

## **Proposals for Maximum Regulatory Fees for care services to be set by Scottish Ministers for 2009-10**

### **Purpose**

1. This paper sets out Scottish Ministers' proposals for the maximum regulatory fees to be charged by the Care Commission from 1 April 2009.

### **Background**

2. Section 24 of the Regulation of Care (Scotland) Act 2001 gives Scottish Ministers the power to set the maximum fees the Care Commission can charge for regulating care services. The current maximum fees which applied from 1 April 2005, were set in the Regulation of Care (Fees)(Scotland) Order 2005 ([SSI2005/97-CareCommissionFees](#)) and in the 2006 Amendment Order for adult placement services ([SSI2006/20060273-AdultPlacementFees](#)). What constitutes a small, medium or other service for the purposes of charging fees is also set out there.

3. Fee levels have been frozen for the last 3 years. That decision was taken by Ministers in light of the size of increases in fees that would be needed for the remaining care sectors to cover their full direct cost of regulation. In addition, work is progressing on possible reductions in the minimum frequency of inspection for a further group of care services. A consultation paper on these proposals was issued on 8 October 2008 ([Frequency Consultation](#)).

4. Responses to previous consultations on fees have highlighted a number of inconsistencies between different types of care services in the current fee regime. Over the next few months we will be working with the Care Commission on ways of addressing these anomalies. Our intention would be to bring forward proposals for fees in future years from April 2010 for consultation in the Spring of next year.

### **The proposals**

5. Ministers propose that given the circumstances outlined above the fees proposed for 2009-10 be based on an inflationary increase of 2.7% of the current maxima. They are set out in the table at Annex A along with the current maxima (shown in brackets) for comparison.

### **Responding to the consultation**

6. Please phone Jane Martin on 0131 244 3515 if you have any questions about this consultation. Any comments about these proposals should be sent to our mailbox: [standardsandsponsorship@scotland.gsi.gov.uk](mailto:standardsandsponsorship@scotland.gsi.gov.uk) by **16 January 2009**.

As the Scottish Government is committed to a greener Scotland we would prefer to receive your reply by email – *please don't send duplicate copies by post*. If you don't have access to the internet, you can telephone Freephone 0800 77 1234 to find out where your nearest public internet access point is. This may be your local public library. If you are unable to email your comments, postal responses should be sent to:

CRE 1066  
CSU,  
Spur U5b  
Saughton House,  
Broomhouse Drive,  
EDINBURGH  
EH11 3XD

7. The SG now has an email alert system for consultations. SEconsult: <http://www.scotland.gov.uk/consultations/seconsult.aspx>. This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). SEconsult complements, but in no way replaces SG distribution lists, and is designed to allow stakeholders to keep up to date with all SG consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

### **Handling your response**

8. We need to know how to handle your response, particularly whether it can be made public. Please complete and return the Respondent Information Form along with your comments (Annex C). This will ensure that we are clear about your wishes. All respondents should be aware that the SG is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

9. Where respondents have given their permission, responses will be published in association with a report on the consultation. This will be available on the Scottish Government consultation web pages by March 2009. Before publication all responses will be checked for potentially defamatory material. You can make arrangements to view responses by contacting the SG Library on 0131 244 4552. Responses can be copied and sent to you, but a charge may be made of this service.

