

CARE STANDARDS ACT 2000

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part IV: Social Care Workers

Registration

Section 56 The register

154. This section provides for the Council to establish and maintain a register of social care workers. There is to be a separate part of the register for social workers and for any other description of social care workers specified by the appropriate Minister by order. Applicants for registration must satisfy the requirements of *section 58*, including any training requirements imposed by the Council.
155. The social care workforce is large, diverse and mainly unqualified. This sector has approximately one million staff in England and Wales, 80% of whom hold no relevant qualifications. With these low levels of qualifications in the workforce it is envisaged that registration will be incremental, by occupational group. Professional social workers, virtually all of whom are qualified, will be the first group of staff to be registered. In England the Government is funding the training of residential child care workers, as a priority group, to National Vocational Qualification (NVQ) level 3 to ensure that they are among the early registrants with the GSCC.

Sections 57 Applications for registration

156. *Section 57* provides for the Council to make rules governing how applications to its register shall be made. The appropriate Minister will have to approve all rules made by the Council (see *section 71(2)*).

Section 58 Grant or refusal of registration

157. *Section 58* lists the conditions an applicant must satisfy in order to be registered with the Council. Applicants must satisfy any requirements imposed by the Council as to training, conduct and competence. The Councils must also be satisfied as to an applicant's good character and that he is physically and mentally fit to perform the whole or part of the work of persons registered in the part of the register to which his application refers. The Council must refuse an application for registration if it is not satisfied an applicant meets the conditions.

Section 59 Removal etc from the register

158. This section provides for the Council to make rules about the circumstances under which a person can be removed or suspended from any part of the register. The section also makes provision for the procedure to be followed and as to rules of evidence in proceedings, which may be in public, by which the matter can be determined.

Section 60 Rules about registration

159. *Section 60* provides a power for the Council to make rules governing registration. It is intended that the rules will cover evidence to be produced in support of an application for registration, the length of the registration period and renewal.

Section 61 Use of title “social worker” etc

160. *Section 61* provides for protection of the title “social worker” by the creation of an offence, punishable by a fine up to level 5 on the standard scale¹ for a person who is not registered as a social worker to use that title or hold himself out as a registered social worker with an intention to deceive. An individual will not be guilty of an offence if they are registered with an equivalent regulatory body in another part of the UK. Registration as a social worker with the Council will give a stamp of approval to an individual as a professional and can give access to vulnerable people. This provision will be brought into force when the appropriate Minister thinks the time is right for it to add to the protection of the public.

¹ See paragraph 97 of these notes for definition of standard scale