



# Care Standards Act 2000

## 2000 CHAPTER 14

### PART IV

#### SOCIAL CARE WORKERS

##### *Registration*

#### 56 The register.

- (1) Each Council shall maintain a register of—
- social workers; <sup>F1</sup> . . .
  - social care workers of any other description specified by the appropriate Minister by order<sup>F2</sup>; and
  - visiting social workers from relevant European States.]

- <sup>F3</sup>(2) There shall be a separate part of the register—
- for social workers;
  - for each description of social care workers specified pursuant to subsection (1)(b); and
  - for visiting social workers from relevant European States.

- (2A) For the purposes of this Part—
- the part mentioned in subsection (2)(a) is the “principal part” of the register;
  - a part mentioned in subsection (2)(b) is an “added part” of the register;
  - the part mentioned in subsection (2)(c) is the “visiting European part” of the register.]

- (3) The appropriate Minister may by order provide for a specified part of the register to be closed, as from a date specified by the order, so that on or after that date no further persons can become registered in that part.

- (4) The appropriate Minister shall consult the Council before making, varying or revoking any order under this section.

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#### Textual Amendments

- F1** Word at the end of s. 56(1)(a) omitted (3.12.2007) by virtue of [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), [reg. 232\(a\)](#)
- F2** S. 56(1)(c) and preceding word inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), [reg. 232\(a\)](#)
- F3** s. 56(2)(2A) substituted (3.12.2007) for s. 56(2) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), [reg. 232\(b\)](#)

#### Commencement Information

- I1** S. 56 partly in force; s. 56 not in force at Royal Assent see s. 122; s. 56 in force for W. for certain purposes at 30.4.2002 by [S.I. 2002/1175](#), [arts. 1\(3\), 2\(1\)](#); s. 56 (1)(a) in force for E. for certain purposes at 1.4.2003 by [S.I. 2003/933](#), [art. 2\(2\)](#); s. 56 in force for W. so far as not already in force at 1.6.2003 by [S.I. 2003/501](#), [art. 2\(4\)](#); s. 56 in force for E. for certain purposes at 1.3.2004 by [S.I. 2004/484](#), [art. 2](#)

### 57 Applications for registration.

- (1) An application for registration [<sup>F4</sup>in the principal part, or an added part, of the register maintained by a Council] shall be made to the Council in accordance with rules made by it.
- (2) An application under subsection (1) shall specify each part of the register in which registration is sought and such other matters as may be required by the rules.

#### Textual Amendments

- F4** Words in s. 57(1) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), [reg. 233](#)

#### Commencement Information

- I2** S. 57 partly in force; s. 57 not in force at Royal Assent see s. 122; s. 57 in force for W. for certain purposes at 30.4.2002 by [S.I. 2002/1175](#), [arts. 1\(3\), 2\(1\)](#); s. 57 in force for E. for certain purposes at 7.3.2003 by [S.I. 2003/933](#), [art. 2\(1\)](#); s. 57 otherwise in force for W. at 1.4.2003 by [S.I. 2003/501](#), [art. 2\(2\)](#)

### 58 Grant or refusal of registration.

- (1) [<sup>F5</sup>In the case of an application under section 57(1), if the Council] is satisfied that the applicant—
- (a) is of good character;
  - (b) is physically and mentally fit to perform the whole or part of the work of persons registered in any part of the register to which his application relates; and
  - (c) satisfies the following conditions,
- it shall grant the application, either unconditionally or subject to such conditions as it thinks fit; and in any other case it shall refuse it.
- (2) The first condition is that—
- (a) in the case of an applicant for registration as a social worker—

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- (i) he has successfully completed a course approved by the Council under section 63 for persons wishing to become social workers;
    - (ii) he satisfies the requirements of section 64; or
    - (iii) he satisfies any requirements as to training which the Council may by rules impose in relation to social workers;
  - (b) in the case of an applicant for registration as a social care worker of any other description, he satisfies any requirements as to training which the Council may by rules impose in relation to social care workers of that description.
- (3) The second condition is that the applicant satisfies any requirements as to conduct and competence which the Council may by rules impose.

#### Textual Amendments

**F5** Words in s. 58(1) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), **reg. 234**

#### Commencement Information

**I3** S. 58 partly in force; s. 58 not in force at Royal Assent see s. 122; s. 58 in force for W. for certain purposes at 30.4.2002 by [S.I. 2002/1175](#), arts. 1(3), **2(1)**; s. 58 in force for E. for certain purposes at 1.4.2003 by [S.I. 2003/933](#), **art. 2(2)**; s. 58 otherwise in force for W. at 1.6.2003 by [S.I. 2003/501](#), **art. 2(4)**

### [<sup>F6</sup>58A Visiting social workers from relevant European States

- (1) This section applies to an exempt person (“V”) who is lawfully established as a social worker in a relevant European State other than the United Kingdom.
- (2) Subsection (3) applies if V has the benefit of regulation 8 of the General Systems Regulations in connection with the provision by V of services as a social worker in the United Kingdom on a temporary and occasional basis (V having complied with any requirements imposed under Part 2 of those Regulations in connection with the provision by V of services as a social worker).
- (3) V is entitled to be registered in the visiting European part of the register maintained by a Council; and the Council shall give effect to the entitlement.
- (4) If V is entitled under subsection (3) to be registered in the visiting European part of a register but is not registered in that part, V shall be treated as being registered in that part.
- (5) V's entitlement under subsection (3) ceases if V ceases, whether as a result of the operation of regulation 17 of the General Systems Regulations or otherwise, to have the benefit of regulation 8 of those Regulations in connection with the provision by V of services as a social worker in the United Kingdom on a temporary and occasional basis.
- (6) If—
  - (a) V's entitlement under subsection (3) ceases by reason of the operation of subsection (5), and
  - (b) V is registered in the visiting European part of the register maintained by a Council,

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that Council may remove V from that part.

