



Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

PART 5

SOCIAL CARE WORKERS: STANDARDS OF CONDUCT, EDUCATION ETC.

112 Codes of practice

- (1) SCW must prepare and from time to time publish codes of practice setting—
 - (a) standards of conduct and practice expected of social care workers;
 - (b) standards of conduct and practice expected of persons employing or seeking to employ social care workers.
- (2) The codes may make different provision in respect of different categories of social care worker.
- (3) The codes may also set standards of conduct and practice expected of social workers when carrying out the functions of an approved mental health professional (within the meaning of section 114 of the [Mental Health Act 1983 \(c.20\)](#)).
- (4) SCW must—
 - (a) keep the codes under review, and
 - (b) vary their provisions whenever it thinks it appropriate to do so.
- (5) Where a person registered in any part of the register is alleged to have failed to comply with any standard contained in a code made under this section, that failure—
 - (a) is not, of itself, to be taken to constitute deficient performance as a social care worker or serious misconduct for the purposes of section 117 (fitness to practise), but
 - (b) may be taken into account in proceedings under this Act which relate to the person's fitness to practise.

Status: This is the original version (as it was originally enacted).

- (6) A local authority making any decision about the conduct of any social care workers it employs must, if directed to do so by the Welsh Ministers, take into account any code published by SCW under this section.