
STATUTORY INSTRUMENTS

2018 No. 893

The Social Workers Regulations 2018

PART 3

Registration of social workers

Removal from the register

- 14.—(1) A registered social worker's entry must be removed from the register where—
- (a) the regulator is satisfied that their registration was fraudulently procured or incorrectly made, and determines to remove their entry from the register,
 - (b) a removal order is made in relation to them,
 - (c) they request the removal, provided that the regulator may not remove their entry—
 - ^{F1}(i)
 - (ii) if they have made an appeal under regulation 19(1) or (8) and the appeal has not been withdrawn or otherwise finally disposed of,
 - (d) the regulator is satisfied that they have failed to comply with any condition attached to their registration under regulation 11(3),
 - (e) the regulator is satisfied that regulation 13(2) applies (failure to renew registration),
 - (f) regulation 26(5) applies (automatic removal from the register),
 - (g) the regulator is satisfied that they have died.

[^{F2}(1A) Where a registered social worker—

- (a) requests the removal of their entry from the register, and
- (b) at the time of that request, is subject to fitness to practise proceedings,

the regulator may remove their entry from the register]

(2) A registered social worker's entry may be removed from the register where they are in breach of any rules made under regulation 11(6)(f) (failure to meet requirements as to continuing professional development).

(3) The regulator may require persons other than the registered social worker to attend and give evidence, or produce documents, in relation to the removal of an entry from the register under paragraph (1)(a).

(4) For the purposes of paragraph (1)(b), the entry of a registered social worker may not be removed from the register before—

- (a) the expiry of the period within which an appeal against the removal order may be made, or if an appeal is made, the appeal is withdrawn or otherwise finally disposed of, or
- (b) if the decision is referred to the High Court under regulation 34, the case is finally disposed of.

(5) In any case where the regulator removes a person's entry under paragraph (1)(a), it must notify them of that decision and the reasons for it, and of their right to appeal under regulation 19(1)(g).

(6) The regulator must make rules setting out the procedure for the removal of entries from the register under paragraph (1) (other than under paragraph (1)(b)), which must—

- (a) provide for the regulator to specify timescales within which any steps must be taken,
- (b) provide for the regulator to obtain such other information as it considers necessary to determine whether a registration was fraudulently procured or incorrectly made,
- (c) require that the registered social worker is notified of the proposed determination and the reasons for it, and given the opportunity to make representations to the regulator, and
- (d) provide for the regulator to determine whether to—
 - (i) amend the entry,
 - (ii) remove the entry, or
 - (iii) take no further action.

(7) When the regulator—

(a) has reasonable grounds to believe that a registered social worker's registration was fraudulently procured or incorrectly made, and

(b) has not yet made a determination in accordance with rules made under paragraph (6)(d), it may make any interim order it considers is necessary for the protection of the public or in the best interests of the registered social worker, and paragraphs 8(2) to (6), 14 and 16 of Schedule 2 apply to such an order as they apply to an interim order made in fitness to practise proceedings.

(8) The regulator must maintain a list of all entries removed from the register under paragraph (1) [^{F3}or (1A)] which includes, in relation to each removed entry—

- (a) the information previously recorded in the register pursuant to regulation 9(1)(a), (b) and (e), and
- (b) the date of, and the reason for, the removal of the entry,

and must publish and make that list available for inspection in accordance with regulation 8(9).

[^{F4}(9) Where an entry relating to a registered social worker is removed from the register pursuant to paragraph (1A), the list referred to in paragraph (8)—

- (a) may include the particulars of the removal;
- (b) must not include any information relating to the registered social worker's physical or mental health.]

Textual Amendments

- F1** Reg. 14(1)(c)(i) omitted (16.12.2022) by virtue of [The Social Workers \(Amendment and Transitional Provision\) Regulations 2022 \(S.I. 2022/1216\)](#), regs. 1(2), **2(5)(a)**
- F2** Reg. 14(1A) inserted (16.12.2022) by [The Social Workers \(Amendment and Transitional Provision\) Regulations 2022 \(S.I. 2022/1216\)](#), regs. 1(2), **2(5)(b)**
- F3** Words in reg. 14(8) inserted (16.12.2022) by [The Social Workers \(Amendment and Transitional Provision\) Regulations 2022 \(S.I. 2022/1216\)](#), regs. 1(2), **2(5)(c)**
- F4** Reg. 14(9) inserted (16.12.2022) by [The Social Workers \(Amendment and Transitional Provision\) Regulations 2022 \(S.I. 2022/1216\)](#), regs. 1(2), **2(5)(d)**

Modifications etc. (not altering text)

- C1** Reg. 14 modified in part (2.12.2019) by [The Children and Social Work Act 2017 \(Transitional and Savings Provisions\) \(Social Workers\) Regulations 2019 \(S.I. 2019/1140\)](#), regs. 1, **19(2)(b)**; [S.I. 2019/1436](#), reg. 2(b)
- C2** Reg. 14 modified in part (2.12.2019) by [The Children and Social Work Act 2017 \(Transitional and Savings Provisions\) \(Social Workers\) Regulations 2019 \(S.I. 2019/1140\)](#), regs. 1, **3(2)(d)**; [S.I. 2019/1436](#), reg. 2(b)

Changes to legislation:

There are currently no known outstanding effects for the The Social Workers Regulations 2018, Section 14.