
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Care Staff Support Fund (Coronavirus) (Scotland) Regulations 2020 (“the principal Regulations”).

Regulation 2(3) amends regulation 2(4) in the principal Regulations, with the effect that in addition to an integration authority or a local authority, the Scottish Ministers can appoint any other person to administer the Social Care Staff Support Fund (“the Fund”) on their behalf. It also adds a new paragraph (4A) into regulation 2, which enables the Scottish Ministers to appoint different persons to administer different parts of the Fund for different purposes.

Regulation 2(4) amends regulation 3 of the principal Regulations. It inserts new paragraphs (6) to (8) in relation to (a) workers with certain conditions of undergoing certain treatments who have been advised to shield and (b) workers with certain conditions or statuses who have agreed with their employer that they are unable to work because of the risk of contracting coronavirus. New regulation 3(8) provides any such workers will only be eligible for financial assistance from the Fund in relation to any period all those conditions are met up to 31 October 2020.

Regulation 2(5) amends regulation 4 of the principal Regulations in consequence of the new conditions added to regulation 3. Regulation 2(6) inserts a new paragraph (1A) into regulation 5 of the principal Regulations to outline the method to be used in calculating the amount a worker will receive from the Fund where that worker satisfies the amended eligibility criteria and amends regulation 5(2) in respect of payments received from the coronavirus job retention scheme, their employer, or relevant sick pay that will be subtracted in determining the amount of financial assistance paid from the Fund.

Regulation 2(7) makes consequential amendments to regulation 6 of the principal Regulations.

Regulation 2(8) inserts schedules 1 (conditions or treatments) and 2 (conditions or statuses) into the principal Regulations.

A Business and Regulatory Impact Assessment in relation to these Regulations has been prepared and placed in the Scottish Parliament Information Centre. Copies of it can be obtained online at www.legislation.gov.uk.