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SCOTTISH STATUTORY INSTRUMENTS

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**2024 No. 74**

**SOCIAL CARE**

**The Scottish Social Services Council (Appointments, Procedure and Access to the Register) Amendment Regulations 2024**

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| <i>Made</i>                                | - - - - | <i>7th March 2024</i>  |
| <i>Laid before the Scottish Parliament</i> | - - - - | <i>11th March 2024</i> |
| <i>Coming into force</i>                   | - -     | <i>3rd June 2024</i>   |

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 56(1)(b) of the Regulation of Care (Scotland) Act 2001<sup>(1)</sup>, and all other powers enabling them to do so.

In accordance with section 56(2) of that Act, they have consulted with such persons, or groups of persons, as they consider appropriate.

**Citation and commencement**

1. These Regulations may be cited as the Scottish Social Services Council (Appointments, Procedure and Access to the Register) Amendment Regulations 2024 and come into force on 3 June 2024.

**Amendment of the Scottish Social Services Council (Appointments, Procedure and Access to the Register) Regulations 2001**

2. In regulation 13(2) of the Scottish Social Services Council (Appointments, Procedure and Access to the Register) Regulations 2001<sup>(2)</sup>—

- (a) in paragraph (2)(a)(ii), at the end insert “, and, if applicable, the type of service they work in and whether they work as a manager, supervisor, practitioner or support worker<sup>(3)</sup>”,
- (b) in paragraph (2)(b)(i), for “(a)(i) and (ii)” substitute “(a)(i), (ii), (iv), (vi) and (vii)”,
- (c) for paragraph (2)(b)(iii), substitute “any post-qualifying social work award which is held by a person after completing a specialist course approved by the Council under section 54(1) of the Act”, and

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(1) 2001 asp 8.

(2) S.S.I. 2001/303, as relevantly amended by S.S.I. 2010/224.

(3) The types of social service worker are referred to in the definitions of “social care worker” and “children and young people’s worker” provided for in the Regulation of Care (Social Service Workers) (Scotland) Order 2024 (S.S.I. 2024/56).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (d) in paragraph (2)(b), for “such matters” substitute “the matters mentioned in sub-paragraphs (b)(i) and (ii)”.

St Andrew’s House,  
Edinburgh  
7th March 2024

*NATALIE DON*  
Authorised to sign by the Scottish Ministers

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## EXPLANATORY NOTE

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

These Regulations amend regulation 13(2) of the Scottish Social Services Council (Appointments, Procedure and Access to the Register) Regulations 2001 (“the 2001 Regulations”) to expand the categories of information that may be disclosed to persons accessing the register kept by the Scottish Social Services Council (“the SSSC”) under section 44 of the Regulation of Care (Scotland) Act 2001.

Regulation 2(a) of these Regulations amends regulation 13(2)(a) of the 2001 Regulations to provide that relevant employers will be able to see not only the part of the register upon which a person is registered (which is currently the case), but also (where applicable) the type of service that person works in and whether they are working as a manager, supervisor, practitioner or support worker.

Regulation 2(b) to (d) of these Regulations amend regulation 13(2)(b) of the 2001 Regulations with the effect that persons other than relevant employers will now be able to see (i) any conditions or warnings which the SSSC has imposed on the registration of a person registered on that register, (ii) any specialist qualifications held by persons so registered which are shown on the register and (iii) (where applicable) the type of service that person on the register works in and the level of their role. In respect of (i) and (iii), disclosure will not be made where the SSSC consider this could reasonably be expected to expose the person registered, removed or suspended from the register to danger.