

2003 No. 573

SOCIAL CARE

**The Regulation of Care (Fees) (Scotland) Amendment
Order 2003**

Made - - - - - *26th November 2003*

Laid before the Scottish Parliament *27th November 2003*

Coming into force - - - *22nd December 2003*

The Scottish Ministers, in exercise of the powers conferred by section 24(1) of the Regulation of Care (Scotland) Act 2001(a), and of all other powers enabling them in that behalf, after consulting such persons or groups of persons as they consider appropriate in accordance with that section, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Regulation of Care (Fees) (Scotland) Amendment Order 2003 and shall come into force on 22nd December 2003.

Amendment to the principal Order

2.—(1) The Regulation of Care (Fees) (Scotland) Order 2003(b) shall be amended as follows.

(2) In paragraph (2) of article 1 (interpretation)—

(a) omit the definitions of “other support service” and “small support service”; and

(b) insert—

“day care service” means a support service which is not a care at home service;

“small day care service” means a day care service which does not employ more than three whole-time equivalent persons to provide and manage the service;

“other day care service” means a day care service which is not a small day care service;

“care at home service” means a support service which provides personal care or personal support to a person (“the recipient”) within the recipient’s home;

“small care at home service” means a care at home service which does not employ more than three whole-time equivalent persons to provide and manage the service;

“medium care at home service” means a care at home service which employs more than three whole-time equivalent persons but does not employ more than fifteen whole-time equivalent persons to provide and manage the service;

(a) 2001 asp 8. See section 77 for the definition of “prescribed”.
(b) S.S.I. 2003/152.

“other care at home service” means a care at home service which is neither a small care at home service nor a medium care at home service;”.

(3) In the Schedule–

- (a) omit the entries in respect of “small support service” and “other support service”; and
- (b) at the end of the table insert–

<i>Column 1</i> <i>Service</i>	<i>Column 2</i> <i>Application for registration</i>	<i>Column 3</i> <i>Annual continuation</i>	<i>Column 4</i> <i>Variation or removal of condition</i>	<i>Column 5</i> <i>Cancellation of registration</i>
Support services				
Small day care service	£495	£247	£129	£129
Other day care service	£990	£495	£129	£129
Small care at home service	£1230	£642	£244	£244
Medium care at home service	£2000	£1400	£244	£244
Other care at home service	£2731	£2143	£244	£244

”.

St Andrew’s House,
Edinburgh
26th November 2003

TOM McCADE
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Regulation of Care (Fees) (Scotland) Order 2003 (S.S.I. 2003/152) (“the principal Order”) by prescribing the maximum fees which may be imposed by the Scottish Commission for the Regulation of Care in respect of applications for registration or for cancellation of registration of a care at home service, the annual continuation of any such registration, and applications for variation or removal of a condition of registration under the Regulation of Care (Scotland) Act 2001 (asp 8) (“the Act”).

The maximum fees are set out in the table at article 2(3).

The Order also removes certain definitions in the principal Order which are no longer appropriate, given that the definition of support services in section 2(2) of the Act now comprises a care at home service as well as a day care service. The principal Order prescribed fees in respect of a day care service (termed “small support service” and “other support service” in the principal Order). This Order amends the principal Order so as to prescribe the fees in respect of a care at home service and to restate those in respect of a day care service. The fees in respect of a day care service remain unchanged. It is only the terminology which has changed.

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