**Scottish Government**  
**Primary and Community Care Directorate** | Community Care Division

## Annex A

| <i>Column 1<br/>Service</i>              | <i>Column 2<br/>Application for<br/>Registration (£)</i> | <i>Column 3<br/>Annual Continuation<br/>(£)</i> | <i>Column 4<br/>Variation or Removal<br/>of Condition (£)</i> | <i>Column 5<br/>Cancellation of<br/>registration (£)</i> |
|--|--|---|---|--|
| Small support service – day care         | 1757 (1711)  | 879 (856)                                       | 179 (174)   | 179 (74)   |
| Other support service – day care         | 3514 (3422)  | 1757 (1711)                                     | 179 (174)   | 179 (174)  |
| Small support service – care at home     | 1295 (1261)  | 694 (676)                                       | 337 (328)   | 337 (328)  |
| Medium support service – care at home    | 2105 (2050)  | 1516 (1476)                                     | 337 (328)   | 337 (328)  |
| Other support service – care at home     | 2874 (2798)  | 2316 (2255)                                     | 337 (328)   | 337 (328)  |
| Care home service                        | 4012 (3907)  | 169p/p (165)                                    | 337 (328)   | 337 (328)  |
| Small school care accommodation service  | 4457 (4340)  | 3566 (3472)                                     | 337 (328)   | 337 (328)  |
| Medium school care accommodation service | 6113 (5952)  | 5094 (4960)                                     | 337 (328)   | 337 (328)  |
| Large school care accommodation service  | 9080 (8841)  | 7896 (7688)                                     | 337 (328)   | 337 (328)  |
| Independent health care service          | 3718 (3620)  | 156p/p (152)                                    | 337 (328)   | 337 (328)  |
| Nurse agency                             | 1437 (1399)  | 718 (699)                                       | 337 (328)   | 337 (328)  |
| Small child care agency                  | 1116 (1087)  | 694 (676)                                       | 337 (328)   | 337 (328)  |
| Other child care agency                  | 2695 (2624)  | 2316 (2255)                                     | 337 (328)   | 337 (328)  |
| Secure accommodation service             | 5694 (5544)  | 227p/p (221)                                    | 337 (328)   | 337 (328)  |
| Offender accommodation service           | 4632 (4510)  | 185p/p (180)                                    | 337 (328)   | 337 (328)  |
| Small adoption services                  | 2169 (2112)  | 1284 (1250)                                     | 337 (328)   | 337 (328)  |
| Medium adoption services                 | 3611 (3516)  | 3210 (3126)                                     | 337 (328)   | 337 (328)  |
| Other adoption services                  | 4569 (4449)  | 4490 (4372)                                     | 337 (328)   | 337 (328)  |
| Small fostering services                 | 2169 (2112)  | 1285 (1251)                                     | 337 (328)   | 337 (328)  |
| Medium fostering services                | 3611 (3516)  | 3210 (3126)                                     | 337 (328)   | 337 (328)  |
| Other fostering services                 | 4569 (4449)  | 4490 (4372)                                     | 337 (328)   | 337 (328)  |
| Small housing support                    | 1295 (1261)  | 694 (676)                                       | 337 (328)   | 337 (328)  |
| Medium Housing support                   | 2105 (2050)  | 1516 (1476)                                     | 337 (328)   | 337 (328)  |
| Other housing support                    | 2874 (2798)  | 2316 (2255)                                     | 337 (328)   | 337 (328)  |
| Small limited registration service       | 1116 (1087)  | 694 (676)                                       | 337 (328)   | 337 (328)  |
| Other limited registration service       | 2242 (2183)  | 1853 (1804)                                     | 337 (328)   | 337 (328)  |
| Child minding                            | 29 (28)  | 17 (17)   | 5 (5)   | 5 (5)  |
| Small day care of children               | 29 (28)  | 17 (17)   | 5 (5)   | 5 (5)  |
| Other day care of children               | 226 (220)  | 169 (165)                                       | 51 (50)   | 51 (50)  |
| Small adult placement service            | 2169 (2112)  | 1284 (1250)                                     | 337 (328)   | 337 (328)  |
| Medium adult placement service           | 3611 (3516)  | 3210 (3126)                                     | 337 (328)   | 337 (328)  |
| Other adult placement service            | 4569 (4449)  | 4490 (4372)                                     | 337 (328)   | 337 (328)  |

p/p = per place

previous maximum fees are in brackets



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Your comments on the proposed fees:

*Please tick all boxes that apply:*

- |                                   |                          |                                |                          |
|-----------------------------------|--------------------------|--------------------------------|--------------------------|
| Care service provider             | <input type="checkbox"/> | Adult placement service        | <input type="checkbox"/> |
| Daycare for adults                | <input type="checkbox"/> | Housing support service        | <input type="checkbox"/> |
| Care at home                      | <input type="checkbox"/> | Offender accommodation service | <input type="checkbox"/> |
| School care accommodation service | <input type="checkbox"/> | Secure accommodation service   | <input type="checkbox"/> |
| Independent hospital              | <input type="checkbox"/> | Adoption service               | <input type="checkbox"/> |
| Hospice                           | <input type="checkbox"/> | Fostering service              | <input type="checkbox"/> |
| Other independent healthcare      | <input type="checkbox"/> | Childcare agency               | <input type="checkbox"/> |
| Nurse agency                      | <input type="checkbox"/> | Limited registration service   | <input type="checkbox"/> |

*or*

- |   |                          |
|---|--------------------------|
| Public body (eg Health Board, Local Authority)  | <input type="checkbox"/> |
| Representative body (eg representing carers or users or a profession)                               | <input type="checkbox"/> |
| Umbrella organisation(eg representing providers in a care service sector or group of care services) | <input type="checkbox"/> |