

2019 No. 1094

SOCIAL WORK

HEALTH CARE AND ASSOCIATED PROFESSIONS

PROFESSIONAL QUALIFICATIONS

**The Children and Social Work Act 2017 (Consequential
Amendments) (Social Workers) Regulations 2019**

Made - - - - - *8th July 2019*

Laid before Parliament *9th July 2019*

Coming into force in accordance with regulation 1

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 66 of the Children and Social Work Act 2017^(a):

Citation and commencement

1. These Regulations may be cited as the Children and Social Work Act 2017 (Consequential Amendments) (Social Workers) Regulations 2019 and come into force on the date on which section 39(1) of the Children and Social Work Act 2017 comes into force^(b).

Consequential amendments

2. The following have effect—

- (a) Schedule 1, which makes consequential amendments to Orders of Council made under the Health Professions Order 2001^(c),
- (b) Schedule 2, which makes amendments consequential on the renaming of the Health Professions Order 2001,
- (c) Schedule 3, which makes amendments consequential on the transfer of functions in relation to social workers^(d).

(a) 2017 c. 16.

(b) Section 36 of the Children and Social Work Act 2017 (“the Act”) established a body corporate, Social Work England, as the regulator of social workers in England, in place of the Health and Care Professions Council. The Social Workers Regulations 2018 (S.I. 2018/893), made under Part 2 of the Act, make further provision about the functions of Social Work England, and also come into force on the date when section 39(1) of the Act (which requires the regulator to maintain the register of social workers in England) comes into force.

(c) S.I. 2002/254; the Order was re-named by section 213(4) and (6) of the Health and Social Care Act 2012 (c. 7), and by paragraphs 45 and 46 of Schedule 5 to the Act. The Orders of Council make provision about the functioning of the Health and Care Professions Council.

(d) See the following provisions of the Act in relation to the transfer of relevant functions: section 39(1) (transfer, to Social Work England, of the function of maintaining the register of social workers), section 43 (transfer, to Social Work England,

8th July 2019

Nadhim Zahawi
Parliamentary Under Secretary of State
Department for Education

SCHEDULE 1

Regulation 2(a)

Consequential amendments of Orders of Council made under the Health Professions Order 2001

Health Professions (Parts of and Entries in the Register) Order of Council 2003

1. In the Health Professions (Parts of and Entries in the Register) Order of Council 2003(a)—
- (a) in article 1(2) (citation, commencement and interpretation), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”,
 - (b) in the table in Schedule 1 (parts of the register)—
 - (i) in column 1 omit “Part 16–Social Workers”,
 - (ii) in column 2 omit “Social Worker”.

Health Professions Council (Registration and Fees) Rules Order of Council 2003

2. In the Schedule to the Health Professions Council (Registration and Fees) Rules Order of Council 2003(b)—
- (a) in rule 2 (interpretation), in the definition of “the Order”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”,
 - (b) in rule 2A (application to visiting health or social work professionals from relevant European States) and in the heading to that rule, omit “or social work” in both places,
 - (c) in rule 11C (information required on indemnity arrangements), omit paragraph (4),
 - (d) in the table in Schedule 5 (registration period)—
 - (i) in column 1 omit “Social Workers”,
 - (ii) in column 2, in the entry relating to social workers, omit “30th November in an even-numbered year”.

Health Professions Council (Screeners) Rules Order of Council 2003

3. In rule 2 (interpretation) in the Schedule to the Health Professions Council (Screeners) Rules Order of Council 2003(c), in the definition of “the Order”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Health Professions Council (Investigating Committee) Procedure Rules Order of Council 2003

4. In rule 2 (interpretation) in the Schedule to the Health Professions Council (Investigating Committee) Procedure Rules Order of Council 2003(d), in the definition of “the Order”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

of the function of approving courses of education and training for social workers), section 46 (transfer, to the Secretary of State, of power to provide financial and other assistance in relation to social work training).

- (a) S.I. 2003/1571; relevant amending instruments are S.I. 2004/2033 and 2522, 2009/1182, 2010/233 and 2012/1479.
- (b) S.I. 2003/1572; relevant amending instruments are S.I. 2007/3101, 2012/1479 and 2015/93.
- (c) S.I. 2003/1573; as amended by S.I. 2012/1479.
- (d) S.I. 2003/1574; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.

Health Professions Council (Conduct and Competence Committee) (Procedure) Rules Order of Council 2003

5. In rule 2 (interpretation) in the Schedule to the Health Professions Council (Conduct and Competence Committee) (Procedure) Rules Order of Council 2003(a), in the definition of “the Order”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Health Professions Council (Health Committee) (Procedure) Rules Order of Council 2003

6. In rule 2 (interpretation) in the Schedule to the Health Professions Council (Health Committee) (Procedure) Rules Order of Council 2003(b), in the definition of “the Order”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Health Professions Council (Functions of Assessors) Rules Order of Council 2003

7. In rule 2 (interpretation) in the Schedule to the Health Professions Council (Functions of Assessors) Rules Order of Council 2003(c), in the definition of “the Order”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Health and Social Work Professions Order 2001 (Legal Assessors) Order of Council 2003

8. In the Health and Social Work Professions Order 2001 (Legal Assessors) Order of Council 2003(d)—

- (a) in the title, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”,
- (b) in article 1 (citation, commencement and interpretation)—
 - (i) in paragraph (1), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”,
 - (ii) in paragraph (2), in the definition of “the Order”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Health Professions Council (Registration Appeals) Rules Order of Council 2003

9. In rule 2 (interpretation) in the Schedule to the Health Professions Council (Registration Appeals) Rules Order of Council 2003(e), in the definition of “Order”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Health and Care Professions Council (Constitution) Order 2009

10. In article 1(2) (interpretation) of the Health and Care Professions Council (Constitution) Order 2009(f), in the definition of “the Order”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Health Professions Council (Practice Committees and Miscellaneous Amendments) Rules Order of Council 2009

11. In rule 2 (interpretation) in the Schedule to the Health Professions Council (Practice Committees and Miscellaneous Amendments) Rules Order of Council 2009(g)—

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- (a) S.I. 2003/1575; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.
 - (b) S.I. 2003/1576; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.
 - (c) S.I. 2003/1577; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.
 - (d) S.I. 2003/1578; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.
 - (e) S.I. 2003/1579; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.
 - (f) S.I. 2009/1345; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.
 - (g) S.I. 2009/1355; the relevant amending instrument is S.I. 2012/1479.

- (a) in the definition of “lay member”, in paragraph (a)—
 - (i) in sub-paragraph (i), after “a registrant” insert “(other than a person who was registered in that part of the register which related to the social work profession in England)”,
 - (ii) omit “or” after sub-paragraph (iii),
 - (iii) omit sub-paragraph (iv),
- (b) in the definition of “the Order”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

SCHEDULE 2

Regulation 2(b)

Amendments consequential on the renaming of the Health Professions Order 2001

National Assistance (Professions Supplementary to Medicine) Regulations 1964

1. In regulation 2(2) (interpretation) of the National Assistance (Professions Supplementary to Medicine) Regulations 1964, in both forms(a), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

National Health Service (Professions Supplementary to Medicine) Regulations 1974

2. In regulation 2(2) (interpretation) of the National Health Service (Professions Supplementary to Medicine) Regulations 1974, in both forms(b), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

National Health Service (Speech Therapists) Regulations 1974

3. In regulation 3(5) (employment of officers) of the National Health Service (Speech Therapists) Regulations 1974, in relation to England(c), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974

4. In regulation 2(2) (interpretation) of the National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974(d), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Medicines (Labelling and Advertising to the Public) Regulations 1978

5. In regulation 5(2)(b) (prohibition of representations) of the Medicines (Labelling and Advertising to the Public) Regulations 1978(e), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

(a) S.I. 1964/939; relevant amending instruments are S.I. 2002/880, 2003/1590 and 2012/1479. Regulation 2(2) was substituted in relation to England by S.I. 2003/1590.

