

SCHEDULES

SCHEDULE 15

PART 7: CONSEQUENTIAL AMENDMENTS AND SAVINGS

PART 1

ABOLITION OF THE GENERAL SOCIAL CARE COUNCIL

Amendments to the [Care Standards Act 2000 \(c. 14\)](#)

- 1 The Care Standards Act 2000 is amended as follows.
- 2 In section 55(3)(g) (power to treat persons on certain social work courses as social care workers)—
 - (a) for “a Council” substitute “the Welsh Council”, and
 - (b) after “section 63” insert “, or by the Health and Care Professions Council under article 15 of the Health and Social Work Professions Order 2001,”.
- 3 In section 56 (register of social care workers etc.)—
 - (a) in subsection (1), for “Each Council” substitute “The Welsh Council”, and
 - (b) in subsection (4), for “the Council” substitute “the Welsh Council”.
- 4 In section 57 (applications for registration), in subsection (1), for “a Council” substitute “the Welsh Council”.
- 5 In section 58 (grant or refusal of registration), in subsection (1) for “the Council” substitute “the Welsh Council”.
- 6 In section 58A (visiting social workers from relevant European States)—
 - (a) in subsections (3) and (7), for “a Council” substitute “the Welsh Council”, and
 - (b) in subsection (6), for “a Council, that” substitute “the Welsh Council, the”.
- 7 In section 59 (removal etc. from register), in subsection (1), for “Each Council” substitute “The Welsh Council”.
- 8 In section 60 (rules about registration), for “A Council” substitute “The Welsh Council”.
- 9 In section 61 (offence relating to use of title “social worker” etc.)—
 - (a) in subsection (1), after “a person” insert “in Wales”,
 - (b) in subsection (2)(a), for “a Council” substitute “the Welsh Council”, and
 - (c) in subsection (2)(b), after “the law of” insert “England and Wales so far as applying in relation to England,”.
- 10 In section 62 (codes of practice)—
 - (a) in subsection (1), for “Each Council” substitute “The Welsh Council”,

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- (b) in subsections (3), (4) and (6), for “a Council” substitute “the Council”, and
 - (c) in subsection (5), after “Local authorities” insert “in Wales”.
- 11 In section 63 (approval of courses etc.)—
 - (a) in subsection (1), for “Each Council” substitute “The Welsh Council”, and
 - (b) in subsection (4), for “A Council” substitute “The Council”.
- 12 In section 64 (qualifications gained outside Council’s area)—
 - (a) in subsection (A1), for “a Council” substitute “the Welsh Council”,
 - (b) omit subsection (1), and
 - (c) for the title substitute “Qualifications gained outside the Welsh Council’s area”.
- 13 In section 65(1) (power to make rules requiring registered persons to undertake further training), for “A Council” substitute “The Welsh Council”.
- 14 In section 66 (visitors for certain social work courses)—
 - (a) in subsection (1), for “A Council” substitute “The Welsh Council”, and
 - (b) in subsection (3), for “a Council” substitute “the Council”.
- 15 In section 67 (functions of the appropriate Minister)—
 - (a) in subsection (2), for “a Council” substitute “the Welsh Council”, and
 - (b) in subsection (5), omit paragraph (a) (and the “or” following it).
- 16 In section 68 (appeals to the Tribunal), in subsections (1) and (1A), for “a Council” substitute “the Welsh Council”.
- 17 In section 69 (publication etc. of register), in subsection (1), for “A Council” substitute “The Welsh Council”.
- 18 Omit section 70 (abolition of the Central Council for Education and Training in Social Work).
- 19 In section 71 (rules), in subsections (1), (2), (3A) and (4), for “a Council” substitute “the Welsh Council”.
- 20 In section 113 (default Ministerial powers), omit subsection (1).
- 21 In section 114 (schemes for the transfer of staff), in subsection (1), omit “, 70”.
- 22 In section 118 (orders and regulations), in subsection (4), omit the words from “; and” to the end.
- 23 In section 121 (13) (index of defined expressions)—
 - (a) omit the entry for “CCETSW”,
 - (b) omit the entry for references to the Council, the English Council and the Welsh Council, and
 - (c) at the end insert—

“the Welsh Council
Section 54”.
- 24 In section 122 (commencement), omit “section 70(2) to (5) and”.
- 25 In section 123 (extent), omit subsection (3).
- 26 Schedule 1 (the Care Councils) is amended as follows.
- 27 Omit paragraph 1 (introductory).

