



# Care Standards Act 2000

## 2000 CHAPTER 14

### PART IV

#### SOCIAL CARE WORKERS

##### *Preliminary*

#### <sup>F1</sup>54 The Care Council for Wales

.....

#### **Textual Amendments**

- F1** S. 54 repealed (11.7.2016 for specified purposes, 3.4.2017 in so far as not already in force) by Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), ss. 67(1), 188(1); S.I. 2016/713, art. 2; S.I. 2017/309, art. 2(b) (with arts. 3, 4, Sch.)

#### **55 Interpretation.**

(1) This section has effect for the purposes of this Part.

[<sup>F2</sup>(2) “Social care worker” means a person (other than a person excepted by regulations) who—

- (a) engages in social work which is required in connection with any health, education or social services provided in England (referred to in this Part as a “social worker”),
- (b) is employed at a children's home in England, a care home in England or a residential family centre in England,
- (c) manages a home or centre of a kind mentioned in paragraph (b),
- (d) is employed for the purposes of a domiciliary care agency, a fostering agency, a voluntary adoption agency or an adoption support agency, in so far as the agency provides services to persons in England,

*Status: Point in time view as at 03/04/2017.*

*Changes to legislation: Care Standards Act 2000, Part IV is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (e) manages an agency of the kind mentioned in paragraph (d), or
  - (f) is supplied by a domiciliary care agency to provide personal care in their own homes for persons in England who by reason of illness, infirmity or disability are unable to provide it for themselves without assistance.
- (3) Regulations may provide that persons of any of the following descriptions shall be treated as social care workers—
- (a) a person engaged in work for the purposes of a local authority in England's social services functions;
  - (b) a person engaged in work in England comprising the provision of services similar to services which may or must be provided by a local authority in England in the exercise of its social services functions;
  - (c) a person engaged in the provision of personal care for any person in England;
  - (d) a person who is employed in an undertaking (other than an establishment or agency) which consists of or includes supplying, or providing services for the purpose of supplying, persons to provide personal care to persons in England;
  - (e) a person who manages an undertaking of the kind mentioned in paragraph (d);
  - (f) a person who is employed in connection with the discharge of the functions of the Secretary of State under section 80 of the 1989 Act (inspection of children's homes etc.);
  - (g) a person who is employed as a member of staff of the Office for Standards in Education, Children's Services and Skills who inspects premises under—
    - (i) section 87 of the 1989 Act (welfare of children accommodated in independent schools and colleges),
    - (ii) section 31 of this Act (inspection of establishments and agencies by persons authorised by registration authority), or
    - (iii) section 139 of the Education and Inspections Act 2006 (inspection by Chief Inspector);
  - (h) a person who is employed as a member of staff of the Care Quality Commission who, under Part 1 of the Health and Social Care Act 2008, inspects premises used for or in connection with the provision of social care (within the meaning of that Part);
  - (i) a person who manages employees mentioned in paragraph (g) or (h);
  - (j) a person employed in a day centre in England;
  - (k) a person participating in a course approved by the Health and Care Professions Council under article 15 of the Health and Social Work Professions Order 2001 for persons wishing to become social workers.]
- (5) “Day centre” means a place where nursing or personal care (but not accommodation) is provided wholly or mainly for persons mentioned in section 3(2).

- F3(6) .....
- F3(7) .....
- F3(8) .....

**Textual Amendments**

**F2** S. 55(2)(3) substituted for s. 55(2)-(4A) (3.4.2017) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), **Sch. 3 para. 42(a)** (as amended by S.I. 2016/1030, regs. 1, 144(3) (with reg. 155)); S.I. 2017/309, **art. 2(j)** (with arts. 3, 4, Sch.)

*Status: Point in time view as at 03/04/2017.*

*Changes to legislation: Care Standards Act 2000, Part IV is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**F3** S. 55(6)(7)(8) omitted (3.4.2017) by virtue of [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), [Sch. 3 para. 42\(b\)](#); S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

#### Commencement Information

**I1** S. 55 partly in force; s. 55 not in force at Royal Assent see s. 122; s. 55 in force for W. at 1.4.2001 by [S.I. 2000/2992](#), art. 2(2), [Sch. 2](#); s. 55 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536](#), arts. 1(3), 2(2)(b); s. 55 in force for E. for certain purposes at 25.3.2002 by [S.I. 2002/1245](#), arts. 1(3), [2\(1\)\(d\)](#); s. 55(1)(2)(a)(4) in force for E. for certain purposes at 7.3.2003 by [S.I. 2003/933](#), art. 2; s. 55(3)(g) in force for E. for certain purposes at 1.3.2004 by [S.I. 2004/484](#), art. 2

### Registration

#### **F<sup>4</sup>56** The register.

.....