(b) S.I. 1974/494; relevant amending instruments are S.I. 1978/1090, 2002/880, 2003/1590 and 2012/1479. Regulation 2(2) was substituted in relation to England by S.I. 2003/1590.

(c) S.I. 1974/495; regulation 3 was substituted in relation to England by S.I. 2003/1590 and paragraph (5) was amended by S.I. 2012/1479.

(d) S.I. 1974/549 (S. 49); relevant amending instruments are S.I. 2003/1590 and 2012/1479.

(e) S.I. 1978/41; relevant amending instruments are S.I. 2002/880, 2003/1590 and 2012/1479.

Health Education Board for Scotland Order 1990

6. In Part 3 of the Schedule (enactments other than Acts of Parliament applied to the Board) to the Health Education Board for Scotland Order 1990(a), in column 2 of the entry relating to the National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

State Hospitals Board for Scotland Order 1995

7. In Part 3 of the Schedule (enactments other than Acts of Parliament applied to the Board) to the State Hospitals Board for Scotland Order 1995(b), in column 2 of the entry relating to the National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Pharmaceutical Services Regulations (Northern Ireland) 1997

8. In regulation 2(1) (interpretation) of the Pharmaceutical Services Regulations (Northern Ireland) 1997(c), in the following definitions, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”—

- (a) “chiropractist or podiatrist independent prescriber”,
- (b) “physiotherapist independent prescriber”,
- (c) “supplementary prescriber”, in paragraph (a)(iv).

Scottish Ambulance Service Board Order 1999

9. In Part 3 of the Schedule (enactments other than Acts of Parliament applied to the Board) to the Scottish Ambulance Service Board Order 1999(d), in column 2 of the entry relating to the National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

NHS 24 (Scotland) Order 2001

10. In Part 3 of the Schedule (enactments other than Acts of Parliament applied to the Board) to the NHS 24 (Scotland) Order 2001(e), in column 2 of the entry relating to the National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Scottish Social Services Council (Consultation on Codes of Practice) Order 2001

11. In article 2(i) (consultation on codes of practice) of the Scottish Social Services Council (Consultation on Codes of Practice) Order 2001(f), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Misuse of Drugs Regulations 2001

12. In regulation 2(1) (interpretation) of the Misuse of Drugs Regulations 2001, in both forms(g), in the definition of “operating department practitioner”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

(a) S.I. 1990/2639 (S. 224); as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.
(b) S.I. 1995/574 (S. 43); as amended by S.I. 2003/1590 and 2012/1479. There are other amending instruments but none is relevant.
(c) S.R. 1997 No. 381; relevant amending instruments are S.R. 2009 No. 191, and S.I. 2012/1479.
(d) S.I. 1999/686 (S. 47); relevant amending instruments are S.I. 2003/1590 and 2012/1479.
(e) S.S.I. 2001/137; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.
(f) S.S.I. 2001/424; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.
(g) S.I. 2001/3998; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.

Misuse of Drugs Regulations (Northern Ireland) 2002

13. In regulation 2(2) (interpretation) of the Misuse of Drugs Regulations (Northern Ireland) 2002(a), in the definition of “operating department practitioner”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

NHS Education for Scotland Order 2002

14. In Part 3 of the Schedule (enactments other than Acts of Parliament applied to the Board) to the NHS Education for Scotland Order 2002(b), in column 2 of the entry relating to the National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

National Waiting Times Centre Board (Scotland) Order 2002

15. In Part 3 of the Schedule (enactments other than Acts applied to the Board) to the National Waiting Times Centre Board (Scotland) Order 2002(c), in column 2 of the entry relating to the National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Registered Health Care Profession (Designation) Order 2003

16. In article 2 (designation of paramedics) of the Registered Health Care Profession (Designation) Order 2003(d), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Registered Health Care Profession (Designation No. 2) Order 2003

17. In article 2 (designation of paramedics) of the Registered Health Care Profession (Designation No. 2) Order 2003(e), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004

18. In regulation 2 (interpretation) of the Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004(f), in paragraph (b)(iv) of the definition of “supplementary prescriber”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

National Health Service (General Medical Services Contracts) (Wales) Regulations 2004

19. In the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004(g)—

- (a) in regulation 2(1) (interpretation), in the following definitions, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”—
 - (i) “the Health and Care Professions Council register”,
 - (ii) “relevant register”, in paragraph (c),

(a) S.R. 2002 No. 1; relevant amending instruments are S.I. 2007/348 and 2012/1479.

(b) S.S.I. 2002/103; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.

(c) S.S.I. 2002/305; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.

(d) S.I. 2003/2461; as amended by S.I. 2012/1479.

(e) S.I. 2003/2462; as amended by S.I. 2012/1479.

(f) S.R. 2004 No. 140; relevant amending instruments are S.I. 2005/368 and 2012/1479.

(g) S.I. 2004/478 (W. 48); relevant amending instruments are S.I. 2006/358, 2007/205, 2010/231 and 729, 2012/1479, 2016/1221 (W. 292) and 2019/149 (W. 34).

- (iii) “supplementary prescriber”, in paragraph (b)(iv),
- (b) in paragraph 78(4) of Schedule 6 (provision of information to a medical officer etc.), in the following definitions, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”—
 - (i) “occupational therapist”,
 - (ii) “physiotherapist”.

Gender Recognition (Disclosure of Information) (Scotland) Order 2005

20. In article 5(2)(b)(v) (disclosure for medical purposes) of the Gender Recognition (Disclosure of Information) (Scotland) Order 2005(a), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Gender Recognition (Disclosure of Information) (England, Wales and Northern Ireland) (No. 2) Order 2005

21. In article 5(3)(e) (disclosure for medical purposes) of the Gender Recognition (Disclosure of Information) (England, Wales and Northern Ireland) (No. 2) Order 2005(b), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007

22.—(1) The National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007(c) are amended as follows.

(2) In the English language text, in regulation 2(1) (interpretation), in the following definitions, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”—

- (a) “the Health and Care Professions Council register”,
- (b) “relevant register”, in paragraph (c),
- (c) “supplementary prescriber”, in paragraph (a)(iv).

(3) In the Welsh language text of those Regulations (Rheoliadau'r Gwasanaeth Iechyd Gwladol (Presgripsiynau am Ddim a Ffioedd am Gyffuriau a Chyfarpar) (Cymru) 2007), in regulation 2(1) (dehongli), in the following definitions, for “Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001” substitute “Orchymyn Proffesiynau Iechyd 2001”—

- (a) “cofrestr berthnasol”, in paragraph (c),
- (b) “cofrestr y Cyngor Proffesiynau Iechyd a Gofal”,
- (c) “rhagnodydd atodol”, in paragraph (a)(iv).