- 28 In paragraph 2 (status)—
 (a) for “An authority” substitute “The Welsh Council”, and
 (b) for “an authority’s” substitute “the Council’s”.
- 29 In paragraph 3(1) (general powers), for “the Secretary of State, an authority” substitute “the Welsh Ministers, the Welsh Council”.
- 30 In paragraph 4 (general duty), for “an authority” substitute “the Welsh Council”.
- 31 For paragraph 5 (membership)—
 (a) for “Each authority” substitute “The Welsh Council”, and
 (b) for “the Secretary of State” substitute “the Welsh Ministers”.
- 32 In paragraph 6 (appointment, procedure etc.)—
 (a) for “The Secretary of State” substitute “The Welsh Ministers”,
 (b) in paragraph (a), for “an authority” substitute “the Welsh Council”,
 (c) in paragraphs (b), (c) and (d), (in the case of paragraph (d), in each place it appears) for “an authority” substitute “the Council”, and
 (d) in paragraph (c), for “the authority” substitute “the Council”.
- 33 (1) Paragraph 7 (remuneration and allowances) is amended as follows.
 (2) In sub-paragraph (1)—
 (a) for “An authority” substitute “The Welsh Council”,
 (b) for “the authority”, in each place it appears, substitute “the Council”, and
 (c) for “the Secretary of State” substitute “the Welsh Ministers”.
 (3) In sub-paragraph (2)—
 (a) for “the Secretary of State so determines” substitute “the Welsh Ministers so determine”,
 (b) for “an authority”, in each place it appears, substitute “the Council”, and
 (c) for “the Secretary of State” substitute “the Welsh Ministers”.
 (4) In sub-paragraph (3)—
 (a) for “the Secretary of State determines” substitute “the Welsh Ministers determine”,
 (b) for “an authority” substitute “the Council”,
 (c) for “the authority” substitute “the Council”, and
 (d) for “the Secretary of State” substitute “the Welsh Ministers”.
- 34 (1) Paragraph 8 (chief officer) is amended as follows.
 (2) In sub-paragraph (1)—
 (a) for “each authority” substitute “the Welsh Council”, and
 (b) for “the authority”, in each place it appears, substitute “the Council”.
 (3) In sub-paragraph (2), for “the Secretary of State”, in each place it appears, substitute “the Welsh Ministers”.
 (4) In sub-paragraph (3), for “the authority” substitute “the Council”.
 (5) In sub-paragraph (4), for “the Secretary of State” substitute “the Welsh Ministers”.
- 35 (1) Paragraph 12 (staff) is amended as follows.
 (2) In sub-paragraph (1), for “An authority” substitute “The Welsh Council”.

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- (3) In sub-paragraph (2)—
 - (a) for “an authority” substitute “the Council”, and
 - (b) for “the authority” substitute “the Council”.
- (4) In sub-paragraph (3), for “an authority” substitute “the Council”.
- (5) In sub-paragraph (4)—
 - (a) for “Secretary of State” substitute “Welsh Ministers”,
 - (b) in paragraph (a), for “an authority” substitute “the Council”, and
 - (c) in paragraph (c), for “the authority” substitute “the Council”.
- 36 (1) Paragraph 13 (delegation of functions) is amended as follows.
 - (2) In sub-paragraph (1)—
 - (a) for “An authority” substitute “The Welsh Council”, and
 - (b) for “the authority” substitute “the Council”.
 - (3) In sub-paragraph (2)—
 - (a) for “An authority” substitute “The Council”, and
 - (b) for “the authority” substitute “the Council”.
- 37 In paragraph 14 (arrangements for the use of staff)—
 - (a) for “The Secretary of State” substitute “The Welsh Ministers”,
 - (b) in paragraph (a), for “an authority” substitute “the Welsh Council”, and
 - (c) in paragraph (b), for “an authority” substitute “the Council”, and for “the authority” substitute “the Council”.
- 38 In paragraph 16 (payments to authorities)—
 - (a) for “The Secretary of State” substitute “The Welsh Ministers”,
 - (b) for “an authority” substitute “the Welsh Council”, and
 - (c) for “he considers” substitute “they consider”.
- 39 (1) Paragraph 18 (accounts) is amended as follows.
 - (2) In sub-paragraph (1)—
 - (a) for “An authority” substitute “The Welsh Council”, and
 - (b) for “the Secretary of State” substitute “the Welsh Ministers”.
 - (3) In sub-paragraph (2)—
 - (a) for “An authority” substitute “The Council”, and
 - (b) for “the Secretary of State” substitute “the Welsh Ministers”.
 - (4) In sub-paragraph (3)—
 - (a) for “An authority” substitute “The Council”,
 - (b) for “the Secretary of State”, in each place it appears, substitute “the Welsh Ministers”, and
 - (c) for “the Comptroller and Auditor General” substitute “the Auditor General for Wales”.
 - (5) In sub-paragraph (4)—
 - (a) for “The Comptroller and Auditor General” substitute “The Auditor General for Wales”, and
 - (b) for “Parliament” substitute “the Assembly”.

