

**2001 No. 424**

**SOCIAL CARE**

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

<i>Made</i>	<i>13th November 2001</i>
<i>Laid before the Scottish Parliament</i>	<i>16th November 2001</i>
<i>Coming into force</i>	<i>10th December 2001</i>

The Scottish Ministers, in exercise of the powers conferred by section 53(2)(b) of the Regulation of Care (Scotland) Act 2001(a) and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as the Scottish Social Services Council (Consultation on Codes of Practice) Order 2001 and comes into force on 10th December 2001.

(2) In this Order—

“carer” means a person who, being an individual, provides on a regular basis a substantial amount of care for a service user, not having contracted to do so and not doing so for payment or in the course of providing a care service;

“service user” means a person who, being an individual, uses or has used, any care service;

“Scottish Qualifications Authority” means the Scottish Qualifications Authority established under section 1 of the Education (Scotland) Act 1996(b); and

“SQA qualification” has the meaning given to it by section 21 of the Education (Scotland) Act 1996.

**Consultation on Codes of Practice**

**2.** The persons, and groups of persons, prescribed for the purposes of section 53(2)(b) of the Regulation of Care (Scotland) Act 2001 (persons prescribed by the Scottish Ministers to be consulted before the Council publishes a code of practice under that section) are—

- (a) every local authority;
- (b) every other employer in Scotland, known to the Council, of social service workers;
- (c) every organisation, having a place of business in Scotland, known to the Council as representing the interests of service users and carers;
- (d) every professional body or trade union, known to the Council as representing the interests of social service workers;
- (e) every organisation, having a place of business in Scotland, known to the Council as representing the interests of the providers of care services;

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(a) 2001 asp 8. See section 77 for the definition of “prescribed”.

(b) 1996 c.43.

- (f) the providers of any course approved by the Council under section 54 of the Regulation of Care (Scotland) Act 2001, or treated as so approved by virtue of article 5(2)(a) of the Central Council for Education and Training in Social Work (Transfer Scheme) Order 2001**(a)**;
- (g) every education and training establishment approved by the Scottish Qualifications Authority in accordance with section 2 of the Education (Scotland) Act 1996**(b)** as being suitable for presenting social service workers for SQA qualifications in Care and Higher National Certificates in Social Care;
- (h) the United Kingdom Central Council for Nursing, Midwifery and Health Visiting established under section 1 of the Nurses, Midwives and Health Visitors Act 1997**(c)**;
- (i) the Council for Professions Supplementary to Medicine established under section 1 of the Professions Supplementary to Medicine Act 1960**(d)**;
- (j) the General Teaching Council for Scotland established under section 1 of the Teaching Council (Scotland) Act 1965**(e)**; and
- (k) the Mental Welfare Commission for Scotland established under section 2 of the Mental Health (Scotland) Act 1984**(f)**.

*JACK McCONNELL*

Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
13th November 2001

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**(a)** S.I. 2001/2561.  
**(b)** 1996 c.43.  
**(c)** 1997 c.24.  
**(d)** 1960 c.66.  
**(e)** 1965 c.19.  
**(f)** 1984 c.36.

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order prescribes, for the purposes of section 58(2)(b) of the Regulation of Care (Scotland) Act 2001, those persons or groups of persons whom the Scottish Social Services Council must consult before publishing a code of practice laying down standards of conduct and practice of social service workers or, in relation to such workers, of persons employing or seeking to employ them (article 2).

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

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