#### Textual Amendments

**F4** Ss. 56-66 repealed (3.4.2017) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), [Sch. 3 para. 41\(a\)](#); S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

#### **F<sup>4</sup>57** Applications for registration.

.....

#### Textual Amendments

**F4** Ss. 56-66 repealed (3.4.2017) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), [Sch. 3 para. 41\(a\)](#); S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

#### **F<sup>4</sup>58** Grant or refusal of registration.

.....

#### Textual Amendments

**F4** Ss. 56-66 repealed (3.4.2017) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), [Sch. 3 para. 41\(a\)](#); S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

#### **F<sup>4</sup>58A** Visiting social workers from relevant European States

.....

#### Textual Amendments

**F4** Ss. 56-66 repealed (3.4.2017) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), [Sch. 3 para. 41\(a\)](#); S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

*Status: Point in time view as at 03/04/2017.*

*Changes to legislation: Care Standards Act 2000, Part IV is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**F4 58B. Visiting social care managers from relevant European States**

.....

**Textual Amendments**  
**F4** Ss. 56-66 repealed (3.4.2017) by Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), s. 188(1), **Sch. 3 para. 41(a)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

**F4 59 Removal etc. from register.**

.....

**Textual Amendments**  
**F4** Ss. 56-66 repealed (3.4.2017) by Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), s. 188(1), **Sch. 3 para. 41(a)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

**F4 60 Rules about registration.**

.....

**Textual Amendments**  
**F4** Ss. 56-66 repealed (3.4.2017) by Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), s. 188(1), **Sch. 3 para. 41(a)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

**F4 61 Use of title “social worker” etc.**

.....

**Textual Amendments**  
**F4** Ss. 56-66 repealed (3.4.2017) by Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), s. 188(1), **Sch. 3 para. 41(a)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

*Codes of practice*

**F4 62 Codes of practice.**

.....

**Textual Amendments**  
**F4** Ss. 56-66 repealed (3.4.2017) by Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), s. 188(1), **Sch. 3 para. 41(a)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

*Status: Point in time view as at 03/04/2017.*

*Changes to legislation: Care Standards Act 2000, Part IV is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## Training

### **F4 63 Approval of courses etc.**

.....

#### **Textual Amendments**

- F4** Ss. 56-66 repealed (3.4.2017) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), [Sch. 3 para. 41\(a\)](#); S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

### **F4 64 Qualifications gained outside the Welsh Council's area– social workers**

.....

#### **Textual Amendments**

- F4** Ss. 56-66 repealed (3.4.2017) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), [Sch. 3 para. 41\(a\)](#); S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

### **F4 64A. Qualifications gained outside the Welsh Council's area – social care managers**

.....

#### **Textual Amendments**

- F4** Ss. 56-66 repealed (3.4.2017) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), [Sch. 3 para. 41\(a\)](#); S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

### **F4 65 Post registration training.**

.....

#### **Textual Amendments**

- F4** Ss. 56-66 repealed (3.4.2017) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), [Sch. 3 para. 41\(a\)](#); S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

### **F4 66 Visitors for certain social work courses.**

.....

#### **Textual Amendments**

- F4** Ss. 56-66 repealed (3.4.2017) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), [Sch. 3 para. 41\(a\)](#); S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

*Status: Point in time view as at 03/04/2017.*

*Changes to legislation: Care Standards Act 2000, Part IV is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**67 [F5]Functions of the Secretary of State.]**

- (1) The [F6]Secretary of State] has the function of—
  - (a) ascertaining what training is required by persons who are or wish to become social care workers;
  - (b) ascertaining what financial and other assistance is required for promoting such training;
  - (c) encouraging the provision of such assistance;
  - (d) drawing up occupational standards for social care workers.

[F7(1A) But the Secretary of State may not exercise the function under subsection (1)(a) or (d) in relation to a social worker who is registered as such in a register maintained under article 5 of the Health and Social Work Professions Order 2001.]

- [F8(2) The Secretary of State shall encourage persons to take part in—
  - (a) courses approved by the Health and Social Care Professions Council under article 15 or by virtue of article 19(4) of the Health and Social Care Work Professions Order 2001 for persons who are or wish to become social workers, and
  - (b) other courses relevant to the training of persons who are or wish to become social care workers.]