- (6) In sub-paragraph (5)—
 - (a) for “an authority” substitute “the Council”, and
 - (b) in paragraph (a), for “the authority” substitute “the Council”.
 - 40 (1) Paragraph 19 (reports etc.) is amended as follows.
 - (2) In sub-paragraph (1)—
 - (a) for “an authority” substitute “the Welsh Council”, and
 - (b) for “the Secretary of State” substitute “the Welsh Ministers”.
 - (3) In sub-paragraph (2)—
 - (a) for “An Authority” substitute “The Council”,
 - (b) for “the Secretary of State” substitute “the Welsh Ministers”, and
 - (c) for “he” substitute “they”.
 - (4) In sub-paragraph (3), for “the authority” substitute “the Council”.
 - 41 In paragraph 20 (application of seal)—
 - (a) for “an authority” substitute “the Welsh Council”, and
 - (b) in paragraphs (a) and (b), for “the authority” substitute “the Council”.
 - 42 In paragraph 21 (evidence), for “an authority” substitute “the Welsh Council”.
 - 43 For the title to Schedule 1 substitute “The Welsh Council”.
- Amendments to the Health and Social Care Act 2008 (c. 14)*
- 44 The Health and Social Care Act 2008 is amended as follows.
 - 45 (1) In section 124 (regulation of social care workers)—
 - (a) in subsection (1), for “appropriate Minister”, in each place it appears, substitute “Welsh Ministers”,
 - (b) in that subsection, for “their regulation” substitute “the regulation of social care workers”, and
 - (c) in subsection (3), omit the definition of “the appropriate Minister”.
 - (2) For the title to that section substitute “Regulation of social care workers: Wales”.
 - 46 Section 125 (standard of proof in proceedings relating to registration of social care worker)—
 - (a) in subsection (2), for “a committee of a Council, a Council itself or any officer of a Council” substitute “the Care Council for Wales, a committee of the Council or any officer of the Council”, and
 - (b) in subsection (3), omit paragraph (a).
 - 47 (1) Section 126 (education and training of approved mental health professionals) is amended as follows.
 - (2) In subsection (1)—
 - (a) for “appropriate Minister” substitute “Welsh Ministers”, and
 - (b) omit “the General Social Care Council or”.
 - (3) In subsection (4), omit the definition of “the appropriate Minister”.

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- (4) For the title to section 126 substitute “Education and training of approved mental health professionals: Wales”.
- 48 In section 171(4) (provisions which Welsh Ministers have power to commence), before paragraph (a) insert—
- “(za) sections 124 and 125 and Schedule 9 (regulation of social care workers: Wales) and section 126 (education and training of approved mental health professionals: Wales),”.
- 49 (1) Schedule 9 (regulation of social care workers) is amended as follows.
- (2) In paragraph 1 (interpretation), for the definition of “the appropriate Council” substitute—
- ““the Council” means the Care Council for Wales.”
- (3) In paragraph 2 (matters generally within the scope of regulations), in paragraphs (a) and (h), for “the appropriate Council” substitute “the Council”.
- (4) In paragraph 5 (payments), in paragraph (b), for “the appropriate Council” substitute “the Council”.
- (5) In paragraph 6 (sub-delegation), in paragraph (a), omit the words from “Ministers of the Crown” to “Welsh Ministers, on”.
- (6) In paragraph 8 (matters outside the scope of regulations)—
- (a) in sub-paragraph (1), omit “the General Social Care Council or”,
- (b) in sub-paragraph (2), for “either of those Councils” substitute “the Council”, and
- (c) in that sub-paragraph, for “that Council” substitute “the Council”.
- (7) Omit paragraph 9 (preliminary procedure for making regulations: England).
- (8) For the title to that Schedule substitute “Regulation of social care workers: Wales”.

Amendments to other Acts

- 50 In the following provisions, omit the entry for the General Social Care Council—
- (a) the Schedule to the Public Bodies (Admission to Meetings) Act 1960,
- (b) Schedule 2 to the Parliamentary Commissioner Act 1967,
- (c) Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975,
- (d) Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975, and
- (e) Part 6 of Schedule 1 to the Freedom of Information Act 2000.
- 51 In section 343 of the Income Tax (Earning and Pensions) Act 2003 (deductions for professional membership fees), in paragraph 1 of the Table in subsection (2), omit sub-paragraph (o).
- 52 In section 41 of the Safeguarding Vulnerable Groups Act 2006 (registers: duty to refer), in entry number 8 in the table in subsection (7)—
- (a) in the first column, after “social care workers” insert “in Wales”, and
- (b) in the second column, for the words from “General” to the end substitute “Care Council for Wales”.