- (7) Subsections (1) to (6) are not to be taken to prejudice the application, in relation to persons registered in the visiting European part of the register maintained by a Council, of rules under section 59.]

#### Textual Amendments

**F6** S. 58A inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), [reg. 235](#)

### 59 Removal etc. from register.

- (1) Each Council shall by rules determine circumstances in which, and the means by which—
- (a) a person may be removed from a part of the register, whether or not for a specified period;
  - (b) a person who has been removed from a part of the register may be restored to that part;
  - (c) a person's registration in a part of the register may be suspended for a specified period;
  - (d) the suspension of a person's registration in a part of the register may be terminated;
  - (e) an entry in a part of the register may be removed, altered or restored.
- (2) The rules shall make provision as to the procedure to be followed, and the rules of evidence to be observed, in proceedings brought for the purposes of the rules, whether before the Council or any committee of the Council.
- (3) The rules shall provide for such proceedings to be in public except in such cases (if any) as the rules may specify.
- (4) Where a person's registration in a part of the register is suspended under subsection (1) (c), he shall be treated as not being registered in that part notwithstanding that his name still appears in it.

#### Commencement Information

**I4** S. 59 partly in force; s. 59 not in force at Royal Assent see s. 122; s. 59 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536](#), arts. 1(3), 2(2)(a)(iii); s. 59 in force for W. for certain purposes at 30.4.2002 by [S.I. 2002/1175](#), arts. 1(3), [2\(1\)](#); s. 59 in force for E. for certain purposes at 7.3.2003 by [S.I. 2003/933](#), [art. 2\(2\)](#); s. 59 otherwise in force for W. at 1.4.2003 by [S.I. 2003/501](#), [art. 2\(4\)](#)

### 60 Rules about registration.

A Council may by rules make provision about the registration of persons under this Part and, in particular—

- (a) as to the keeping of the register;
- (b) as to the documentary and other evidence to be produced by those applying [<sup>F7</sup>under section 57(1) for registration or applying] for additional

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qualifications to be recorded, or for any entry in the register to be altered or restored;

- (c) for a person's registration to remain effective without limitation of time (subject to removal from the register [<sup>F8</sup>under section 58A(6) or] in accordance with rules made by virtue of section 59) or to lapse after a specified period or in specified cases, or to be subject to renewal as and when provided by the rules.

#### Textual Amendments

- F7** Words in s. 60(b) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), [reg. 236\(a\)](#)
- F8** Words in s. 60(c) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), [reg. 236\(b\)](#)

#### Commencement Information

- I5** S. 60 partly in force; s. 60 not in force at Royal Assent see s. 122; s. 60 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536](#), arts. 1(3), 2(2)(a)(iii); s. 60 in force for W. for certain purposes at 30.4.2002 by [S.I. 2002/1175](#), arts. 1(3), [2\(1\)](#); s. 60(b) in force for W. for certain purposes at 1.4.2003 and otherwise in force for W. at 1.6.2003 by [S.I. 2003/501](#), [art. 2\(2\)\(4\)](#); s. 60 in force for E. for certain purposes at 1.4.2003 by [S.I. 2003/933](#), [art. 2\(2\)](#)

## 61 Use of title “social worker” etc.

- (1) If a person who is not registered as a social worker in any relevant register [<sup>F9</sup>, and is not registered as a visiting social worker from a relevant European State in any relevant register,] with intent to deceive another—
- (a) takes or uses the title of social worker;
- (b) takes or uses any title or description implying that he is [<sup>F10</sup>registered in either of those ways], or in any way holds himself out as so registered,
- he is guilty of an offence.
- (2) For the purposes of subsection (1), a register is a relevant register if it is—
- (a) maintained by a Council; or
- (b) a prescribed register maintained under a provision of the law of Scotland or Northern Ireland which appears to the appropriate Minister to correspond to the provisions of this Part.
- (3) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

#### Textual Amendments

- F9** Words in s. 61(1) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), [reg. 237\(a\)](#)
- F10** Words in s. 61(1)(b) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), [reg. 237\(b\)](#)

#### Commencement Information

- I6** S. 61 wholly in force at 1.4.2005; s. 61 not in force at Royal Assent see s. 122; s. 61 in force for W. for certain purposes at 30.4.2002 by [S.I. 2002/1175](#), [arts. 1\(3\)](#), 2(1); s. 61(2)(b) in force for certain

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purposes at 1.3.2005 and s. 61 in force so far as not already in force at 1.4.2005 by [S.I. 2005/375](#), [art. 2](#)

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