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STATUTORY RULES OF NORTHERN IRELAND

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**2013 No. 225**

The Northern Ireland Social Care Council  
(Social Care Workers Prohibition) and Fitness  
of Workers Regulations (Northern Ireland) 2013

PART 4

Consequential amendments

**Amendments to the Children’s Homes Regulations (Northern Ireland) 2005**

9.—(1) The Children’s Homes Regulations (Northern Ireland) 2005<sup>(1)</sup> shall be amended in accordance with the following paragraphs.

(2) In Regulation 2(1) for the definition of “relevant register” substitute the following definitions—

““the register” means the register of social care workers maintained by the Northern Ireland Social Care Council under section 3(1) of the 2001 Act;

“the relevant part” means that part of the register referred to in section 3(2) of the 2001 Act which is most relevant to that person, taking into account their current employment;”.

(3) In Regulation 8—

(a) for paragraph (2)(b)(ii) substitute—

“(ii) subject to paragraph (3), he is registered as a social worker in the relevant part of the register; and”

(b) after paragraph (2) insert—

“(3) Paragraph (2)(b)(ii) does not apply to a person whose employment as a manager of a children’s home commenced prior to 21st October 2013.”

(4) In Regulation 25(3)(c) and (e) and paragraph 7 of Schedule 2 after “relevant” insert “ part of the”.

**Amendments to the Residential Care Homes Regulations (Northern Ireland) 2005 and the Nursing Homes Regulations (Northern Ireland) 2005**

10.—(1) The Residential Care Homes Regulations (Northern Ireland) 2005<sup>(2)</sup> and the Nursing Homes Regulations (Northern Ireland) 2005<sup>(3)</sup> shall be amended in accordance with the following paragraphs.

(2) In Regulation 2(1) in the appropriate place insert the following definitions—

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(1) S.R. 2005 No. 176  
(2) S.R. 2005 No. 161  
(3) S.R. 2005 No. 160

““the register” means the register of social care workers maintained by the Northern Ireland Social Care Council under section 3(1) of the 2001 Act;

“the relevant part” means that part of the register referred to in section 3(2) of the 2001 Act which is most relevant to that person, taking into account their current employment;”.

(3) In Regulation 21(5) after sub-paragraph (d) insert—

“(e) subject to sub-paragraph (f) he is registered in the relevant part of the register;

(f) sub-paragraph (e) does not apply to a person who, in order to perform the duties for which the person is so employed is required by any statutory provision, other than this statutory provision to be registered with any person or body other than the Northern Ireland Social Care Council and is so registered.”.

**11.** In Regulation 9(2)(b) of the Residential Care Homes Regulations (Northern Ireland) 2005 after head (ii) insert—

“(iii) subject to head (iv) he is registered in the relevant part of the register;

(iv) head (iii) does not apply to a person who, in order to perform the duties for which the person is so employed is required by any statutory provision, other than this statutory provision to be registered with any person or body other than the Northern Ireland Social Care Council and is so registered;”.

#### **Amendments to the Day Care Setting Regulations (Northern Ireland) 2007 and the Domiciliary Care Agencies Regulations (Northern Ireland) 2007**

**12.**—(1) The Day Care Setting Regulations (Northern Ireland) 2007(4) and the Domiciliary Care Agencies Regulations (Northern Ireland) 2007(5) shall be amended in accordance with the following paragraphs.

(2) In Regulation 2(1) in the appropriate place insert the following definitions—

““the register” means the register of social care workers maintained by the Northern Ireland Social Care Council under section 3(1) of the 2001 Act;

“the relevant part” means that part of the register referred to in section 3(2) of the 2001 Act which is most relevant to that person, taking into account their current employment;”.

(3) In Regulation 10(2)(b) after head (ii) insert—

“(iii) subject to head (iv), he is registered in the relevant part of the register;

(iv) head (iii) does not apply to a person who, in order to perform the duties for which the person is so employed is required by any statutory provision, other than this statutory provision to be registered with any person or body other than the Northern Ireland Social Care Council and is so registered; and”.

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(4) S.R. 2007 No. 234

(5) S.R. 2007 No. 235