

2017 No. 95

SOCIAL CARE

**The Regulation of Care (Social Service Workers) (Scotland)
Amendment Order 2017**

Made - - - - - *23rd March 2017*

Laid before the Scottish Parliament *24th March 2017*

Coming into force in accordance with regulation 1

The Scottish Ministers make the following Order in exercise of the powers conferred by section 44(1)(b) of the Regulation of Care (Scotland) Act 2001(a) and all other powers enabling them to do so.

In accordance with section 44(4) of that Act they have consulted the Scottish Social Services Council(b) and such other persons and groups of persons as they consider appropriate.

Citation and commencement

1.—(1) This Order may be cited as the Regulation of Care (Social Service Workers) (Scotland) Amendment Order 2017.

(2) This order comes into force for the purposes of section 2(4) on 10th May 2017 and for all other purposes, on 2nd October 2017.

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

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

(2) In article 1(2) (interpretation)—

(a) in the definition of “supervisor in a housing support service” for “care at home service” substitute “housing support service”;

(b) at the appropriate places in alphabetical order insert—

““support worker in a care at home service” means a person (not being a manager of, or supervisor in, a care at home service) who is employed in the direct provision of a support service which provides care and support in a person’s home;”;

(a) 2001 asp 8 (“the Act”). Section 77 contains a definition of “prescribed” relevant to the exercise of the statutory powers under which this Order is made.

(b) The Scottish Social Services Council was established by section 43 of the Act.

(c) S.S.I. 2005/318 as relevantly amended by S.S.I. 2005/611, S.S.I. 2006/453, S.S.I. 2007/407, S.S.I. 2009/350, S.S.I. 2010/442, S.S.I. 2013/141 and S.S.I. 2014/129 and by S.I. 2009/1182, S.I. 2010/231 and S.I. 2012/1479.

““support worker in a housing support service” means a person (not being a manager of, or supervisor in, a housing support service) who is employed in the direct provision of a housing support service;”.

(3) In article 2 (description of social service worker)—

(a) in paragraph (r) omit “or”; and

(b) after paragraph (s) insert—

“(t) a support worker in a care at home service; or

(u) a support worker in a housing support service.”.

(4) In article 3(1)(c) (excluded persons) for “the Care Council for Wales” substitute “Social Care Wales”(a).

MARK McDONALD

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
23rd March 2017

(a) The Care Council for Wales is renamed and is to be known as Social Care Wales by virtue of section 67 of the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2).

EXPLANATORY NOTE

(This note is not part of the Order)

Section 44(1) of the Regulation of Care (Scotland) Act 2001 requires the Scottish Social Services Council to maintain a register of social workers; visiting social workers from relevant European states; social service workers of any other description prescribed by Scottish Ministers; persons participating in an approved course for those wishing to become social workers or social service workers; and those employed in a position probationary to becoming either a social worker or a social service worker of a prescribed description.

This Order amends the Regulation of Care (Social Service Workers) (Scotland) Order 2005 (“the principal Order”) by inserting two additional descriptions of social service workers for this purpose.

Article 2(4) amends article 3 of the principal Order by replacing the reference to the Care Council of Wales with Social Care Wales.

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£4.25

S2017032325 03/2017 19585

<http://www.legislation.gov.uk/id/ssi/2017/95>

ISBN 978-0-11-103518-4



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