Safeguarding Vulnerable Groups (Northern Ireland) Order 2007

23. In article 43(7) (registers: power to refer) of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007(d), in the first column of entry 10 in the table, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

(a) S.S.I. 2005/125; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.
(b) S.I. 2005/916; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.
(c) S.I. 2007/121 (W. 11); as amended by S.I. 2012/1479 and 2016/1221 (W. 292). There are other amending instruments but none is relevant.
(d) S.I. 2007/1351 (N.I. 11); as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.

Adult Support and Protection (Scotland) Act 2007 (Restriction on the Authorisation of Council Officers) Order 2008

24. In article 3(2)(a)(iii) (restriction on the authorisation of council officers to perform investigative functions under the 2007 Act) of the Adult Support and Protection (Scotland) Act 2007 (Restriction on the Authorisation of Council Officers) Order 2008(a), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Mental Health (Approval of Persons to be Approved Mental Health Professionals) (Wales) Regulations 2008

25.—(1) The Mental Health (Approval of Persons to be Approved Mental Health Professionals) (Wales) Regulations 2008(b) are amended as follows.

(2) In the English language text, in paragraph 1(c) of Schedule 1 (professional requirements), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

(3) In the Welsh language text of those Regulations (Rheoliadau Iechyd Meddwl (Cymeradwyo Personau i fod yn Weithwyr Proffesiynol Iechyd Meddwl Cymeradwyo) (Cymru) 2008), in paragraph 1(c) of Schedule 1 (gofynion proffesiynol), for “Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001” substitute “Orchymyn Proffesiynau Iechyd 2001”.

Mental Capacity (Deprivation of Liberty: Assessments, Standard Authorisations and Disputes about Residence) (Wales) Regulations 2009

26.—(1) The Mental Capacity (Deprivation of Liberty: Assessments, Standard Authorisations and Disputes about Residence) (Wales) Regulations 2009(c) are amended as follows.

(2) In the English language text, in regulation 5(1)(d) (eligibility to carry out best interests assessments), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

(3) In the Welsh language text of those Regulations (Rheoliadau Galluedd Meddyliol (Amddifadu o Ryddid: Aseidiadau, Awdurdodiadau Safonol ac Anghydfodau ynghylch Preswyliaeth) (Cymru) 2009), in regulation 5(1)(ch) (cymhwysra i gynnal aseidiadau lles pennaf), for “Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001” substitute “Orchymyn Proffesiynau Iechyd 2001”.

National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009

27. In regulation 2(1) (interpretation) of the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009(d), in the following definitions, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”—

- (a) “paramedic independent prescriber”, in paragraph (a),
- (b) “physiotherapist independent prescriber”,
- (c) “podiatrist or chiropodist independent prescriber”,
- (d) “supplementary prescriber”, in paragraph (d),
- (e) “therapeutic radiographer independent prescriber”, in paragraph (a).

(a) S.S.I. 2008/306; as amended by S.I. 2012/1479.

(b) S.I. 2008/2436 (W. 209); as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.

(c) S.I. 2009/783 (W. 69); as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.

(d) S.S.I. 2009/183; relevant amending instruments are S.S.I. 2014/73, 2016/393 and 2018/68, and S.I. 2012/1479.

Local Commissioning Groups (Membership) Regulations (Northern Ireland) 2009

28. In regulation 2(2)(i) (membership of local commissioning groups) of the Local Commissioning Groups (Membership) Regulations (Northern Ireland) 2009(a), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Social Care and Social Work Improvement Scotland (Requirements for Care Services) Regulations 2011

29. In regulation 4(4)(f) (welfare of users) of the Social Care and Social Work Improvement Scotland (Requirements for Care Services) Regulations 2011(b), for “Health and Social Work Professions Order 2001, other than the profession of social worker” substitute “Health Professions Order 2001”.

Human Medicines Regulations 2012

30. In regulation 8(1) (general interpretation) of the Human Medicines Regulations 2012(c)—
- (a) in the definition of “the Health and Care Professions Council register”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”,
 - (b) in the definition of “health care professional”, in paragraph (j), for “Health and Social Work Professions Order 2001, other than a social worker” substitute “Health Professions Order 2001”.

National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013

31. In regulation 2(1) (interpretation) of the National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013(d), in the following definitions, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”—

- (a) “chiroprapist or podiatrist independent prescriber”,
- (b) “paramedic independent prescriber”, in paragraph (a),
- (c) “physiotherapist independent prescriber”,
- (d) “supplementary prescriber”, in paragraph (b)(i),
- (e) “therapeutic radiographer independent prescriber”, in paragraph (a).

National Health Service (Pharmaceutical Services) (Wales) Regulations 2013

32.—(1) The National Health Service (Pharmaceutical Services) (Wales) Regulations 2013(e) are amended as follows.

- (2) In the English language text, in regulation 2(1) (interpretation)—
- (a) in the following definitions, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”—
 - (i) “the Health and Care Professions Council register”,
 - (ii) “supplementary prescriber”, in paragraph (c)(i),
 - (b) in the following definitions, for “Health and Social Work Professions Order 2011” substitute “Health Professions Order 2001”—
 - (i) “physiotherapist independent prescriber”, in paragraph (b),

(a) S.R. 2009 No. 395; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.

(b) S.S.I. 2011/210; as amended by S.I. 2012/1479.

(c) S.I. 2012/1916, to which there are amendments not relevant to these Regulations.

(d) S.I. 2013/349; relevant amending instruments are S.I. 2016/1077 and 2018/1114.

(e) S.I. 2013/898 (W. 102); relevant amending instruments are S.I. 2014/2291, 2016/1221 (W. 292) and 2019/149.

(ii) “podiatrist or chiropodist independent prescriber”, in paragraph (b).

(3) In the Welsh language text of those Regulations (Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Fferyllol) (Cymru) 2013), in regulation 2(1) (dehongli)—

(a) in the following definitions, for “Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001” substitute “Orchymyn Proffesiynau Iechyd 2001”—

(i) “cofrestr y Cyngor Proffesiynau Iechyd a Gofal”,

(ii) “rhagnodydd atodol”, in paragraph (c)(i),

(b) in the following definitions, for “Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2011” substitute “Orchymyn Proffesiynau Iechyd 2001”—

(i) “ffisiotherapydd-ragnodydd annibynnol”, in paragraph (b),

(ii) “podiatrydd-ragnodydd neu giropodydd-ragnodydd annibynnol”, in paragraph (b).

Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013

33.—(1) The Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013(a) are amended as follows.

(2) In the English language text, in regulation 2(1) (interpretation), in paragraph (b) of the definition of “medically prescribed dietary requirements”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

(3) In the Welsh language text of those Regulations (Rheoliadau Bwyta'n Iach mewn Ysgolion (Gofynion a Safonau Maeth) (Cymru) 2013), in regulation 2(1) (dehongli), in paragraph (b) of the definition of “anghenion deietegol sydd wedi eu rhagnodi'n feddygol”, for “Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001” substitute “Orchymyn Proffesiynau Iechyd 2001”.

