

*These notes refer to the Care Standards Act 2000
(c.14) which received Royal Assent on 20 July 2000*

CARE STANDARDS ACT 2000

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part VII: Protection of Children and Vulnerable Adults

Protection of vulnerable adults

Section 83 Employment agencies and businesses: duty to refer

232. Employment agencies and businesses are similarly required to refer supply workers to the list under appropriate circumstances. Under *subsection (2)*, an employment agency must make a referral where it has decided not to do any further business with the worker on the grounds of misconduct which harmed a vulnerable adult or placed him or her at risk of harm; or where on those grounds has decided not to find them any further employment as a supply worker. An employment business must refer where it has dismissed a supply worker on the grounds of misconduct which harmed, etc, a vulnerable adult; where the supply worker has retired or resigned but otherwise the employment business would have dismissed or considered dismissing him on those grounds; or where on those grounds it has decided not to supply him for further work in a care position (*subsection (3)*). The procedure the Secretary of State must follow after a referral is similar to that set out in section 82. Again, there is no requirement to refer in cases where the dismissal, resignation *etc.*, or decision no longer to provide or supply the worker to fill a care position occurred before this section comes into force.