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## Health, Social Care and Sport Committee

# The Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2022 [draft]



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# Contents

<b>Introduction</b>	<b>1</b>
<b>The Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2022 [draft]</b>	<b>2</b>
<b>Delegated Powers and Law Reform Committee Consideration</b>	<b>3</b>
<b>Health, Social Care and Sport Committee consideration</b>	<b>4</b>

# Health, Social Care and Sport Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Health and Social Care and matters relating to drugs policy.



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# Committee Membership



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Scottish National Party



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Scottish Conservative  
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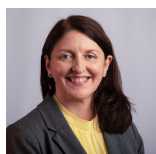
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**Carol Mochan**  
Scottish Labour



**David Torrance**  
Scottish National Party



**Evelyn Tweed**  
Scottish National Party



**Sue Webber**  
Scottish Conservative  
and Unionist Party

# Introduction

1. This report sets out the Health, Social Care and Sport Committee's consideration of a Scottish Statutory Instrument (SSI) at its meeting on 22 February 2022. The minutes of the meeting have been published on the Committee's webpages. The Official Report of the meeting will be published on the Committee's webpages in due course.

# **The Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2022 [draft]**

2. The Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2022 [draft] were laid on 28 January 2022. The instrument is subject to the affirmative procedure (Rule 10.6).
3. The policy note states that the purpose of the instrument is to—
  - ” increase the value of payments for free personal care and nursing care by 10%.
4. It further notes the cost of providing personal and nursing care has significantly increased and the payment made to providers by Local Authorities for self-funding residents has not risen in line with this. In 2021/22 an above inflationary increase of 7.5% was made in the weekly payment rates for personal and nursing care to help redress this. This instrument makes an above inflationary increase of 10% for 2022/23.

# Delegated Powers and Law Reform Committee Consideration

5. The Delegated Powers and Law Reform Committee (DPLR) considered the instrument at its meeting on [8 February 2022](#) . The DPLR Committee agreed that it did not need to draw the Parliament's attention to the instrument on any grounds within its remit.



# Health, Social Care and Sport Committee consideration

6. It is for the Health, Social Care and Sport Committee to recommend to the Parliament whether the Regulations should be approved.
  7. The Minister for Mental Wellbeing and Social Care, Kevin Stewart MSP, has, by motion [S6M-03001](#) proposed that the Committee recommends approval of the Regulations.
  8. The Committee took evidence from the Cabinet Secretary for Health and Social Care ("the Cabinet Secretary") at its meeting on 22 February 2022.
  9. Following the evidence session, the Cabinet Secretary moved motion S6M-02595—That the Health, Social Care and Sport Committee recommends that the Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2022 [draft] be approved.
  10. The motion was agreed to without division or dissent.
11. The Health, Social Care and Sport Committee recommends to the Scottish Parliament that The Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2022 [draft] be approved.