National Health Service (Charges for Drugs and Appliances) Regulations 2015

34. In regulation 2(1) (interpretation) of the National Health Service (Charges for Drugs and Appliances) Regulations 2015(b), in the following definitions, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”—

(a) “chiropodist or podiatrist independent prescriber”,

(b) “paramedic independent prescriber”, in paragraph (a),

(c) “physiotherapist independent prescriber”,

(d) “supplementary prescriber”, in paragraph (b)(i),

(e) “therapeutic radiographer independent prescriber”, in paragraph (a).

National Health Service (General Medical Services Contracts) Regulations 2015

35. In the National Health Service (General Medical Services Contracts) Regulations 2015(c)—

(a) in regulation 3 (interpretation), in the following definitions, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”—

(i) “chiropodist or podiatrist independent prescriber”, in paragraph (b),

(ii) “paramedic independent prescriber”, in paragraph (b),

(iii) “physiotherapist independent prescriber”, in paragraph (b),

(iv) “relevant register”, in paragraph (d),

(a) S.I. 2013/1984 (W. 194), to which there are amendments not relevant to these Regulations.

(b) S.I. 2015/570; relevant amending instruments are S.I. 2016/1077 and 2018/1114.

(c) S.I. 2015/1862; relevant amending instruments are S.I. 2016/1077 and 2018/844.

- (v) “supplementary prescriber”, in paragraph (b)(iv),
- (vi) “therapeutic radiographer independent prescriber”, in paragraph (a),
- (b) in regulation 76(4) (provision of information to a medical officer etc.), in the following definitions, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”—
 - (i) “occupational therapist”,
 - (ii) “physiotherapist”.

National Health Service (Personal Medical Services Agreements) Regulations 2015

36. In the National Health Service (Personal Medical Services Agreements) Regulations 2015(a)—

- (a) in regulation 3 (interpretation), in the following definitions, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”—
 - (i) “chiropracist or podiatrist independent prescriber”, in paragraph (b),
 - (ii) “paramedic independent prescriber”, in paragraph (b),
 - (iii) “physiotherapist independent prescriber”, in paragraph (b),
 - (iv) “relevant register”, in paragraph (d),
 - (v) “supplementary prescriber”, in paragraph (b)(iv),
 - (vi) “therapeutic radiographer independent prescriber”, in paragraph (a),
- (b) in regulation 69(4) (provision of information to a medical officer etc.), in the following definitions for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”—
 - (i) “occupational therapist”,
 - (ii) “physiotherapist”.

Mental Health Act 1983 (Places of Safety) Regulations 2017

37. In regulation 8(2)(a) (persons to be consulted) of the Mental Health Act 1983 (Places of Safety) Regulations 2017(b), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

Care Quality Commission (Reviews and Performance Assessments) Regulations 2018

38. In regulation 2(2) (prescribed registered service providers and regulated activities) of the Care Quality Commission (Reviews and Performance Assessments) Regulations 2018(c), in the definition of “chiropracist or podiatrist”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

National Health Service (General Medical Services Contracts) (Scotland) Regulations 2018

39. In the National Health Service (General Medical Services Contracts) (Scotland) Regulations 2018(d)—

- (a) in regulation 3(1) (interpretation), in the following definitions, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”—
 - (i) “paramedic independent prescriber”,

(a) S.I. 2015/1879; relevant amending instruments are S.I. 2016/1077 and 2018/844.

(b) S.I. 2017/1036.

(c) S.I. 2018/54.

(d) S.S.I. 2018/66; as amended by S.S.I. 2018/94. There are other amending instruments but none is relevant.

- (ii) “physiotherapist independent prescriber”,
- (iii) “podiatrist or chiropodist independent prescriber”,
- (iv) “relevant register”, in paragraph (c),
- (v) “supplementary prescriber”, in paragraph (d),
- (vi) “therapeutic radiographer independent prescriber”, in paragraph (a),
- (b) in entry 6 in the table in Schedule 4 (list of prescribed medical certificates), in paragraph (h), in the third column, for “Health and Social Work Professions Order 2001 for the time being extends, other than social worker” substitute “Health Professions Order 2001 for the time being extends”,
- (c) in paragraph 76(4) of Schedule 6 (provision of information to a medical officer etc.), in both of paragraphs (c) and (d), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018

40. In the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018(a)—

- (a) in regulation 3(1) (interpretation), in the following definitions, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”—
 - (i) “paramedic independent prescriber”,
 - (ii) “physiotherapist independent prescriber”,
 - (iii) “podiatrist or chiropodist independent prescriber”,
 - (iv) “relevant register”, in paragraph (c),
 - (v) “supplementary prescriber”, in paragraph (d),
 - (vi) “therapeutic radiographer independent prescriber”, in paragraph (a),
- (b) in paragraph 43(4) of Schedule 1 (provision of information to a medical officer etc.), in both of paragraphs (c) and (d), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

SCHEDULE 3

Regulation 2(c)

Amendments consequential on the transfer of functions in relation to social workers

Jobseeker’s Allowance Regulations 1996

1. In regulation 14A(10) (circumstances in which a person is to be treated as available) of the Jobseeker’s Allowance Regulations 1996(b), in the definition of “registered social worker”, for paragraph (a) substitute—

“(a) Social Work England.”.

Scottish Social Services Council (Appointments, Procedure and Access to the Register) Regulations 2001

2. In regulation 4(5)(f) (disqualification for appointment as convenor or member of Scottish Social Services Council) of the Scottish Social Services Council (Appointments, Procedure and

(a) S.S.I. 2018/67; as amended by S.S.I. 2018/94. There are other amending instruments but none is relevant.

(b) S.I. 1996/207; relevant amending instruments are S.I. 2012/853 and 1479 and 2017/901.

Access to the Register) Regulations 2001(a), for “Health and Social Work Professions Order 2001 extends” substitute “Health Professions Order 2001 extends, or who is registered in the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

Representation of the People (England and Wales) Regulations 2001

3. In regulation 53(2)(j) (additional requirements for application for a proxy vote for a definite or indefinite period on grounds of severe sight-impairment or other disability) of the Representation of the People (England and Wales) Regulations 2001(b), for “Health and Social Work Professions Order 2001 for the time being extends” substitute “Health Professions Order 2001 for the time being extends, or registered in the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

Representation of the People (Scotland) Regulations 2001

4. In regulation 53(2)(j) (additional requirements for application for a proxy vote for a particular or indefinite period on grounds of blindness or any other disability) of the Representation of the People (Scotland) Regulations 2001(c), for “Health and Social Work Professions Order 2001 for the time being extends, other than the profession of social worker” substitute “Health Professions Order 2001 for the time being extends”.

Northern Ireland Social Care Council (Appointments and Procedure) Regulations (Northern Ireland) 2001

5. In regulation 4(1) (disqualification for appointment) of the Northern Ireland Social Care Council (Appointments and Procedure) Regulations (Northern Ireland) 2001(d)—

- (a) in sub-paragraph (e), after “the Health and Care Professions Council,” insert “Social Work England,”,
- (b) in sub-paragraph (f), after “Health and Social Work Professions Order 2001” insert “, or in the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017,”.