(3) If it appears to the [F9]Secretary of State] that adequate provision is not being made for training persons who are or wish to become social care workers, the [F10]Secretary of State] may provide, or secure the provision of, courses for that purpose.

- (4) The [F11]Secretary of State] may, upon such terms and subject to such conditions as [F12]he or she] considers appropriate—
  - (a) make grants, and pay travelling and other allowances, to persons resident in England <sup>F13</sup>... in order to secure their training in the work of social care workers;
  - (b) make grants to organisations providing training in the work of social care workers.

- (5) Any functions of the Secretary of State under this section—
  - <sup>F14</sup>(a) .....
  - (b) may be exercised by any person, or by employees of any person, authorised to do so by the Secretary of State.

<sup>F15</sup>(6) .....

- (7) For the purpose of determining—
  - (a) the terms and effect of an authorisation under subsection (5)(b) <sup>F16</sup>...; and
  - (b) the effect of so much of any contract made between the [F17]Secretary of State] and the authorised person as relates to the exercise of the function,
 Part II of the <sup>M1</sup>Deregulation and Contracting Out Act 1994 shall have effect as if the authorisation were given by virtue of an order under section 69 of that Act [F18]and in subsection (5)(b)] “employee” has the same meaning as in that Part.

**Textual Amendments**

**F5** S. 67 heading substituted (3.4.2017) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), **Sch. 3 para. 43(g)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

*Status: Point in time view as at 03/04/2017.*

*Changes to legislation: Care Standards Act 2000, Part IV is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- F6** Words in s. 67(1) substituted (3.4.2017) by Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), s. 188(1), **Sch. 3 para. 43(a)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)
- F7** S. 67(1A) inserted (1.8.2012) by Health and Social Care Act 2012 (c. 7), **ss. 221(1)**, 306(4); S.I. 2012/1319, art. 2(4)
- F8** S. 67(2) substituted (3.4.2017) by Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), s. 188(1), **Sch. 3 para. 43(b)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)
- F9** Words in s. 67(3) substituted (3.4.2017) by Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), s. 188(1), **Sch. 3 para. 43(c)(i)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)
- F10** Words in s. 67(3) substituted (3.4.2017) by Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), s. 188(1), **Sch. 3 para. 43(c)(ii)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)
- F11** Words in s. 67(4) substituted (3.4.2017) by Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), s. 188(1), **Sch. 3 para. 43(d)(i)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)
- F12** Words in s. 67(4) substituted (3.4.2017) by Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), s. 188(1), **Sch. 3 para. 43(d)(ii)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)
- F13** Words in s. 67(4)(a) omitted (3.4.2017) by virtue of Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), s. 188(1), **Sch. 3 para. 43(d)(iii)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)
- F14** S. 67(5)(a) omitted (1.8.2012) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 15(b)**; S.I. 2012/1319, art. 2(4)
- F15** S. 67(6) omitted (3.4.2017) by virtue of Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), s. 188(1), **Sch. 3 para. 43(e)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)
- F16** Words in s. 67(7)(a) omitted (3.4.2017) by virtue of Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), s. 188(1), **Sch. 3 para. 43(f)(i)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)
- F17** Words in s. 67(7)(b) substituted (3.4.2017) by Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), s. 188(1), **Sch. 3 para. 43(f)(ii)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)
- F18** Words in s. 67(7) substituted (3.4.2017) by Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), s. 188(1), **Sch. 3 para. 43(f)(iii)**; S.I. 2017/309, art. 2(j) (with arts. 3, 4, Sch.)

#### Commencement Information

- I2** S. 67 partly in force; s. 67 not in force at Royal Assent see s. 122; s. 67 in force for W. at 1.10.2001 by S.I. 2001/2538, art. 2(2)(4)(a); s. 67(1)-(4)(7) in force for E. for certain purposes and s. 67(5) in force for E. at 25.3.2002 by S.I. 2002/1245, arts. 1(3), **2(1)(c)**

#### Marginal Citations

- M1** 1994 c. 40.

### [<sup>F19</sup>67A Exercise by Special Health Authority of functions under s. 67(4)(a)

- (1) The Secretary of State may direct a Special Health Authority to exercise such of his functions under section 67(4)(a) as may be specified in the directions.
- (2) If the Secretary of State gives a direction under subsection (1), the National Health Service Act 2006 shall have effect as if—
  - (a) the direction were a direction of the Secretary of State under section 7 of that Act, and
  - (b) the functions were exercisable by the Special Health Authority under section 7.
- (3) Directions under subsection (1)—
  - (a) shall be given by an instrument in writing, and
  - (b) may be varied or revoked by subsequent directions.]



