
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 350

The Regulation of Care (Social Service Workers) (Scotland) Amendment Order 2009

Citation and commencement

1. This Order may be cited as the Regulation of Care (Social Service Workers) (Scotland) Amendment Order 2009 and comes into force on 16th November 2009.

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

2.—(1) The Regulation of Care (Social Service Workers) (Scotland) Order 2005(1) is amended as follows.

(2) In article 1(2)—

(a) after the definition of “manager of a day care of children service” insert—

““manager of a residential school care accommodation service” means a person who is employed in managing the provision of a residential school care accommodation service and is the manager of that residential school care accommodation service;”;
and

(b) after the definition of “residential child care worker” insert—

““residential school care accommodation service” means a service which is provided to a child as part of a school care accommodation service(2) which consists of the provision of residential accommodation where it is—

- (i) provided by or under arrangements made by the managers of an independent school and does not provide personal care or support;
- (ii) provided by an education authority with respect to a special school within the meaning of the Education (Scotland) Act 1980(3); or
- (iii) a hostel provided by the local authority for the use of children to enable them to attend a school;”;

(c) after the definition of “supervisor in a day care home service for adults” insert—

““supervisor of a residential school care accommodation service” means a person who is employed in supervising the provision of a residential school care accommodation service and who has responsibility for supervising staff and overseeing and monitoring the implementation of care plans;”;

(d) after the definition of “support worker in a day care of children service” insert—

““worker in a residential school care accommodation service” means house staff or a support worker in a residential school care accommodation service who has

(1) S.S.I. 2005/318 as amended by S.S.I. 2005/611, 2006/453 and 2007/407.

(2) Section 2(4) of the Regulation of Care (Scotland) Act 2001 defines “school care accommodation service”.

(3) 1980 c.44. The definition of “special school” in section 135(1) refers to section 29(1) of the Education (Additional Support for Learning) (Scotland) Act 2004 (asp 4).

responsibility for assessing children’s emotional and physical needs and providing them with care and support”.

(3) In article 2—

(a) in paragraph (k) omit “or”; and

(b) after paragraph (l) insert—

“(m) a manager of a residential school care accommodation service;

(n) a supervisor of a residential school care accommodation service; or

(o) a worker in a residential school care accommodation service.”.

St Andrew’s House,
Edinburgh
8th October 2009

ADAM INGRAM
Authorised to sign by the Scottish Ministers