Adults with Incapacity (Ethics Committee) (Scotland) Regulations 2002

6. In regulation 3(3)(h) (membership of the Committee) of the Adults with Incapacity (Ethics Committee) (Scotland) Regulations 2002(e), for “Health and Social Work Professions Order 2001 applies (other than that of social worker)” substitute “Health Professions Order 2001 applies”.

Northern Ireland Medical and Dental Training Agency (Establishment and Constitution) Order (Northern Ireland) 2004

7. In article 5(10)(d) (disqualification for appointment) of the Northern Ireland Medical and Dental Training Agency (Establishment and Constitution) Order (Northern Ireland) 2004(f), for “Health and Social Work Professions Order 2001 extends (other than the profession of social worker)” substitute “Health Professions Order 2001 extends”.

(a) S.S.I. 2001/303; as amended by S.I. 2012/1479.

(b) S.I. 2001/341; relevant amending instruments are S.I. 2001/1700, 2006/2910, 2009/1182, 2010/231, 2012/1479, 2016/211, 2017/52 (W. 23) and 2018/48.

(c) S.I. 2001/497 (S. 2); relevant amending instruments are S.I. 2007/925, 2010/231 and 2012/1479.

(d) S.R. 2001 No. 313; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.

(e) S.S.I. 2002/190; relevant amending instruments are S.S.I. 2004/212, and S.I. 2010/231 and 2012/1479.

(f) S.R. 2004 No. 62; as amended by S.I. 2012/1479.

Medicines for Human Use (Clinical Trials) Regulations 2004

8. In regulation 2(1) (interpretation) of the Medicines for Human Use (Clinical Trials) Regulations 2004(a), in paragraph (f) of the definition of “health care professional”, for “Health and Social Work Professions Order 2001, other than a social worker registered in Part 16” substitute “Health Professions Order 2001”.

Registration of Social Care Workers (Relevant Registers) Regulations (Northern Ireland) 2005

9. In regulation 2 (prescription of relevant registers) of the Registration of Social Care Workers (Relevant Registers) Regulations (Northern Ireland) 2005(b), for paragraph (a) substitute—

“(a) the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017;”.

Adoption Agencies Regulations 2005

10. In the Adoption Agencies Regulations 2005(c)—

- (a) in regulation 2(1) (interpretation), in the definition of “social worker” for “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”,
- (b) in regulation 37(2) (independent reviewing officers), for “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

Regulation of Care (Prescribed Registers) (Scotland) Order 2005

11. In article 2 (prescribed registers) of the Regulation of Care (Prescribed Registers) (Scotland) Order 2005(d), for paragraph (a) substitute—

“(a) the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017;”.

Adoption Agencies (Wales) Regulations 2005

12.—(1) The Adoption Agencies (Wales) Regulations 2005(e) are amended as follows.

(2) In the English language text, in regulation 2 (interpretation), in the definition of “social worker”, for “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

(3) In the Welsh language text of those Regulations (Rheoliadau Asiantaethau Mabwysiadu (Cymru) 2005), in regulation 2 (dehongli), in the definition of “gweithiwr cymdeithasol”, for “Rhan 16 o'r gofrestr a gynhelir gan y Cyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Cyngor Proffesiynau Iechyd a Gwaith Cymdeithasol 2001” substitute “y gofrestr o weithwyr cymdeithasol yn Lloegr a gynhelir o dan adran 39(1) o Ddeddf Plant a Gwaith Cymdeithasol 2017”.

(a) S.I. 2004/1031; relevant amending instruments are S.I. 2007/3101 and 2012/1479.

(b) S.R. 2005 No. 227; as amended by S.I. 2012/1479.

(c) S.I. 2005/389; relevant amending instruments are S.I. 2012/1479 and 2017/52 (W. 23).

(d) S.S.I. 2005/432, as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.

(e) S.I. 2005/1313 (W. 95); relevant amending instruments are S.I. 2012/1479 and 2017/52 (W. 23).

Restriction on the Preparation of Adoption Reports Regulations 2005

13. In the Restriction on the Preparation of Adoption Reports Regulations 2005(a)—

(a) in regulation 2 (interpretation), in the definition of “social worker”, for paragraph (a) substitute—

“(a) the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017;”,

(b) in regulation 3 (prescribed persons), for paragraph (1)(b)(i)(aa) substitute—

“(aa) under an education and training approval scheme operated under regulation 20(1) of the Social Workers Regulations 2018,”.

Permitted Persons (Designation) Order 2006

14. In article 2(12) (persons who may make disclosures to the Judicial Appointments Commission) of the Permitted Persons (Designation) Order 2006(b), for “the Health and Care Professions Council” substitute “Social Work England”.

Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007

15. In regulation 8(2)(j) (additional requirements for applications for a proxy vote for a particular or indefinite period on grounds of blindness or other disability) of the Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007(c), for “Health and Social Work Professions Order 2001 for the time being extends, other than the profession of social worker” substitute “Health Professions Order 2001 for the time being extends”.

National Assembly for Wales (Representation of the People) Order 2007

16. In paragraph 4(2) of Schedule 1 (additional requirements for applications on grounds of severe sight-impairment or other disability) to the National Assembly for Wales (Representation of the People) Order 2007(d)—

(a) omit “or” after paragraph (m),

(b) after paragraph (n) insert—

“; or

(o) a person registered in the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

Review of Children’s Cases (Wales) Regulations 2007

17.—(1) The Review of Children’s Cases (Wales) Regulations 2007(e) are amended as follows.

(2) In the English language text, in regulation 3(3) (Independent Reviewing Officers), for “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

(3) In the Welsh language text of those Regulations (Rheoliadau Adolygu Achosion Plant (Cymru) 2007), in regulation 3(3) (swyddogion adolygu annibynnol), for “Rhan 16 o’r gofrestr a gynhelir gan Gyngor Proffesiynau Iechyd a Gofal odan erthygl 5 o Orchymyn Cyngor

(a) S.I. 2005/1711; the relevant amending instrument is S.I. 2018/674.

(b) S.I. 2006/679; the relevant amending instrument is S.I. 2012/1479.

(c) S.S.I. 2007/170; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.

(d) S.I. 2007/236; relevant amending instruments are S.I. 2012/1479 and 2017/52 (W. 23).

(e) S.I. 2007/307 (W. 26); relevant amending instruments are S.I. 2012/1479 and 2017/52 (W. 23).

Proffesiynau Iechyd a Gwaith Cymdeithasol 2001” substitute “y gofrestr o weithwyr cymdeithasol yn Lloegr a gynhelir o dan adran 39(1) o Ddeddf Plant a Gwaith Cymdeithasol 2017”.

Lasting Powers of Attorney, Enduring Powers of Attorney and Public Guardian Regulations 2007

18. In regulation 8(4) (persons who may provide an LPA certificate) of the Lasting Powers of Attorney, Enduring Powers of Attorney and Public Guardian Regulations 2007(a), in the definition of “registered social worker”, for paragraph (a) substitute—

“(a) Social Work England;”.

Council for Healthcare Regulatory Excellence (Appointment, Procedure etc.) Regulations 2008

19. In regulation 2(2)(j) (conditions of appointment for chair and non-executive members of the Council) of the Council for Healthcare Regulatory Excellence (Appointment, Procedure etc.) Regulations 2008(b)—

(a) omit “and” after paragraph (viii),

(b) after paragraph (ix) insert—

“; and

(x) Social Workers Regulations 2018”.

