
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 453

SOCIAL CARE

**The Regulation of Care (Social Service
Workers) (Scotland) Amendment Order 2006**

Made - - - - 5th September 2006
Laid before the Scottish
Parliament - - - - 6th September 2006
Coming into force - - 2nd October 2006

The Scottish Ministers in exercise of the powers conferred on them 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. This Order may be cited as the Regulation of Care (Social Service Workers) (Scotland) Amendment Order 2006 and shall come into force on 2nd October 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)—

(a) after the definition of “manager of a care home service for adults” insert—

““manager of a day care of children service” means a person who is employed in managing the provision of a day care of children service⁽⁴⁾ and is the manager of that service;

“practitioner in a day care of children service” means a person (not being a manager of, or support worker in, day care of children) who is employed in the provision of day care of children whose normal duties include being responsible

(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, amended by S.S.I. 2005/611.
(4) Section 2(20) of the Act defines “day care of children”.

for identifying the care, support and learning needs of children and includes caring for, supervising or being in sole charge of children;”;

(b) at the end of paragraph (c) of the definition of “residential child care service” omit “and”; and

(c) at the end of the definition of “residential child care worker” insert–

“; and

“support worker in a day care of children service” means a person (not being a manager of, or practitioner in, day care of children) who is employed in the provision of day care of children whose normal duties include caring for children.”.

(3) In article 2–

(a) at the end of paragraph (e) omit “or”; and

(b) at the end of paragraph (f) insert–

“;

(g) a manager of a day care of children service;

(h) a practitioner in a day care of children service; or

(i) a support worker in a day care of children service.”.

St Andrew’s House, Edinburgh
5th September 2006

ROBERT E BROWN
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

Section 44(1) of the Regulation of Care (Scotland) Act 2001 (“the Act”) 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 Services Workers) (Scotland) Order 2005, as amended by the Regulation of Care (Social Service Workers) (Scotland) Amendment Order 2005, by inserting three additional descriptions of social service worker for this purpose. All three are involved in the day care of children. Day care of children is defined in the Act as a service which consists of any form of care (whether or not provided to any extent in the form of an educational activity), supervised by a responsible person and not excepted from the definition by regulations, provided for children, 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).

The three additional descriptions are a manager of a day care of children service, a practitioner in a day care of children service and a support worker in a day care of children service. These expressions are defined.