

POLICY NOTE

THE SOCIAL CARE STAFF SUPPORT FUND (CORONAVIRUS) (SCOTLAND) REGULATIONS 2020

SSI 2020/188

The above instrument was made in exercise of the powers conferred by sections 2, 7 and paragraph 7(3) of schedule 1 of the Coronavirus (Scotland) (No.2) Act 2020 (“the 2020 Act”). The instrument is subject to made-affirmative procedure.

The purpose of this Instrument is to provide for the establishment, maintenance and administration of the Social Care Staff Support Fund, under the provisions of the Coronavirus (Scotland) (No.2) Act 2020.

Policy Objectives

The Social Care Staff Support Fund has been created in order to ensure that relevant social care workers do not experience financial hardship due to either of the following reasons:

- They are ill with coronavirus; or
- They are self-isolating in line with the latest Scottish NHS guidance, or specific social care infection prevention control guidance where this exists.

The Fund will ensure that social care workers receive their expected income in these circumstances, and it will be available for the duration of the 2020 Act.

Workers are eligible if they meet the following four conditions:

- their ability to undertake contracted health and care work is, or has been, restricted for a reason relating to coronavirus,
- their income is, or has been, reduced as a result of that restriction,
- the worker is, or was—
 - (a) unable to attend work as a result of having coronavirus; or
 - (b) self-isolating in accordance with relevant public health guidance, and,
- as a result of the three conditions above, the worker would experience, or is experiencing, financial hardship during the period when Part 1 of the 2020 Act is in force.

Those who are eligible to access the Social Care Staff Support Fund must be workers in the relevant categories of the social care sector. The social care sector is defined by section 47 of the Public Services Reform (Scotland) Act 2010. Workers in the following categories are eligible:

- (a) a support service,
- (b) a care home service,

(c) an offender accommodation service,

(d) a housing support service.

Consultation

The following bodies have been consulted:

The Convention of Scottish Local Authorities (COSLA)

GMB Union

UNISON Union

Unite Union

The Scottish Trades Union Congress

The Coalition of Care and Support Providers in Scotland

Scottish Care

Impact Assessments

This was an accepted non-government amendment to the Coronavirus (Scotland) (No.2) Act 2020 which had been informed by discussions with GMB Scotland, Unison, the Royal College of Nursing. Due to time constraints, no impact assessment has been carried out, however there has been extensive engagement with the stakeholders mentioned above which has informed the developments of the Fund.

Financial Effects

A Business and Regulatory Impact Assessment (BRIA) has been completed and is attached. The BRIA concluded that the policy will be beneficial to the social care workforce and social care providers, therefore justifies the costs. The policy will support infection prevention and control policies in response to the coronavirus pandemic and contribute to our overall commitment to fair work in the Social Care sector.

Scottish Government

Mental Health and Social Care Directorate

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