
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 611

SOCIAL CARE

**The Regulation of Care (Social Service
Workers) (Scotland) Amendment Order 2005**

Made - - - - 29th November 2005
Laid before the Scottish
Parliament - - - - 30th November 2005
Coming into force - - 1st January 2006

The Scottish Ministers in exercise of the powers conferred by section 44(1)(b) of the Regulation of Care (Scotland) Act 2001⁽¹⁾ and of all other powers enabling them in that behalf, and after consultation with the Scottish Social Services Council⁽²⁾ and such other persons and groups of persons as they consider appropriate in accordance with section 44(4) of that Act, hereby make the following Order:

Citation and commencement

1.—(1) This Order may be cited as the Regulation of Care (Social Service Workers) (Scotland) Amendment Order 2005 and shall come into force on 1st January 2006.

Amendment to the Regulation of Care (Social Service Workers) (Scotland) Order 2005

2.—(1) The Regulation of Care (Social Service Workers) (Scotland) Order 2005⁽³⁾ is amended in accordance with this article.

(2) In article 1(2) insert—

(a) after the definition of “the Act”—

““adult day care service” means a support service⁽⁴⁾ which consists of any form of care provided to persons who have attained the age of sixteen years on premises other than domestic premises, during the day (whether or not it is provided on a regular basis or commences or ends during the hours of daylight);

(1) [2001 asp 8](#). Section 77(1) of the Act defines “prescribed” as meaning “prescribed by order made by the Scottish Ministers”.

(2) Established by section 43 of the Act.

(3) S.S.I. [2005/318](#).

(4) Section 2(2) of the Act defines “support service”. Services have been excepted from this definition by S.S.I. [2002/120](#) as amended by S.S.I. [2003/571](#).

“care home service for adults” means a care home service⁽⁵⁾ which is provided to persons who have attained the age of sixteen years;” and

(b) after the definition of “child”–

““manager of an adult day care service” means a person who is employed in managing the provision of an adult day care service and is the manager of that adult day care service;

“manager of a care home service for adults” means a person who is employed in managing the provision of a care home service for adults and is the manager of that care home service for adults;”.

(3) In article 2–

(a) in paragraph (c)(ii) delete “or”; and

(b) after paragraph (d) insert–

“(e) a manager of an adult day care service; or

(f) a manager of a care home service for adults”.

St Andrew’s House, Edinburgh
29th November 2005

ROBERT E BROWN
Authorised to sign by the Scottish Ministers

(5) Section 2(3) of the Act defines “care home service”. No services are currently excepted from the definition by Regulations made under section 2(3)(d) of the Act.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 44(1) of the [Regulation of Care \(Scotland\) Act 2001 \(2001 asp 8\)](#) requires the Scottish Social Services Council to maintain a register of social workers, social service workers of any other description prescribed and persons participating in a course or employed in a position probationary to becoming either a social worker or social service worker of a qualified description.

This Order amends the Regulation of Care (Social Service Workers) (Scotland) Order 2005 (S.S.I.2005/318) by inserting two additional descriptions of social service worker for this purpose, namely the manager of an adult day care service and the manager of a care home service for adults. These expressions are also defined.