the specific behaviours which have resulted in the service being required.
- 6** You have the opportunity to establish or maintain meaningful interpersonal relationships.
- 7** There are facilities where light refreshments can be prepared or requested by individuals and visitors.
- 8** You can choose and be enabled to maintain control of your own affairs (financial, legal and medical). Arrangements are in place to support you in exercising positive choices. If you are under 18 years, you have specific advice available on your rights.
- 9** Your views are taken into account as to how the service is run.
- 10** You can choose whether or not to live in a smoke-free environment, with smoke-free rooms and areas available.

- 11 You are free to come and go from the premises except when this may be against the rules, against the specific conditions of your order or licence, or contrary to public safety. Your statement of rights and responsibilities gives any specific conditions of your order or licence.
- 12 You are assisted to maximise personal income, with the uptake of benefits, training allowances and employment opportunities.

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

### **Standard 7**

**Your social, cultural and religious belief or faith will be respected. You can live your life in keeping with these beliefs.**

- 1 Staff make sure they are properly informed about the implications for you and others of your social, cultural and religious belief or faith.
- 2 Your holy days and festivals are recognised and ways found to make sure you can observe these.

# 8

Standards on review and move-on arrangements

national**care**standards  
services for people in criminal justice supported accommodation

## Standards on review and move-on arrangements

### Standard 8

**You will be encouraged and supported to take part in regular reviews which will consider arrangements for you to move on and progress made in respect of action plans.**

- 1** You are supported to take part in regular reviews of your use of the service (at least every three months) with your key worker, supervising social worker and other people, in tandem with any formal review of your order or licence. You can play an active part, exercising choices, influencing what happens afterwards and commenting on the experience of your use of the service. If you are subject to formal reviews, every effort will be made to combine the two processes.
- 2** Each review of your use of the service will consider the progress of your action plan and deal with move-on issues (including your continuing need for support).
- 3** Reviews should encourage you to take part in constructive opportunities and activities in the wider community.
- 4** You have plans for your move-on accommodation developed from the early part of your use of the service. The plans are addressed in all reviews, in line with any statutory requirements which inform future moves.
- 5** You have opportunities to:
  - be involved in preparing reports for meetings, including reviews;
  - take part in making decisions; and
  - have all decisions explained to you.
- 6** You can take an independent representative to support you at reviews if you want.

# Annex A

national**care**standards  
services for people in criminal justice supported accommodation

## Useful reference material

Not a lot of research has been done into supported accommodation for offenders and ex-prisoners. This is particularly true in Scotland. Evaluations from other jurisdictions, particularly those with a more direct correctional focus, consider forms of provision which are not readily comparable with a service located within a social work agency. Nevertheless, the National Care Standards Committee working group used a range of written sources in developing the standards. These included the following:

- Home Office, HMIP, 1998. *Delivering an Enhanced Level of Community Supervision – Thematic Inspection on the Work of Approved Probation and Bail Hostels*.
- Social Services Inspectorate, 1999. *Report of an Inspection of the Provision of Hostels by the Probation Board of Northern Ireland*.
- Gill McIvor and Mary Taylor, 1994. *Making it Out – Supported Accommodation for Ex-Offenders in Scotland – Identifying Effective Practice*.
- Gill McIvor, 2000. *Accommodation for Offenders and Ex-Prisoners: A Review of the Literature*. A Report to the Scottish Executive.

## General legal reference

### 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 him or her;
- take account of the person's wishes and those of his or her 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 him or her; 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.

### **Fire Precautions (Workplace) Regulations 1997 (as amended)**

The Regulations place a responsibility on employers for carrying out risk assessments in relation to premises. The risk assessment is a means of providing fire precautions for the safety of people using the premises.

## **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 Human Rights Act 2000**

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 (Scotland) Act 1984**

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 is expected to be 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 regulation covering the registration and inspection of care services against a set 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.

### **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 reference**

### **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.

### **National Objectives and Standards for Social Work Services in the Criminal Justice System**

The objectives and standards agreed by service providers, the courts and the Scottish Executive in relation to criminal justice social work services receiving 100 per cent government funding.

### **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.

### **Renewing Mental Health Law 2001**

The Scottish Executive's proposals for changes to existing legislation arising from its consideration of the Review of the Mental Health (Scotland) Act 1984.