Mental Health (Approved Mental Health Professionals) (Approval) (England) Regulations 2008

20. In Schedule 1 (professional requirements) to the Mental Health (Approved Mental Health Professionals) (Approval) (England) Regulations 2008(c)—

(a) in paragraph (c) omit “, or a social worker registered in Part 16,”,

(b) omit “or” after paragraph (c),

(c) after paragraph (d) insert—

“; or

(e) a social worker registered in the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

Independent Review of Determinations (Adoption and Fostering) Regulations 2009

21. In regulation 2 (interpretation) of the Independent Review of Determinations (Adoption and Fostering) Regulations 2009(d), in the definition of “social worker”, for “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

Care Planning, Placement and Case Review (England) Regulations 2010

22. In regulation 46(1) (independent reviewing officers) of the Care Planning, Placement and Case Review (England) Regulations 2010(e), for “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order

(a) S.I. 2007/1253; as amended by S.I. 2012/1479 and 2017/52 (W. 23). There are other amending instruments but none is relevant.

(b) S.I. 2008/2927; relevant amending instruments are S.I. 2010/231 and 2012/1479.

(c) S.I. 2008/1206; as amended by S.I. 2012/1479. There are other amending instruments but none is relevant.

(d) S.I. 2009/395; relevant amending instruments are S.I. 2012/1479 and 2017/52 (W. 23).

(e) S.I. 2010/959; relevant amending instruments are S.I. 2012/1479 and 2017/52 (W. 23).

2001” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

Independent Review of Determinations (Adoption and Fostering) (Wales) Regulations 2010

23.—(1) The Independent Review of Determinations (Adoption and Fostering) (Wales) Regulations 2010(a) are amended as follows.

(2) In the English language text, in regulation 2 (interpretation), in the definition of “social worker”, for “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

(3) In the Welsh language text of those Regulations (Rheoliadau Adolygu Penderfyniadau’n Annibynnol (Mabwysiadu a Maethu) (Cymru) 2010), in regulation 2 (dehongli), in the definition of “gweithiwr cymdeithasol”, for “Rhan 16 o’r gofrestr a gynhelir gan y Cyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Cyngor Proffesiynau Iechyd a Gwaith Cymdeithasol 2001” substitute “y gofrestr o weithwyr cymdeithasol yn Lloegr a gynhelir o dan adran 39(1) o Ddeddf Plant a Gwaith Cymdeithasol 2017”.

Healthcare Improvement Scotland (Requirements as to Independent Health Care Services) Regulations 2011

24. In regulation 1(2) (interpretation) of the Healthcare Improvement Scotland (Requirements as to Independent Health Care Services) Regulations 2011(b), in paragraph (f) of the definition of “health care professional”, for “Health and Social Work Professions Order 2001 extends, other than the profession of social worker” substitute “Health Professions Order 2001 extends”.

Fostering Services (England) Regulations 2011

25. In regulation 23(10)(b) (constitution and membership of fostering panel) of the Fostering Services (England) Regulations 2011(c) for “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

Arrangements for Placement of Children by Voluntary Organisations and Others (England) Regulations 2011

26. In regulation 18(2) (reviews of children’s cases) of the Arrangements for Placement of Children by Voluntary Organisations and Others (England) Regulations 2011(d), for “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

Education (Student Support) Regulations 2011

27. In the Education (Student Support) Regulations 2011(e)—

- (a) in regulation 2(1) (interpretation), in paragraph (d) of the definition of “pre-registration course”, for “the Health and Care Professions Council” substitute “Social Work England”,

(a) S.I. 2010/746 (W. 75); relevant amending instruments are S.I. 2012/1479 and 2017/52 (W. 23).

(b) S.S.I. 2011/182; the relevant amending instrument is S.I. 2012/1479.

(c) S.I. 2011/581; relevant amending instruments are S.I. 2012/1479 and 2017/52 (W. 23).

(d) S.I. 2011/582; relevant amending instruments are S.I. 2012/1479 and 2017/52 (W. 23).

(e) S.I. 2011/1986; as amended by S.I. 2014/2765, 2017/52 (W. 23) and 114, and 2018/443.

- (b) in regulation 159(4)(a)(v) (eligible postgraduate students), after “section 67(4)(a) of the Care Standards Act 2000” insert “, or under section 46 of the Children and Social Work Act 2017,”.

Mental Health (Care Co-ordination and Care and Treatment Planning) (Wales) Regulations 2011

28.—(1) The Mental Health (Care Co-ordination and Care and Treatment Planning) (Wales) Regulations 2011(a) are amended as follows.

(2) In the English language text, in paragraph 1 of Schedule 1 (professional requirements)—

- (a) in sub-paragraph (a), for “Part 16 of the register maintained under article 5 of the Health and Social Work Professions Order 2001” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”,
- (b) in each of sub-paragraphs (c), (d), (f), (g) and (h), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

(3) In the Welsh language text of those Regulations (Rheoliadau Iechyd Meddwl (Cydgysylltu Gofal a Chynllunio Gofal a Thriniaeth) (Cymru) 2011), in paragraph 1 of Schedule 1 (gofynion proffesiynol)—

- (a) in sub-paragraph (a), for “Rhan 16 o’r gofrestr a gynhelir gan y Cyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Cyngor Proffesiynau Iechyd a Gwaith Cymdeithasol 2001” substitute “y gofrestr o weithwyr cymdeithasol yn Lloegr a gynhelir o dan adran 39(1) o Ddeddf Plant a Gwaith Cymdeithasol 2017”,
- (b) in each of sub-paragraphs (c), (ch), (dd), (e) and (f), for “Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001” substitute “Orchymyn Proffesiynau Iechyd 2001”.

Mental Health (Primary Care Referrals and Eligibility to Conduct Primary Mental Health Assessments) (Wales) Regulations 2012

29.—(1) The Mental Health (Primary Care Referrals and Eligibility to Conduct Primary Mental Health Assessments) (Wales) Regulations 2012(b) are amended as follows.

(2) In the English language text, in paragraph 1 of the Schedule (professional requirements)—

- (a) in sub-paragraph (a), for “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”,
- (b) in sub-paragraphs (c) and (d), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”.

(3) In the Welsh language text of those Regulations (Rheoliadau Iechyd Meddwl (Atgyfeiriadau Gofal Sylfaenol a Chymhwysra i Gynnal Asesiadau Iechyd Meddwl Sylfaenol) (Cymru) 2012), in paragraph 1 of the Schedule (gofynion proffesiynol)—

- (a) in sub-paragraph (a), for “Rhan 16 o’r gofrestr a gynhelir gan y Cyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Cyngor Proffesiynau Iechyd a Gwaith Cymdeithasol 2001” substitute “y gofrestr o weithwyr cymdeithasol yn Lloegr a gynhelir o dan adran 39(1) o Ddeddf Plant a Gwaith Cymdeithasol 2017”,
- (b) in sub-paragraphs (c) and (d), for “Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001” substitute “Orchymyn Proffesiynau Iechyd 2001”.

(a) S.I. 2011/2942 (W. 318); relevant amending instruments are S.I. 2012/1479 and 2017/52 (W. 23).

