# **EXPLANATORY NOTES**

# REGULATION OF CARE (SCOTLAND) ACT 2001

#### **INTRODUCTION**

# **SUMMARY**

**Regulation of care services** 

Regulation of the workforce

**Other provisions** 

# THE ACT

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Section 1: Constitution of Scottish Commission for the Regulation of Care

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Section 2: Care services

Section 3: Power to amend the definition of "care service"

Section 4: Information and advice

#### **National care standards**

Section 5: National care standards

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Section 6: Complaints about care services

# Registration

Section 7: Applications for registration under Part 1

Section 8: Limited registration

# Section 9: Grant or refusal of registration under Part 1

#### **Improvement Notices**

- Section 10: Improvement notices
- Section 11: Special provision for certain care services provided by local authorities

# Proposals and applications in relation to registered care services

- Section 12: Cancellation of registration
- Section 13: Condition notices
- Section 14: Applications under Part 1 in respect of conditions
- Section 15: Further provision as respects notice of proposals
- Section 16: Right to make representations to Commission as respects proposals under Part 1
- Section 17: Notice of Commission's decision under Part 1
- Section 18: Urgent procedures for cancellation of registration etc.
- Section 19: Conditions as to numbers
- Section 20: Appeal against decision to implement proposal

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- Section 21: Offences in relation to registration under Part 1
- Section 22: False statements in applications under Part 1
- Section 23: Offences by bodies corporate etc.

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Section 24: Registration fees

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- Section 26: Integrated inspections
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Section 30: Transfer of staff

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Section 35: Condition notices: services registered under Part 2

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Section 38: Notice of Commission's decision under Part 2

Section 39: Appeal against decision under Part 2

Section 40: Offences under Part 2

Section 41: Report to Scottish Ministers

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Section 43: Constitution of Scottish Social Services Council

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Section 44: Register of social workers and of other social service workers

Section 45: Applications for registration under Part 3

Section 46: Grant or refusal of registration under Part 3

Section 47: Variation etc. of conditions in relation to registration under Part 3

Section 48: Right to make representations to Council as respects proposals

Section 49: Removal etc. from the Council's register

### These notes relate to the Regulation of Care (Scotland) Act 2001 (asp 8)

Section 50: Notice of Council's decision

Section 51: Appeal against decision of the Council

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Section 53: Codes of practice

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Section 58: Functions of the Scottish Ministers under this part

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Section 74: Amendment of Children (Scotland) Act 1995: "place of safety"

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