



The Scottish Parliament
Pàrlamaid na h-Alba

Published 31 January 2023
SP Paper 311
2nd Report, 2023 (Session 6)

Health, Social Care and Sport Committee

The Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2023



Published in Scotland by the Scottish Parliamentary Corporate Body.

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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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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 31 January 2023. 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 2023

2. The Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2023 were laid on 12 January 2023. The instrument is subject to the affirmative procedure (Rule 10.6).
3. The policy note states that the purpose of the instrument is to—
 - ” increases the value of payments for free personal care and nursing care by 9.5%.
4. It further notes that emerging evidence in recent years shows that the cost of providing personal and nursing care has increased significantly and the payment made to providers by Local Authorities for self-funding residents has not kept pace with this. Weekly payment rates were increased at levels above the GDP Deflator for 2021/22 and 2022/23. This resulted in increases of 7.5% for 2021/22 and 10% for 2022/23. For 2023/24 it was again decided to make an above GDP Deflator increase of 9.5% to these rates.

Delegated Powers and Law Reform Committee Consideration

5. The Delegated Powers and Law Reform Committee (DPLR) considered the instrument at its meeting on [24 January 2023](#). 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 ("the Minister"), has, by motion [S6M-07494](#) proposed that the Committee recommends approval of the Regulations.
 8. The Committee took evidence from the Minister at its meeting on 31 January 2023.
 9. Following the evidence session, the Minister moved motion S6M-07494—That the Health, Social Care and Sport Committee recommends that The Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2023 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 2023 be approved.