(b) S.I. 2012/1305 (W. 166); relevant amending instruments are S.I. 2012/1479 and 2017/52 (W. 23).

Universal Credit Regulations 2013

30. In regulation 98(4) (victims of domestic violence) of the Universal Credit Regulations 2013(a), in the definition of “registered social worker”, for paragraph (a) substitute—

“(a) Social Work England;”.

Jobseeker’s Allowance Regulations 2013

31. In regulation 15(5) (victims of domestic violence) of the Jobseeker’s Allowance Regulations 2013(b), in the definition of “registered social worker”, for paragraph (a) substitute—

“(a) Social Work England;”.

Employment and Support Allowance Regulations 2013

32. In regulation 49(5) (victims of domestic violence) of the Employment and Support Allowance Regulations 2013(c), in the definition of “registered social worker”, for paragraph (a) substitute—

“(a) Social Work England;”.

Contracting Out (Local Authorities Social Services Functions) (England) Order 2014

33. In article 2 (interpretation) of the Contracting Out (Local Authorities Social Services Functions) (England) Order 2014(d), in the definition of “registered social worker”, for paragraph (a) substitute—

“(a) in the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017,”.

Health and Social Care Act 2008 (Regulated Activities) Regulations 2014

34. In the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014(e), in regulation 2(1) (interpretation)—

- (a) in the definition of “the 2001 Order”, for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”,
- (b) in the definition of “social worker”, for “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the 2001 Order” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

Scottish Parliament (Elections etc.) Order 2015

35. In paragraph 5(2)(i) of Schedule 3 (absent voting: additional requirements for applications for proxy vote on grounds of disability) to the Scottish Parliament (Elections etc.) Order 2015(f), for “Health and Social Work Professions Order 2001 for the time being extends, other than the profession of social worker” substitute “Health Professions Order 2001 for the time being extends”.

(a) S.I. 2013/376; relevant amending instruments are S.I. 2014/597 and 2017/291.
(b) S.I. 2013/378; relevant amending instruments are S.I. 2014/597 and 2017/291.
(c) S.I. 2013/379; relevant amending instruments are S.I. 2014/597 and 2017/291.
(d) S.I. 2014/829; as amended by S.I. 2017/52 (W. 23).
(e) S.I. 2014/2936, to which there are amendments not relevant to these Regulations.
(f) S.S.I. 2015/425.

Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (Fees and Frequency of Inspections) (Children’s Homes etc.) Regulations 2015

36. In regulation 2 (interpretation) of the Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (Fees and Frequency of Inspections) (Children’s Homes etc.) Regulations 2015(a), in the definition of “social worker” for “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

Care Quality Commission (Membership) Regulations 2015

37. In paragraph 29(b) of the Schedule (grounds for disqualification) to the Care Quality Commission (Membership) Regulations 2015(b)—

- (a) for “Health and Social Work Professions Order 2002” substitute “Health Professions Order 2001”,
- (b) after “that Order” insert “, or from a register maintained under section 39(1) of the Children and Social Work Act 2017, pursuant to Part 5 of the Social Workers Regulations 2018 (discipline and fitness to practise)”.

Care Planning, Placement and Case Review (Wales) Regulations 2015

38.—(1) The Care Planning, Placement and Case Review (Wales) Regulations 2015(c) are amended as follows.

(2) In the English language text, in regulation 54(1) (qualifications and experience of independent reviewing officers), for “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

(3) In the Welsh language text of those Regulations (Rheoliadau Cynllunio Gofal, Lleoli ac Adolygu Achosion (Cymru) 2015), in regulation 54(1) (cymwysterau a phrofiad swyddogion adolygu annibynnol), for “Rhan 16 o’r gofrestr a gynhelir gan y Cyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Cyngor Proffesiynau Iechyd a Gwaith Cymdeithasol 2001” substitute “y gofrestr o weithwyr cymdeithasol yn Lloegr a gynhelir o dan adran 39(1) o Ddeddf Plant a Gwaith Cymdeithasol 2017”.

Recall of MPs Act 2015 (Recall Petition) Regulations 2016

39. In regulation 64 (additional requirements for applications for a proxy signature for a definite or an indefinite period on grounds of blindness or other disability) of the Recall of MPs Act 2015 (Recall Petition) Regulations 2016(d)—

- (a) in paragraph (2)(i), for “Health and Social Work Professions Order 2001” substitute “Health Professions Order 2001”,
- (b) in paragraph (2)(m)(i), for “in accordance with the Health and Social Work Professions Order 2001” substitute “under section 39(1) of the Children and Social Work Act 2017”.

(a) S.I. 2015/551, to which there are amendments not relevant to these Regulations.
(b) S.I. 2015/1479; the relevant amending instrument is S.I. 2017/52 (W. 23).
(c) S.I. 2015/1818 (W. 261); as amended by S.I. 2017/52 (W. 23).
(d) S.I. 2016/295.

Education (Postgraduate Master's Degree Loans) Regulations 2016

40. In regulation 3(3)(j)(iii) (eligible students) of the Education (Postgraduate Master's Degree Loans) Regulations 2016(a), after "section 67(4)(a) of the Care Standards Act 2000" insert ", or under section 46 of the Children and Social Work Act 2017,".

Education (Student Support) (Wales) Regulations 2017

41.—(1) The Education (Student Support) (Wales) Regulations 2017(b) are amended as follows.

(2) In the English language text, in regulation 110(4)(a)(v) (eligible postgraduate students) after "section 67(4)(a) of the Care Standards Act 2000" insert ", or under section 46 of the Children and Social Work Act 2017,".

(3) In the Welsh language text of those Regulations (Rheoliadau Addysg (Cymorth i Fyfywrwr) (Cymru) 2017), in regulation 110(4)(a)(v) (myfywrwr ôl-raddedig cymwys) after "adran 67(4)(a) o Ddeddf Safonau Gofal 2000" insert ", neu o dan adran 46 o Ddeddf Plant a Gwaith Cymdeithasol 2017,".

Education (Postgraduate Master's Degree Loans) (Wales) Regulations 2017

42.—(1) The Education (Postgraduate Master's Degree Loans) (Wales) Regulations 2017(c) are amended as follows.

(2) In the English language text, in regulation 3(3)(j)(iii) (eligible students), after "section 67(4)(a) of the Care Standards Act 2000" insert ", or under section 46 of the Children and Social Work Act 2017,".

(3) In the Welsh language text of those Regulations (Rheoliadau Addysg (Benthyciadau at Radd Feistr Ôl-raddedig) (Cymru) 2017), in regulation 3(3)(j)(iii) (myfywrwr cymwys), after "adran 67(4)(a) o Ddeddf Safonau Gofal 2000" insert ", neu o dan adran 46 o Ddeddf Plant a Gwaith Cymdeithasol 2017,".

Education (Student Support) (Wales) Regulations 2018

43.—(1) The Education (Student Support) (Wales) Regulations 2018(d) are amended as follows.

(2) In the English language text, in paragraph (d)(ii) of "Exception 2" in paragraph 5(1) of Schedule 4 (disabled postgraduate student's grant), after "section 67(4)(a) of the Care Standards Act 2000" insert ", or under section 46 of the Children and Social Work Act 2017,".

