



# Care Standards Act 2000

## 2000 CHAPTER 14

### PART IV

#### SOCIAL CARE WORKERS

##### *Miscellaneous and supplemental*

#### **68 Appeals to the Tribunal.**

(1) An appeal against a decision of a Council under this Part in respect of registration shall lie to the Tribunal.

[<sup>F1</sup>(1A) An appeal shall lie to the Tribunal against a decision of a 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.]

(2) On an appeal against a decision, the Tribunal may confirm the decision or direct that it shall not have effect.

(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**

**F1** S. 68(1A) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), [reg. 241](#)

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#### Commencement Information

- II** 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\(4\)](#)

#### 69 Publication etc. of register.

- (1) A Council shall publish the register maintained by it in such manner, and at such times, as it considers appropriate.
- (2) Any person who asks the Council for a copy of, or of an extract from, the register shall be entitled to have one.

#### Commencement Information

- I2** S. 69 partly in force; s. 69 not in force at Royal Assent see s. 122; s. 69 in force for E. for certain purposes at 1.4.2003 by [S.I. 2003/933](#), [art. 2\(2\)](#); s. 69 in force for W. at 1.6.2003 by [S.I. 2003/501](#), [art. 2\(4\)](#)

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

- (1) The Central Council for Education and Training in Social Work (referred to in this Act as “CCETSW”) shall cease to exercise in relation to England and Wales the functions conferred on it by or under section 10 of the <sup>M1</sup>Health and Social Services and Social Security Adjudications Act 1983.
- (2) Her Majesty may by Order in Council make a scheme under subsection (3), or make any provision under subsection (4), which She considers necessary or expedient in consequence of the functions of CCETSW referred to in subsection (1) ceasing, by virtue of that subsection, an Act of the Scottish Parliament or an Act of the Northern Ireland Assembly, to be exercisable in relation to any part of the United Kingdom.
- (3) A scheme may provide—
  - (a) for the transfer to the new employer of any eligible employee;
  - (b) for the transfer to any person of any property belonging to CCETSW;
  - (c) for any person to have such rights and interests in relation to any property belonging to CCETSW as Her Majesty considers appropriate (whether in connection with a transfer or otherwise);
  - (d) for the transfer to any person of any liabilities of CCETSW.
- (4) The Order in Council may make—
  - (a) any supplementary, incidental or consequential provision;
  - (b) any transitory, transitional or saving provision,
 including provision amending Schedule 3 to that Act or repealing that Schedule, section 10 of that Act and any reference in any enactment to CCETSW.
- (5) In this section—
 

“eligible employee” means a person who is employed under a contract of employment with the old employer;

“new employer” means—

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- (a) in relation to England or Wales, the Council;
  - (b) in relation to Scotland or Northern Ireland, any body established under a provision of the law of Scotland or (as the case may be) Northern Ireland which appears to Her Majesty to perform functions corresponding to those of a Council;
- “old employer” means CCETSW;  
“property” includes rights and interests of any description.

#### Commencement Information

- I3** S. 70 wholly in force at 1.4.2002; s. 70(2)-(5) in force at Royal Assent see s. 122; s. 70(1) in force for W. at 1.10.2001 by S.I. 2001/2538, art. 2(2)(4)(b); s. 70(1) in force for E. at 1.4.2002 by S.I. 2002/1245, arts. 1(3), 2(2)

#### Marginal Citations

- M1** 1983 c. 41.

## 71 Rules.

- (1) Any power of a Council to make rules under this Part may be exercised—
- (a) either in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or in relation to any specified cases or classes of case; and
  - (b) so as to make, as respects the cases in relation to which it is exercised, the same provision for all cases in relation to which the power is exercised, or different provision for different cases or different classes of case, or different provision as respects the same case or class of case for different purposes.
- (2) Rules made by a Council under this Part may make provision for the payment of reasonable fees to the Council in connection with the discharge of the Council’s functions [<sup>F2</sup>, but subject to subsection (3A)].
- (3) In particular, the rules may make provision for the payment of such fees in connection with—
- (a) registration (including applications for registration or for amendment of the register [<sup>F3</sup>, but subject to subsection (3A)]);
  - (b) the approval of courses under section 63;
  - (c) the provision of training;
  - (d) the provision of copies of codes of practice or copies of, or extracts from, the register,

including provision requiring persons registered under this Part to pay a periodic fee to the Council of such amount, and at such time, as the rules may specify.

[<sup>F4</sup>(3A) Rules made by a Council under this Part may not make provision for the payment of fees in connection with registration in the visiting European part of the register.]

- (4) No rules shall be made by a Council under this Part without the consent of the appropriate Minister.

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#### **Textual Amendments**

- F2** Words in s. 71(2) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), **reg. 242(a)**
- F3** Words in s. 71(3)(a) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), **reg. 242(b)**
- F4** S. 71(3A) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), **reg. 242(c)**

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

- C1** S. 71 applied (1.10.2007) by [1983 c. 20, s. 114A\(2\)](#) (as inserted by [Mental Health Act 2007 \(c. 12\)](#), ss. 19, 56; [S.I. 2007/2798](#), **art. 2**)

#### **Commencement Information**

- I4** S. 71 partly in force; s. 71 not in force at Royal Assent see s. 122; s. 71 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536](#), arts. 1(3), 2(2)(a)(iii); s. 71 in force for W. for certain purposes at 31.7.2001 by [S.I. 2001/2538](#), art. 2(1)(3)(c); s. 71 in force for E. for certain purposes at 25.3.2002 by [S.I. 2002/1245](#), arts. 1(3), **2(1)(b)(iv)**; s. 71 in force for W. in so far as not already in force at 30.4.2002 by [S.I. 2002/1175](#), arts. 1(3), **2(2)**

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