
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 207

The Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers (Amendment) Regulations (Northern Ireland) 2017

Consequential Amendments

The Children’s Homes Regulations (Northern Ireland) 2005

8.—(1) The Children’s Homes Regulations (Northern Ireland) 2005(1) shall be amended in accordance with paragraph (2).

(2) In regulation 25(3) (fitness of workers)—

(a) in sub-paragraph (e), at the beginning insert “subject to sub-paragraph (g),”;

(b) in sub-paragraph (f), substitute the full stop with a semi colon; and

(c) after sub-paragraph (f) add—

“(g) sub-paragraph (e) does not apply to persons allowed to work as volunteers.”.

The Nursing Homes Regulations (Northern Ireland) 2005

9.—(1) The Nursing Homes Regulations (Northern Ireland) 2005(2) shall be amended in accordance with paragraph (2).

(2) In regulation 21(5) (fitness of workers)—

(a) in sub-paragraph (e), for “sub-paragraph (f)” substitute “sub-paragraphs (f) and (g)”;

(b) in sub-paragraph (f)—

(i) substitute the full stop with a semi colon; and

(ii) after the semi colon insert “and”; and

(c) after sub-paragraph (f) add—

“(g) sub-paragraph (e) does not apply to persons allowed to work as volunteers.”.

The Residential Care Homes Regulations (Northern Ireland) 2005

10.—(1) The Residential Care Homes Regulations (Northern Ireland) 2005(3) shall be amended in accordance with paragraph (2).

(2) In regulation 21(5) (fitness of workers)—

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- (1) [S.R. 2005 No. 176](#), as amended by the Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers Regulations (Northern Ireland) 2013, [S.R. 2013 No. 225](#), regulation 9
- (2) [S.R. 2005 No. 160](#), as amended by the Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers Regulations (Northern Ireland) 2013, [S.R. 2013 No. 225](#), regulation 10
- (3) [S.R. 2005 No. 161](#), as amended by the Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers Regulations (Northern Ireland) 2013, [S.R. 2013 No. 225](#), regulations 10 and 11

- (a) in sub-paragraph (e), for “sub-paragraph (f)” substitute “sub-paragraphs (f) and (g)”;
- (b) in sub-paragraph (f)—
 - (i) substitute the full stop with a semi colon; and
 - (ii) after the semi colon insert “and”; and
- (c) after sub-paragraph (f) add—
 - “(g) sub-paragraph (e) does not apply to persons allowed to work as volunteers.”.

The Day Care Setting Regulations (Northern Ireland) 2007

11.—(1) The Day Care Setting Regulations (Northern Ireland) 2007⁽⁴⁾ shall be amended in accordance with paragraph (2).

- (2) In regulation 21(3) (fitness of workers), after sub-paragraph (d) add—
 - “(e) subject to sub-paragraphs (f) and (g), 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, to be registered with any person or body other than the Northern Ireland Social Care Council and is so registered; and
 - (g) sub-paragraph (e) does not apply to persons allowed to work as volunteers.”.

The Domiciliary Care Agencies Regulations (Northern Ireland) 2007

12.—(1) The Domiciliary Care Agencies Regulations (Northern Ireland) 2007⁽⁵⁾ shall be amended in accordance with paragraph (2).

- (2) In regulation 13 (fitness of domiciliary care workers supplied by an agency)—
 - (a) omit the “and” at the end of sub-paragraph (c);
 - (b) in sub-paragraph (d) substitute the full stop with a semi colon; and
 - (c) after sub-paragraph (d) add—
 - “(e) subject to sub-paragraphs (f) and (g), 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, to be registered with any person or body other than the Northern Ireland Social Care Council and is so registered; and
 - (g) sub-paragraph (e) does not apply to persons allowed to work as volunteers.”.

The Residential Family Centres Regulations (Northern Ireland) 2007

13.—(1) The Residential Family Centres Regulations (Northern Ireland) 2007⁽⁶⁾ shall be amended in accordance with paragraphs (2) to (4).

- (2) In regulation 2(1) (interpretation) in the appropriate place insert—

(4) [S.R. 2007 No. 234](#), as amended by the Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers Regulations (Northern Ireland) 2013, [S.R. 2013 No. 225](#), regulation 12

(5) [S.R. 2007 No. 235](#), as amended by the Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers Regulations (Northern Ireland) 2013, [S.R. 2013 No. 225](#), regulation 12

(6) [S.R. 2007 No. 236](#)

““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;” and

““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 9(2)(b) (fitness of registered manager) after head (ii) add—

“(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, to be registered with any person or body other than the Northern Ireland Social Care Council and is so registered.”.

(4) In Regulation 18(4) (fitness of workers)—

(a) omit the “and” at the end of sub-paragraph (c);

(b) in sub-paragraph (d) substitute the full stop with a semi colon; and

(c) after sub-paragraph (d) add—

“(e) subject to sub-paragraphs (f) and (g), 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, to be registered with any person or body other than the Northern Ireland Social Care Council and is so registered; and

(g) sub-paragraph (e) does not apply to persons allowed to work as volunteers.”.