

These notes refer to the Health and Personal Social Services (Amendment) Act (Northern Ireland) 2016 (c.23) which received Royal Assent on 12 May 2016

Health and Personal Social Services (Amendment) Act (Northern Ireland) 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 1: Additional powers in respect of registered persons

Provides NISCC with a broader range of measures which it can impose on registrants. These measures include powers to: (i) make a person's registration subject to conditions; (ii) reach agreement with the registrant that he/she will comply with specified undertakings; and (iii) give warnings or advice to registrants.

Section 2: Powers to obtain and disclose information etc

Provides NISCC with a power to obtain information to assist it with the functions of registering social workers and social care workers and making a determination about a person's fitness to practise. It also provides NISCC with a power to require a person to provide details of all relevant employers in instances where NISCC is carrying out an investigation of a registered person. It further provides NISCC, in instances when it is in the public interest, with a power to publish information relating to a person's fitness to practise.

Section 3: Social workers etc to be registered in Northern Ireland register

Places a requirement on social workers who work in Northern Ireland to be registered with NISCC.

Section 4: Recognition of attainment of standards by social workers

Provides NISCC with a power to make rules relating to the standard of proficiency to be attained by social workers and the way in which the standard can be attained through a course or other means of learning and can be recognised by a certificate or other means (e.g. credits, etc).

Section 5: Appeals to the Care Tribunal

Provides the Care Tribunal with increased flexibility in responding to appeals. On the appeal, the Care Tribunal will now have the power to confirm

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the decision, set aside the decision or substitute for the decision appealed against any other decision that could have been made.

Section 6: Minor and consequential amendments

Makes minor or consequential to other legislation as a result of the Act.

Section 7: Interpretation

Provides definitions for specific terms used throughout the Act.

Section 8: Commencement

Provides that all of the sections will come into operation on the day after Royal Assent.

Section 9: Short title

Specifies the name of the Act.