

*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 84 Power of registration authority to refer

233. *Section 84* gives the registration authority (in England the Commission; in Wales the Assembly), the power to refer worker to the Secretary of State that they consider guilty of misconduct. This section enables the registration authorities to make referrals when they come across evidence of misconduct in the course of their inspections that has not been referred to the Secretary of State by the employer. This power would be used in cases where employers have not fulfilled the responsibilities Part VII places on them to refer workers who have caused harm, or risked harm to vulnerable adults. Such circumstances could occur when a care home has been closed and the owner is refusing to co-operate or in small establishments where the owner may be directly involved in care provision, has caused harm himself and has not referred himself.