*Status: Point in time view as at 03/04/2017.*

*Changes to legislation: Care Standards Act 2000, Part IV is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

### Textual Amendments

- F19** S. 67A inserted (28.4.2008) by [Health Act 2006 \(c. 28\)](#), **ss. 72** (as amended by [2006 c. 43, s. 2, Sch. 1 para. 287](#)), 83; [S.I. 2008/1147](#), **art. 4**

### Miscellaneous and supplemental

#### <sup>F20</sup>**68 Appeals to the Tribunal.**

[<sup>F20</sup>(1) An appeal against a decision of [<sup>F21</sup>the Welsh Council] under this Part in respect of registration shall lie to the Tribunal.

[<sup>F22</sup>(1A) An appeal shall lie to the Tribunal against a decision of [<sup>F21</sup>the Welsh Council] under Part 3 of the General Systems Regulations in respect of an aptitude test, or period of adaptation, in connection with a person's becoming permitted, by virtue of that Part of those Regulations, to have access to, and to pursue, the profession of social worker in the United Kingdom.]

[<sup>F23</sup>(1B) An appeal shall lie to the Tribunal against a decision of the Welsh Council under Part 3 of the General Systems Regulations in respect of an aptitude test, or period of adaptation, in connection with a person becoming permitted, by virtue of that Part of those Regulations, to have access to, and to pursue, the profession of social care manager in the United Kingdom.

(1C) An appeal shall lie to the Tribunal against a decision of the Welsh Council under regulation 67 of the General Systems Regulations to send an alert about a person.]

(2) On an appeal against a decision, the Tribunal may confirm the decision or direct that it shall not have effect [<sup>F24</sup>or, in the case of an appeal under subsection (1C), direct that the alert be withdrawn or amended] .

(3) The Tribunal shall also have power on an appeal against a decision—

- (a) to vary any condition for the time being in force in respect of the person to whom the appeal relates;
- (b) to direct that any such condition shall cease to have effect; or
- (c) to direct that any such condition as it thinks fit shall have effect in respect of that person.]

### Textual Amendments

- F20** S. 69 repealed (3.4.2017) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), **Sch. 3 para. 41(b)**; [S.I. 2017/309](#), art. 2(j) (with arts. 3, 4, Sch.)
- F21** Words in s. 68(1)(1A) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 15 para. 16**; [S.I. 2012/1319](#), art. 2(4)
- F22** S. 68(1A) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), **reg. 241**
- F23** S. 68(1B)(1C) inserted (18.11.2016) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2016 \(S.I. 2016/1030\)](#), regs. 1, **109(2)** (with reg. 155)
- F24** Words in s. 68(2) inserted (18.11.2016) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2016 \(S.I. 2016/1030\)](#), regs. 1, **109(3)** (with reg. 155)



*Status: Point in time view as at 03/04/2017.*

*Changes to legislation: Care Standards Act 2000, Part IV is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**Modifications etc. (not altering text)**

- C1** S. 68 savings for effects of 2012 c. 7, Sch. 15 para. 16 (1.8.2012) by [The General Social Care Council \(Transfer of Register and Abolition Transitional and Saving Provision\) Order of Council 2012 \(S.I. 2012/1480\)](#), arts. 1(2)(b), **12(1)**

**Commencement Information**

- I3** S. 68 partly in force; s. 68 not in force at Royal Assent see s. 122; s. 68 in force for E. for certain purposes at 1.4.2003 by [S.I. 2003/933](#), **art. 2(2)**; s. 68 in force for W. at 1.6.2003 by [S.I. 2003/501](#), **art. 2(4)**

**F20** **69** **Publication etc. of register.**

.....

**Textual Amendments**

- F20** S. 69 repealed (3.4.2017) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), **Sch. 3 para. 41(b)**; [S.I. 2017/309](#), art. 2(j) (with arts. 3, 4, Sch.)

**F25** **70** **Abolition of Central Council for Education and Training in Social Work.**

.....

**Textual Amendments**

- F25** S. 70 omitted (1.8.2012) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 15 para. 18**; [S.I. 2012/1319](#), art. 2(4)

**F26** **71** **Rules.**

.....

**Textual Amendments**

- F26** S. 71 repealed (3.4.2017) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), **Sch. 3 para. 41(b)**; [S.I. 2017/309](#), art. 2(j) (with arts. 3, 4, Sch.)

**Status:**

Point in time view as at 03/04/2017.

**Changes to legislation:**

Care Standards Act 2000, Part IV is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.