(3) In the Welsh language text of those Regulations (Rheoliadau Addysg (Cymorth i Fyfywrwr) (Cymru) 2018), in paragraph (d)(ii) of "Eithriad 2" in paragraph 5(1) of Schedule 4 (grant myfyriwr ôl-raddedig anabl), after "adran 67(4)(a) o Ddeddf Safonau Gofal 2000" insert ", neu o dan adran 46 o Ddeddf Plant a Gwaith Cymdeithasol 2017,".

Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018

44. In regulation 3(3)(k)(iii) (eligible students) of the Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018(e), after "section 67(4)(a) of the Care Standards Act 2000" insert ", or under section 46 of the Children and Social Work Act 2017,".

(a) S.I. 2016/606; as amended by S.I. 2017/594. There are other amendments but none is relevant.
(b) S.I. 2017/47 (W. 21), to which there are amendments not relevant to these Regulations.
(c) S.I. 2017/523 (W. 109), to which there are amendments not relevant to these Regulations.
(d) S.I. 2018/191 (W. 42), to which there are amendments not relevant to these Regulations.
(e) S.I. 2018/599.

Education (Postgraduate Doctoral Degree Loans) (Wales) Regulations 2018

45.—(1) The Education (Postgraduate Doctoral Degree Loans) (Wales) Regulations 2018(a) are amended as follows.

(2) In the English language text, in regulation 3(3)(j)(iii) (eligible students), after “section 67(4)(a) of the Care Standards Act 2000” insert “, or under section 46 of the Children and Social Work Act 2017,”.

(3) In the Welsh language text of those Regulations (Rheoliadau Addysg (Benthyciadau at Radd Ddoethurol Ôl-raddedig) (Cymru) 2018), in regulation 3(3)(j)(iii) (myfyrwyr cymwys), after “adran 67(4)(a) o Ddeddf Safonau Gofal 2000” insert “, neu o dan adran 46 o Ddeddf Plant a Gwaith Cymdeithasol 2017,”.

Fostering Panels (Establishment and Functions) (Wales) Regulations 2018

46.—(1) The Fostering Panels (Establishment and Functions) (Wales) Regulations 2018(b) are amended as follows.

(2) In the English language text, in regulation 2 (interpretation), in the definition of “social worker”, for “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

(3) In the Welsh language text of those Regulations (Rheoliadau Paneli Maethu (Sefydlu a Swyddogaethau) (Cymru) 2018), in regulation 2 (dehongli), in the definition of “gweithiwr cymdeithasol”, for “Rhan 16 o'r gofrestr a gynhelir gan y Cyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001” substitute “y gofrestr o weithwyr cymdeithasol yn Lloegr a gynhelir o dan adran 39(1) o Ddeddf Plant a Gwaith Cymdeithasol 2017”.

Local Authority Fostering Services (Wales) Regulations 2018

47.—(1) The Local Authority Fostering Services (Wales) Regulations 2018(c) are amended as follows.

(2) In the English language text, in regulation 2 (interpretation), in the definition of “social worker”, for “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

(3) In the Welsh language text of those Regulations (Rheoliadau Gwasanaethau Maethu Awdurdodau Lleol) (Cymru) 2018), in regulation 2 (dehongli), in the definition of “gweithiwr cymdeithasol”, for “Rhan 16 o'r gofrestr a gynhelir gan y Cyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001” substitute “y gofrestr o weithwyr cymdeithasol yn Lloegr a gynhelir o dan adran 39(1) o Ddeddf Plant a Gwaith Cymdeithasol 2017”.

Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019

48.—(1) The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019(d) are amended as follows.

(2) In the English language text, in regulation 2 (interpretation), in the definition of “social worker”, for “Part 16 of the register maintained by the Health and Care Professions Council under

(a) S.I. 2018/656 (W. 124), to which there are amendments not relevant to these Regulations.

(b) S.I. 2018/1333 (W. 260).

(c) S.I. 2018/1339 (W. 261).

(d) S.I. 2019/169 (W. 42).

article 5 of the Health and Social Work Professions Order 2001” substitute “the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017”.

(3) In the Welsh language text of those Regulations (Rheoliadau Gwasanaethau Maethu Rheoleiddiedig (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2019), in regulation 2 (dehongli), in the definition of “gweithiwr cymdeithasol”, for “Rhan 16 o’r gofrestr a gynhelir gan y Cyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001” substitute “y gofrestr o weithwyr cymdeithasol yn Lloegr a gynhelir o dan adran 39(1) o Ddeddf Plant a Gwaith Cymdeithasol 2017”.

Education (Student Support) (Postgraduate Master’s Degrees) (Wales) Regulations 2019

49.—(1) The (Student Support) (Postgraduate Master’s Degrees) (Wales) Regulations 2019(a) are amended as follows.

(2) In the English language text, in regulation 10(1) (eligible students – exceptions), in paragraph (c) of “Exception 9”, after “section 67(4)(a) of the Care Standards Act 2000” insert “, or under section 46 of the Children and Social Work Act 2017,”.

(3) In the Welsh language text of those Regulations (Rheoliadau Addysg (Cymorth i Fyfyrrwyr) (Graddau Meistr Ôl-raddedig) (Cymru) 2019), in regulation 10(1) (myfyrrwyr cymwys – eithriadau), in paragraph (c) of “Eithriad 9”, after “adran 67(4)(a) o Ddeddf Safonau Gofal 2000” insert “, neu o dan adran 46 o Ddeddf Plant a Gwaith Cymdeithasol 2017,”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 2 of the Children and Social Work Act 2017 (“the Act”) made changes to the way in which social workers in England are regulated. In particular, the Act established a body corporate, Social Work England, as the regulator of social workers in England in place of the Health and Care Professions Council. The Act made amendments to primary legislation consequent on the change of regulator, and to the Health Professions Order 2001 (S.I. 2002/254) (“the 2001 Order”) which regulates the Health and Care Professions Council, including to amend the title of the 2001 Order (which was previously the Health and Social Work Professions Order 2001).

The Social Workers Regulations 2018 (S.I. 2018/893) (“the principal Regulations”) are made under Part 2 of the Act. They make provision about the functions of Social Work England in relation to social workers in England, including maintaining the register of social workers and the approval of education and training courses.

These Regulations, which come into force at the same time as the principal Regulations (on the date on which section 39(1) of the Act comes into force), make consequential amendments to secondary legislation to reflect the transfer of functions to Social Work England and the change to the title of the 2001 Order.

Schedule 1 makes consequential amendments to Orders of Council made under the 2001 Order, Schedule 2 makes amendments consequential on the renaming of the 2001 Order, and Schedule 3 makes amendments consequential on the transfer of functions in relation to social workers.

No impact assessment has been prepared for this instrument. A full impact assessment of the effect that the principal Regulations will have on the costs of business, the voluntary sector and the public sector is available from the Department for Education, Sanctuary Buildings, 20 Great Smith Street, London SW1P 3BT.

(a) S.I. 2019/895 (W. 161).

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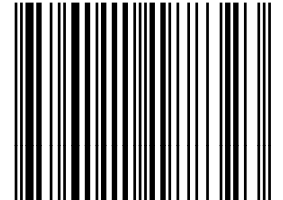
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